

PROOF

STATE OF IOWA

House Journal

TUESDAY, MARCH 8, 2011

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JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day - Forty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 8, 2011

The House met pursuant to adjournment at 8:33 a.m., Sands of Louisa in the chair.

Prayer was offered by Pastor John Seitz, Antioch Christian Church, Marion. He was the guest of Representative Schulte of Linn County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Graham Lohman, Chief Clerk's Page from Iowa City.

The Journal of Monday, March 7, 2011 was approved.

INTRODUCTION OF BILLS

[House File 575](#), by Pearson, a bill for an act establishing an Iowa freedom and sovereignty Act and including penalties.

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

[House File 576](#), by committee on commerce, a bill for an act prohibiting the inclusion of health plans that provide coverage for abortion in a state health benefit exchange and including effective date provisions.

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

SENATE MESSAGES CONSIDERED

[Senate File 149](#), by committee on transportation, a bill for an act allowing the department of transportation to accept reports from advanced registered nurse practitioners and physician assistants disclosing a physical or mental condition that renders a person incompetent to operate a motor vehicle.

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

[Senate File 259](#), by committee on judiciary, a bill for an act relating to mental health and substance abuse histories conducted in a presentence investigation report and the standards for release on probation in a criminal proceeding.

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

[Senate File 299](#), by committee on natural resources and environment, a bill for an act relating to environmental protection, including solid waste, sewage works, hazardous waste, infectious medical waste, and pesticide and fertilizer contamination.

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

[Senate File 321](#), by committee on agriculture, a bill for an act relating to wastewater discharges by on-farm processing operations.

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

On motion by Helland of Polk, the House was recessed at 8:44 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:06 p.m., Speaker Paulsen in the chair.

INTRODUCTION OF BILL

[House File 577](#), by Pearson, Massie, and Shaw, a bill for an act relating to the validity of marriage in the state and restricting judicial review of laws determining marriage validity.

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

SENATE MESSAGES CONSIDERED

[Senate File 93](#), by committee on judiciary, a bill for an act enhancing the penalty for certain domestic abuse assault cases and providing a penalty.

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

[Senate File 241](#), by committee on human resources, a bill for an act relating to the amount of certain civil penalties that may be imposed by the board of pharmacy.

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

[Senate File 267](#), by Danielson, McCoy, and Beall, a bill for an act relating to close clearances and safe spaces around railroad tracks and railroad facilities, and providing penalties and including effective date provisions.

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

[Senate File 285](#), by committee on labor and business relations, a bill for an act relating to employment services laws administered by the division of labor services of the department of workforce development.

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

[Senate File 286](#), by committee on human resources, a bill for an act relating to the Iowa prescription monitoring program and including an effective date provision.

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

[Senate File 290](#), by committee on labor and business relations, a bill for an act relating to asbestos regulations administered by the division of labor services of the department of workforce development.

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

[Senate File 292](#), by committee on judiciary, a bill for an act relating to scheduled violations that require a court appearance.

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

[Senate File 315](#), by committee on local government, a bill for an act relating to emergency management planning.

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

The House stood at ease at 1:08 p.m., until the fall of the gavel.

The House resumed session at 3:12 p.m., Speaker Paulsen in the chair.

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 March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 124](#), a bill for an act relating to the criminal offense of possessing electronic contraband or failing to report electronic contraband at a jail, municipal holding facility, or correctional facility and providing penalties.

Also: That the Senate has on March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 175](#), a bill for an act extending the repeal date for the prevention of disabilities policy council.

Also: That the Senate has on March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 177](#), a bill for an act relating to the director of the Iowa law enforcement academy and the membership of the Iowa law enforcement academy council and including applicability provisions.

Also: That the Senate has on March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 184](#), a bill for an act relating to intermediate driver's licenses and special minor's licenses, making a penalty applicable, and including effective date provisions.

Also: That the Senate has on March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 236](#), a bill for an act relating to the practices and procedures of the department of public safety including the state fire service and emergency response council, the state building code commissioner, fingerprint records, disposition records, the sex offender registry, and access to deferred judgment docket records.

Also: That the Senate has on March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 244](#), a bill for an act relating to the release and satisfaction of judgments.

Also: That the Senate has on March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 393](#), a bill for an act relating to drainage and levee districts by providing for the delivery of a written communication to state and local government.

Also: That the Senate has on March 8, 2011, adopted the following resolution in which the concurrence of the House is asked:

[Senate Concurrent Resolution 4](#), a concurrent resolution directing the Office of Citizens' Aide/Ombudsman to perform mediation services, under the supervision of the Legislative Council, to resolve a dispute between the board of trustees of a drainage district and residents of land in the district.

Also: That the Senate has on March 8, 2011, adopted the following resolution in which the concurrence of the House is asked:

[Senate Concurrent Resolution 6](#), a concurrent resolution to approve and confirm the appointment of Ruth H. Cooperrider as Citizens' Aide.

Also: That the Senate has on March 8, 2011, adopted the following resolution in which the concurrence of the House is asked:

[Senate Concurrent Resolution 7](#), a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives of the Eighty-fourth General Assembly.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

[House File 578](#), by committee on judiciary, a bill for an act relating to the boards of directors of public corporations, and including effective date provisions.

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

[House File 579](#), by committee on education, a bill for an act prohibiting use by any student enrolled in a school district and use on school grounds of nicotine products and providing restrictions for violation of the prohibition.

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

[House File 580](#), by committee on education, a bill for an act relating to the provision of competent private instruction to school-age children.

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

[House File 581](#), by committee on education, a bill for an act concerning the protection of students from concussions and other brain injuries.

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

[House File 582](#), by committee on education, a bill for an act exempting junior reserve officer training corps program instructors from board of educational examiners licensing requirements.

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

[House File 583](#), by committee on education, a bill for an act relating to independent accreditation of nonpublic schools.

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

[House File 584](#), by committee on education, a bill for an act concerning driver education instruction by a teaching parent.

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

[House File 585](#), by committee on education, a bill for an act relating to charter school and innovation zone school approval and revocation or nonrenewal requirements under the state's system of public education.

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

[House File 586](#), by committee on education, a bill for an act relating to the duties and operations of the state's community colleges.

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

[House File 587](#), by committee on education, a bill for an act relating to vehicular transportation for students and making penalties applicable.

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

[House File 588](#), by committee on education, a bill for an act relating to the establishment of an independent private instruction option for students of compulsory attendance age.

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

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 March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 289](#), a bill for an act relating to open records and public meetings and including effective date provisions.

Also: That the Senate has on March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 311](#), a bill for an act relating to wage payment collection issues arising between employers and individuals who provide services to employers, providing penalties and remedies, and including effective date provisions.

Also: That the Senate has on March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 327](#), a bill for an act relating to the disposition of a child with mental illness or mental retardation in juvenile court.

Also: That the Senate has on March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 361](#), a bill for an act authorizing the Iowa state fair board to establish an endowment fund to receive gifts in trust dedicated to the maintenance and improvement of the Iowa state fairgrounds.

MICHAEL E. MARSHALL, Secretary

HOUSE INSISTS

Wagner of Linn called up for consideration [Senate File 209](#), a bill for an act relating to public funding and regulatory matters by making appropriations, providing for updated Code references to the Internal Revenue Code, increasing the state earned income tax credit, and including effective date and retroactive applicability provisions,

and moved that the House insist on its amendment, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED
([Senate File 209](#))

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning [Senate File 209](#): Raecker of Polk, Chair; Helland of Polk, Wagner of Linn, Jacoby of Johnson and T. Olson of Linn.

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that [Senate File 209](#) be immediately messaged to the Senate.

CONSIDERATION OF BILLS
Regular Calendar

[House File 148](#), a bill for an act relating to state expenditure and oversight requirements by establishing an organized system of reviews and ongoing repeal dates for programs and projects administered by executive branch departments, revising state expenditure limitations and related state budget requirements, and revising the process for establishing the state percent of growth and including effective date and applicability provisions, was taken up for consideration.

Raecker of Polk offered amendment [H-1184](#) filed by him and Wenthe of Fayette.

Amendment [H-1184](#) was adopted, placing out of order amendment [H-1192](#) filed by Isenhart of Dubuque on March 7, 2011.

Raecker 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?" ([H.F. 148](#))

The ayes were, 100:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Hunter	Huseman	Isenhardt	Iverson
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Lensing	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	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, none.

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

[House File 186](#), a bill for an act adding hallucinogenic substances to the list of schedule I controlled substances, providing penalties, and including an effective date provision, was taken up for consideration.

Baudler of Adair offered amendment [H-1099](#) filed by him and moved its adoption.

Amendment [H-1099](#) was adopted.

Fry of Clarke 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. 186](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Huseman	Isenhart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	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.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, 4:

Hunter	Lensing	Taylor, T.	Wessel-Kroeschell
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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.

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 March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 389](#), a bill for an act relating to the nonreversion of funds appropriated to the national guard educational assistance program and including effective date and retroactive applicability provisions.

Also: That the Senate has on March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 394](#), a bill for an act creating a high performance certification program applicable to certain public buildings.

Also: That the Senate has on March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 399](#), a bill for an act regulating the advertising of veterans benefits appeal services by requiring certain disclosures and including a civil penalty.

Also: That the Senate has on March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 426](#), a bill for an act modifying the funding requirements for whole grade sharing agreements.

MICHAEL E. MARSHALL, Secretary

[House File 212](#), a bill for an act relating to school district dress code policies and including effective date provisions, was taken up for consideration.

Kelley of Jasper offered amendment [H-1227](#) filed by him and moved its adoption.

J. Taylor of Woodbury rose on a point of order that amendment [H-1227](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1227](#) not germane.

Kelley of Jasper offered amendment [H-1078](#) filed by him and moved its adoption.

Amendment [H-1078](#) lost.

M. Smith of Marshall offered amendment [H-1185](#) filed by him and moved its adoption.

Amendment [H-1185](#) lost.

Windschitl of Harrison in the chair at 4:12 p.m.

J. Taylor of Woodbury 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. 212](#))

The ayes were, 91:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Hein	Helland	Horbach	Huseman
Isenhart	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Klein
Koester	Kressig	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Oldson
Olson, R.	Olson, S.	Olson, T.	Paulsen, Spkr.
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.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Winckler	Wittneben
Wolfe	Worthan	Windschitl, Presiding	

The nays were, 9:

Heddens	Hunter	Kelley	Lensing
Muhlbauer	Murphy	Taylor, T.	Wessel-Kroeschell
Willems			

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.

[HOUSE FILE 1](#) WITHDRAWN

Raecker of Polk asked and received unanimous consent to withdraw [House File 1](#) from further consideration by the House.

[HOUSE FILE 77](#) WITHDRAWN

J. Taylor of Woodbury asked and received unanimous consent to withdraw [House File 77](#) from further consideration by the House.

Speaker Paulsen in the chair at 4:27 p.m.

INTRODUCTION OF BILLS

[House File 589](#), by committee on agriculture, a bill for an act relating to offenses involving agricultural operations, and providing penalties and remedies.

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

[House File 590](#), by committee on economic growth/rebuild Iowa, a bill for an act relating to the organization of the executive branch agencies responsible for administering economic development programs, making certain properly related changes, and including effective date and transition provisions.

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

CONSIDERATION OF BILLS

Regular Calendar

[House File 254](#), a bill for an act relating to the Iowa communications network by removing waiver provisions applicable to utilization of the network, was taken up for consideration.

Iverson of Wright 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. 254](#))

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Huseman	Ishart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	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, 1:

Hunter

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

[House File 268](#), a bill for an act authorizing the issuance of special senior shotgun season deer hunting licenses, was taken up for consideration.

Alons of Sioux offered amendment [H-1215](#) filed by him and Lukan of Dubuque.

Amendment [H-1215](#) was adopted.

Lukan of Dubuque offered amendment [H-1098](#) filed by him and moved its adoption.

Amendment [H-1098](#) was adopted.

Lukan of Dubuque 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. 268](#))

The ayes were, 84:

Alons	Anderson	Arnold	Baltimore
Baudler	Berry	Brandenburg	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Garrett	Grassley	Hagenow
Hager	Hall	Hanusa	Heaton
Heddens	Hein	Helland	Horbach
Huseman	Ishenart	Iverson	Jorgensen
Kaufmann	Kelley	Klein	Koester
Lofgren	Lukan	Lykam	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Olson, R.	Olson, S.
Olson, T.	Paustian	Pearson	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Rogers	Running-Marquardt	Sands	Schulte
Schultz	Shaw	Smith, J.	Smith, M.
Soderberg	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Willems	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, 16:

Abdul-Samad	Gaines	Gaskill	Hanson
Hunter	Jacoby	Kajtazovic	Kearns
Kressig	Lensing	Mascher	Oldson
Petersen	Steckman	Wessel-Kroeschell	Winckler

Absent or not voting, none.

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 148, 186, 212, 254 and 268.**

[HOUSE FILE 172](#) WITHDRAWN

Lukan of Dubuque asked and received unanimous consent to withdraw [House File 172](#) from further consideration by the House.

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 March 8, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 197](#), a bill for an act relating to the performance of routine maintenance of a fire protection system and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

[House File 535](#), a bill for an act creating an Iowa preschool scholarship program for four-year-old children, repealing the statewide preschool program for four-year-old children, and including effective date and applicability provisions, was taken up for consideration.

Willems of Linn offered amendment [H-1186](#) filed by him and moved its adoption.

Kaufmann of Cedar in the chair at 5:02 p.m.

Roll call was requested by Willems of Linn and Hunter of Polk.

On the question "Shall amendment [H-1186](#) be adopted?" ([H.F. 535](#))

The ayes were, 40:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

The nays were, 60:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paulsen, Spkr.
Paustian	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Kaufmann, Presiding

Absent or not voting, none.

Amendment [H-1186](#) lost.

Winckler of Scott offered amendment [H-1231](#) filed by her and Mascher of Johnson.

Roll call was requested by Winckler of Scott and Kressig of Black Hawk.

On the question "Shall amendment [H-1231](#) be adopted?" ([H.F. 535](#))

The ayes were, 40:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens

Hunter	Isenhart	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lykam	Mascher	McCarthy	Miller, H.
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	Wolfe

The nays were, 60:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Horbach
Huseman	Iverson	Jorgensen	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Olson, S.	Paulsen, Spkr.
Paustian	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Windschitl	Worthan	Kaufmann, Presiding

Absent or not voting, none.

Amendment [H-1231](#) lost.

Speaker Paulsen in the chair at 6:42 p.m.

Forristall of Pottawattamie offered amendment [H-1188](#) filed by him and moved its adoption.

Amendment [H-1188](#) was adopted, placing out of order amendment [H-1216](#) filed by Forristall of Pottawattamie on March 7, 2011.

J. Taylor of Woodbury offered amendment [H-1226](#) filed by him and Muhlbauer of Crawford and moved its adoption.

Amendment [H-1226](#) was adopted.

Forristall of Pottawattamie 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. 535](#))

The ayes were, 55:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Chambers	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jorgensen	Kaufmann	Koester	Lofgren
Lukan	Massie	Miller, L.	Olson, S.
Paustian	Pearson	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Windschitl	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 45:

Abdul-Samad	Berry	Byrnes	Cphoon
Gaines	Gaskill	Hager	Hall
Hanson	Heddens	Hunter	Isenhart
Jacoby	Kajtazovic	Kearns	Kelley
Klein	Kressig	Lensing	Lykam
Mascher	McCarthy	Miller, H.	Moore
Muhlbauer	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Quirk	Running-Marquardt
Smith, M.	Steckman	Swaim	Taylor, T.
Thede	Thomas	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Wittneben
Wolfe			

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 MESSAGE

Upmeyer of Hancock asked and received unanimous consent that [House File 535](#) be immediately messaged to the Senate.

REPORT OF THE CHIEF CLERK OF THE HOUSE

MR. SPEAKER: Pursuant to House Rule 42, I report that in engrossing bills the following correction was made:

[House File 535](#)

1. Page 12, Line 8, delete incorrect reference <subparagraph(1),>

W. CHARLES SMITHSON
Chief Clerk of the House

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 7, 2011. Had I been present, I would have voted "aye" on House Files 242, 348, 404, 465, 468, 474 and 494.

HAGER of Allamakee

GOVERNOR'S ITEM VETO MESSAGE

March 7, 2011

The Honorable Kraig Paulsen
Speaker of the House of Representatives
State Capitol
Des Moines, Iowa 50319

Dear Mr. Speaker:

I hereby transmit [House File 45](#), an Act relating to public funding and regulatory matters and revising appropriations and including effective and other applicability date provisions and making penalties applicable.

[House File 45](#) is, therefore, signed on this date with the following exception, which I hereby disapprove.

I am unable to approve the item designated as Section 21. This language would extend the sunset date for the Legislative Health Care Coverage Commission ("Commission") from December 31, 2011 to July 1, 2013. Section 22 of [House File 45](#) defunds the Commission and I see no reason to extend the final date already provided in current law, given the decrease in funding for the Commission.

For the above reasons, I respectfully disapprove this item in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items in [House File 45](#) are hereby approved as of this date.

Sincerely,
TERRY E. BRANSTAD
Governor

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF EDUCATION

Community College Additional Data Report, pursuant to Chapter 260C.14, Code of Iowa.

DEPARTMENT OF NATURAL RESOURCES

Manure on Frozen and Snow Covered Ground Report, pursuant to Chapter 459.313B, Code of Iowa.

SUBCOMMITTEE ASSIGNMENTS

[House File 300](#)

Ways and Means: Vander Linden, Chair; Quirk and Soderberg.

[House File 388](#)

Ways and Means: Helland, Chair; Kajtazovic and Sands.

[House File 402](#)

Ways and Means: Hein, Chair; Isenhart and Paustian.

[House File 424](#)

Ways and Means: Helland, Chair; Muhlbauer and Sands.

[House File 437](#)

Ways and Means: Helland, Chair; Quirk and Sands.

[House File 448](#)

Ways and Means: Helland, Chair; Isenhart and Sands.

[Senate File 185](#)

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

[Senate File 241](#)

Human Resources: L. Miller, Chair; Jorgensen and Petersen.

[Senate File 286](#)

Human Resources: L. Miller, Chair; Garrett and Steckman.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 212](#)

Ways and Means: Helland, Chair; Jacoby and Sands.

[House Study Bill 213](#)

Ways and Means: Hein, Chair; Isenhart and Paustian.

[House Study Bill 214](#)

Ways and Means: Byrnes, Chair; Kaufmann, Paustian, Thomas and Willems.

[House Study Bill 215](#)

Ways and Means: Byrnes, Chair; Kaufmann, Paustian, Thomas and Willems.

[House Study Bill 216](#)

Ways and Means: Hein, Chair; Isenhart and Paustian.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 218](#) **Government Oversight**

Relating to the administration of prison industries established and maintained by the Iowa department of corrections, and including effective date provisions.

[H.S.B. 219](#) **Ways and Means**

Concerning the carrying of weapons including provisions relating to permits to carry weapons and providing a penalty.

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.

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly [House Study Bill 189](#)), relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2011.

Committee Bill (Formerly [House Study Bill 192](#)), relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing for related matters.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2011.

Committee Bill (Formerly [House Study Bill 195](#)), 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.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2011.

AMENDMENTS FILED

H-1234	H.F. 499	Iverson of Wright
H-1235	H.F. 536	Rogers of Black Hawk
H-1236	H.F. 523	Horbach of Tama
H-1237	S.F. 321	Klein of Washington
H-1238	H.F. 454	Kaufmann of Cedar
		Gaskill of Wapello
H-1239	H.F. 525	Isenhardt of Dubuque
		Kressig of Black Hawk

H-1240	H.F. 525	Jorgensen of Woodbury
H-1241	H.F. 490	Swaim of Davis
H-1242	S.F. 321	Klein of Washington
H-1243	H.F. 540	Kaufmann of Cedar
H-1244	H.F. 525	Hunter of Polk
H-1245	H.F. 525	Mascher of Johnson
H-1246	H.F. 525	Hanson of Jefferson
H-1247	H.F. 525	Abdul-Samad of Polk
H-1248	H.F. 525	Gaines of Polk
H-1249	H.F. 525	Berry of Black Hawk
H-1250	H.F. 525	Kajtazovic of Black Hawk

On motion by Upmeyer of Hancock the House adjourned at 8:34 p.m., until 8:30 a.m., Wednesday, March 9, 2011.