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**STATE OF IOWA**

# **House Journal**

**WEDNESDAY, MARCH 23, 2011**

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

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# JOURNAL OF THE HOUSE

Seventy-third Calendar Day - Fifty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 23, 2011

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

Prayer was offered by Pastor Mike Evans, Crossroads Church, Earlham. He was the guest of Representative Helland of Polk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by retired Rear Admiral Gerald Gneckow from Homosassa, Florida. He was the guest of Representative Alons of Sioux.

Speaker Paulsen in the chair at 8:35 a.m.

The Journal of Tuesday, March 22, 2011 was approved.

## SENATE MESSAGES CONSIDERED

[Senate File 471](#), by committee on state government, a bill for an act relating to the review of administrative rules and application processes.

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

[Senate File 506](#), by committee on ways and means, a bill for an act providing for a small employer health insurance tax credit as a percentage of the federal credit and including retroactive applicability provisions.

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

[Senate File 512](#), by committee on appropriations, a bill for an act making supplemental appropriations for the fiscal year beginning

July 1, 2010, for the state public defender and including effective date provisions.

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

#### 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 22, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 240](#), a bill for an act relating to matters under the purview of the alcoholic beverages division of the department of commerce, and making penalties applicable.

Also: That the Senate has on March 22, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 406](#), a bill for an act relating to various matters under the purview of the insurance division of the department of commerce and including effective date provisions.

Also: That the Senate has on March 22, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 464](#), a bill for an act allowing the establishment of an open season for hunting mourning doves.

MICHAEL E. MARSHALL, Secretary

On motion by Upmeyer of Hancock, the House was recessed at 8:40 a.m., until 1:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 1:08 p.m., Speaker Paulsen in the chair.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Brandenburg of Pottawattamie on request of Upmeyer of Hancock.

The House stood at ease at 1:10 p.m., until the fall of the gavel.

The House resumed session at 2:07 p.m., Speaker Paulsen in the chair.

#### ADOPTION OF [HOUSE RESOLUTION 22](#)

Anderson of Page called up for consideration [House Resolution 22](#), a resolution supporting the Republic of China on Taiwan as a part of the global community, and moved its adoption.

The motion prevailed and the resolution was adopted.

Perry Pei-hwang Shen, Director General of Taipei Economic and Cultural Office in Chicago, addressed the House.

The House rose and expressed its welcome.

The House stood at ease at 2:15 p.m., until the fall of the gavel.

The House resumed session at 2:37 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 23, 2011, amended and passed the following bill in which the concurrence of the Senate was asked:

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

Also: That the Senate has on March 23, 2011, passed the following bill in which the concurrence of the Senate was asked:

[House File 617](#), a bill for an act relating to matters under the purview of the alcoholic beverages division of the department of commerce, including alcoholic beverage permits and licenses and administrative provisions, modifying fees, and including effective date provisions.

Also: That the Senate has on March 23, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 192](#), a bill for an act relating to snowmobile registration and permit fees.

Also: That the Senate has on March 23, 2011, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 402](#), a bill for an act relating to the injured veterans grant program and including effective date and retroactive applicability provisions.

Also: That the Senate has on March 23, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 413](#), a bill for an act relating to financial responsibilities of local emergency management commissions.

Also: That the Senate has on March 23, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 419](#), a bill for an act authorizing the establishment of a philanthropy account within a student activity fund.

Also: That the Senate has on March 23, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 444](#), a bill for an act relating to oversight functions performed by the college student aid commission regarding certain restrictions and requirements for schools offering postsecondary educational programs and making penalties applicable.

Also: That the Senate has on March 23, 2011, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 470](#), a bill for an act relating to the duties and operations of the state's community colleges.

Also: That the Senate has on March 23, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 510](#), a bill for an act relating to and making appropriations to the justice system.

Also: That the Senate has on March 23, 2011, passed the following bill in which the concurrence of the House is asked:

[Senate File 511](#), a bill for an act relating to and making appropriations to the judicial branch.

MICHAEL E. MARSHALL, Secretary

## CONSIDERATION OF BILLS Regular Calendar

[Senate File 130](#), a bill for an act relating to raccoon hunting, with report of committee recommending passage, was taken up for consideration.

Arnold of Lucas offered amendment [H-1435](#) filed by him.

Berry of Black Hawk offered amendment [H-1443](#), to amendment [H-1435](#), filed by her from the floor and moved its adoption.

Amendment [H-1443](#), to amendment [H-1435](#), lost.

Wolfe of Clinton offered amendment [H-1444](#), to amendment [H-1435](#), filed by her from the floor and moved its adoption.

A non-record roll call was requested.

The ayes were 30, nays 51.

Amendment [H-1444](#), to amendment [H-1435](#), lost.

Isenhart of Dubuque offered amendment [H-1445](#), to amendment [H-1435](#), filed by him from the floor and moved its adoption.

A non-record roll call was requested.

The ayes were 21, nays 52.

Amendment [H-1445](#), to amendment [H-1435](#), lost.

Mascher of Johnson offered amendment [H-1446](#), to amendment [H-1435](#), filed by her from the floor and moved its adoption.

Amendment [H-1446](#), to amendment [H-1435](#), lost.

Mascher of Johnson offered amendment [H-1447](#), to amendment [H-1435](#), filed by her from the floor and moved its adoption.

Amendment [H-1447](#), to amendment [H-1435](#), lost.

Mascher of Johnson offered amendment [H-1448](#), to amendment [H-1435](#), filed by her from the floor and moved its adoption.

Amendment [H-1448](#), to amendment [H-1435](#), lost.

Arnold of Lucas offered amendment [H-1436](#), to amendment [H-1435](#), filed by him from the floor and moved its adoption.

Amendment [H-1436](#), to amendment [H-1435](#), was adopted.

Hall of Woodbury offered amendment [H-1450](#), to amendment [H-1435](#), filed by him from the floor and moved its adoption.

Amendment [H-1450](#), to amendment [H-1435](#), lost.

Arnold of Lucas moved amendment [H-1435](#), as amended.

Mascher of Johnson rose on a point of order that amendment [H-1435](#), as amended, was not germane.

The Speaker ruled the point well taken and amendment [H-1435](#), as amended, not germane.

Arnold of Lucas asked for unanimous consent to suspend the rules to consider amendment [H-1435](#), as amended.

Objection was raised.

Arnold of Lucas moved to suspend the rules to consider amendment [H-1435](#), as amended.

A non-record roll call was requested.

The ayes were 53, nays 30.

The motion prevailed and the rules were suspended.

Amendment [H-1435](#), as amended, was adopted.

#### INTRODUCTION OF BILLS

[House File 651](#), by committee on appropriations, a bill for an act providing for a special civil war sesquicentennial motor vehicle registration plate, establishing fees, and making an appropriation.

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

[House File 652](#), by committee on ways and means, a bill for an act providing an exemption from the computation of the individual

state income tax of all pay received for active duty military service and including retroactive applicability provisions.

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

#### SENATE MESSAGES CONSIDERED

[Senate File 240](#), by committee on commerce, a bill for an act relating to matters under the purview of the alcoholic beverages division of the department of commerce, and making penalties applicable.

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

[Senate File 406](#), by committee on commerce, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce and including effective date provisions.

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

[Senate File 464](#), by committee on natural resources and environment, a bill for an act allowing the establishment of an open season for hunting mourning doves.

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

#### [SENATE FILE 464](#) SUBSTITUTED FOR [SENATE FILE 130](#)

Arnold of Lucas asked and received unanimous consent to substitute [Senate File 464](#) for [Senate File 130](#).

[Senate File 464](#), a bill for an act allowing the establishment of an open season for hunting mourning doves, was taken up for consideration.

Arnold of Lucas 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. 464](#))



The ayes were, 58:

Alons	Anderson	Arnold	Baudler
Byrnes	Chambers	Cohon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hager	Hall	Helland
Horbach	Huseman	Iverson	Jorgensen
Kaufmann	Kearns	Koester	Lukan
Lykam	Massie	McCarthy	Miller, L.
Moore	Muhlbauer	Olson, R.	Olson, S.
Paustian	Pearson	Quirk	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Upmeyer	Vander Linden
Wagner	Watts	Windschitl	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, 39:

Abdul-Samad	Baltimore	Berry	Gaines
Gaskill	Hanson	Hanusa	Heaton
Heddens	Hein	Hunter	Isenhart
Jacoby	Kajtazovic	Kelley	Klein
Kressig	Lensing	Lofgren	Mascher
Miller, H.	Oldson	Olson, T.	Petersen
Pettengill	Raecker	Schulte	Smith, M.
Steckman	Taylor, T.	Thede	Thomas
Tjepkes	Van Engelenhoven	Wenthe	Wessel-Kroeschell
Willems	Winckler	Wittneben	

Absent or not voting, 3:

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

[House File 454](#), a bill for an act permitting city utilities and certain cities to delegate the authority to certify unpaid rates or charges for collection by the county treasurer, was taken up for consideration.

Horbach of Tama asked and received unanimous consent to withdraw amendment [H-1238](#) filed by Kaufmann of Cedar and Gaskill of Wapello on March 8, 2011.

Horbach of Tama 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. 454](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	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	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	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, 3:

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

Kaufmann of Cedar in the chair at 4:16 p.m.

[House File 455](#), a bill for an act placing the agricultural development authority within the department of agriculture and land stewardship, was taken up for consideration.

[SENATE FILE 429](#) SUBSTITUTED FOR [HOUSE FILE 455](#)

Deyoe of Story asked and received unanimous consent to substitute [Senate File 429](#) for [House File 455](#).

[Senate File 429](#), a bill for an act placing the agricultural development authority within the department of agriculture and land stewardship, was taken up for consideration.

Deyoe 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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Watts of Dallas on request of Upmeyer of Hancock.

On the question "Shall the bill pass?" ([S.F. 429](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	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	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	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	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Wenthe

Wessel-Kroeschell Wittneben	Willems Wolfe	Winckler Worthan	Windschitl Kaufmann, Presiding
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The nays were, none.

Absent or not voting, 4:

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

#### [HOUSE FILE 455](#) WITHDRAWN

Deyoe of Story asked and received unanimous consent to withdraw [House File 455](#) from further consideration by the House.

[House File 473](#), a bill for an act relating to bidding and contracting for public improvement, public works, and public road projects and including effective date and applicability provisions, was taken up for consideration.

Thomas of Clayton asked and received unanimous consent to consider amendment [H-1437](#) filed by him from the floor and moved its adoption.

Amendment [H-1437](#) was adopted.

T. Taylor of Linn offered amendment [H-1112](#) filed by Murphy of Dubuque and moved its adoption.

Amendment [H-1112](#) lost.

Hunter of Polk offered amendment [H-1113](#) filed by Murphy of Dubuque and moved its adoption.

Amendment [H-1113](#) lost.

The Speaker welcomed to the House Governor Terry E. Branstad. Governor Branstad expressed his appreciation on the passing of [House Joint Resolution 16](#), relating to the placement of a statue in the United State Capitol honoring Dr. Norman E. Borlaug.

The House rose and expressed its welcome.

Horbach of Tama 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. 473](#))

The ayes were, 59:

Alons	Anderson	Arnold	Baltimore
Baudler	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	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Soderberg	Sweeney	Taylor, J.	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Windschitl	Worthan	Kaufmann, Presiding	

The nays were, 37:

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

Absent or not voting, 4:

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

## INTRODUCTION OF BILLS

[House File 653](#), by committee on ways and means, a bill for an act relating to the assessment and taxation of qualifying local exchange carrier property.

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

[House File 654](#), by committee on ways and means, a bill for an act related to moneys administered by the board of trustees of a drainage or levee district.

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

[House File 655](#), by committee on ways and means, a bill for an act relating to the assessment of certain subdivided real property and including effective date and retroactive applicability and other applicability provisions.

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

## CONSIDERATION OF BILLS

## Regular Calendar

[House File 497](#), a bill for an act relating to payment for behavioral health services provided by licensed mental health counselors and certified alcohol and drug counselors under the Medicaid program, was taken up for consideration.

Speaker Paulsen in the chair at 4:55 p.m.

M. Smith of Marshall offered amendment [H-1395](#) filed by Schulte of Linn and moved its adoption.

Amendment [H-1395](#) was adopted.

[SENATE FILE 233](#) SUBSTITUTED FOR [HOUSE FILE 497](#)

M. Smith of Marshall asked and received unanimous consent to substitute [Senate File 233](#) for [House File 497](#).

[Senate File 233](#), a bill for an act relating to entitling mental health counselors to payment for behavioral health services provided under the Medicaid program, was taken up for consideration.

M. Smith of Marshall offered amendment [H-1396](#) filed by Schulte of Linn and moved its adoption.

Amendment [H-1396](#) was adopted.

Schulte 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. 233](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Byrnes
Chambers	Cohoon	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	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	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
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Brandenburg      Horbach      Murphy      Swaim  
Watts

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

#### HOUSE FILES 235 and 497 WITHDRAWN

M. Smith of Marshall asked and received unanimous consent to withdraw House Files 235 and 497 from further consideration by the House.

Upmeyer of Hancock asked and received unanimous consent that [Senate File 130](#) be deferred and that the bill retain its place on the calendar.

#### IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 454, 473** and **Senate Files 233, 429, and 464.**

[House File 500](#), a bill for an act relating to rulemaking authority of the department of natural resources and including effective date and applicability provisions, was taken up for consideration.

Isenhart of Dubuque rose on a point of order and invoked Rule 32 to refer [House File 500](#) to the committee on ways and means.

The Speaker ruled the point well taken and [House File 500](#) was referred to the committee on ways and means.

[House File 514](#), a bill for an act relating to environmental protection, including solid waste, sewage works, hazardous waste, infectious medical waste, and pesticide and fertilizer contamination, was taken up for consideration.

Klein of Washington asked and received unanimous consent to withdraw amendment [H-1402](#) filed by Watts of Dallas on March 21, 2011.



SENATE FILE 299 SUBSTITUTED FOR HOUSE FILE 514

Klein of Washington asked and received unanimous consent to substitute Senate File 299 for House File 514.

Senate File 299, a bill for an act relating to environmental protection, including solid waste, sewage works, hazardous waste, infectious medical waste, and pesticide and fertilizer contamination, was taken up for consideration.

Klein of Washington 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. 299)

The ayes were, 94:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	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	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Oldson	Olson, R.
Olson, S.	Olson, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wittneben	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 6:

Brandenburg	Kaufmann	Murphy	Raecker
Swaim	Watts		

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

[HOUSE FILE 514](#) WITHDRAWN

Klein of Washington asked and received unanimous consent to withdraw [House File 514](#) from further consideration by the House.

[House File 533](#), 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, was taken up for consideration.

[SENATE FILE 361](#) SUBSTITUTED FOR [HOUSE FILE 533](#)

Koester of Polk asked and received unanimous consent to substitute [Senate File 361](#) for [House File 533](#).

[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, was taken up for consideration.

Cownie of Polk offered amendment [H-1411](#) filed by him and moved its adoption.

Amendment [H-1411](#) was adopted.

Koester 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. 361](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	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	Isenhart	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lensing	Lofgren	Lukan	Lykam
Mascher	Massie	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Soderberg	Steckman
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Brandenburg	Murphy	Running-Marquardt	Swaim
Watts			

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

[House File 597](#), a bill for an act creating new procedures for external review of health care coverage decisions by health carriers and including transition and applicability provisions, was taken up for consideration.

Pettengill of Benton offered amendment [H-1407](#) filed by her and moved its adoption.

Amendment [H-1407](#) was adopted.

Pettengill of Benton 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. 597](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	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	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	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

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

[HOUSE FILE 533](#) WITHDRAWN

Koester of Polk asked and received unanimous consent to withdraw [House File 533](#) from further consideration by the House.

[House File 643](#), a bill for an act relating to environmental protection, by transferring certain powers and duties to the department of agriculture and land stewardship, providing an

appropriation, and including effective date provisions, was taken up for consideration.

Moore of Jackson offered amendment [H-1391](#) filed by him.

Lensing of Johnson offered amendment [H-1438](#), to amendment [H-1391](#), filed by her from the floor.

Moore of Jackson rose on a point of order that amendment [H-1438](#) was not germane, to amendment [H-1391](#).

The Speaker ruled the point well taken and amendment [H-1438](#) not germane, to amendment [H-1391](#).

Lensing of Johnson offered amendment [H-1439](#), to amendment [H-1391](#), filed by her from the floor and moved its adoption.

Amendment [H-1439](#), to amendment [H-1391](#), was adopted.

Wessel-Kroeschell of Story asked and received unanimous consent to withdraw amendment [H-1441](#), to amendment [H-1391](#), filed by her from the floor.

Moore of Jackson moved amendment [H-1391](#), as amended.

Amendment [H-1391](#), as amended, was adopted.

Windschitl of Harrison in the chair at 5:40 p.m.

Moore of Jackson 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. 643](#))

The ayes were, 64:

Alons	Anderson	Arnold	Baltimore
Baudler	Berry	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hanusa
Heaton	Hein	Helland	Huseman

Iverson	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Lykam
Massie	Miller, H.	Miller, L.	Moore
Muhlbauer	Olson, S.	Paulsen, Spkr.	Paustian
Pearson	Pettengill	Quirk	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Wenthe	Wittneben	Worthan	Windschitl, Presiding

The nays were, 32:

Abdul-Samad	Cohoon	Gaines	Gaskill
Hall	Hanson	Heddens	Hunter
Isenhardt	Jacoby	Kajtazovic	Kearns
Kelley	Kressig	Lensing	Mascher
McCarthy	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Raecker	Running-Marquardt
Smith, M.	Steckman	Taylor, T.	Thede
Wessel-Kroeschell	Willems	Winckler	Wolfe

Absent or not voting, 4:

Brandenburg	Horbach	Swaim	Watts
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The bill having received a constitutional majority was declared to have passed the House and the title 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 597, 643** and **Senate Files 299** and **361**.

#### COMMITTEE REVISION

The Speaker announced the following change to the House committee assignment, effective March 22, 2011:

Forristall of Pottawattamie replaced Brandenburg of Pottawattamie, until his return, on the committee on **human resources**.

[SENATE FILE 130](#) REFERRED

The Speaker announced that [Senate File 130](#), previously placed on the **calendar** was referred to committee on **natural resources**.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 23<sup>rd</sup> day of March, 2011: [House Joint Resolution 16](#).

W. CHARLES SMITHSON  
Chief Clerk of the House

Report adopted.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 397](#)

Veterans Affairs: Vander Linden, Chair; Chambers and Kearns.

[Senate File 497](#)

State Government: Iverson, Chair; Vander Linden and Wenthe.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 224](#) Ways and Means

Establishing a tax relief fund and including effective date and applicability provisions.

[H.S.B. 225](#) Ways and Means

Relating to property assessment and property taxation by creating a recreational class of property and specifying an assessment limitation for recreational property.

**H.S.B. 226 Government Oversight**

Relating to membership in and membership dues paid to organizations representing school boards, board members, and administrators, and to the responsibilities and duties of such organizations, and providing penalties and remedies.

## 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 ADMINISTRATION AND RULES

**Senate Concurrent Resolution 2**, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-fourth general assembly.

Fiscal Note is not required.

Recommended **Do Pass** March 17, 2011.

**Senate Concurrent Resolution 6**, a concurrent resolution to approve and confirm the appointment of Ruth H. Cooperrider as Citizens' Aide.

Fiscal Note is not required.

Recommended **Do Pass** March 17, 2011.

## RESOLUTION FILED

**H.R. 32**, by Abdul-Samad, a resolution celebrating the centennial of Trinity United Methodist Church of Des Moines.

Laid over under **Rule 25**.

## AMENDMENTS FILED

<u>H-1440</u>	<u>H.F. 590</u>	Isenhardt of Dubuque
<u>H-1442</u>	<u>H.F. 590</u>	Running-Marquardt of Linn
<u>H-1449</u>	<u>H.F. 267</u>	Senate Amendment



<u>H-1451</u>	<u>H.F. 649</u>	Pettengill of Benton De Boef of Keokuk
<u>H-1452</u>	<u>S.F. 406</u>	Pettengill of Benton
<u>H-1453</u>	<u>S.F. 406</u>	Petersen of Polk Kajtazovic of Black Hawk
<u>H-1454</u>	<u>S.F. 205</u>	Murphy of Dubuque

On motion by Upmeyer of Hancock the House adjourned at 6:17 p.m., until 8:30 a.m., Thursday, March 24, 2011.