

PROOF

STATE OF IOWA

House Journal

MONDAY, APRIL 11, 2011

Produced daily by the State of Iowa during the sessions of the General Assembly.
(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Ninety-second Calendar Day - Sixty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 11, 2011

The House met pursuant to adjournment at 1:09 p.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Scott Pittman, Morningside Baptist Church, Sioux City. He was the guest of Representative J. Taylor of Woodbury County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Melanie Weber, Chief Clerk's Page from Winthrop.

The Journal of Friday, April 8, 2011 was approved.

INTRODUCTION OF BILL

[House File 678](#), by committee on government oversight, a bill for an act 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.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Huseman of Cherokee, Lukan of Dubuque and Hager of Allamakee on request of Upmeyer of Hancock.

The House stood at ease at 1:20 p.m., until the fall of the gavel.

The House resumed session at 3:04 p.m., Kaufmann of Cedar in the chair.

CONSIDERATION OF BILLS
Appropriations Calendar

[Senate File 510](#), a bill for an act relating to and making appropriations to the justice system, with report of committee recommending amendment and passage, was taken up for consideration.

Worthan of Buena Vista asked and received unanimous consent that committee amendment [H-1481](#) be deferred.

Worthan of Buena Vista offered amendment [H-1558](#) filed by him.

Wolfe of Clinton asked and received unanimous consent to withdraw amendment [H-1626](#), to amendment [H-1558](#), filed by her, Swaim of Davis and T. Taylor of Linn from the floor.

T. Taylor of Linn offered amendment [H-1634](#), to amendment [H-1558](#), filed by him from the floor and moved its adoption.

Amendment [H-1634](#), to amendment [H-1558](#), lost.

T. Taylor of Linn asked and received unanimous consent that amendment [H-1631](#), to amendment [H-1558](#), be deferred.

Willems of Linn offered amendment [H-1633](#), to amendment [H-1558](#), filed by him and T. Taylor of Linn from the floor and moved its adoption.

Speaker Paulsen in the chair at 3:35 p.m.

Amendment [H-1633](#), to amendment [H-1558](#), lost.

Kearns of Lee offered amendment [H-1625](#), to amendment [H-1558](#), filed by him and T. Taylor of Linn from the floor and moved its adoption.

Amendment [H-1625](#), to amendment [H-1558](#), lost.

T. Taylor of Linn offered amendment [H-1632](#), to amendment [H-1558](#), filed by him from the floor and moved its adoption.

Amendment [H-1632](#), to amendment [H-1558](#), lost.

T. Taylor of Linn offered amendment [H-1628](#), to amendment [H-1558](#), filed by him from the floor and moved its adoption.

Amendment [H-1628](#), to amendment [H-1558](#), lost.

R. Olson of Polk asked and received unanimous consent to withdraw amendment [H-1630](#), to amendment [H-1558](#), filed by him and T. Taylor of Linn from the floor.

Thomas of Clayton offered amendment [H-1636](#), to amendment [H-1558](#), filed by him and Jacoby of Johnson from the floor and moved its adoption.

Amendment [H-1636](#), to amendment [H-1558](#), lost.

T. Taylor of Linn asked and received unanimous consent to withdraw amendment [H-1635](#), to amendment [H-1558](#), filed by him from the floor.

Kaufmann of Cedar in the chair at 4:14 p.m.

T. Taylor of Linn offered amendment [H-1629](#), to amendment [H-1558](#), filed by him from the floor and moved its adoption.

Roll call was requested by T. Taylor of Linn and Hunter of Polk.

On the question "Shall amendment [H-1629](#), to amendment [H-1558](#), be adopted?" ([S.F. 510](#))

The ayes were, 39:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	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.
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 54:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
De Boef	Deyoe	Dolecheck	Drake

Forristall	Fry	Garrett	Grassley
Hagenow	Hanusa	Heaton	Hein
Helland	Horbach	Iverson	Jorgensen
Klein	Koester	Lofgren	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Kaufmann, Presiding		

Absent or not voting, 7:

Cownie	Hager	Huseman	Lukan
Paulsen, Spkr.	Thede	Upmeyer	

Amendment [H-1629](#), to amendment [H-1558](#), lost.

T. Taylor of Linn offered amendment [H-1631](#), to amendment [H-1558](#), filed by him from the floor, previously deferred, and moved its adoption.

Roll call was requested by T. Taylor of Linn and Hunter of Polk.

On the question "Shall amendment [H-1631](#), to amendment [H-1558](#), be adopted?" ([S.F. 510](#))

The ayes were, 39:

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.
Thomas	Wenthe	Wessel-Kroeschell	Willems
Winckler	Wittneben	Wolfe	

The nays were, 54:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Garrett	Grassley
Hagenow	Hanusa	Heaton	Hein

Helland	Horbach	Iverson	Jorgensen
Klein	Koester	Lofgren	Massie
Miller, L.	Moore	Olson, S.	Paustian
Pearson	Pettengill	Raecker	Rasmussen
Rayhons	Rogers	Sands	Schulte
Schultz	Shaw	Smith, J.	Soderberg
Sweeney	Taylor, J.	Tjepkes	Van Engelenhoven
Vander Linden	Wagner	Watts	Windschitl
Worthan	Kaufmann, Presiding		

Absent or not voting, 7:

Cownie	Hager	Huseman	Lukan
Paulsen, Spkr.	Thede	Upmeyer	

Amendment [H-1631](#), to amendment [H-1558](#), lost.

Worthan of Buena Vista moved amendment [H-1558](#).

A non-record roll call was requested.

The ayes were 51, nays 34.

Amendment [H-1558](#) was adopted, placing out of order amendment [H-1481](#) filed by the committee on appropriations on March 29, 2011, previously deferred.

Worthan of Buena Vista 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. 510](#))

The ayes were, 55:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hanusa	Heaton
Hein	Helland	Horbach	Iverson
Jorgensen	Klein	Koester	Lofgren
Massie	Miller, L.	Moore	Olson, S.
Paulsen, Spkr.	Paustian	Pettengill	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Smith, J.	Soderberg

Sweeney	Taylor, J.	Tjepkes	Upmeyer
Van Engelenhoven Windschitl	Vander Linden Worthan	Wagner Kaufmann, Presiding	Watts

The nays were, 41:

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

Absent or not voting, 4:

Hager	Huseman	Lukan	Thede
-------	---------	-------	-------

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

Unfinished Business Calendar

[Senate File 197](#), a bill for an act relating to and modifying provisions applicable to fire protection systems and electrician licensure requirements, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

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. 197](#))

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	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtzovic	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	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.	Taylor, T.
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Kaufmann, Presiding

The nays were, none.

Absent or not voting, 4:

Hager	Huseman	Lukan	Thede
-------	---------	-------	-------

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

INTRODUCTION OF BILL

[House File 679](#), by committee on ways and means, a bill for an act relating to the administration of the replacement tax for new cogeneration facilities, and including effective date and retroactive applicability provisions.

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

Ways and Means Calendar

[Senate File 260](#), a bill for an act eliminating the transfer tax imposed on insurers organized in other states who elect to become domestic insurers in Iowa, with report of committee recommending passage, was taken up for consideration.

Paustian of Scott moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 260](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cphoon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	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.	Taylor, T.
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Kaufmann, Presiding

The nays were, none.

Absent or not voting, 4:

Hager	Huseman	Lukan	Thede
-------	---------	-------	-------

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

Speaker Paulsen in the chair at 5:04 p.m.

Unfinished Business Calendar

[Senate File 315](#), a bill for an act relating to emergency management planning, with report of committee recommending passage, was taken up for consideration.

Tjepkes of Webster 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. 315](#))

The ayes were, 95:

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	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Hunter
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtažovic	Kearns	Kelley	Klein
Koester	Kressig	Lensing	Lofgren
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.	Thomas
Wagner	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Hager	Huseman	Kaufmann	Lukan
Thede			

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 April 11, 2011, amended and passed the following bill in which the concurrence of the House is asked:

[House File 493](#), a bill for an act requiring faculty members of regents institutions and community colleges and teachers employed by school districts charged with a crime to repay all salary received during a paid leave of absence if convicted.

Also: That the Senate has on April 11, 2011, amended and passed the following bill in which the concurrence of the House is asked:

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

Also: That the Senate has on April 11, 2011, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 312](#), a bill for an act concerning registration plates issued for business-trade trucks and special trucks, and including applicability provisions.

Also: That the Senate has on April 11, 2011, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 326](#), a bill for an act relating to the appointment of district judicial nominating commissioners, judicial officers, and senior judges.

MICHAEL E. MARSHALL, Secretary

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 197, 260, 315 and 510.**

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 7, 2011. Had I been present, I would have voted "aye" on [Senate File 361](#).

RAECKER of Polk

BILLS 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 bills have 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 11th day of April, 2011: House Files 132, 195, 321, 322, 329, 364, 467, 474, 512, 532 and 642.

W. CHARLES SMITHSON
Chief Clerk of the House

Report adopted.

COMMUNICATION RECEIVED

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

TEMPORARY REDISTRICTING ADVISORY COMMISSION

Report of the Temporary Redistricting Advisory Commission, received April 11, 2011, pursuant to Chapter 42.6, Code of Iowa.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 234 Ways and Means

Relating to tax credits for investment in certain qualifying businesses or community-based seed capital funds and including retroactive applicability provisions.

H.S.B. 235 State Government

Providing for congressional and legislative districts and providing an effective date.

H.S.B. 236 Ways and Means

Providing a sales tax exemption for the furnishing of environmental testing services.

AMENDMENTS FILED

H-1624	S.F. 466	Baltimore of Boone
H-1627	S.F. 424	Hanusa of Pottawattamie
H-1637	H.F. 675	Byrnes of Mitchell
H-1638	H.F. 653	Byrnes of Mitchell
H-1639	H.F. 654	Senate Amendment
H-1640	H.F. 493	Senate Amendment

On motion by Upmeyer of Hancock the House adjourned at 5:09 p.m., until 8:30 a.m., Tuesday, April 12, 2011.