

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, JANUARY 25, 2012

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JOURNAL OF THE HOUSE

Seventeenth Calendar Day - Eleventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 25, 2012

The House met pursuant to adjournment at 8:31 a.m., Kaufmann of Cedar in the chair.

Prayer was offered by Representative Lofgren of Muscatine County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Dwayne Hopkins, Mayor of Muscatine. He was the guest of Representative Lofgren of Muscatine.

The Journal of Tuesday, January 24, 2012, was approved.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Pettengill of Benton

Van Engelenhoven of Marion

INTRODUCTION OF BILLS

[House File 2094](#), by Koester, a bill for an act relating to mandatory reporting of school employee misconduct to the board of educational examiners.

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

[House File 2095](#), by Byrnes, J. Taylor, Mascher, Hall, and Winckler, a bill for an act eliminating the grants for students attending for-profit accredited private institutions under the tuition grant program affecting the eligibility of such institutions to participate in other student and teacher assistance programs.

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

[House File 2096](#), by Garrett, a bill for an act relating to the supervision of physician assistants.

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

[House File 2097](#), by Wolfe, a bill for an act relating to using identifying numbers assigned to jurors.

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

[House File 2098](#), by Isenhardt and Hager, a bill for an act authorizing local authorities to permit parking on the left side of a roadway during periods of winter weather.

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

[House File 2099](#), by Garrett, a bill for an act relating to the licensed professionals authorized to prescribe respiratory care services.

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

[House File 2100](#), by Kressig, a bill for an act providing a sales tax exemption for textbooks used in attending a postsecondary educational institution.

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

[House File 2101](#), by committee on local government, a bill for an act relating to preparation and recording of public land survey corner certificates.

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

Speaker Paulsen in the chair at 8:37 a.m.

CONSIDERATION OF BILLS Regular Calendar

[House File 2042](#), a bill for an act requiring jobs impact statements for administrative rules, was taken up for consideration.

Baltimore of Boone 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. 2042](#))

The ayes were, 92:

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
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.	Paustian
Pearson	Petersen	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Sweeney	Taylor, J.
Thede	Thomas	Tjepkes	Upmeyer
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 8:

Jacoby	Olson, T.	Pettengill	Running-Marquardt
Steckman	Swaim	Taylor, T.	Van Engelenhoven

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

ADOPTION OF [HOUSE RESOLUTION 102](#)

Deyoe of Story called up for consideration [House Resolution 102](#), as follows, and moved its adoption:

HOUSE RESOLUTION 102

BY COMMITTEE ON ADMINISTRATION AND RULES

1 A resolution amending the permanent rules of the House
2 of Representatives relating to requirements for
3 consideration of amendments.
4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
5 Rule 31, subsection 8, of the Rules of the House, as
6 adopted by the House of Representatives during the 2011
7 Session in [House Resolution 11](#), is amended to read as
8 follows:
9 8. No amendment to the rules of the house, to any
10 resolution or bill, except technical amendments and
11 amendments to bills substituted for by senate files
12 containing substantially identical title, language,
13 subject matter, purpose and intrasectional arrangement,
14 shall be considered by the membership of the house
15 without a copy of the amendment having been filed
16 with the chief clerk by 4:00 p.m. or within one-half
17 hour of adjournment, whichever is later, on the day
18 preceding floor debate on the amendment. If the
19 house adjourns prior to 2:00 p.m. on Friday, the final
20 deadline is two hours after adjournment. However,
21 committee amendments filed pursuant to the submission
22 of the committee report may be accepted after this
23 deadline. This provision shall not apply to any
24 proposal debated on the floor of the house after
25 the thirteenth week of the first session and the
26 ~~twelfth~~ eleventh week of the second session. No
27 amendment or amendment to an amendment to a bill,

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1 rule of the house, or resolution shall be considered
2 by the membership of the house without a copy of the
3 amendment being on the desks of the entire membership
4 of the house prior to consideration. However, the
5 membership of the house may consider an amendment or an
6 amendment to an amendment to a bill, rule of the house,
7 or resolution without a copy of the amendment being
8 on the desks of the entire membership of the house
9 prior to consideration if a copy of the amendment is
10 made available to the entire membership of the house
11 electronically.

The motion prevailed and the resolution was adopted.

ADOPTION OF [HOUSE CONCURRENT RESOLUTION 104](#)

Deyoe of Story called up for consideration [House Concurrent Resolution 104](#), as follows, and moved its adoption:

HOUSE CONCURRENT RESOLUTION 104

BY COMMITTEE ON ADMINISTRATION AND RULES

1 A concurrent resolution amending the joint rules of
 2 the Senate and House of Representatives relating to
 3 session timetable changes.
 4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
 5 THE SENATE CONCURRING, That Rule 20, subsections 2
 6 and 3, of the Joint Rules of the Senate and House of
 7 Representatives, as adopted by the Senate and House
 8 of Representatives during the 2011 Session in House
 9 Concurrent Resolution 12, are amended to read as
 10 follows:

11 2. To be placed on the calendar in the house of
 12 origin, a bill must be first reported out of a standing
 13 committee by Friday of the 8th week of the first
 14 session and the ~~8th~~ 7th week of the second session. To
 15 be placed on the calendar in the other house, a bill
 16 must be first reported out of a standing committee by
 17 Friday of the 12th week of the first session and the
 18 ~~11th~~ 10th week of the second session.

19 3. During the 10th week of the first session and
 20 the ~~9th~~ 8th week of the second session, each house
 21 shall consider only bills originating in that house and
 22 unfinished business. During the 13th week of the first
 23 session and the ~~12th~~ 11th week of the second session,
 24 each house shall consider only bills originating in the
 25 other house and unfinished business. Beginning with
 26 the 14th week of the first session and the ~~13th~~ 12th
 27 week of the second session, each house shall consider

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1 only bills passed by both houses, bills exempt from
 2 subsection 2, and unfinished business.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 101

Schulte of Linn called up for consideration House Resolution 101,
 as follows, and moved its adoption:

HOUSE RESOLUTION 101

BY COMMITTEE ON ADMINISTRATION AND RULES RESOLUTION

1 A resolution relating to an annual budget for the
 2 daily operations of the House of Representatives.
 3 WHEREAS, the legislative authority of this state
 4 is vested in the General Assembly consisting of the
 5 House of Representatives and the Senate; and
 6 WHEREAS, the House of Representatives necessarily

7 incurs substantial expenses for its daily operations;
8 and
9 WHEREAS, the House of Representatives is authorized
10 to expend funds from the state treasury necessary to
11 pay for its expenses and for expenses incurred jointly
12 by the House of Representatives and the Senate; and
13 WHEREAS, it is deemed advisable and proper for
14 the House of Representatives to make expenditures in
15 accordance with a budgetary plan; NOW THEREFORE,
16 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES:
17 Section 1. Expenditures of the House of
18 Representatives payable pursuant to Iowa Code sections
19 2.10 through 2.14 for the regular legislative session
20 and the interim period during the fiscal year beginning
21 July 1, 2012, and ending June 30, 2013, are budgeted to
22 be as follows:
23 Expenses, salaries, per diems, and other items,
24 \$12,373,345.
25 Sec. 2. The Chief Clerk of the House of
26 Representatives shall immediately provide written
27 notice to the Speaker and Minority Leader of the House

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1 of Representatives and to the Chair and Ranking Member
2 of the House Committee on Appropriations if actual
3 expenditures payable pursuant to Iowa Code sections
4 2.10 through 2.14 exceed the amount budgeted in section
5 1 of this Resolution. The written notice shall specify
6 the amount of and reasons for any excess expenditure.
7 Sec. 3. Joint expenditures by the House of
8 Representatives and the Senate or by the Legislative
9 Council, special expenditures approved by the Committee
10 on Administration and Rules, and special session
11 expenses are not included in the budget set forth in
12 this Resolution.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: [House File 2042](#) and [House Concurrent Resolution 104](#).

On motion by Upmeyer of Hancock, the House was recessed at 8:48 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:09 p.m., Hager of Allamakee in the chair.

INTRODUCTION OF BILLS

[House File 2102](#), by J. Taylor, a bill for an act relating to teaching and credit requirements for courses offered by a school district under the state's educational standards for grades six through twelve.

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

[House File 2103](#), by committee on labor, a bill for an act reducing the time period during which new employers are subject to the new employer contribution rate for unemployment insurance and including effective date provisions.

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

[House File 2104](#), by committee on labor, a bill for an act reducing the years of experience used to calculate an employer's contribution rate for unemployment insurance.

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

[HOUSE FILE 2064](#) REREFERRED

The Speaker announced that [House File 2064](#), previously referred to committee on **human resources** was rereferred to committee on **state government**.

SUBCOMMITTEE ASSIGNMENTS

[House File 2068](#)

Veterans Affairs: Alons, Chair; Kearns and Rayhons.

[House File 2076](#)

Human Resources: Fry, Chair; Iverson and Petersen.

[House File 2079](#)

Human Resources: Jorgensen, Chair; Koester and Petersen.

[House File 2081](#)

Local Government: J. Smith, Chair; Hager and Wittneben.

[House File 2082](#)

Local Government: Horbach, Chair; Gaines and Rayhons.

[House File 2083](#)

State Government: Pettengill, Chair; Hein and Wenthe.

[House File 2084](#)

Transportation: Iverson, Chair; Arnold and Cohoon.

[House File 2087](#)

Education: L. Miller, Chair; Forristall and Steckman.

[House File 2088](#)

Human Resources: L. Miller, Chair; Massie and Wessel-Kroeschell.

[House File 2089](#)

Transportation: Iverson, Chair; Pearson and Petersen.

[House File 2090](#)

Transportation: Huseman, Chair; Hanson and Rasmussen.

[House File 2093](#)

Education: Cownie, Chair; Abdul-Samad and Pearson.

[House File 2094](#)

Education: Koester, Chair; Byrnes and Winckler.

[House File 2095](#)

Education: L. Miller, Chair; Forristall and Steckman.

[House File 2096](#)

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

[House File 2097](#)

Judiciary: Alons, Chair; Heaton and Wolfe.

[House File 2099](#)

State Government: Iverson, Chair; Helland and T. Taylor.

[Senate File 2007](#)
(Committee of the Whole)

Appropriations: Dolecheck, Chair; Chambers, Cohoon, Drake, Garrett, Gaskill, Hagenow, Hall, Heaton, Heddens, Huseman, Lukan, Murphy, T. Olson, Raecker, Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Watts, Wenthe, Winckler and Worthan.

[Senate File 2018](#)
(Committee of the Whole)

Appropriations: Lukan, Chair; Chambers, Cohoon, Dolecheck, Drake, Garrett, Gaskill, Hagenow, Hall, Heaton, Heddens, Huseman, Murphy, T. Olson, Raecker, Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Watts, Wenthe, Winckler and Worthan.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 551](#)

Human Resources: Fry, Chair; Hunter and Lofgren.

[House Study Bill 552](#)

Public Safety: Worthan, Chair; Abdul-Samad and Hagenow.

[House Study Bill 553](#)

Appropriations: Worthan, Chair; T. Taylor and Wagner.

[House Study Bill 554](#)

Appropriations: Worthan, Chair; T. Taylor and Wagner.

[House Study Bill 555](#)

Appropriations: Huseman, Chair; Chambers and Cohoon.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 556](#) Commerce

Creating an exception to the statutory rule against perpetuities and making related changes.

H.S.B. 557 Labor

Relating to unemployment insurance employer charges and claimant misrepresentation regarding benefit overpayments, providing a penalty, and including applicability provisions.

H.S.B. 558 Commerce

Relating to stray electric current or voltage and civil actions to recover resulting damages.

H.S.B. 559 Judiciary

Revising the Iowa nonprofit corporation Act.

H.S.B. 560 Human Resources

Relating to regular inspections of state-licensed health care facilities and including effective date and retroactive applicability provisions.

H.S.B. 561 Human Resources

Relating to the Iowa health information network, providing for fees, and including effective date provisions.

H.S.B. 562 Human Resources

Relating to programs and activities under the purview of the department of public health, providing for a penalty, and including effective and applicability date provisions.

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 COMMERCE

Committee Bill (Formerly [House Study Bill 518](#)), relating to service of notice requirements for holders of a property tax sale certificate of purchase.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2012.

Committee Bill (Formerly [House Study Bill 532](#)), relating to permissible forms of ownership of transmission facilities subject to a joint agreement for generating, purchasing, or otherwise acquiring electric power and energy.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2012.

Committee Bill (Formerly [House Study Bill 534](#)), establishing regulations to permit access to surplus lines insurance in this state, and providing civil and criminal penalties, coordinating provisions, and repeals, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2012.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly [House Study Bill 543](#)), relating to the administration of the streamlined sales tax agreement by the department of revenue.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 25, 2012.

On motion by Upmeyer of Hancock the House adjourned at 4:11 p.m., until 8:30 a.m., Thursday, January 26, 2012.