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**STATE OF IOWA**

**House Journal**

**THURSDAY, JANUARY 26, 2012**

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# JOURNAL OF THE HOUSE

Eighteen Calendar Day - Twelfth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, January 26, 2012

The House met pursuant to adjournment at 8:33 a.m., Speaker Paulsen in the chair.

Prayer was offered by Captain Skip Manus, Chaplain from the Iowa National Guard, Joint Force Headquarters, Johnston. He was the guest of Representative J. Taylor of Woodbury County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Bradley Hobart, Page from Council Bluffs.

The Journal of Wednesday, January 25, 2012, was approved.

The House stood at ease at 8:53 a.m., until the fall of the gavel.

The House resumed session at 9:36 a.m., Speaker Paulsen in the chair.

## COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and care on file in the office of the Chief Clerk:

W. CHARLES SMITHSON  
Chief Clerk of the House

## COMMITTEE ON APPROPRIATIONS

[Senate File 2007](#), a bill for an act making an appropriation to the college student aid commission for purposes of the national guard educational assistance program and including effective date provisions.

Fiscal Note is not required.

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

[Senate File 2018](#), a bill for an act relating to financial assistance for purposes of the battleship Iowa, BB-61, making appropriations, and including effective date provisions.

Fiscal Note is not required.

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

#### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Hanusa of Pottawattamie	Helland of Polk
Wolfe of Clinton	

#### CONSIDERATION OF BILLS

Upmeyer of Hancock asked and received unanimous consent for the immediate consideration of [Senate File 2007](#) and [Senate File 2018](#).

[Senate File 2007](#), a bill for an act making an appropriation to the college student aid commission for purposes of the national guard educational assistance program and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Dolecheck of Ringgold 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. 2007](#))

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	Heaton	Heddens
Hein	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	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	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

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

[Senate File 2018](#), a bill for an act relating to financial assistance for purposes of the battleship Iowa, BB-61, making appropriations, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

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?” ([S.F. 2018](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cohon	Cownie
De Boef	Deyoe	Dolecheck	Drake
Forristall	Fry	Gaines	Garrett
Gaskill	Grassley	Hagenow	Hager
Hall	Hanson	Heaton	Heddens
Hein	Horbach	Hunter	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtzovic	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	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

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

#### RULE 57 SUSPENDED

Upmeyer of Hancock asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on natural resources to meet today at 1:00 p.m.

#### IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2007 and 2018.**

On motion by Upmeyer of Hancock, the House was recessed at 9:52 a.m., until the conclusion of the committee blocks.

#### AFTERNOON SESSION

The House reconvened at 4:59 p.m., Speaker Paulsen in the chair.

#### 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 January 26, 2012, passed the following resolution in which the concurrence of the Senate was asked:

[House Concurrent Resolution 104](#), a concurrent resolution amending the joint rules of the Senate and House of Representatives relating to session timetable changes.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILLS

[House Joint Resolution 2005](#), by Windschitl, Baudler, Pettengill, Garrett, Brandenburg, Alons, Deyoe, Paulsen, J. Taylor, Vander Linden, Schultz, Helland, Chambers, Fry, Wagner, Klein, Massie, Jorgensen, Kaufmann, Watts, Sweeney, Rasmussen, Huseman, Hagenow, De Boef, Rogers, Soderberg, Cownie, J. Smith, Lofgren, Grassley, Shaw, Sands, Pearson, L. Miller, and Upmeyer, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to an individual's right to acquire, keep, possess, transport, carry, transfer, and use arms.

Read first time and referred to committee on **public safety**.

[House File 2105](#), by Lukan, a bill for an act requiring the commissioner of insurance to develop a uniform application for use by individuals applying for new health insurance coverage under individual policies or contracts of accident and health insurance.

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

[House File 2106](#), by Lukan, a bill for an act relating to entrepreneur assistance by establishing an entrepreneur micro-assistance grant program and fund, and making an appropriation.

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

[House File 2107](#), by Koester, a bill for an act authorizing students in a district-to-community college sharing or concurrent enrollment program to decline college credit.

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

[House File 2108](#), by Willems, Swaim, Wittneben, Hanson, Wenthe, Thomas, and Muhlbauer, a bill for an act providing for the adjustment of state foundation aid amounts payable to school districts with certain enrollment levels.

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

[House File 2109](#), by Schulte, a bill for an act relating to student enrollment following reorganization or dissolution of a school district and including effective date and applicability provisions.

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

[House File 2110](#), by Wolfe, a bill for an act relating to suspension of a child support obligation or order and including effective date provisions.

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

[House File 2111](#), by Wolfe, a bill for an act relating to elimination of the authorization for a court to order the payment of a postsecondary education subsidy in dissolution of marriage proceedings.

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

[House File 2112](#), by Lukan, a bill for an act establishing a self-employment assistance program and providing a termination date.

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

[House File 2113](#), by Windschitl, Brandenburg, J. Taylor, Schultz, Helland, Chambers, Alons, Fry, Wagner, Jorgensen, Sweeney, Huseman, Soderberg, Massie, Shaw, Pearson, and Pettengill, a bill for an act relating to the carrying and possession of weapons and providing penalties.

Read first time and referred to committee on **public safety**.

[House File 2114](#), by Windschitl, Baudler, Pettengill, Garrett, Brandenburg, Alons, Deyoe, Vander Linden, Schultz, Helland, Chambers,

Fry, Wagner, Klein, Jorgensen, Watts, Sweeney, Rasmussen, Huseman, Soderberg, Massie, Hagenow, Shaw, Pearson, and L. Miller, a bill for an act relating to state preemption of firearms, firearm accessories, and ammunition regulation by political subdivisions, and including penalties and remedies and applicability provisions.

Read first time and referred to committee on **public safety**.

[House File 2115](#), by Windschitl, Brandenburg, Deyoe, J. Taylor, Vander Linden, Helland, Chambers, Alons, Fry, Wagner, Kaufmann, Watts, Sweeney, Rasmussen, Huseman, Hagenow, De Boef, Rogers, Soderberg, Massie, Grassley, Pearson, and Pettengill, a bill for an act relating to the carrying of dangerous weapons and providing a penalty and a fee.

Read first time and referred to committee on **public safety**.

[House File 2116](#), by Alons, a bill for an act providing for an optional permit to acquire pistols or revolvers.

Read first time and referred to committee on **public safety**.

[House File 2117](#), by Baltimore, a bill for an act concerning the definition of wages for purposes of the Iowa public employees' retirement system.

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

[House File 2118](#), by J. Taylor, a bill for an act concerning health and pension benefits for members and full-time employees of the general assembly.

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

[House File 2119](#), by Lukan, a bill for an act concerning allowable prizes at annual game nights conducted by religious organizations.

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



[House File 2120](#), by Hunter, a bill for an act relating to requirements for instruction permits and driver's licenses issued to persons under eighteen years of age.

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

[House File 2121](#), by Alons, Rasmussen, Drake, Watts, Pettengill, Windschitl, L. Miller, De Boef, and Helland, a bill for an act relating to the assessment of court costs when a citation for driving without proof of financial liability coverage is dismissed within twenty-four hours of issuance of the citation.

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

[House File 2122](#), by Hein and Pettengill, a bill for an act relating to motor home dealer and manufacturer licensing and the business hours of recreational vehicle dealers, making a penalty applicable, and including effective and applicability date provisions.

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

[House File 2123](#), by Lukan, a bill for an act repealing the film, television, and video project promotion program, and including effective date and retroactive and other applicability provisions.

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

[House File 2124](#), by committee on state government, a bill for an act exempting review services from specified requirements otherwise applicable to the performance of attest services by out-of-state certified public accounting firms.

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

#### EXPLANATIONS OF VOTE

On January 25, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

[House File 2042](#) – “aye”

[House Resolution 101](#) – “aye”

[House Resolution 102](#) – “aye”  
[House Concurrent Resolution 104](#) – “aye”

T. OLSON of Linn

On January 26, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

[Senate File 2007](#) – “aye”  
[Senate File 2018](#) – “aye”

HANUSA of Pottawattamie

#### PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Students from a number of community colleges from around Iowa.

#### SUBCOMMITTEE ASSIGNMENTS

##### [House File 2085](#)

Ways and Means: Byrnes, Chair; Grassley and Muhlbauer.

##### [House File 2086](#)

Ways and Means: Vander Linden, Chair; Quirk and J. Taylor.

##### [House File 2102](#)

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

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

##### [House Study Bill 556](#)

Commerce: Baltimore, Chair; Kressig and J. Smith.

##### [House Study Bill 558](#)

Commerce: Iverson, Chair; Horbach and Quirk.

##### [House Study Bill 559](#)

Judiciary: Swaim, Chair; Anderson and Baltimore.

[House Study Bill 560](#)

Human Resources: Jorgensen, Chair; Hunter and Iverson.

[House Study Bill 561](#)

Human Resources: L. Miller, Chair; Fry and M. Smith.

[House Study Bill 562](#)

Human Resources: Jorgensen, Chair; Koester and Winckler.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 563](#) **Judiciary**

Enhancing the criminal penalty for an assault on a public transit bus operator, and providing penalties.

[H.S.B. 564](#) **Natural Resources**

Relating to pheasant hunting season and bag limits.

[H.S.B. 565](#) **Natural Resources**

Concerning the definitions of "all-terrain vehicle" and "off-road utility vehicle" for purposes of provisions administered by the department of natural resources.

[H.S.B. 566](#) **Education**

Extending the duration of the Iowa early intervention block grant program and including effective 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 HUMAN RESOURCES

**Committee Bill** (Formerly [House Study Bill 511](#)), relating to the use of physician orders for scope of treatment including provisions relative to existing advance directives.

Fiscal Note is not required.

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

**Committee Bill** (Formerly [House Study Bill 548](#)), relating to county mental health, mental retardation, and developmental disabilities services management plan requirements and including effective date provisions.

Fiscal Note is not required.

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

## COMMITTEE ON PUBLIC SAFETY

[House File 278](#), a bill for an act relating to eluding or attempting to elude a marked law enforcement vehicle, and providing a penalty.

Fiscal Note is not required.

Recommended **Failed to Pass** January 24, 2012.

**Committee Bill** (Formerly [House File 520](#)), relating to the carrying of weapons on school grounds by licensed private investigators and licensed private security officers.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 24, 2012.

## RESOLUTIONS FILED

[H.R. 104](#), by Murphy, a resolution urging Congress to save Social Security.

Laid over under **Rule 25**.

[H.R. 105](#), by Abdul-Samad, Gaines, Cownie, Kressig, Hunter, T. Taylor, Willems, Gaskill, Pettengill, Kaufmann, Koester, Running-Marquardt, Vander Linden, Heaton, Wessel-Kroeschell, H. Miller, Petersen, Schulte, Huseman, Kelley, Jacoby, Hein, Arnold, Berry, Watts, Kearns, Lensing, Isenhardt, Alons, Hall, De Boef, Steckman, Lykam, Muhlbauer, Mascher, M. Smith, Cohoon, Wittneben, Winckler, Thede,

Hanson, Kajtazovic, Heddens, and Deyoe, a resolution remembering and honoring the Tuskegee Airmen.

Laid over under **Rule 25**.

[H.R. 106](#), by Raecker, a resolution recognizing February 2012 as Opportunity in Iowa Month.

Laid over under **Rule 25**.

[H.R. 107](#), by Hager, Sweeney, Klein, Paustian, Pearson, Massie, Sands, Soderberg, Cownie, Grassley, Worthan, Moore, Arnold, Horbach, Van Engelenhoven, Rasmussen, Windschitl, Jorgensen, Baudler, Watts, Huseman, Lofgren, De Boef, Pettengill, Tjepkes, Helland, Upmeyer, Muhlbauer, Alons, Vander Linden, Brandenburg, Lukan, Heaton, Wittneben, Iverson, Shaw, and Hein, a resolution opposing proposed federal regulations for agricultural child labor.

Laid over under **Rule 25**.

On motion by Lukan of Dubuque the House adjourned at 5:03 p.m., until 10:00 a.m., Friday, January 27, 2012.