

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, FEBRUARY 8, 2012

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JOURNAL OF THE HOUSE

Thirty-first Calendar Day - Twenty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 8, 2012

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

Prayer was offered by Pastor Jeff Wartgo, First United Church of Christ, DeWitt. He was the guest of Representative S. Olson of Clinton County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Eli Kirschbaum, Page from Bettendorf.

The Journal of Tuesday, February 7, 2012, was approved.

INTRODUCTION OF BILLS

[House Joint Resolution 2007](#), by Willems, a joint resolution to designate the "Iowa Waltz" as the state song of Iowa.

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

[House File 2246](#), by De Boef, a bill for an act relating to a mechanic's lien and the filing of a bond.

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

[House File 2247](#), by Arnold, a bill for an act requiring the department of natural resources to conduct pheasant studies, contingent on outside funding, and including a repeal.

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

[House File 2248](#), by committee on state government, a bill for an act relating to the practice of optometry.

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

The House stood at ease at 8:42 a.m., until the fall of the gavel.

The House resumed session at 9:32 a.m., Cownie of Polk in the chair.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baudler of Adair

ADOPTION OF [HOUSE RESOLUTION 107](#)

Hager of Allamakee called up for consideration [House Resolution 107](#), a resolution opposing proposed federal regulations for agricultural child labor, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS

Regular Calendar

[House File 2101](#), a bill for an act relating to preparation and recording of public land survey corner certificates, 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?" ([H.F. 2101](#))

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cohoon	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	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.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wittneben
Wolfe	Worthan	Cownie, Presiding	

The nays were, none.

Absent or not voting, 1:

Baudler

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

HOUSE FILE 506 WITHDRAWN

Klein of Washington asked and received unanimous consent to withdraw House File 506 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Byrnes of Mitchell

Tjepkes of Webster

House File 2144, a bill for an act relating to permissible forms of ownership of transmission facilities subject to a joint agreement for generating, purchasing, or otherwise acquiring electric power and energy, was taken up for consideration.

Watts of Dallas 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. 2144)

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Chambers
Cohoon	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.	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.	Thede	Thomas	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Cownie, Presiding			

The nays were, none.

Absent or not voting, 3:

Baudler	Byrnes	Tjepkes
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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 9:48 a.m.

Ways and Means Calendar

[House File 2166](#), a bill for an act relating to the administration of the streamlined sales tax agreement by the department of revenue, was taken up for consideration.

Vander Linden of Mahaska 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. 2166](#))

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	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	Tpmeyer	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:

Baudler

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

Regular Calendar

[House File 2168](#), a bill for an act relating to the authorized deposit of public funds, was taken up for consideration.

J. Smith of Dickinson 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. 2168](#))

The ayes were, 99:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	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	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:

Baudler

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

Ways and Means Calendar

[House File 2169](#), a bill for an act exempting from the individual income tax all pay received from the federal government for certain

military service in support of the national guard and including retroactive applicability provisions, was taken up for consideration.

Vander Linden of Mahaska 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. 2169](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	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
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, 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, 2:

Hunter Olson, R.

Absent or not voting, 1:

Baudler

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

HOUSE FILES 2021 AND 2086 WITHDRAWN

Vander Linden of Mahaska asked and received unanimous consent to withdraw House Files 2021 and 2086 from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2101, 2144, 2166, 2168 and 2169.**

On motion by Upmeyer of Hancock, the House was recessed at 9:59 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:08 p.m., Kaufmann of Cedar in the chair.

INTRODUCTION OF BILLS

[House File 2249](#), by Isenhart, a bill for an act directing the Iowa utilities board to require that energy efficiency plans and programs be developed and provided by an entity appointed by the board.

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

[House File 2250](#), by Hanson, Swaim, Gaskill, Abdul-Samad, Mascher, Thomas, Byrnes, Muhlbauer, and Pettengill, a bill for an act relating to school district transportation costs by providing supplementary weighting for transported pupils in certain school districts and including applicability provisions.

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

[House File 2251](#), by Isenhart, a bill for an act providing for a tax credit for the repayment of certain student loan debt and including applicability provisions.

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

[House File 2252](#), by Kressig and Baudler, a bill for an act relating to the possession of certain substances with the intent to manufacture a controlled substance, and providing a penalty.

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

[House File 2253](#), by Kaufmann, Sweeney, Moore, Huseman, Soderberg, Lofgren, Cownie, J. Taylor, Brandenburg, Jorgensen, Alons, Rasmussen, Paustian, Hager, Koester, Garrett, and Dolecheck, a bill for an act relating to reporting a missing child to a law enforcement agency, and providing penalties.

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

[House File 2254](#), by Kaufmann and R. Olson, a bill for an act relating to eminent domain authority and procedures for governmental entities and including effective date and applicability provisions.

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

[House File 2255](#), by Kelley, a bill for an act concerning the right of an employee or member to continue group accident or health insurance upon termination of employment or membership.

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

[House File 2256](#), by Kelley, a bill for an act concerning notice to employees or members of the termination or substantial modification of their group accident or health insurance.

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

[House File 2257](#), by R. Olson and Pettengill, a bill for an act relating to the procedures governing boards and commissions and the grounds for licensee discipline.

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

[House File 2258](#), by Hanson, Steckman, Gaskill, Mascher, Kearns, Swaim, Abdul-Samad, H. Miller, Kelley, Rayhons, and Hager, a bill

for an act establishing a forest and fruit tree reservation property tax exemption advisory committee.

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

SENATE MESSAGES CONSIDERED

[Senate File 2114](#), by committee on education, a bill for an act relating to establishment of the state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions.

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

[Senate File 2115](#), by committee on education, a bill for an act relating to establishment of the categorical state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions.

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

SUBCOMMITTEE ASSIGNMENTS

[House File 2092](#) Reassigned

Agriculture: Deyoe, Chair; Drake and Isenhart.

[House File 2178](#)

Local Government: Pearson, Chair; Kressig and J. Smith.

[House File 2184](#)

Agriculture: De Boef, Chair; Dolecheck and Thomas.

[House File 2185](#)

Agriculture: Alons, Chair; Huseman and Wenthe.

[House File 2204](#)

Commerce: Windschitl, Chair; Lykam and Wagner.

[House File 2205](#)

Commerce: Watts, Chair; Quirk and Shaw.

[House File 2239](#)

Human Resources: Iverson, Chair; Anderson and Wessel-Kroeschell.

[House File 2241](#)

Education: Byrnes, Chair; Cohoon and J. Taylor.

[House File 2243](#)

Human Resources: Iverson, Chair; Schulte and M. Smith.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 604](#)

Economic Growth/Rebuild Iowa: Lofgren, Chair; Byrnes, Heddens, Lukan and H. Miller.

[House Study Bill 610](#)

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

[House Study Bill 611](#)

Human Resources: Jorgensen, Chair; Mascher and Massie.

[House Study Bill 612](#)

Judiciary: Hagenow, Chair; Baltimore and Wolfe.

[House Study Bill 613](#)

Judiciary: Baltimore, Chair; Anderson and Swaim.

[House Study Bill 614](#)

Judiciary: Hagenow, Chair; Baltimore and M. Smith.

[House Study Bill 615](#)

Natural Resources: J. Smith, Chair; Hager and H. Miller.

[House Study Bill 616](#)

Natural Resources: Hager, Chair; Gaskill and Vander Linden.

[House Study Bill 617](#)

Natural Resources: Rayhons, Chair; Lykam and Sweeney.

[House Study Bill 618](#)

Agriculture: Moore, Chair; Paustian and Wenthe.

[House Study Bill 619](#)

Judiciary: T. Olson, Chair; Anderson and Pearson.

[House Study Bill 620](#)

Judiciary: Baltimore, Chair; Hagenow and Wolfe.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 621](#) **Commerce**

Relating to various matters under the purview of the insurance division of the department of commerce, providing penalties, and including effective date provisions.

[H.S.B. 622](#) **Human Resources**

Relating to department of public health programs and activities, 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 AGRICULTURE

Committee Bill (Formerly [House File 2051](#)), relating to confinement feeding operations confining fish, and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 2012.

COMMITTEE ON COMMERCE

Committee Bill (Formerly [House Study Bill 529](#)), authorizing the secretary of state to modify fees for businesses newly organizing in this state during an Iowa start a business month.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2012.

Committee Bill (Formerly [House Study Bill 571](#)), relating to matters under the purview and authority of the professional licensing and regulation bureau of the banking division of the department of commerce.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2012.

COMMITTEE ON ETHICS

Committee Bill (Formerly [House Study Bill 536](#)), relating to ethics regulations for gifts received at certain functions and meetings.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 2012.

Committee Bill (Formerly [House Study Bill 537](#)), amending the House Code of Ethics.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 2012.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly [House Study Bill 561](#)), relating to the Iowa health information network, providing for fees, and including effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2012.

AMENDMENT FILED

[H-8007](#) [H.F. 2165](#) Fry of Clarke

On motion by Deyoe of Story the House adjourned at 4:13 p.m., until 8:30 a.m., Thursday, February 9, 2012.