

PROOF

STATE OF IOWA

House Journal

THURSDAY, MARCH 8, 2012

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

Sixtieth Calendar Day - Forty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 8, 2012

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

Prayer was offered by Monsignor Russell Bleich, Episcopal Vicar for the Cedar Rapids Region. He was the guest of Representative Rayhons of Hancock County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sydney Fehr, Page from Traer.

The Journal of Wednesday, March 7, 2012, was approved.

ADOPTION OF [HOUSE CONCURRENT RESOLUTION 106](#)

Upmeyer of Hancock called up for consideration [House Concurrent Resolution 106](#), a concurrent resolution recognizing National Agriculture Day, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 8:43 a.m., until the fall of the gavel.

The House resumed session at 10:07 a.m., Speaker Paulsen in the chair.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baudler of Adair
S. Olson of Clinton

Helland of Polk
Soderberg of Plymouth

CONSIDERATION OF BILLS
Regular Calendar

[House File 2092](#), a bill for an act providing for the year-round operation of farmers markets, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Deyoe of Story offered amendment [H-8031](#) filed by the committee on agriculture and moved its adoption.

The committee amendment [H-8031](#) was adopted.

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.

On the question "Shall the bill pass?" ([H.F. 2092](#))

The ayes were, 95:

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	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, T.	Paustian	Pearson
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Rogers	Running-Marquardt
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Baudler Helland Olson, S. Soderberg
Wittneben

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

[House File 2306](#), a bill for an act relating to the membership of the medical assistance advisory council, was taken up for consideration.

L. Miller 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?" ([H.F. 2306](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cphoon	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.
Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wolfe	Worthan
Mr. Speaker Paulsen			

The nays were, none.

Absent or not voting, 3:

Baudler Soderberg Wittneben

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

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Heaton of Henry

[House File 2329](#), a bill for an act providing for the issuance of special hunting licenses to certain nonresident disabled veterans, was taken up for consideration.

Lukan of Dubuque asked and received unanimous consent to withdraw amendment [H-8096](#) filed by him on March 5, 2012.

Vander Linden of Mahaska offered amendment [H-8135](#) filed by him and moved its adoption.

Amendment [H-8135](#) was adopted.

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?" ([H.F. 2329](#))

The ayes were, 96:

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	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.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Running-Marquardt	Sands	Schulte	Schultz
Shaw	Smith, J.	Smith, M.	Steckman
Swaim	Sweeney	Taylor, J.	Taylor, T.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wolfe	Worthan	Mr. Speaker Paulsen

The nays were, none.

Absent or not voting, 4:

Baudler	Heaton	Soderberg	Wittneben
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

House File 2390, a bill for an act relating to obscene material, commercial sexual activity, and human trafficking, and providing penalties and making penalties applicable, was taken up for consideration.

Rogers of Black Hawk 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. 2390](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Berry	Brandenburg	Byrnes
Chambers	Cphoon	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	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.	Steckman	Swaim
Sweeney	Taylor, J.	Taylor, T.	Thede
Thomas	Tjepkes	Upmeyer	Van Engelenhoven
Vander Linden	Wagner	Watts	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Baudler	Hunter	Murphy	Soderberg
Wittneben			

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

HOUSE FILE 2026 WITHDRAWN

Lukan of Dubuque asked and received unanimous consent to withdraw House File 2026 from further consideration by the House.

House File 2394, a bill for an act relating to annual meeting requirements for rural water districts, was taken up for consideration.

Baltimore of Boone offered amendment H-8118 filed by him and moved its adoption.

Amendment H-8118 was adopted.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment H-8115 filed by him on March 6, 2012.

SENATE FILE 2146 SUBSTITUTED FOR HOUSE FILE 2394

Baltimore of Boone asked and received unanimous consent to substitute Senate File 2146 for House File 2394.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Schultz of Crawford

[Senate File 2146](#), a bill for an act relating to meeting requirements for rural water districts, was taken up for consideration.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment [H-8119](#) filed by him on March 6, 2012.

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?" ([S.F. 2146](#))

The ayes were, 94:

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	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, R.	Olson, S.	Olson, T.	Paustian
Pearson	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Sands	Schulte	Shaw	Smith, J.
Smith, M.	Steckman	Swaim	Sweeney
Taylor, J.	Taylor, T.	Thede	Thomas
Tjepkes	Upmeyer	Van Engelenhoven	Vander Linden
Wagner	Watts	Wenthe	Wessel-Kroeschell
Willems	Winckler	Windschitl	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 6:

Baudler	McCarthy	Running-Marquardt	Schultz
Soderberg	Wittneben		

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

House File 2397, a bill for an act relating to horses and dogs engaged in police service by providing for acts involving injury or interference, and providing for penalties, was taken up for consideration.

Hagenow 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?" ([H.F. 2397](#))

The ayes were, 95:

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

The nays were, none.

Absent or not voting, 5:

Baudler Muhlbauer Soderberg Steckman
Wittneben

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

[House File 2409](#), a bill for an act relating to various recreation and conservation activities under the purview of the department of natural resources, providing for repeals, and making penalties applicable, was taken up for consideration.

J. Smith of Dickinson asked and received unanimous consent to withdraw amendment [H-8105](#) filed by him on March 5, 2012.

Willems of Linn asked and received unanimous consent to withdraw amendment [H-8103](#) filed by him on March 5, 2012.

Swaim of Davis asked and received unanimous consent to withdraw amendment [H-8099](#) filed by him on March 5, 2012.

J. Smith of Dickinson asked and received unanimous consent to withdraw amendment [H-8104](#) filed by him on March 5, 2012.

[SENATE FILE 2283](#) SUBSTITUTED FOR **[HOUSE FILE 2409](#)**

Hager of Allamakee asked and received unanimous consent to substitute [Senate File 2283](#) for [House File 2409](#).

[Senate File 2283](#), a bill for an act relating to various recreation and conservation activities under the purview of the department of natural resources, providing for repeals, and making penalties applicable, was taken up for consideration.

Willems of Linn offered amendment [H-8113](#) filed by him and moved its adoption.

A non-record roll call was requested.

The ayes were 35, nays 52.

Amendment [H-8113](#) lost.

Hager of Allamakee offered amendment [H-8129](#) filed by him and moved its adoption.

Amendment [H-8129](#) was adopted.

J. Smith of Dickinson offered amendment [H-8134](#) filed by him and moved its adoption.

Amendment [H-8134](#) was adopted.

Hager of Allamakee 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. 2283](#))

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	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.
Steckman	Swaim	Sweeney	Taylor, J.
Taylor, T.	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 3:

Baudler Soderberg Wittneben

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

[HOUSE FILE 2394](#) WITHDRAWN

Baltimore of Boone asked and received unanimous consent to withdraw [House File 2394](#) from further consideration by the House.

[HOUSE FILE 2409](#) WITHDRAWN

Hager of Allamakee asked and received unanimous consent to withdraw [House File 2409](#) 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 2092, 2306, 2329, 2390, 2397, [House Concurrent Resolution 106](#)** and **Senate Files 2146 and 2283**.

The House stood at ease at 10:51 a.m., until the fall of the gavel.

The House resumed session at 11:53 a.m., Speaker Paulsen in the chair.

CONSIDERATION OF BILL
Regular Calendar

[House File 2367](#), a bill for an act relating to the liability of an owner, lessee, or occupant of land for injury to a trespasser on the land and including an applicability provision, was taken up for consideration.

Wolfe of Clinton offered amendment [H-8137](#) filed by her.

Hagenow of Polk offered amendment [H-8142](#), to amendment [H-8137](#), filed by him from the floor and moved its adoption.

Amendment [H-8142](#), to amendment [H-8137](#), was adopted.

Hagenow of Polk asked and received unanimous consent to withdraw amendment [H-8143](#), to amendment [H-8137](#), filed by him from the floor.

Wolfe of Clinton moved the adoption of amendment [H-8137](#), as amended.

Amendment [H-8137](#), as amended, was adopted.

Hagenow 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?" ([H.F. 2367](#))

The ayes were, 68:

Alons	Anderson	Arnold	Baltimore
Baudler	Brandenburg	Byrnes	Chambers
Cownie	De Boef	Deyoe	Dolecheck
Drake	Forristall	Fry	Garrett
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Hein
Helland	Horbach	Huseman	Iverson
Jacoby	Jorgensen	Kaufmann	Klein
Koester	Lofgren	Lukan	Massie
Miller, L.	Moore	Muhlbauer	Olson, S.
Paustian	Pearson	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Rogers
Sands	Schulte	Schultz	Shaw
Smith, J.	Smith, M.	Sweeney	Taylor, J.
Thede	Thomas	Tjepkes	Upmeyer
Van Engelenhoven	Vander Linden	Wagner	Watts
Windschitl	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, 30:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Heddens	Hunter	Isenhart
Kajtzovic	Kearns	Kelley	Kressig
Lensing	Lykam	Mascher	McCarthy
Miller, H.	Murphy	Oldson	Olson, R.
Olson, T.	Petersen	Running-Marquardt	Steckman
Swaim	Taylor, T.	Wenthe	Wessel-Kroeschell
Willems	Winckler		

Absent or not voting, 2:

Soderberg Wittneben

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

IMMEDIATE MESSAGE

Upmeyer of Hancock asked and received unanimous consent that [House File 2367](#) be immediately messaged to the Senate.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 8, 2012, he approved and transmitted to the Secretary of State the following bill:

[Senate File 2127](#), an Act relating to matters under the purview and authority of the Professional Licensing and Regulation Bureau of the Banking Division of the Department of Commerce.

PETITION FILED

The following petition were received and placed on file:

By Massie of Warren received from a constituent: "I urge you to end the horror of abortion by cosponsoring and seeking roll-call votes on the Iowa Life at Conception Act."

SUBCOMMITTEE ASSIGNMENTS

[House File 2283](#)

Ways and Means: Helland, Chair; Paustian and Petersen.

[House File 2300](#)

Ways and Means: J. Taylor, Chair; Helland and Petersen.

[House File 2359](#)

Ways and Means: Helland, Chair; Byrnes and Thomas.

[House File 2418](#)

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

[House File 2434](#)

Ways and Means: Cownie, Chair; Quirk and Vander Linden.

[Senate File 2277](#)

State Government: Iverson, Chair; Jorgensen and Lensing.

[Senate File 2296](#)

Judiciary: J. Taylor, Chair; Lensing and Rogers.

[Senate File 2304](#)

Judiciary: Alons, Chair; Tjepkes and Wessel-Kroeschell.

[Senate File 2306](#)

Judiciary: Baltimore, Chair; Gaines and Massie.

[Senate File 2307](#)

Judiciary: Tjepkes, Chair; Heaton and Wolfe.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 662](#)

Ways and Means: Byrnes, Chair; Kajtazovic and Pettengill.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

[H.S.B. 665](#) Ways and Means

Providing for a tax credit against the individual and corporate income taxes, the franchise tax, insurance premiums tax, and the moneys and credits tax for a charitable contribution to certain institutions engaged in regenerative medicine research and including retroactive applicability 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 WAYS AND MEANS

Committee Bill (Formerly [House File 75](#)), exempting the sales price for the use of self-pay washers and dryers from the sales tax.

Fiscal Note is not required.

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

Committee Bill (Formerly [House File 2070](#)), relating to certain property taxes for joint county-city buildings and including applicability provisions.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 660](#)), relating to the administration of the sales and use taxes by modifying provisions related to property purchased for resale and by creating a sales tax exemption for certain items purchased for use in providing vehicle wash and wax services and including effective date provisions.

Fiscal Note is not required.

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

RESOLUTION FILED

[H.R. 125](#), by Hall, a resolution urging Congress to include political organizations within the scope of the National Do Not Call Registry.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8138	H.F. 2369	Klein of Washington
H-8139	H.F. 2432	L. Miller of Scott
H-8140	H.F. 2380	Koester of Polk
H-8141	H.F. 2380	T. Olson of Linn
		Schulte of Linn
H-8144	H.F. 2424	Anderson of Page
		Wolfe of Clinton
H-8145	H.F. 2426	Baltimore of Boone
H-8146	H.J.R. 2010	Winckler of Scott
H-8147	H.J.R. 2010	Oldson of Polk
H-8148	H.J.R. 2010	Jacoby of Johnson
H-8149	H.J.R. 2010	Jacoby of Johnson

H-8150	H.J.R. 2010	Jacoby of Johnson
H-8151	H.F. 2428	Worthan of Buena Vista

On motion by Upmeyer of Hancock the House adjourned at 12:11 p.m., until 10:00 a.m., Friday, March 9, 2012.