

PROOF

STATE OF IOWA

House Journal

THURSDAY, MARCH 29, 2012

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(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Eighty-first Calendar Day - Fifty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 29, 2012

The House met pursuant to adjournment at 8:35 a.m., Speaker Paulsen in the chair.

Prayer was offered by the University of Northern Iowa Men's Quartet from Cedar Falls. They were the guest of Representative Rogers of Black Hawk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Thomas Biedenfeld, Speaker's Page from Colfax.

The Journal of Wednesday, March 28, 2012, was approved.

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 March 28, 2012, amended and passed the following bill in which the concurrence of the House is asked:

[House File 609](#), a bill for an act relating to the probate and trust codes and state inheritance tax and including applicability provisions.

Also: That the Senate has on March 28, 2012, amended and passed the following bill in which the concurrence of the House is asked:

[House File 2323](#), a bill for an act relating to city utilities and city enterprises by making changes to requirements related to residential rental property.

Also: That the Senate has on March 28, 2012, amended and passed the following bill in which the concurrence of the House is asked:

[House File 2427](#), a bill for an act relating to electrical and mechanical amusement devices concerning liability for device distributors and penalties for awarding cash prizes for the use of, or for failing to include a security mechanism on, electrical or mechanical amusement devices.

Also: That the Senate has on March 28, 2012, passed the following bill in which the concurrence of the House is asked:

[Senate File 2286](#), a bill for an act specifying procedures applicable to claims asserting stray electric current or voltage.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

[Senate File 2324](#), by committee on appropriations, a bill for an act making appropriations to the department of workforce development for certain purposes and including effective date and retroactive applicability provisions.

Read first time and **passed on file**.

The House stood at ease at 8:45 a.m., until the fall of the gavel.

The House resumed session at 1:14 p.m., Speaker Paulsen in the chair.

SENATE MESSAGE CONSIDERED

[Senate File 2286](#), by committee on commerce, a bill for an act specifying procedures applicable to claims asserting stray electric current or voltage.

Read first time and **passed on file**.

SPECIAL PRESENTATION

Van Engelenhoven of Marion introduced to the House former state representative Harold Van Maanen.

The House rose and expressed its welcome.

Upmeyer of Hancock asked and received unanimous consent to consider [House File 2457](#).

CONSIDERATION OF BILLS
Appropriations Calendar

[House File 2457](#), a bill for an act making appropriations to the department of workforce development and including effective date and retroactive applicability provisions, was taken up for consideration.

Hager of Allamakee offered amendment [H-8393](#) filed by him from the floor and moved its adoption.

Amendment [H-8393](#) was adopted.

[SENATE FILE 2324](#) SUBSTITUTED FOR [HOUSE FILE 2457](#)

Schultz of Crawford asked and received unanimous consent to substitute [Senate File 2324](#) for [House File 2457](#).

[Senate File 2324](#), a bill for an act making appropriations to the department of workforce development for certain purposes and including effective date and retroactive applicability provisions, was taken up for consideration.

Schultz of Crawford 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. 2324](#))

The ayes were, 95:

Abdul-Samad	Alons	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	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Lofgren	Lukan	Lykam	Mascher
Massie	McCarthy	Miller, H.	Miller, L.
Moore	Muhlbauer	Murphy	Oldson
Olson, S.	Olson, T.	Paustian	Pearson

Petersen	Pettengill	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
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, none.

Absent or not voting, 5:

Anderson	Lensing	Olson, R.	Quirk
Swaim			

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

[HOUSE FILE 2457](#) WITHDRAWN

Schultz of Crawford asked and received unanimous consent to withdraw [House File 2457](#) from further consideration by the House.

Unfinished Business Calendar

[Senate File 2123](#), a bill for an act making changes to the controlled substance schedules, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Fry of Clarke offered amendment [H-8284](#) filed by him.

Fry of Clarke offered amendment [H-8391](#), to amendment [H-8284](#), filed by him from the floor and moved its adoption.

Amendment [H-8391](#), to amendment [H-8284](#), was adopted.

Baudler of Adair offered amendment [H-8344](#), to amendment [H-8284](#), filed by him and moved its adoption.

Amendment [H-8344](#), to amendment [H-8284](#), was adopted.

Fry of Clarke moved the adoption of amendment [H-8284](#), as amended.

Amendment [H-8284](#), as amended, was adopted.

Worthan of Buena Vista offered amendment [H-8280](#) filed by him and moved its adoption.

Amendment [H-8280](#) was adopted.

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. 2123](#))

The ayes were, 93:

Abdul-Samad	Alons	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	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	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
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Wittneben	Wolfe	Worthan
Mr. Speaker Paulsen			

The nays were, none.

Absent or not voting, 7:

Anderson	Hager	Lensing	Olson, R.
Quirk	Swaim	Watts	

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

[Senate File 2126](#), a bill for an act providing for the funding of the duties of the state's social security administrator, with report of committee recommending passage, was taken up for consideration.

Hein of Jones 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. 2126](#))

The ayes were, 92:

Abdul-Samad	Alons	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	Hunter	Huseman	Isenhart
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
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	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Wittneben	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, none.

Absent or not voting, 8:

Anderson	Hager	Horbach	Lensing
Olson, R.	Quirk	Swaim	Watts

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

SENATE AMENDMENTS CONSIDERED

Fry of Clarke called up for consideration [House File 2226](#), a bill for an act relating to child abuse reports and disposition data, amended by the Senate, and moved that the House concur in the Senate amendment [H-8293](#).

The motion prevailed and the House concurred in the Senate amendment [H-8293](#).

Fry of Clarke moved that the bill, as amended by the Senate and concurred in by the House, 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. 2226](#))

The ayes were, 94:

Abdul-Samad	Alons	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	Huseman
Isenhardt	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lofgren
Lukan	Lykam	Mascher	Massie
McCarthy	Miller, H.	Miller, L.	Moore
Muhlbauer	Murphy	Oldson	Olson, S.
Olson, T.	Paustian	Pearson	Petersen
Pettengill	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	Wolfe
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 6:

Anderson	Hager	Lensing	Olson, R.
Quirk	Swaim		

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

Jorgensen of Woodbury called up for consideration [House File 2305](#), a bill for an act relating to the powers and duties of the department on aging, amended by the Senate, and moved that the House concur in the Senate amendment [H-8324](#).

The motion prevailed and the House concurred in the Senate amendment [H-8324](#).

Jorgensen of Woodbury moved that the bill, as amended by the Senate and concurred in by the House, 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. 2305](#))

The ayes were, 93:

Abdul-Samad	Alons	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
Horbach	Hunter	Huseman	Isenhardt
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kearns	Kelley	Klein
Koester	Kressig	Lofgren	Lukan
Lykam	Mascher	Massie	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, S.	Olson, T.
Paustian	Pearson	Petersen	Pettengill
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	Wolfe	Worthan
Mr. Speaker			
Paulsen			

The nays were, none.

Absent or not voting, 7:

Anderson	Hager	Helland	Lensing
Olson, R.	Quirk	Swaim	

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

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2226, 2305** and **Senate Files 2123, 2126** and **2324**.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Anderson of Page	Hager of Allamakee
Helland of Polk	Horbach of Tama
Lensing of Johnson	Watts of Dallas

SPONSOR ADDED ([House Resolution 115](#))

Kearns of Lee requested to be added as a sponsor of [House Resolution 115](#).

SPONSOR ADDED ([House Resolution 115](#))

Thomas of Clayton requested to be added as a sponsor of [House Resolution 115](#).

EXPLANATION OF VOTE

On March 29, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

[House File 2226](#) – “aye”

[House File 2305](#) – “aye”

[Senate File 2123](#) – “aye”

[Senate File 2126](#) – “aye”

HAGER of Allamakee

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 29, 2012, he approved and transmitted to the Secretary of State the following bills:

[House File 2101](#), an Act relating to preparation and recording of public land survey corner certificates.

[House File 2145](#), an Act 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.

[House File 2285](#), an Act relating to the definition of hydronic for purposes of the Iowa plumber, mechanical professional, and contractor licensing act and including effective date provisions.

[House File 2301](#), an Act requiring advance notification to utilities by specified owners of alternate energy production facilities of construction or installation of the facility.

[House File 2320](#), an Act relating to the designation of area agencies on aging, and including effective date provisions.

[House File 2402](#), an Act permitting the temporary allocation and use of moneys in the Veterans Trust Fund for cemetery grant development purposes.

[Senate File 2203](#), an Act relating to nonsubstantive code corrections and including effective date provisions.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 673](#)

Ways and Means: Paustian, Chair; Jacoby and Moore.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 674 Appropriations

Relating to state and local finances by making and adjusting appropriations, providing for legal responsibilities, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

W. CHARLES SMITHSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Senate File 2217, a bill for an act relating to flood mitigation by establishing a flood mitigation program, establishing a flood mitigation board, authorizing the use of certain sales tax revenue and other financial assistance for flood mitigation projects, establishing a flood mitigation fund, authorizing the issuance of bonds for certain flood mitigation projects, providing for appropriations, and including effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2012.

RESOLUTION FILED

H.R. 136, by Upmeyer and Kaufmann, a resolution honoring the courage, determination, and dedication of Cheyanne Boddicker in swimming the English Channel.

Laid over under **Rule 25**.

AMENDMENTS FILED

<u>H-8387</u>	<u>S.F. 451</u>	Koester of Polk
<u>H-8388</u>	<u>H.F. 609</u>	Senate Amendment
<u>H-8389</u>	<u>H.F. 2427</u>	Senate Amendment

H-8390	H.F. 2323	Senate Amendment
H-8392	H.F. 2450	Wenthe of Fayette Hall of Woodbury
H-8394	H.F. 2450	Gaskill of Wapello
H-8395	S.F. 2318	L. Miller of Scott
H-8396	H.F. 2450	Isenhart of Dubuque
H-8397	H.F. 2229	Windschitl of Harrison Chambers of O'Brien Lykam of Scott Tjepkes of Webster Rasmussen of Buchanan
H-8398	H.F. 2435	Hall of Woodbury

On motion by Upmeyer of Hancock the House adjourned at 1:59 p.m., until 10:30 a.m., Friday, March 30, 2012.