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**STATE OF IOWA**

# **House Journal**

**MONDAY, APRIL 23, 2012**

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

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## JOURNAL OF THE HOUSE

One Hundred-sixth Calendar Day - Seventy-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, April 23, 2012

The House met pursuant to adjournment at 1:02 p.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Alons from Sioux County.

### PLEDGE OF ALLEGIANCE

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

The Journal of Friday, April 20, 2012, was approved.

### 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 April 19, 2012, passed the following bill in which the concurrence of the House is asked:

[Senate File 2338](#), a bill for an act relating to government operations and efficiency and other related matters and including effective date and applicability provisions.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGE CONSIDERED

[Senate File 2338](#), by committee on appropriations, a bill for an act relating to government operations and efficiency and other related matters and including effective date and applicability provisions.

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

### ADOPTION OF [HOUSE RESOLUTION 144](#)

Garrett of Warren called up for consideration [House Resolution 144](#), a resolution recognizing September 23, 2012, as Angelman Syndrome Day in Iowa, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 1:11 p.m., until the fall of the gavel.

The House resumed session at 2:40 p.m., Speaker Paulsen in the chair.

#### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed ninety members present, ten absent.

#### 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 April 23, 2012, amended and passed the following bill in which the concurrence of the House is asked:

[House File 563](#), a bill for an act creating the transparency in private attorney contracts Act.

Also: That the Senate has on April 23, 2012, passed the following bill in which the concurrence of the Senate was asked:

[House File 2464](#), a bill for an act relating to department of public health programs and activities, providing for a penalty, and including effective and applicability date provisions.

Also: That the Senate has on April 23, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 430](#), a bill for an act relating to violations of the open records and public meetings laws and the creation of the Iowa public information board, and including effective date provisions.

Also: That the Senate has on April 23, 2012, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2332](#), a bill for an act relating to enhanced 911 emergency communication systems, including surcharges and the allocation of moneys collected from such surcharges and replacing the existing surcharge on prepaid wireless service with a new surcharge collected at the point of retail sale, and including effective and applicability date provisions.

Also: That the Senate has on April 23, 2012, passed the following bill in which the concurrence of the House is asked:

[Senate File 2339](#), a bill for an act increasing the amount available for allocation to the brownfields and grayfields redevelopment tax credits under the aggregate tax credit limit and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

### HOUSE INSISTS

Heaton of Henry called up for consideration [Senate File 2336](#), a bill for an act relating to appropriations for health and human services and including other related provisions and appropriations, making penalties applicable, and including effective, retroactive, and applicability date provisions and moved that the House insist on its amendment, which motion prevailed.

### CONFERENCE COMMITTEE APPOINTED ([Senate File 2336](#))

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning [Senate File 2336](#): Heaton of Henry, Windschitl of Harrison, L. Miller of Scott, Heddens of Story and Wessel-Kroeschell of Story.

### HOUSE REFUSED TO CONCUR

Iverson of Wright called up for consideration [Senate File 466](#), a bill for an act relating to residential contractors and providing a penalty, amended by the House, further amended by the Senate and moved that the House concur in the Senate amendment [H-8453](#) to the House amendment.

Roll call was requested by McCarthy of Polk and T. Olson of Linn.

On the question "Shall the House concur in the Senate amendment [H-8453](#) to the House amendment?" ([S.F. 466](#))

The ayes were, 38:

Abdul-Samad	Berry	Cohoon	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Jacoby	Kajtazovic	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McCarthy	Miller, H.	Muhlbauer

Murphy	Oldson	Olson, R.	Olson, T.
Petersen	Running-Marquardt	Smith, M.	Steckman
Swaim	Taylor, T.	Thede	Thomas
Wenthe	Wessel-Kroeschell	Willems	Winckler
Wittneben	Wolfe		

The nays were, 59:

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

Absent or not voting, 3:

Isenhardt	Koester	Taylor, J.
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The motion lost and the House refused to concur in the Senate amendment [H-8453](#), to the House amendment.

#### SENATE AMENDMENT CONSIDERED

Fry of Clarke called up for consideration [House File 2422](#), a bill for an act relating to sex offender notification in a nursing facility, residential care facility, or assisted living program, providing penalties, and including effective date provisions, amended by the Senate amendment [H-8486](#).

Fry of Clarke offered amendment [H-8503](#), to the Senate amendment [H-8486](#), filed by him from the floor and moved its adoption.

The motion prevailed and amendment [H-8503](#), to the Senate amendment [H-8486](#), was adopted.

Fry of Clarke moved that the House concur in the Senate amendment [H-8486](#), as amended.

The motion prevailed and the House concurred in the Senate amendment [H-8486](#), as amended.

Fry of Clarke moved that the bill, as amended by the Senate, further amended 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. 2422](#))

The ayes were, 97:

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	Iverson	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	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, 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, 3:

Isenhart	Koester	Taylor, J.
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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.

CONSIDERATION OF BILL  
Ways and Means Calendar

[House File 2471](#), a bill for an act relating to economic development by providing an adjustment to net income for certified suppliers of anchor manufacturers for purposes of state taxation and including retroactive applicability provisions, was taken up for consideration.

Helland of Polk offered amendment [H-8499](#) filed by him and moved its adoption.

Amendment [H-8499](#) was adopted.

Lofgren of Muscatine 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. 2471](#))

The ayes were, 83:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	Berry	Brandenburg
Byrnes	Chambers	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Fry	Gaines	Garrett	Gaskill
Grassley	Hagenow	Hager	Hall
Hanson	Hanusa	Heaton	Heddens
Hein	Helland	Horbach	Huseman
Iverson	Jacoby	Jorgensen	Kajtazovic
Kaufmann	Kelley	Klein	Kressig
Lofgren	Lukan	Lykam	Massie
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Olson, S.	Olson, T.	Paustian
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Rogers	Running-Marquardt	Sands
Schulte	Schultz	Shaw	Smith, J.
Smith, M.	Soderberg	Steckman	Swaim
Sweeney	Thede	Thomas	Tjepkes
Upmeyer	Van Engelenhoven	Vander Linden	Wagner
Watts	Wenthe	Willems	Windschitl
Wolfe	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 14:

Cohoon	Hunter	Kearns	Lensing
Mascher	McCarthy	Oldson	Olson, R.
Pearson	Petersen	Taylor, T.	Wessel-Kroeschell
Winckler	Wittneben		

Absent or not voting, 3:

Isenhart	Koester	Taylor, J.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### [HOUSE FILE 2359](#) WITHDRAWN

Lofgren of Muscatine asked and received unanimous consent to withdraw [House File 2359](#) from further consideration by the House.

#### SENATE MESSAGE CONSIDERED

[Senate File 2339](#), by committee on ways and means, a bill for an act increasing the amount available for allocation to the brownfields and grayfields redevelopment tax credits under the aggregate tax credit limit and including effective date provisions.

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

#### IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2422, 2471** and **Senate Files 466** and **2336**.

The House stood at ease at 3:26 p.m., until the fall of the gavel.

The House resumed session at 5:20 p.m., Speaker Paulsen in the chair.

The House stood at ease at 5:21 p.m., until the fall of the gavel.

The House resumed session at 5:48 p.m., Speaker Paulsen in the chair.



## SENATE AMENDMENT CONSIDERED

Garrett of Warren called up for consideration [House File 563](#), a bill for an act creating the transparency in private attorney contracts Act, amended by the Senate, and moved that the House concur in the Senate amendment [H-8505](#).

The motion prevailed and the House concurred in the Senate amendment [H-8505](#).

Garrett of Warren 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. 563](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Baltimore	Baudler	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	Iverson	Jacoby	Jorgensen
Kajtazovic	Kaufmann	Kearns	Kelley
Klein	Koester	Kressig	Lensing
Lofgren	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, 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, 4:

Berry                      Isenhart                      Lukan                      Taylor, J.

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 563](#) be immediately messaged to the Senate.

#### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Koester of Polk                                      Lukan of Dubuque  
Taylor, J. of Woodbury

#### EXPLANATION OF VOTE

On April 23, 2012, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

[House File 2422](#) – “aye”  
[House File 2471](#) – “aye”  
[Senate File 466](#) – “nay”

KOESTER of Polk

#### AMENDMENTS FILED

<a href="#">H-8501</a>	<a href="#">H.F. 2454</a>	Soderberg of Plymouth
<a href="#">H-8502</a>	<a href="#">S.F. 2315</a>	Schulte of Linn
<a href="#">H-8504</a>	<a href="#">H.F. 2454</a>	Petersen of Polk

On motion by Upmeyer of Hancock the House adjourned at 5:52 p.m., until 8:30 a.m., Tuesday, April 24, 2012.