

PROOF

STATE OF IOWA

House Journal

MONDAY, APRIL 7, 2014

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

Eighty-fifth Calendar Day - Fifty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 7, 2014

The House met pursuant to adjournment at 1:05 p.m., Speaker Paulsen in the chair.

Prayer was offered by Imam Mohammed Khan, Islamic Mosque, Des Moines. He was the guest of Representative Abdul-Samad of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mallory Petsche, Page from Ankeny.

The Journal of Friday, April 4, 2014, was approved.

On motion by Upmeyer of Cerro Gordo, the House was recessed at 1:15 p.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:52 p.m., Speaker Paulsen in the chair.

The House stood at ease at 3:53 p.m., until the fall of the gavel.

The House resumed session at 5:43 p.m., Speaker Paulsen in the chair.

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 7, 2014, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

[Senate File 2299](#), a bill for an act relating to Iowa's operating-while-intoxicated law and license revocations, temporary restricted licenses, and ignition interlock devices, and including applicability provisions.

Also: That the Senate has on April 7, 2014, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2312](#), a bill for an act relating to the continued effect of terms, conditions, covenants, and provisions contained in documents and instruments creating or regulating multiple housing cooperatives and horizontal property regimes, by allowing limited companies to form multiple housing cooperatives, and including applicability provisions.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS Regular Calendar

[House File 2462](#), a bill for an act concerning public employee personnel settlement agreements and disciplinary actions, and including effective date and retroactive applicability provisions, was taken up for consideration.

Koester of Polk offered amendment [H-8213](#) filed by Pettengill of Benton.

Gaines of Polk offered amendment [H-8220](#), to amendment [H-8213](#), filed by Gaines, et al., from the floor and moved its adoption.

Roll call was requested by Gaines of Polk and Hunter of Polk.

On the question "Shall amendment [H-8220](#), to amendment [H-8213](#), be adopted?" ([H.F. 2462](#))

The ayes were, 45:

Abdul-Samad	Anderson	Bearinger	Berry
Cohoon	Dawson	Dunkel	Forbes
Gaines	Gaskill	Hall	Hanson
Heddens	Hunter	Isenhart	Jacoby
Kajtazovic	Kearns	Kelley	Kressig
Lensing	Lundby	Lykam	Meyer
Miller, H.	Muhlbauer	Oldson	Olson, R.
Olson, T.	Ourth	Prichard	Riding
Ruff	Running-Marquardt	Smith, M.	Staed
Steckman	Stutsman	Taylor, T.	Thede

Thomas Wessel-Kroeschell Winckler Wolfe
Wood

The nays were, 53:

Alons	Bacon	Baltimore	Baudler
Brandenburg	Byrnes	Costello	Cownie
Deyoe	Dolecheck	Drake	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Hess	Highfill
Huseman	Jorgensen	Kaufmann	Klein
Koester	Landon	Lofgren	Maxwell
Miller, L.	Moore	Olson, S.	Pettengill
Rayhons	Rogers	Salmon	Sands
Schultz	Shaw	Sheets	Smith, J.
Soderberg	Stanerson	Taylor, R.	Upmeyer
Vander Linden	Watts	Windschitl	Worthan
Mr. Speaker			
Paulsen			

Absent or not voting, 2:

Mascher Murphy

Amendment [H-8220](#), to amendment [H-8213](#), lost.

Baudler of Adair offered amendment [H-8214](#), to amendment [H-8213](#), filed by him and Gaines of Polk from the floor and moved its adoption.

Roll call was requested by M. Smith of Marshall and Hunter of Polk.

On the question "Shall amendment [H-8214](#), to amendment [H-8213](#), be adopted?" ([H.F. 2462](#))

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Bacon
Baltimore	Baudler	Bearinger	Berry
Brandenburg	Byrnes	Cohoon	Costello
Cownie	Dawson	Deyoe	Dolecheck
Drake	Dunkel	Fisher	Forbes
Forristall	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanson	Hanusa	Heartsill
Heaton	Heddens	Hein	Hess
Highfill	Hunter	Huseman	Isenhart
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester

Kressig	Landon	Lensing	Lofgren
Lundby	Lykam	Maxwell	Meyer
Miller, H.	Miller, L.	Moore	Muhlbauer
Oldson	Olson, R.	Olson, S.	Olson, T.
Ourth	Pettengill	Prichard	Rayhons
Riding	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Schultz	Shaw
Sheets	Smith, J.	Smith, M.	Soderberg
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Thomas
Upmeyer	Vander Linden	Watts	Wessel-Kroeschell
Winckler	Windschitl	Wolfe	Wood
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Mascher Murphy

Amendment [H-8214](#), to amendment [H-8213](#), was adopted.

Pettengill of Benton rose on a point of order regarding Rule 10, decorum in debate.

The Speaker deferred on the ruling.

Koester of Polk moved the adoption of amendment [H-8213](#), as amended.

Amendment [H-8213](#), as amended, was adopted.

Windschitl of Harrison in the chair at 6:07 p.m.

Speaker Paulsen in the chair at 6:43 p.m.

Koester 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. 2462](#))

The ayes were, 63:

Alons	Bacon	Baltimore	Baudler
Brandenburg	Byrnes	Costello	Cownie
Deyoe	Dolecheck	Drake	Dunkel

Fisher	Forbes	Forristall	Fry
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanson	Hanusa	Heartsill
Heaton	Hein	Hess	Highfill
Huseman	Jorgensen	Kaufmann	Klein
Koester	Landon	Lofgren	Lundby
Maxwell	Miller, L.	Moore	Muhlbauer
Olson, R.	Olson, S.	Ourth	Pettengill
Rayhons	Riding	Rogers	Ruff
Salmon	Sands	Schultz	Shaw
Sheets	Smith, J.	Soderberg	Stanerson
Taylor, R.	Upmeyer	Vander Linden	Watts
Windschitl	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 35:

Abdul-Samad	Anderson	Bearinger	Berry
Cohoon	Dawson	Gaines	Gaskill
Heddens	Hunter	Isenhart	Jacoby
Kajtaovic	Kearns	Kelley	Kressig
Lensing	Lykam	Meyer	Miller, H.
Oldson	Olson, T.	Prichard	Running-Marquardt
Smith, M.	Staed	Steckman	Stutsman
Taylor, T.	Thede	Thomas	Wessel-Kroeschell
Winckler	Wolfe	Wood	

Absent or not voting, 2:

Mascher	Murphy
---------	--------

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

IMMEDIATE MESSAGE

Upmeyer of Cerro Gordo asked and received unanimous consent that [House File 2462](#) be immediately messaged to the Senate.

Unfinished Business Calendar

[Senate File 2195](#), a bill for an act modifying provisions applicable to telecommunications regulation under the authority of the utilities board of the utilities division of the department of commerce, with report of committee recommending passage, was taken up for consideration.

Watts of Dallas offered amendment [H-8151](#) filed by him.

Watts of Dallas offered amendment [H-8175](#), to amendment [H-8151](#), filed by him and moved its adoption.

Roll call was requested by M. Smith of Marshall and Hunter of Polk.

On the question "Shall amendment [H-8175](#), to amendment [H-8151](#), be adopted?" ([S.F. 2195](#))

The ayes were, 37:

Alons	Bacon	Baudler	Brandenburg
Costello	Deyoe	Dolecheck	Drake
Fisher	Forristall	Fry	Gassman
Gustafson	Hanusa	Heartsill	Heaton
Highfill	Huseman	Isenhart	Jorgensen
Koester	Landon	Lofgren	Maxwell
Miller, L.	Rayhons	Rogers	Salmon
Schultz	Shaw	Sheets	Soderberg
Upmeyer	Watts	Windschitl	Worthan
Mr. Speaker Paulsen			

The nays were, 60:

Abdul-Samad	Anderson	Baltimore	Bearinger
Berry	Byrnes	Cohoon	Cownie
Dawson	Dunkel	Forbes	Gaines
Gaskill	Grassley	Hagenow	Hall
Hanson	Heddens	Hein	Hess
Hunter	Jacoby	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Kressig
Lensing	Lundby	Lykam	Meyer
Miller, H.	Moore	Muhlbauer	Oldson
Olson, R.	Olson, S.	Olson, T.	Ourth
Pettengill	Prichard	Riding	Ruff
Running-Marquardt	Smith, J.	Smith, M.	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Taylor, T.	Thede	Thomas	Vander Linden
Wessel-Kroeschell	Winckler	Wolfe	Wood

Absent or not voting, 3:

Mascher	Murphy	Sands
---------	--------	-------

Amendment [H-8175](#), to amendment [H-8151](#), lost.

Watts of Dallas asked and received unanimous consent to withdraw amendments [H-8161](#), [H-8162](#) and [H-8163](#), to amendment [H-8151](#), filed by him on March 26, 2014.

Watts of Dallas moved the adoption of amendment [H-8151](#).

Amendment [H-8151](#) was adopted, placing out of order amendments [H-8152](#), [H-8153](#) and [H-8154](#) filed by Watts of Dallas on March 25, 2014.

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?" ([S.F. 2195](#))

The ayes were, 98:

Abdul-Samad	Alons	Anderson	Bacon
Baltimore	Baudler	Bearinger	Berry
Brandenburg	Byrnes	Cohoon	Costello
Cownie	Dawson	Deyoe	Dolecheck
Drake	Dunkel	Fisher	Forbes
Forristall	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanson	Hanusa	Heartsill
Heaton	Heddens	Hein	Hess
Highfill	Hunter	Huseman	Isenhart
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Landon	Lensing	Lofgren
Lundby	Lykam	Maxwell	Meyer
Miller, H.	Miller, L.	Moore	Muhlbauer
Oldson	Olson, R.	Olson, S.	Olson, T.
Ourth	Pettengill	Prichard	Rayhons
Riding	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Schultz	Shaw
Sheets	Smith, J.	Smith, M.	Soderberg
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Taylor, T.	Thede	Thomas
Upmeyer	Vander Linden	Watts	Wessel-Kroeschell
Winckler	Windschitl	Wolfe	Wood
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Mascher Murphy

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

SENATE AMENDMENT CONSIDERED

Costello of Mills called up for consideration [House File 2366](#), a bill for an act relating to local elections and voter registration by providing for electronic storage of voter registration applications by a county and by providing changes in the process for filling vacancies in elective city office, amended by the Senate, and moved that the House concur in the Senate amendment [H-8199](#).

The motion prevailed and the House concurred in the Senate amendment [H-8199](#).

Costello of Mills 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. 2366](#))

The ayes were, 92:

Abdul-Samad	Alons	Anderson	Bacon
Baltimore	Baudler	Bearinger	Berry
Brandenburg	Byrnes	Cohoon	Costello
Cownie	Dawson	Deyoe	Dolecheck
Drake	Dunkel	Fisher	Forbes
Forristall	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanson	Hanusa	Heartsill
Heaton	Heddens	Hein	Hess
Highfill	Huseman	Isenhart	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kelley
Klein	Koester	Kressig	Landon
Lofgren	Lundby	Lykam	Maxwell
Meyer	Miller, H.	Miller, L.	Moore
Muhlbauer	Oldson	Olson, R.	Olson, S.
Olson, T.	Ourth	Pettengill	Prichard
Rayhons	Riding	Rogers	Ruff
Salmon	Sands	Schultz	Shaw
Sheets	Smith, J.	Smith, M.	Soderberg
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Thede	Thomas	Upmeyer
Vander Linden	Watts	Wessel-Kroeschell	Windschitl
Wolfe	Wood	Worthan	Mr. Speaker
			Paulsen

The nays were, 5:

Hunter Lensing Running-Marquardt Taylor, T.
Winckler

Absent or not voting, 3:

Kearns Mascher Murphy

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

Unfinished Business Calendar

[Senate File 2310](#), a bill for an act relating to the underage possession or consumption of alcohol and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Klein of Washington offered amendment [H-8128](#) filed by the committee on Public Safety and moved its adoption.

The committee amendment [H-8128](#) was adopted.

Baudler of Adair asked and received unanimous consent to withdraw amendment [H-8133](#) filed by him on March 18, 2014.

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?" ([S.F. 2310](#))

The ayes were, 89:

Alons	Bacon	Baltimore	Beainger
Berry	Brandenburg	Byrnes	Cohoon
Costello	Cownie	Dawson	Deyoe
Dolecheck	Drake	Dunkel	Fisher
Forbes	Forristall	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanson	Hanusa	Heartsill
Heaton	Heddens	Hein	Hess
Highfill	Huseman	Isenhardt	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig

Landon	Lofgren	Lundby	Lykam
Maxwell	Meyer	Miller, H.	Miller, L.
Moore	Muhlbauer	Oldson	Olson, R.
Olson, S.	Olson, T.	Ourth	Pettengill
Prichard	Rayhons	Riding	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Schultz	Shaw	Sheets	Smith, J.
Smith, M.	Soderberg	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Thede
Thomas	Upmeyer	Vander Linden	Watts
Windschitl	Wolfe	Wood	Worthan
Mr. Speaker Paulsen			

The nays were, 8:

Abdul-Samad	Anderson	Gaines	Hunter
Lenzing	Taylor, T.	Wessel-Kroeschell	Winckler

Absent or not voting, 3:

Baudler	Mascher	Murphy
---------	---------	--------

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

HOUSE FILES 234 AND 529 WITHDRAWN

Klein of Washington asked and received unanimous consent to withdraw House Files 234 and 529 from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Cerro Gordo asked and received unanimous consent that the following bills be immediately messaged to the Senate: [House File 2366](#) and **Senate Files 2195** and **2310**.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baudler of Adair	Mascher of Johnson
Murphy of Dubuque	Sands of Louisa

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 7th day of April, 2014: House Files 159, 475, 2159, 2183, 2192, 2230, 2274, 2296, 2387, 2388, 2423 and 2438.

CARMINE BOAL
Chief Clerk of the House

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:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly [House Study Bill 678](#)), providing for the rebate of state sales and use tax to the owner or operator of a raceway facility, and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** April 7, 2014.

AMENDMENTS FILED

H-8214	H.F. 2462	Baudler of Adair
		Gaines of Polk
H-8215	H.R. 118	Staed of Linn
H-8216	H.R. 118	Staed of Linn
H-8217	H.R. 118	Staed of Linn
H-8218	H.F. 2463	Isenhart of Dubuque
H-8219	H.R. 118	Staed of Linn
H-8220	H.F. 2462	Gaines of Polk
Abdul-Samad of Polk		Anderson of Polk
Berry of Black Hawk		Cohoon of Des Moines
Gaskill of Wapello		Hanson of Jefferson

Hunter of Polk	Isenhart of Dubuque
Jacoby of Johnson	Kearns of Lee
Kressig of Black Hawk	Lensing of Johnson
H. Miller of Webster	Muhlbauer of Crawford
Oldson of Polk	Prichard of Floyd
Ruff of Clayton	M. Smith of Marshall
Staed of Linn	Steckman of Cerro Gordo
Stutsman of Johnson	T. Taylor of Linn
Thede of Scott	Thomas of Clayton
Wessel-Kroeschell of Story	Winckler of Scott
Wolfe of Clinton	
H-8221	H.F. 2463
	H. Miller of Webster

On motion by Upmeyer of Cerro Gordo, the House adjourned at 7:23 p.m., until 8:30 a.m., Tuesday, April 8, 2014.