

PROOF

STATE OF IOWA

House Journal

TUESDAY, JANUARY 27, 2015

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

JOURNAL OF THE HOUSE

Sixteenth Calendar Day - Tenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 27, 2015

The House met pursuant to adjournment at 8:31 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Jeff Erlemeier, Abundant Life Church, Harlan. He was the guest of Representative Holt of Crawford.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Samantha Stearns, Page from Oskaloosa.

The Journal of Monday, January 26, 2015, was approved.

CONSIDERATION OF BILL Regular Calendar

[House File 80](#), a bill for an act establishing the state percent of growth and including effective date provisions, was taken up for consideration. (deferred)

The House stood at ease at 8:46 a.m., until the fall of the gavel.

The House resumed session at 10:01 a.m., Speaker Paulsen in the chair.

On motion by Upmeyer of Cerro Gordo, the House was recessed at 10:01 a.m., until 3:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:01 p.m., Windschitl of Harrison in the chair.

INTRODUCTION OF BILLS

[House Joint Resolution 4](#), by Heartsill, Holt, Wills, Baudler, Salmon, Gassman, Fisher, Sheets, Windschitl, Baxter, Kooiker, and Watts, a joint resolution proposing an amendment to the Constitution of the State of Iowa specifying marriage between one man and one woman as the only legal union that is valid or recognized in the state.

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

[House File 95](#), by Staed, Hunter, Kearns, McConkey, Stutsman, Forbes, Kelley, Running-Marquardt, Anderson, Gaskill, Meyer, Bearinger, Wolfe, Sheets, Kaufmann, Byrnes, Winckler, Lensing, Brown-Powers, Thede, H. Miller, Berry, Ourth, Hanson, Steckman, Prichard, Abdul-Samad, Smith, Ruff, Gaines, Kressig, Wessel-Kroeschell, Dawson, Dunkel, T. Taylor, Mascher, Cohoon, Isenhardt, Lykam, Koester, Jacoby, Oldson, Hall, Heddens, Olson, Finkenauer, Highfill, Bennett, Stanerson, Landon, and R. Taylor, a bill for an act relating to emergency food assistance and making appropriations.

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

[House File 96](#), by Pettengill, a bill for an act providing for the regulation of transportation network companies, and providing penalties.

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

[House File 97](#), by Jones, a bill for an act relating to open enrollment of students in online learning programs.

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

[House File 98](#), by Wessel-Kroeschell and Dawson, a bill for an act relating to notice requirements for child abuse investigations by the department of human services.

Read first time and referred to committee on **Human Resources**.

[House File 99](#), by Heartsill, Gustafson, Holt, Baudler, Salmon, Gassman, Windschitl, Fisher, Highfill, Mommsen, Sheets, Baxter, Best, Kooiker, Watts, Nunn, and Landon, a bill for an act relating to the possession of a pistol, revolver, or ammunition by a person under fourteen years of age.

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

[House File 100](#), by Jones, a bill for an act relating to the parental rights of an individual whose parentage is the result of sexual abuse for which the individual has been convicted.

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

[House File 101](#), by Heartsill, Holt, Salmon, Gassman, Fisher, Sheets, Kooiker, and Watts, a bill for an act relating to the granting of a marriage license when the parties are of the same gender and the related appellate jurisdiction of the supreme court.

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

[House File 102](#), by Koester and Heddens, a bill for an act relating to the elimination of the exemption of gaming floors from the prohibitions of the smokefree air Act.

Read first time and referred to committee on **State Government**.

[House File 103](#), by Pettengill, Landon, Rogers, Gassman, Gustafson, Hanusa, Best, R. Taylor, Salmon, Fisher, and Huseman, a bill for an act providing for the recognition of reserve forces and national guard veteran status on driver's licenses and nonoperator's identification cards.

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

[House File 104](#), by Pettengill, a bill for an act relating to the property tax exemption for the value added by certain geothermal heating or cooling systems and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

[House File 105](#), by R. Taylor, Jones, Bacon, Hagenow, Windschitl, Grassley, Byrnes, Kaufmann, Cownie, Landon, Jorgensen, Baltimore, Moore, Hein, Wills, Fisher, Sheets, Nunn, Rogers, Klein, Drake, Best, Gustafson, Ourth, Forbes, Deyoe, Koester, Hanusa, Dolecheck, Fry, Vander Linden, Highfill, Maxwell, Pettengill, Heartsill, Soderberg, L. Miller, Upmeyer, Stanerson, and Baudler, a bill for an act to provide that peace officers and retired peace officers qualify as classroom driver education instructors.

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

[House File 106](#), by Staed, Winckler, Wessel-Kroeschell, Heddens, Anderson, Berry, Thede, Brown-Powers, McConkey, Gaskill, Smith, Abdul-Samad, Steckman, Kearns, Ourth, Hanson, Hunter, Meyer, Mascher, Lensing, Wolfe, Forbes, Gaines, Kelley, Olson, Dunkel, Prichard, Oldson, and Ruff, a bill for an act relating to the establishment of a health workforce center.

Read first time and referred to committee on **Human Resources**.

[House File 107](#), by Dawson, a bill for an act to require owners or operators of certain child care facilities and child care homes to provide evidence of financial responsibility, providing a penalty, and including applicability provisions.

Read first time and referred to committee on **Human Resources**.

The House stood at ease at 3:04 p.m., until the fall of the gavel.

The House resumed session at 4:50 p.m., Speaker Paulsen in the chair.

CONSIDERATION OF BILLS Regular Calendar

The House resumed consideration of [House File 80](#), a bill for an act establishing the state percent of growth and including effective date provisions, previously deferred.

Ruff of Clayton offered amendment [H-1002](#) filed by Ruff, et al.

Windschitl of Harrison in the chair at 5:16 p.m.

Mascher of Johnson rose on a point of order under Rule 10, regarding members confining their remarks to the question under debate.

The Speaker ruled the point not well taken.

Speaker Paulsen in the chair at 5:50 p.m.

Ruff of Clayton moved the adoption of amendment [H-1002](#).

Roll call was requested by Ruff of Clayton and Smith of Marshall.

On the question "Shall amendment [H-1002](#) be adopted?" ([H.F. 80](#))

The ayes were, 43:

| | | | |
|-------------------|-------------------|------------|------------|
| Abdul-Samad | Anderson | Bearinger | Bennett |
| Berry | Brown-Powers | Cphoon | Dawson |
| Dunkel | Finkenauer | Forbes | Gaines |
| Gaskill | Hall | Hanson | Heddens |
| Hunter | Isenhardt | Jacoby | Kearns |
| Kelley | Kressig | Lensing | Lykam |
| Mascher | McConkey | Meyer | Miller, H. |
| Oldson | Olson | Ourth | Prichard |
| Ruff | Running-Marquardt | Smith | Staed |
| Steckman | Stutsman | Taylor, T. | Thede |
| Wessel-Kroeschell | Winckler | Wolfe | |

The nays were, 56:

| | | | |
|------------|------------|---------------|------------------------|
| Bacon | Baltimore | Baudler | Baxter |
| Best | Branhagen | Byrnes | Carlson |
| Cownie | Deyoe | Dolecheck | Drake |
| Fisher | Forristall | Fry | Gassman |
| Grassley | Gustafson | Hagenow | Hanusa |
| Heartsill | Heaton | Hein | Highfill |
| Holt | Huseman | Jones | Jorgensen |
| Kaufmann | Klein | Koester | Kooiker |
| Landon | Maxwell | Miller, L. | Mommsen |
| Moore | Nunn | Paustian | Pettengill |
| Rizer | Rogers | Salmon | Sands |
| Sexton | Sheets | Soderberg | Stanerson |
| Taylor, R. | Upmeyer | Vander Linden | Watts |
| Wills | Windschitl | Worthan | Mr. Speaker Paulsen |

Absent or not voting, none.

Amendment [H-1002](#) lost.

Jorgensen of Woodbury offered amendment [H-1001](#) filed by him.

Jacoby of Johnson rose on a point of order relating to amendment [H-1001](#) written in accordance with Iowa Code section 257.8.

The Speaker ruled the point not well taken.

Ruff of Clayton rose on a point of order that amendment [H-1001](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1001](#) not germane.

Jorgensen of Woodbury asked for unanimous consent to suspend the rules to consider amendment [H-1001](#).

Objection was raised.

Jorgensen of Woodbury moved to suspend the rules to consider amendment [H-1001](#).

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

On the question "Shall the rules be suspended to consider amendment [H-1001](#)?" ([H.F. 80](#))

The ayes were, 57:

| | | | |
|-------------|------------|------------|---------------|
| Bacon | Baltimore | Baudler | Baxter |
| Bearinger | Best | Branhagen | Byrnes |
| Carlson | Cownie | Deyoe | Dolecheck |
| Drake | Fisher | Forristall | Fry |
| Gassman | Grassley | Gustafson | Hagenow |
| Hanusa | Heartsill | Heaton | Hein |
| Highfill | Holt | Huseman | Jones |
| Jorgensen | Kaufmann | Klein | Koester |
| Kooiker | Landon | Maxwell | Miller, L. |
| Mommsen | Moore | Nunn | Paustian |
| Pettengill | Rizer | Rogers | Salmon |
| Sands | Sexton | Sheets | Soderberg |
| Stanerson | Taylor, R. | Upmeyer | Vander Linden |
| Watts | Wills | Windschitl | Worthan |
| Mr. Speaker | | | |
| Paulsen | | | |

The nays were, 42:

| | | | |
|-------------------|------------|------------|-------------------|
| Abdul-Samad | Anderson | Bennett | Berry |
| Brown-Powers | Cohoon | Dawson | Dunkel |
| Finkenauer | Forbes | Gaines | Gaskill |
| Hall | Hanson | Heddens | Hunter |
| Isenhart | Jacoby | Kearns | Kelley |
| Kressig | Lensing | Lykam | Mascher |
| McConkey | Meyer | Miller, H. | Oldson |
| Olson | Ourth | Prichard | Ruff |
| Running-Marquardt | Smith | Staed | Steckman |
| Stutsman | Taylor, T. | Thede | Wessel-Kroeschell |
| Winckler | Wolfe | | |

Absent or not voting, none.

The motion to suspend the rules prevailed.

Mascher of Johnson rose on a point of order regarding procedure.

The Speaker ruled the point not well taken.

Jorgensen of Woodbury moved the adoption of amendment [H-1001](#).

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

On the question "Shall amendment [H-1001](#) be adopted?" ([H.F. 80](#))

The ayes were, 71:

| | | | |
|------------|---------------|-------------|----------|
| Bacon | Baltimore | Baudler | Baxter |
| Bearinger | Best | Branhagen | Byrnes |
| Carlson | Cownie | Dawson | Deyoe |
| Dolecheck | Drake | Dunkel | Fisher |
| Forbes | Forristall | Fry | Gassman |
| Grassley | Gustafson | Hagenow | Hall |
| Hanson | Hanusa | Heartsill | Heaton |
| Hein | Highfill | Holt | Huseman |
| Jacoby | Jones | Jorgensen | Kaufmann |
| Klein | Koester | Kooiker | Kressig |
| Landon | Lykam | Maxwell | McConkey |
| Miller, L. | Mommsen | Moore | Nunn |
| Ourth | Paustian | Pettengill | Prichard |
| Rizer | Rogers | Ruff | Salmon |
| Sands | Sexton | Sheets | Smith |
| Soderberg | Stanerson | Taylor, R. | Thede |
| Upmeyer | Vander Linden | Watts | Wills |
| Windschitl | Worthan | Mr. Speaker | |
| | | Paulsen | |

The nays were, 28:

| | | | |
|-------------------|-------------------|------------|----------|
| Abdul-Samad | Anderson | Bennett | Berry |
| Brown-Powers | Cohoon | Finkenauer | Gaines |
| Gaskill | Heddens | Hunter | Isenhart |
| Kearns | Kelley | Lensing | Mascher |
| Meyer | Miller, H. | Oldson | Olson |
| Running-Marquardt | Staed | Steckman | Stutsman |
| Taylor, T. | Wessel-Kroeschell | Winckler | Wolfe |

Absent or not voting, none.

Amendment [H-1001](#) was adopted.

RULE 32

Smith of Marshall rose on a point of order to invoke Rule 32 to refer [House File 80](#) to the committee on Ways and Means.

The Speaker ruled the point well taken and [House File 80](#) was referred to the committee on Ways and Means.

RULE 57

Upmeyer of Cerro Gordo asked for unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on Ways and Means to meet immediately.

Objection was raised.

Upmeyer of Cerro Gordo moved to suspend Rule 57 for the committee on Ways and Means to meet immediately.

A non-record roll call was requested.

The ayes were 57, nays 32.

The House stood at ease at 6:37 p.m., until the fall of the gavel.

The House resumed session at 7:31 p.m., Speaker Paulsen in the chair.

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

[House File 80](#), a bill for an act establishing the state percent of growth and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** January 27, 2015.

Windschitl of Harrison in the chair at 8:02 p.m.

Speaker Paulsen in the chair at 8:52 p.m.

Jorgensen of Woodbury 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. 80](#))

The ayes were, 56:

| | | | |
|------------|------------|---------------|------------------------|
| Bacon | Baudler | Baxter | Best |
| Branhagen | Byrnes | Carlson | Cownie |
| Deyoe | Dolecheck | Drake | Fisher |
| Forristall | Fry | Gassman | Grassley |
| Gustafson | Hagenow | Hanusa | Heartsill |
| Heaton | Hein | Highfill | Holt |
| Huseman | Jones | Jorgensen | Kaufmann |
| Klein | Koester | Kooiker | Landon |
| Maxwell | Miller, L. | Mommsen | Moore |
| Nunn | Paustian | Pettengill | Rizer |
| Rogers | Salmon | Sands | Sexton |
| Sheets | Soderberg | Stanerson | Taylor, R. |
| Thede | Upmeyer | Vander Linden | Watts |
| Wills | Windschitl | Worthan | Mr. Speaker Paulsen |

The nays were, 43:

| | | | |
|-------------------|----------|-------------------|------------|
| Abdul-Samad | Anderson | Baltimore | Bearinger |
| Bennett | Berry | Brown-Powers | Cohoon |
| Dawson | Dunkel | Finkenauer | Forbes |
| Gaines | Gaskill | Hall | Hanson |
| Heddens | Hunter | Isenhart | Jacoby |
| Kearns | Kelley | Kressig | Lensing |
| Lykam | Mascher | McConkey | Meyer |
| Miller, H. | Oldson | Olson | Ourth |
| Prichard | Ruff | Running-Marquardt | Smith |
| Staed | Steckman | Stutsman | Taylor, T. |
| Wessel-Kroeschell | Winckler | Wolfe | |

Absent or not voting, none.

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

[House File 81](#), a bill for an act establishing the categorical state percent of growth and including effective date provisions, was taken up for consideration.

Ruff of Clayton offered amendment [H-1003](#) filed by Ruff, et al., and moved its adoption.

Roll call was requested by Jorgensen of Woodbury and Smith of Marshall.

On the question "Shall amendment [H-1003](#) be adopted?" ([H.F. 81](#))

The ayes were, 42:

| | | | |
|-------------------|--------------|-----------|-------------------|
| Abdul-Samad | Anderson | Bearinger | Bennett |
| Berry | Brown-Powers | Cohoon | Dawson |
| Dunkel | Finkenauer | Forbes | Gaines |
| Gaskill | Hall | Hanson | Heddens |
| Hunter | Isenhart | Jacoby | Kearns |
| Kelley | Kressig | Lensing | Lykam |
| Mascher | McConkey | Meyer | Miller, H. |
| Oldson | Olson | Ourth | Prichard |
| Running-Marquardt | Smith | Staed | Steckman |
| Stutsman | Taylor, T. | Thede | Wessel-Kroeschell |
| Winckler | Wolfe | | |

The nays were, 57:

| | | | |
|-------------|------------|------------|---------------|
| Bacon | Baltimore | Baudler | Baxter |
| Best | Branhagen | Byrnes | Carlson |
| Cownie | Deyoe | Dolecheck | Drake |
| Fisher | Forristall | Fry | Gassman |
| Grassley | Gustafson | Hagenow | Hanusa |
| Heartsill | Heaton | Hein | Highfill |
| Holt | Huseman | Jones | Jorgensen |
| Kaufmann | Klein | Koester | Kooiker |
| Landon | Maxwell | Miller, L. | Mommsen |
| Moore | Nunn | Paustian | Pettengill |
| Rizer | Rogers | Ruff | Salmon |
| Sands | Sexton | Sheets | Soderberg |
| Stanerson | Taylor, R. | Upmeyer | Vander Linden |
| Watts | Wills | Windschitl | Worthan |
| Mr. Speaker | | | |
| Paulsen | | | |

Absent or not voting, none.

Amendment [H-1003](#) lost.

Jorgensen of Woodbury 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. 81](#))

The ayes were, 55:

| | | | |
|------------|---------------|-------------|------------|
| Bacon | Baudler | Baxter | Best |
| Branhagen | Byrnes | Carlson | Cownie |
| Deyoe | Dolecheck | Drake | Fisher |
| Forristall | Fry | Gassman | Grassley |
| Gustafson | Hagenow | Hanusa | Heartsill |
| Heaton | Hein | Highfill | Holt |
| Huseman | Jones | Jorgensen | Kaufmann |
| Klein | Koester | Kooiker | Landon |
| Maxwell | Miller, L. | Mommsen | Moore |
| Nunn | Paustian | Pettengill | Rizer |
| Rogers | Salmon | Sands | Sexton |
| Sheets | Soderberg | Stanerson | Taylor, R. |
| Upmeyer | Vander Linden | Watts | Wills |
| Windschitl | Worthan | Mr. Speaker | |
| | | Paulsen | |

The nays were, 44:

| | | | |
|-------------|-------------------|-------------------|------------|
| Abdul-Samad | Anderson | Baltimore | Bearinger |
| Bennett | Berry | Brown-Powers | Cohoon |
| Dawson | Dunkel | Finkenauer | Forbes |
| Gaines | Gaskill | Hall | Hanson |
| Heddens | Hunter | Isenhart | Jacoby |
| Kearns | Kelley | Kressig | Lensing |
| Lykam | Mascher | McConkey | Meyer |
| Miller, H. | Oldson | Olson | Ourth |
| Prichard | Ruff | Running-Marquardt | Smith |
| Staed | Steckman | Stutsman | Taylor, T. |
| Thede | Wessel-Kroeschell | Winckler | Wolfe |

Absent or not voting, none:

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

IMMEDIATE MESSAGES

Upmeyer of Cerro Gordo asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 80 and 81.**

EXPLANATION OF VOTE

On January 27, 2015, I inadvertently voted “nay” on amendment [H-1003](#) to [House File 81](#), I meant to vote “aye”.

Ruff of Clayton

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 76](#) Commerce

Relating to electronic delivery and posting of insurance notices and documents.

[H.S.B. 77](#) Labor

Relating to the auditing of certified employee organizations under the public employment relations Act.

H.S.B. 78 Labor

Relating to the financial records of and loans made by employee organizations under the public employment relations Act.

H.S.B. 79 Labor

Relating to the factors that must be considered by an arbitrator for a public employee collective bargaining agreement and including applicability provisions.

H.S.B. 80 Labor

Relating to certification of employee organizations by the public employment relations board.

H.S.B. 81 Human Resources

Relating to the regulation of tanning facilities and making penalties applicable.

H.S.B. 82 Human Resources

Relating to the development of a prioritization policy for the awarding of openings under Medicaid home and community-based services waivers when the respective waiver is subject to a waiting list.

H.S.B. 83 Human Resources

Relating to programs and services under the purview of the department of public health including the board of hearing aid dispensers and the medical residency training matching grants program and including effective date and retroactive applicability provisions.

H.S.B. 84 Human Resources

Relating to public health including public health modernization and boards of health.

H.S.B. 85 Judiciary

Relating to the issuance of and violations of civil protective orders and criminal no-contact orders and modifying penalties.

H.S.B. 86 Judiciary

Allowing a professional limited liability company or a partnership of veterinarians to provide veterinary care.

H.S.B. 87 Judiciary

Relating to the regulation of smokeless powder as an explosive material.

H.S.B. 88 Judiciary

Establishing certain privileges for military victim advocates.

H.S.B. 89 Commerce

Relating to the regulation of buying club memberships.

H.S.B. 90 Commerce

Concerning the sale of native wine.

SUBCOMMITTEE ASSIGNMENTS**House File 45**

Judiciary: Windschitl, Chair; Anderson and Jones.

House File 85

Human Resources: Fry, Chair; Heddens and Rizer.

House File 86

Human Resources: Gustafson, Chair; Dawson and Wills.

House File 88

Labor: Gassman, Chair; Kooiker and Running-Marquardt.

[House File 90](#)

Transportation: Maxwell, Chair; Best and Oldson.

[House File 91](#)

Human Resources: Heaton, Chair; Gustafson and Heddens.

[House File 92](#)

Judiciary: Windschitl, Chair; Rizer and Wolfe.

[House File 93](#)

Transportation: Byrnes, Chair; Moore and Wolfe.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 34](#) Reassigned

Judiciary: Nunn, Chair; Jones and Olson.

[House Study Bill 76](#)

Commerce: Vander Linden, Chair; Forbes and Pettengill.

[House Study Bill 77](#)

Labor: Forristall, Chair; T. Taylor and Watts.

[House Study Bill 78](#)

Labor: Forristall, Chair; T. Taylor and Watts.

[House Study Bill 79](#)

Labor: Forristall, Chair; T. Taylor and Watts.

[House Study Bill 80](#)

Labor: Forristall, Chair; T. Taylor and Watts.

[House Study Bill 81](#)

Human Resources: R. Taylor, Chair; Brown-Powers and Gustafson.

[House Study Bill 82](#)

Human Resources: Fry, Chair; Heddens and Salmon.

[House Study Bill 83](#)

Human Resources: Forristall, Chair; Anderson and Wills.

[House Study Bill 84](#)

Human Resources: R. Taylor, Chair; McConkey and Rizer.

[House Study Bill 85](#)

Judiciary: Branhagen, Chair; Gustafson and Wolfe.

[House Study Bill 86](#)

Judiciary: Heartsill, Chair; Berry and Jones.

[House Study Bill 87](#)

Judiciary: Windschitl, Chair; Baxter and Prichard.

[House Study Bill 88](#)

Judiciary: Rizer, Chair; Anderson and Nunn.

RESOLUTION FILED

[H.R. 6](#), by Grassley and Deyoe, a resolution honoring the sesquicentennial anniversary of Ellsworth Community College.

Laid over under **Rule 25**.

On motion by Upmeyer of Cerro Gordo, the House adjourned at 9:04 p.m., until 8:30 a.m., Wednesday, January 28, 2015.