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**STATE OF IOWA**

# **House Journal**

**WEDNESDAY, MARCH 9, 2016**

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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

Fifty-ninth Calendar Day - Thirty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 9, 2016

The House met pursuant to adjournment at 8:32 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Muhammed Khan, Mosque Al-Noor, Des Moines. He was the guest of Representative Abdul-Samad of Polk.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by IJAG Students, Kyle Fenton and Shastin Morrison from Creston. They were the guests of Representative Stanerson of Linn.

The Journal of Tuesday, March 8, 2016, was approved.

## INTRODUCTION OF BILL

[House File 2431](#), by committee on Ways and Means, a bill for an act concerning alcoholic beverage control, including micro-distillery production and sales and dramshop liability insurance requirements, requiring a comprehensive study on alcoholic beverage control, and establishing fees.

Read first time and placed on the **Ways and Means calendar**.

The House stood at ease at 8:42 a.m., until the fall of the gavel.

The House resumed session at 10:39 a.m., Speaker Upmeyer in the chair.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 9, 2016, passed the following bill in which the concurrence of the House is asked:

[Senate File 2248](#), a bill for an act relating to matters under the purview of the department of transportation, providing fees, and making penalties applicable.

MICHAEL E. MARSHALL, Secretary

#### SENATE MESSAGES CONSIDERED

[Senate File 2101](#), by committee on Human Resources, a bill for an act appropriating funds for a supported employment provider rate increase, and including effective date and retroactive applicability provisions.

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

[Senate File 2190](#), by committee on Judiciary, a bill for an act providing for the establishment of county chemical substance abuse monitoring pilot programs and modifying temporary restricted license eligibility requirements for operating-while-intoxicated offenders.

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

[Senate File 2204](#), by committee on Commerce, a bill for an act relating to insurance coverage for the assessment and treatment of eating disorders and including applicability date provisions.

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

[Senate File 2284](#), by committee on Judiciary, a bill for an act modifying the elements defining hate crimes, and providing penalties.

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

#### CONSIDERATION OF BILL Regular Calendar

[House File 2391](#), a bill for an act relating to the funding and operation of programs to collect and dispose of household hazardous materials, was taken up for consideration.

[SENATE FILE 2181](#) SUBSTITUTED FOR [HOUSE FILE 2391](#)

Fisher of Tama asked and received unanimous consent to substitute [Senate File 2181](#) for [House File 2391](#).

[Senate File 2181](#), a bill for an act relating to the funding and operation of programs to collect and dispose of household hazardous materials, was taken up for consideration.

Fisher of Tama 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. 2181](#))

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cphoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, none.

Absent or not voting, 1:

Stutsman

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

#### HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw [House File 2391](#) from further consideration by the House.

#### IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that [Senate File 2181](#) be immediately messaged to the Senate.

On motion by Hagenow of Polk, the House was recessed at 10:45 a.m., until 4:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 4:08 p.m., Windschitl of Harrison in the chair.

#### QUORUM CALL

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

Cownie of Polk in the chair at 4:21 p.m.

#### CONSIDERATION OF BILLS

##### Regular Calendar

[House File 2329](#), a bill for an act prohibiting certain actions regarding fetal body parts and providing penalties, was taken up for consideration.

Wessel-Kroeschell of Story offered amendment [H-8023](#) filed by her.

Wessel-Kroeschell of Story asked and received unanimous consent to withdraw amendment [H-8026](#), to amendment [H-8023](#), filed by her on February 24, 2016.

Wessel-Kroeschell of Story offered amendment [H-8093](#), to amendment [H-8023](#), filed by her from the floor and moved its adoption.

Roll call was requested by Wessel-Kroeschell of Story and Smith of Marshall.

On the question "Shall amendment [H-8093](#), to amendment [H-8023](#), be adopted?" ([H.F. 2329](#))

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Berry
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Holt	Holz	Hunter
Huseman	Isenhardt	Jacoby	Jones
Jorgensen	Kaufmann	Kearns	Kelley
Klein	Koester	Kooiker	Kressig
Landon	Lensing	Lykam	Mascher
Maxwell	McConkey	Meyer	Miller, H.
Miller, L.	Mommsen	Moore, B.	Moore, T.
Nunn	Oldson	Olson	Ourth
Paulsen	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Cownie, Presiding		

The nays were, none.

Absent or not voting, 2:

Baltimore            Stutsman

Amendment [H-8093](#), to amendment [H-8023](#), was adopted.

Wessel-Kroeschell of Story moved the adoption of amendment [H-8023](#), as amended.

Roll call was requested by Wessel-Kroeschell of Story and Abdul-Samad of Polk.

On the question "Shall amendment [H-8023](#), as amended, be adopted?" ([H.F. 2329](#))

The ayes were, 42:

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

The nays were, 55:

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

Absent or not voting, 3:

Baltimore	McConkey	Stutsman
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Amendment [H-8023](#), as amended, lost.

Salmon of Black Hawk asked and received unanimous consent to withdraw amendment [H-8043](#) filed by her on February 29, 2016.

Salmon of Black Hawk asked and received unanimous consent to withdraw amendment [H-8052](#) filed by her and Heartsill of Marion on March 1, 2016.

Salmon of Black Hawk asked and received unanimous consent to withdraw amendment [H-8055](#) filed by her and Heartsill of Marion on March 1, 2016.

Windschitl of Harrison offered amendment [H-8090](#) filed by him and moved its adoption.

Amendment [H-8090](#) was adopted.

Hunter of Polk rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Speaker Upmeyer in the chair at 5:33 p.m.

Heartsill of Marion rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Hall of Woodbury rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Fry of Clarke 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, 56:

Bacon	Baltimore	Baudler	Baxter
Best	Branhagen	Byrnes	Carlson
Cownie	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hanusa	Heartsill
Heaton	Hein	Highfill	Holt
Holz	Huseman	Jones	Jorgensen
Klein	Koester	Kooiker	Landon
Maxwell	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Paulsen	Paustian

Pettengill	Rizer	Rogers	Salmon
Sands	Sexton	Sheets	Sieck
Stanerson	Taylor, R.	Vander Linden	Watts
Wills	Windschitl	Worthan	Speaker Upmeyer

The nays were, 43:

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

Absent or not voting, 1:

Stutsman

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**, a bill for an act relating to various matters involving insurance and the insurance division of the department of commerce, and including penalties, was taken up for consideration.

Pettengill of Benton offered amendment [H-8088](#) filed by her.

Pettengill of Benton offered amendment [H-8096](#), to amendment [H-8088](#), filed by her from the floor and moved its adoption.

Amendment [H-8096](#), to amendment [H-8088](#), was adopted.

Pettengill of Benton moved the adoption of amendment [H-8088](#), as amended.

Amendment [H-8088](#), as amended, was adopted.

Pettengill of Benton 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. 2394](#))

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Berry	Best	Branhagen	Brown-Powers
Byrnes	Carlson	Cohoon	Cownie
Dawson	Deyoe	Dolecheck	Dunkel
Finkenauer	Fisher	Forbes	Forristall
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Holt
Holz	Hunter	Huseman	Isenhart
Jacoby	Jones	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paulsen	Paustian
Pettengill	Prichard	Rizer	Rogers
Ruff	Running-Marquardt	Salmon	Sands
Sexton	Sheets	Sieck	Smith
Staed	Stanerson	Steckman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Windschitl
Wolfe	Worthan	Speaker	
		Upmeyer	

The nays were, none.

Absent or not voting, 1:

Stutsman

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

#### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Stutsman of Johnson

## HOUSE FILE WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw [House File 2297](#) from further consideration by the House.

## IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2329 and 2394.**

## BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 9, 2016, he approved and transmitted to the Secretary of State the following bill:

[Senate File 2288](#), an Act relating to the confidentiality of juvenile court records in delinquency proceedings.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENT

[H.S.B. 642](#) Ways and Means

Relating to state taxation by temporarily updating the Code references to the Internal Revenue Code, decoupling from certain federal bonus depreciation provisions, rescinding certain administrative rules and rule amendments and modifying the sales tax exemptions related to the purchase of items used in manufacturing and other activities, and including effective date and retroactive applicability provisions.

## SUBCOMMITTEE ASSIGNMENTS

[Senate File 2154](#)

Economic Growth: Paustian, Chair; Finkenauer and Holz.

[Senate File 2268](#)

Public Safety: Holt, Chair; Heartsill and Wessel-Kroeschell.

[Senate File 2269](#)

Public Safety: Holt, Chair; Heartsill and Olson.

## COMMITTEE RECOMMENDATIONS

MADAM 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:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON COMMERCE

[Senate File 2279](#), a bill for an act relating to the credit union division and its regulatory matters.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

## COMMITTEE ON EDUCATION

[Senate File 2163](#), a bill for an act relating to licensing fees collected by the board of educational examiners, nullifying related administrative rules, and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment [H-8091](#)** March 8, 2016.

## COMMITTEE ON HUMAN RESOURCES

[Senate File 2102](#), a bill for an act relating to access to the information program for drug prescribing and dispensing administered by the board of pharmacy.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

[Senate File 2214](#), a bill for an act relating to the dispensing of additional quantities of a prescription within the limitations of the prescription.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

[Senate File 2258](#), a bill for an act concerning child welfare, including provisions relating to children under the custody, control, and supervision of the department of human services and provisions relating to children who are sex trafficking victims.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment [H-8094](#)** March 8, 2016.

## COMMITTEE ON JUDICIARY

[Senate File 2059](#), a bill for an act relating to persons on probation, parole, or work release at the violator facility or a residential facility operated by the judicial district department of correctional services.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

[Senate File 2061](#), a bill for an act relating to the legal representation of indigent persons in criminal proceedings.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-8092** March 8, 2016.

[Senate File 2164](#), a bill for an act relating to the expungement of criminal offenses for alcohol consumption in public, public intoxication, simulated public intoxication, or similar local ordinances, or when a finding of contempt has been entered, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

[Senate File 2233](#), a bill for an act creating the uniform deployed parents custody and visitation Act, and repealing current Code provisions relating to parents on active military duty.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

## COMMITTEE ON LABOR

[Senate File 2194](#), a bill for an act concerning administrative law judges appointed or employed by the public employment relations board.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

## COMMITTEE ON LOCAL GOVERNMENT

[Senate File 2276](#), a bill for an act relating to the standards for land surveying, including requirements for recorded document formatting, monument preservation certificates, and retracement plats of survey.

Fiscal Note: **No**

Recommendation: **Do Pass** March 8, 2016.

## COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly [House File 2393](#)), relating to real estate appraisal, including by requiring the superintendent of banking to regulate appraisal management companies and supervise the Iowa real estate appraiser board, making penalties applicable, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 9, 2016.

**Committee Bill** (Formerly [House Study Bill 639](#)), relating to Iowa's urban renewal law by modifying requirements for the annual report prepared by the legislative services agency, establishing restrictions on the use of divided revenues, modifying the conditions for establishing certain urban renewal areas, imposing duration limits on certain urban renewal areas, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 9, 2016.

## RESOLUTION FILED

[H.R. 104](#), by Thede and Jones, a resolution designating March 2016 as Iowa Women's History Month.

Laid over under **Rule 25**.

## AMENDMENTS FILED

<a href="#">H-8091</a>	<a href="#">S.F.</a>	<a href="#">2163</a>	Committee on Education
<a href="#">H-8092</a>	<a href="#">S.F.</a>	<a href="#">2061</a>	Committee on Judiciary
<a href="#">H-8093</a>	<a href="#">H.F.</a>	<a href="#">2329</a>	Wessel-Kroeschell of Story
<a href="#">H-8094</a>	<a href="#">S.F.</a>	<a href="#">2258</a>	Committee on Human Resources
<a href="#">H-8095</a>	<a href="#">H.F.</a>	<a href="#">2429</a>	Vander Linden of Mahaska
<a href="#">H-8096</a>	<a href="#">H.F.</a>	<a href="#">2394</a>	Pettengill of Benton

On motion by Hagenow of Polk, the House adjourned at 6:13 p.m., until 8:30 a.m., Thursday, March 10, 2016.