

PROOF

STATE OF IOWA

House Journal

MONDAY, JANUARY 30, 2017

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

JOURNAL OF THE HOUSE

Twenty-second Calendar Day - Fourteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 30, 2017

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

Prayer was offered by Pastor Birindwa Alex Magambo, Solid Rock Christian Church, Coralville. He was the guest of Nielsen of Johnson.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Madison Kearns, Page from Montrose and granddaughter of Kearns of Lee.

The Journal of Friday, January 27, 2017, was approved.

INTRODUCTION OF BILLS

[House File 133](#), by committee on Judiciary, a bill for an act relating to guardians ad litem, attorneys for minor children, child custody investigators, and child and family reporters involved in child custody and visitation proceedings.

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

[House File 134](#), by committee on Judiciary, a bill for an act relating to the authority of cities to regulate and restrict the occupancy of residential rental property.

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

[House File 135](#), by committee on Judiciary, a bill for an act relating to the powers of an agent under a power of attorney with respect to real property.

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

On motion by Hagenow of Polk, the House was recessed at 1:10 p.m., until 5:00 p.m.

AFTERNOON SESSION

The House reconvened at 5:06 p.m., Speaker Upmeyer in the chair.

The House stood at ease at 5:06 p.m., until the fall of the gavel.

The House resumed session at 5:53 p.m., Speaker Upmeyer in the chair.

CONSIDERATION OF BILL Appropriations Calendar

House File 118, a bill for an act relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2016, and including effective date provisions, was taken up for consideration.

SENATE FILE 130 SUBSTITUTED FOR HOUSE FILE 118

Grassley of Butler asked and received unanimous consent to substitute Senate File 130 for House File 118.

Senate File 130, a bill for an act relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2016, and including effective date provisions, was taken up for consideration.

Hall of Woodbury offered amendment H-1001 filed by Hall, et al., and moved its adoption.

Roll call was requested by Hall of Woodbury and Hunter of Polk.

On the question "Shall amendment H-1001 be adopted?" (S.F. 130)

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Hanson	Heddens	Hunter	Isenhart
Jacoby	Kacena	Kearns	Kressig
Lensing	Mascher	McConkey	Meyer
Miller	Nielsen	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Carlin
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Forristall	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Vander Linden	Watts	Wheeler
Wills	Windschitl	Worthan	Zumbach
Speaker Upmeyer			

Absent or not voting, 4:

Hanusa	Huseman	Oldson	Smith, R.
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Amendment [H-1001](#) lost.

Hall of Woodbury asked and received unanimous consent to withdraw amendment [H-1002](#) filed by Hall, et al., on January 27, 2017.

Hall of Woodbury asked and received unanimous consent to withdraw amendment [H-1003](#) filed by him on January 27, 2017.

The House stood at ease at 6:20 p.m., until the fall of the gavel.

The House resumed session at 6:37 p.m., Speaker Upmeyer in the chair.

MOTION TO RECONSIDER
(Amendment [H-1002](#), to [Senate File 130](#))

I move to reconsider amendment [H-1002](#), to [Senate File 130](#), previously withdrawn.

Hall of Woodbury

Hall of Woodbury moved to reconsider amendment [H-1002](#) filed by Hall, et al., previously withdrawn.

Roll call was requested by Hall of Woodbury and Meyer of Polk.

On the question "Shall amendment [H-1002](#) be reconsidered?" ([S.F. 130](#))

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Hanson	Heddens	Hunter	Isenhart
Jacoby	Kacena	Kearns	Kressig
Lensing	Mascher	McConkey	Meyer
Miller	Nielsen	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Carlin
Carlson	Cownie	Deyoe	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Vander Linden	Watts	Wheeler
Wills	Windschitl	Worthan	Zumbach
Speaker			
Upmeyer			

Absent or not voting, 4:

Dolecheck Huseman Oldson Smith, R

The motion failed.

Hall of Woodbury offered amendment [H-1004](#) filed by Hall, et al., and moved its adoption.

Roll call was requested by Hall of Woodbury and Abdul-Samad of Polk.

On the question "Shall amendment [H-1004](#) be adopted?" ([S.F. 130](#))

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Hanson	Heddens	Hunter	Isenhart
Jacoby	Kacena	Kearns	Kressig
Lensing	Mascher	McConkey	Meyer
Miller	Nielsen	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Carlin
Carlson	Cownie	Deyoe	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Vander Linden	Watts	Wheeler
Wills	Windschitl	Worthan	Zumbach
Speaker			
Upmeyer			

Absent or not voting, 4:

Dolecheck Huseman Oldson Smith, R.

Amendment [H-1004](#) lost.

Hunter of Polk offered amendment [H-1005](#) filed by Hunter, et al.

Running-Marquardt of Linn offered amendment [H-1007](#), to amendment [H-1005](#), filed by her from the floor.

Grassley of Butler rose on a point of order that amendment [H-1007](#) was not germane, to amendment [H-1005](#).

The Speaker ruled the point well taken and amendment [H-1007](#) not germane, to amendment [H-1005](#).

Running-Marquardt of Linn asked for unanimous consent to suspend the rules to consider amendment [H-1007](#), to amendment [H-1005](#).

Objection was raised.

Running-Marquardt of Linn moved to suspend the rules to consider amendment [H-1007](#), to amendment [H-1005](#).

Roll call was requested by Running-Marquardt of Linn and Abdul-Samad of Polk.

On the question "Shall the rules be suspended to consider amendment [H-1007](#), to amendment [H-1005](#)?" ([S.F. 130](#))

The ayes were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Cownie
Finkenauer	Forbes	Gaines	Gaskill
Hall	Hanson	Heddens	Hunter
Isenhardt	Jacoby	Kacena	Kaufmann
Kearns	Kressig	Lensing	Mascher
McConkey	McKean	Meyer	Miller
Nielsen	Olson	Ourth	Prichard
Running-Marquardt	Smith, M.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

The nays were, 55:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Carlin
Carlson	Deyoe	Dolecheck	Fisher
Forristall	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Jones
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Vander Linden
Watts	Wheeler	Wills	Windschitl
Worthan	Zumbach	Speaker	
		Upmeyer	

Absent or not voting, 3:

Huseman	Oldson	Smith, R.
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The motion to suspend the rules lost.

Grassley of Butler rose on a point of order that amendment [H-1005](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1005](#) not germane.

Hunter of Polk asked for unanimous consent to suspend the rules to consider amendment [H-1005](#).

Objection was raised.

Hunter of Polk moved to suspend the rules to consider amendment [H-1005](#).

Roll call was requested by Hunter of Polk and Bearinger of Fayette.

On the question "Shall the rules be suspended to consider amendment [H-1005](#)?" ([S.F. 130](#))

The ayes were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohon	Finkenauer

Forbes	Gaines	Gaskill	Hall
Hanson	Heddens	Hunter	Isenhart
Jacoby	Kacena	Kearns	Kressig
Lensing	Mascher	McConkey	Meyer
Miller	Nielsen	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

The nays were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Carlin
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Forristall	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Windschitl	Worthan
Zumbach	Speaker Upmeyer		

Absent or not voting, 3:

Huseman	Oldson	Smith, R.
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The motion to suspend the rules lost.

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

The Speaker ruled the point not well taken.

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

The Speaker ruled the point well taken.

Kressig of Black Hawk rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Grassley of Butler 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. 130](#))

The ayes were, 58:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Carlin
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Forristall	Fry	Gassman
Grassley	Gustafson	Hagenow	Hager
Hanusa	Heartsill	Heaton	Hein
Highfill	Hinson	Holt	Holz
Jones	Kaufmann	Kerr	Klein
Koester	Landon	Lundgren	Maxwell
McKean	Mohr	Mommsen	Moore
Nunn	Paustian	Pettengill	Rizer
Rogers	Salmon	Sexton	Sheets
Sieck	Taylor, R.	Vander Linden	Watts
Wheeler	Wills	Windschitl	Worthan
Zumbach	Speaker		
	Upmeyer		

The nays were, 38:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Hanson	Heddens	Hunter	Isenhardt
Jacoby	Kacena	Kearns	Kressig
Lensing	Mascher	McConkey	Meyer
Miller	Nielsen	Olson	Ourth
Prichard	Running-Marquardt	Smith, M.	Staed
Steckman	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 3:

Huseman	Oldson	Smith, R.
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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 WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw [House File 118](#) from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Huseman of Cherokee
Smith R. of Black Hawk

Oldson of Polk

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that [Senate File 130](#) be immediately messaged to the Senate.

On motion by Hagenow of Polk, the House was recessed at 8:53 p.m., until the conclusion of the committee on Appropriations.

EVENING SESSION

The House reconvened at 9:41 p.m., Speaker Upmeyer in the chair.

INTRODUCTION OF BILL

[House File 136](#), by committee on Appropriations, a bill for an act relating to the state school foundation program, by modifying requirements for the enactment of the state percents of growth, establishing state percents of growth, modifying provisions relating to school district property tax replacement payments, and including effective date and applicability provisions.

Read first time and placed on the **Appropriations calendar**.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 56](#) **Local Government**

Relating to the discharge of motor vehicle security interests.

[H.S.B. 57](#) **Local Government**

Exempting co-owners of motor vehicles of deceased persons from fees related to the issuance of certificates of title.

H.S.B. 58 Local Government

Relating to persons soliciting donations from passing motorists on behalf of charitable organizations.

H.S.B. 59 Local Government

Relating to the procedures for granting a waterworks or sewer services franchise by a city.

H.S.B. 60 Local Government

Related to city and county zoning by allowing for the creation and conveyance of development rights.

H.S.B. 61 Public Safety

Relating to controlled substances, including by temporarily designating substances as controlled substances, modifying the penalties for imitation controlled substances and certain controlled substances, modifying the controlled substances listed in schedules I, III, and IV, and providing penalties.

H.S.B. 62 Judiciary

Relating to mechanics' liens and public construction liens.

H.S.B. 63 Judiciary

Relating to forcible entry and detainer actions, including granting concurrent jurisdiction to small claims courts over preliminary hearings for certain forcible entry and detainer actions.

SUBCOMMITTEE ASSIGNMENT**House File 129**

Labor: Forristall, Chair; Hunter and Wheeler.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 56](#)

Local Government: Jones, Chair; Sheets and Thede.

[House Study Bill 57](#)

Local Government: Heartsill, Chair; Landon and Lensing.

[House Study Bill 58](#)

Local Government: Bloomingdale, Chair; McKean and Wolfe.

[House Study Bill 59](#)

Local Government: Kaufmann, Chair; Carlson and Kressig.

[House Study Bill 60](#)

Local Government: Heartsill, Chair; Deyoe and Meyer.

[House Study Bill 62](#)

Judiciary: McKean, Chair; Bennett and Koester.

[House Study Bill 63](#)

Judiciary: Windschitl, Chair; Jones and R. Smith.

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 APPROPRIATIONS

Committee Bill (Formerly [House Study Bill 55](#)), relating to the state school foundation program and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** January 30, 2017.

COMMITTEE ON JUDICIARY

[House File 20](#), a bill for an act relating to the criminal offense of sexual exploitation by a school employee, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment H-1006** January 30, 2017.

Committee Bill (Formerly [House Study Bill 4](#)), relating to requests for notice of probate proceedings.

Fiscal Note: **No**

Recommendation: **Do Pass** January 30, 2017.

Committee Bill (Formerly [House Study Bill 6](#)), relating to service of copies of court documents on certain persons relating to the receipt of emergency protective services by a dependent adult.

Fiscal Note: **No**

Recommendation: **Do Pass** January 30, 2017.

Committee Bill (Formerly [House Study Bill 29](#)), relating to information required to be contained in petitions for administration of small estates and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** January 30, 2017.

RESOLUTIONS FILED

[S.C.R. 1](#), by committee on Rules and Administration, a Concurrent Resolution relating to the compensation of chaplains, officers, and employees of the eighty-seventh general assembly.

Referred to committee on **Administration and Rules**.

[S.C.R. 2](#), by committee on Ethics, a Concurrent Resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Eighty-seventh General Assembly.

Referred to committee on **Administration and Rules**.

AMENDMENTS FILED

H-1006	H.F. 20	Committee on Judiciary
H-1007	S.F. 130	Running-Marquardt of Linn

On motion by Hagenow of Polk, the House adjourned at 9:42 p.m., until 8:30 a.m., Tuesday, January 31, 2017.