

PROOF

STATE OF IOWA

House Journal

MONDAY, FEBRUARY 11, 2019

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JOURNAL OF THE HOUSE

Twenty-ninth Calendar Day - Nineteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 11, 2019

The House met pursuant to adjournment at 1:04 p.m., Speaker Upmeyer in the chair.

Prayer was offered by Imam Nermin Spahic, Des Moines. He was the guest of Abdul-Samad of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ally Emberton, Page from Carlisle.

The Journal of Friday, February 8, 2019, was approved.

INTRODUCTION OF BILLS

[House File 329](#), by Mascher, a bill for an act relating to alternative nicotine products and vapor products, and providing for taxation of such products.

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

[House File 330](#), by Bossman, a bill for an act relating to certain workforce training programs administered by community colleges and tuition assistance related to such programs.

Read first time and referred to committee on **Economic Growth**.

[House File 331](#), by Gaskill, a bill for an act directing the state board of regents to conduct a feasibility study relating to the establishment of a need-based gender pay gap grant.

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

[House File 332](#), by Shipley, Osmundson, Baxter, Wheeler, Kaufmann, Thompson, Sorensen, Salmon, and Jacobsen, a bill for an

act relating to the practice of alternative and complementary medicine, and making penalties applicable.

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

[House File 333](#), by Mascher, a bill for an act relating to expansion of the 1st five program statewide, and making an appropriation.

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

[House File 334](#), by Mascher, a bill for an act relating to state child care assistance, including income eligibility and waiting list guidelines and copayment requirements and providing an effective date.

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

[House File 335](#), by Hanusa, a bill for an act relating to the filing of nomination papers by persons seeking nomination by a nonparty political organization.

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

[House File 336](#), by committee on Judiciary, a bill for an act relating to postconviction relief procedure and the underlying trial court record of the proceedings challenged.

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

[House File 337](#), by committee on Judiciary, a bill for an act relating to state employee defense and indemnification from certain claims and actions.

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

[House File 338](#), by committee on Ways and Means, a bill for an act relating to claiming the adoption tax credit for qualified adoption expenses paid or incurred during a tax year and including retroactive applicability provisions.

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

[House File 339](#), by committee on Ways and Means, a bill for an act relating to certain tax credits awarded by the economic development authority for equity investments in qualifying businesses or innovation funds and including effective date provisions.

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

On motion by Hagenow of Dallas, the House was recessed at 1:19 p.m., until 3:30 p.m.

AFTERNOON SESSION

The House reconvened at 5:01 p.m., Windschitl of Harrison in the chair.

INTRODUCTION OF BILLS

[House File 340](#), by Dolecheck, a bill for an act providing for the designation of a lay caregiver relating to a patient's inpatient stay at a hospital.

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

[House File 341](#), by Mascher, a bill for an act prohibiting persons from simultaneously holding more than one elective office and including applicability provisions.

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

[House File 342](#), by committee on Transportation, a bill for an act increasing the maximum allowable length for stinger-steered automobile transporters.

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

[House File 343](#), by committee on Transportation, a bill for an act allowing certain vans and pickups to be used to transport pupils to activity events or from school to home in emergency situations, and making penalties applicable.

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

[House File 344](#), by Salmon, a bill for an act relating to moneys donated to support 4-H clubs, by providing for the management and control of such moneys by county agricultural extension councils and 4-H clubs, and including effective date provisions.

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

[House File 345](#), by committee on Transportation, a bill for an act relating to defective motorcycles and autocycles purchased or leased by consumers, making penalties applicable, and including applicability provisions.

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

CONSIDERATION OF BILLS
Regular Calendar

[House File 306](#), a bill for an act relating to public school funding by establishing the state percent of growth and the categorical state percent of growth for the budget year beginning July 1, 2019, modifying provisions relating to the property tax replacement payments, and including effective date provisions, was taken up for consideration.

R. Smith of Black Hawk offered amendment [H-1001](#) filed by him and moved its adoption.

Roll call was requested by Prichard of Floyd and B. Meyer of Polk.

On the question "Shall amendment [H-1001](#) be adopted?" ([H.F. 306](#))

The ayes were, 46:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohon	Derry
Donahue	Ehlert	Forbes	Gaines
Gaskill	Hall	Heddens	Hunter
Isenhart	Jacoby	James	Judge
Kacena	Konfrst	Kressig	Kurth
Kurtz	Lensing	Mascher	Matson
McConkey	Meyer, B.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Sunde	Thede	Wessel-Kroeschell	Williams
Winckler	Wolfe		

The nays were, 53:

Bacon	Baxter	Bergan	Best
Bloomingtondale	Bossman	Brink	Carlson
Deyoe	Dolecheck	Fisher	Fry
Gassman	Gerhold	Grassley	Gustafson
Hagenow	Hanusa	Hein	Hinson
Hite	Holt	Huseman	Jacobsen
Jeneary	Jones	Kaufmann	Kerr
Klein	Landon	Lohse	Lundgren
McKean	Meyer, A.	Mitchell	Mohr
Mommsen	Moore	Osmundson	Paustian
Salmon	Sexton	Shipley	Sieck
Sorensen	Thompson	Thorup	Upmeyer, Spkr.
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 1:

Maxwell

Amendment [H-1001](#) lost.

R. Smith of Black Hawk asked and received unanimous consent to withdraw amendment [H-1002](#) filed by him and Hall of Woodbury on February 8, 2019.

Kaufmann of Cedar rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Kaufmann of Cedar rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Dolecheck of Ringgold 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. 306](#))

The ayes were, 53:

Bacon	Baxter	Bergan	Best
Bloomingtondale	Bossman	Brink	Carlson
Deyoe	Dolecheck	Fisher	Fry
Gassman	Gerhold	Grassley	Gustafson
Hagenow	Hanusa	Hein	Hinson
Hite	Holt	Huseman	Jacobsen
Jeneary	Jones	Kaufmann	Kerr
Klein	Landon	Lohse	Lundgren
Maxwell	McKean	Meyer, A.	Mitchell
Mohr	Mommsen	Moore	Osmundson
Paustian	Salmon	Sexton	Sieck
Sorensen	Thompson	Thorup	Upmeyer, Spkr.
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 47:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Derry
Donahue	Ehlert	Forbes	Gaines
Gaskill	Hall	Heddens	Hunter
Isenhardt	Jacoby	James	Judge
Kacena	Konfrst	Kressig	Kurth
Kurtz	Lensing	Mascher	Matson
McConkey	Meyer, B.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Shiple	Smith, M.	Smith, R.	Staed
Steckman	Sunde	Thede	Wessel-Kroeschell
Williams	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.

Lundgren of Dubuque in the chair at 6:57 p.m.

Appropriations Calendar

[House File 307](#), a bill for an act relating to public school funding by modifying provisions relating to the regular program state cost per pupil, making appropriations to the transportation equity fund, establishing transportation data review and reporting requirements, and including effective date provisions, was taken up for consideration.

Kerr of Louisa 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. 307](#))

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossman	Breckenridge	Brink
Brown-Powers	Carlson	Cohoon	Derry
Deyoe	Dolecheck	Donahue	Ehlert
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Gerhold	Grassley
Gustafson	Hagenow	Hall	Hanusa
Heddens	Hein	Hinson	Hite
Holt	Hunter	Huseman	Isenhart
Jacobsen	Jacoby	James	Jeneary
Jones	Judge	Kacena	Kaufmann
Kerr	Klein	Konfrst	Kressig
Kurth	Kurtz	Landon	Lensing
Lohse	Mascher	Matson	Maxwell
McConkey	McKean	Meyer, A.	Meyer, B.
Mitchell	Mohr	Mommsen	Moore
Nielsen	Oldson	Olson	Osmundson
Ourth	Paustian	Prichard	Running-Marquardt
Salmon	Sexton	Sieck	Smith, M.
Smith, R.	Sorensen	Staed	Steckman
Sunde	Thede	Thompson	Thorup
Upmeyer, Spkr.	Wessel-Kroeschell	Wheeler	Williams
Wills	Winckler	Windschitl	Wolfe
Worthan	Zumbach	Lundgren,	
		Presiding	

The nays were, 1:

Shipley

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

Hagenow of Dallas asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 306** and **307**.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Maxwell of Poweshiek

SPONSOR ADDED

[House File 317](#) – Shipley of Jefferson

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 138](#) Public Safety

Relating to the confidentiality of certain law enforcement reports, records, and information under Iowa's open records law.

[H.S.B. 139](#) Public Safety

Relating to certain boards and councils in the department of human rights including the establishment of the justice advisory board and the elimination of the criminal and juvenile justice planning advisory council, the public safety advisory board, and the sex offender research council.

[H.S.B. 140](#) Public Safety

Relating to controlled substances, including amending information collection and reporting requirements under the Iowa prescription monitoring program, amending the controlled substance schedules, removing certain references to marijuana, making penalties applicable, and including effective date provisions.

[H.S.B. 141](#) Public Safety

Relating to the confidentiality of peace officer body camera data under Iowa's open records law.

[H.S.B. 142](#) Judiciary

Relating to postconviction DNA profiling procedure.

[H.S.B. 143](#) Judiciary

Relating to the confidentiality of information filed with the court used to secure an arrest warrant.

[H.S.B. 144](#) Judiciary

Relating to payments from the indigent defense fund by the state public defender for costs incurred by a privately retained attorney representing an indigent person.

[H.S.B. 145](#) State Government

Relating to public utility crossings of railroad rights-of-way.

[H.S.B. 146](#) State Government

Eliminating the education telecommunications council and regional telecommunications councils established under the Iowa communications network.

[H.S.B. 147](#) State Government

Relating to tax return preparers, and providing penalties.

[H.S.B. 148](#) State Government

Concerning the sale of alcoholic liquor by native wineries.

H.S.B. 149 Ways and Means

Exempting from the state sales and use tax the purchase price and installation costs of emergency generators used for power outages or natural disasters.

SUBCOMMITTEE ASSIGNMENTS**House File 226**

State Government: Moore, Chair; Derry and Sorensen.

House File 230

Economic Growth: Wheeler, Chair; Huseman and Jacoby.

House File 241

Education: Kerr, Chair; Gassman and Staed.

House File 242

Education: Brink, Chair; Ehlert and Hanusa.

House File 256

Education: Kerr, Chair; Donahue and Moore.

House File 268

Appropriations: Hinson, Chair; Deyoe and Mascher.

House File 271

Education: Dolecheck, Chair; Kerr and Mascher.

House File 272

Education: Hanusa, Chair; Salmon and R. Smith.

House File 273

Education: Brink, Chair; Ehlert and Hanusa.

House File 274

Education: A. Meyer, Chair; Gassman and Matson.

[House File 275](#)

Education: Kerr, Chair; Gassman and Kurth.

[House File 285](#)

State Government: McKean, Chair; Deyoe and Lensing.

[House File 302](#)

State Government: Jacobsen, Chair; Moore and Nielsen.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 138](#)

Public Safety: Thorup, Chair; Kacena and Kerr.

[House Study Bill 139](#)

Public Safety: Fisher, Chair; Kacena and Worthan.

[House Study Bill 140](#)

Public Safety: Jeneary, Chair; Kacena and Paustian.

[House Study Bill 141](#)

Public Safety: Paustian, Chair; Kacena and Mohr.

[House Study Bill 142](#)

Judiciary: Mitchell, Chair; Klein and Wolfe.

[House Study Bill 143](#)

Judiciary: Paustian, Chair; Jones and Sunde.

[House Study Bill 144](#)

Judiciary: McKean, Chair; Hite and Konfrst.

[House Study Bill 145](#)

State Government: Hinson, Chair; Derry and Mitchell.

[House Study Bill 146](#)

State Government: Sorensen, Chair; Kaufmann and Konfrst.

[House Study Bill 147](#)

State Government: Bergan, Chair; Derry and Moore.

[House Study Bill 148](#)

State Government: Sexton, Chair; Lensing and Mitchell.

[House Study Bill 149](#)

Ways and Means: Wheeler, Chair; Brown-Powers and Hite.

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

Committee Bill (Formerly [House Study Bill 89](#)), relating to the subpoena powers of the superintendent of credit unions, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Do Pass** February 11, 2019.

Committee Bill (Formerly [House Study Bill 90](#)), providing for the good-faith submission of information, records, applications, and documents to the credit union division.

Fiscal Note: **No**

Recommendation: **Do Pass** February 11, 2019.

Committee Bill (Formerly [House Study Bill 106](#)), relating to procedural requirements for the merger of state credit unions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 11, 2019.

Committee Bill (Formerly [House Study Bill 107](#)), relating to matters under the purview of the utilities division of the department of commerce, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Do Pass** February 11, 2019.

AMENDMENT FILED

[H-1003](#) [H.F. 267](#) McKean of Jones

On motion by Hagenow of Dallas, the House adjourned at 7:09 p.m., until 8:30 a.m., Tuesday, February 12, 2019.