

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, JANUARY 20, 2010

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

JOURNAL OF THE HOUSE

Tenth Calendar Day - Seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 20, 2010

The House met pursuant to adjournment at 9:07 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Terry Amman, pastor of the Walnut Creek Community Church, Windsor Heights. He was the guest of Representative Chris Hagenow of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chelsea Nicoletto, House Page from Des Moines.

The Journal of Tuesday, January 19, 2010 was approved.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on January 19, 2010, passed the following bill in which the concurrence of the Senate was asked:

[House File 2030](#), a bill for an act relating to the school budget review committee by modifying its membership and by modifying the committee's duties related to school district unusual financial circumstances.

MICHAEL E. MARSHALL, Secretary

On motion by McCarthy of Polk, the House was recessed at 9:13 a.m., until 5:00 p.m.

EVENING SESSION

The House reconvened at 5:59 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILLS

[House Joint Resolution 2002](#), by Paulsen, Lukan, Roberts, Sands, Dolecheck, S. Olson, Helland, Rants, Sweeney, Schulte, Struyk, Windschitl, Baudler, Huseman, Arnold, Horbach, May, Schultz, Sorenson, L. Miller, Forristall, Heaton, Tjepkes, Upmeyer, Raecker, Soderberg, Rayhons, Drake, Watts, De Boef, Alons, Tymeson, Grassley, Deyoe, Pettengill, Worthan, Wagner, Cownie, Van Engelenhoven, Kaufmann, Anderson, Hagenow, Koester and Chambers, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to labor union membership.

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

[House Joint Resolution 2003](#), by Alons, Chambers, Tymeson, May, Koester, Windschitl, Schultz, De Boef, Sorenson, Sweeney, Huseman, Kaufmann, Rayhons, Hagenow, Mertz and Soderberg, a joint resolution proposing an amendment to the Constitution of the State of Iowa to specify that the right to life is the paramount and most fundamental right of every person, and that personhood applies to all human beings from the beginning of their biological development.

Read first time and referred to committee on **state government**.

[House File 2076](#), by committee on economic growth, a bill for an act establishing an Iowa innovation council in the department of economic development.

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

[House File 2077](#), by Schulte, a bill for an act relating to submission of reimbursable claims under the Medicaid program.

Read first time and referred to committee on **human resources**.

[House File 2078](#), by Isenhardt, a bill for an act relating to certification requirements related to services provided by an assisted living program, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **human resources**.

[House File 2079](#), by Isenhart, a bill for an act to require the department of inspections and appeals to certify and monitor the operations of health care of other agencies providing certain assisted living services and providing for a fee and a criminal penalty.

Read first time and referred to committee on **human resources**.

[House File 2080](#), by Schulte, a bill for an act relating to the adjudication and payment of certain claims by health insurers.

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

[House File 2081](#), by Schulte, a bill for an act requiring notification of preauthorization requirements pursuant to health insurance coverage.

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

[House File 2082](#), by Jacoby and May, a bill for an act providing for a tax credit against the individual and corporate income taxes, the franchise tax, insurance premiums tax, and the moneys and credits tax for a charitable contribution to certain institutions engaged in regenerative medicine research and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

[House File 2083](#), by Wendt and Whitead, a bill for an act relating to the authority of a certified law enforcement officer.

Read first time and referred to committee on **public safety**.

[House File 2084](#), by Horbach, a bill for an act relating to exclusion of injuries incurred in certain voluntary recreational programs from workers' compensation.

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

[House File 2085](#), by Tymeson, a bill for an act relating to charter schools and charter magnet schools, and including effective date provisions.

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

[House File 2086](#), by Mascher, a bill for an act providing for and making an appropriation to the department of revenue for the elderly and disabled tax credit and reimbursement and providing an effective date.

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

[House File 2087](#), by Jacoby and Wagner, a bill for an act exempting from the sales tax the services of certain executive search agencies and private employment agencies and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **ways and means**.

[House File 2088](#), by T. Olson, Running-Marquardt, Willems, Taylor, Jacoby, Lensing, Kressig, Mascher, Kelley, Berry, Burt and H. Miller, a bill for an act providing for the waiver of tax penalties and interest under certain disaster loss circumstances and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **rebuild Iowa and disaster recovery**.

[House File 2089](#), by Tymeson, a bill for an act extending the validity of an expired out-of-state driver's license of a veteran of the military service of the United States who becomes a resident of this state following separation from active duty.

Read first time and referred to committee on **veterans affairs**.

[House File 2090](#), by Tymeson, a bill for an act relating to the voting procedures of the joint board of an entity engaged in the joint exercise of governmental powers.

Read first time and referred to committee on **local government**.

[House File 2091](#), by Frevert, a bill for an act relating to the operation of off-road vehicles on highways, providing a registration fee, and making a penalty applicable.

Read first time and referred to committee on **natural resources**.

[House File 2092](#), by Gayman, a bill for an act modifying the definition of a hate crime, and providing penalties.

Read first time and referred to committee on **public safety**.

[House File 2093](#), by Schulte, a bill for an act relating to increasing efficiencies in accountability measures for Medicaid program providers under the purview of the Iowa Medicaid enterprise.

Read first time and referred to committee on **human resources**.

[House File 2094](#), by Schulte, a bill for an act relating to the level of care evaluations required under the medical assistance program home and community-based services waiver for persons with intellectual disabilities.

Read first time and referred to committee on **human resources**.

[House File 2095](#), by Schulte, a bill for an act requiring the inclusion of certain transportation services under the medical assistance program home and community-based services waiver for persons with intellectual disabilities.

Read first time and referred to committee on **human resources**.

[House File 2096](#), by Isenhart and Koester, a bill for an act creating an Iowa institute for public policy.

Read first time and referred to committee on **state government**.

[House File 2097](#), by Hanson, a bill for an act requiring the use of safety helmets by certain young persons operating motorized bicycles, and making penalties applicable.

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

[House File 2098](#), by Quirk, a bill for an act concerning driver education instruction by a teaching parent.

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

[House File 2099](#), by Hanson, a bill for an act concerning text messaging and the use of cellular telephones by motor vehicle operators who are minors and providing a penalty.

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

[House File 2100](#), by Quirk, a bill for an act modifying provisions applicable to electric generating and transmission facilities.

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

[House File 2101](#), by Reasoner, a bill for an act relating to the establishment of fee schedules for certain noncovered dental services.

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

[House File 2102](#), by Tymeson, a bill for an act relating to providing veteran services to inmates incarcerated in a jail or municipal holding facility.

Read first time and referred to committee on **veterans affairs**.

[House File 2103](#), by Quirk, a bill for an act relating to the composition of the building code advisory council.

Read first time and referred to committee on **state government**.

[House File 2104](#), by Quirk, a bill for an act relating to property assessment and property taxation by creating a recreational class of property.

Read first time and referred to committee on **ways and means**.

[HOUSE FILE 2059](#) REREFERRED

The Speaker announced that [House File 2059](#), previously referred to committee on **economic growth** was rereferred to committee on **state government**.

BILL 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 bill has 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 20th day of January, 2010: [House File 2030](#).

MARK W. BRANDSGARD
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on January 20, 2010, he approved and transmitted to the Secretary of State the following bills:

[House File 2030](#), an Act relating to the school budget review committee by modifying its membership and by modifying the committee's duties related to school district unusual financial circumstances and including effective date provisions.

[Senate File 2045](#), an Act delaying the establishment of the state percent of growth for the budget year beginning July 1, 2011, for purposes of the state school foundation program, and including effective date provisions.

[Senate File 2046](#), an Act delaying the establishment of the categorical state percent of growth for the budget year beginning July 1, 2011, for purposes of the state school foundation program, and including effective date provisions.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

BOARD OF REGENTS

Annual report of the Grow Iowa Values Funding, pursuant to Chapter 15G.111(2), Code of Iowa.

Annual usage costs for the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

DEPARTMENT OF EDUCATION

Annual report of the Iowa Learning Technology Commission, pursuant to Chapter 280A.3, Code of Iowa.

DEPARTMENT OF HUMAN SERVICES

Annual report of the Healthy and Well Kids in Iowa (hawk-i), pursuant to Chapter 514.1(7)(g), Code of Iowa.

DEPARTMENT OF NATURAL RESOURCES

2010 Resource Enhancement and Protection report, pursuant to Chapter 455A.17, Code of Iowa.

DEPARTMENT OF REVENUE

Annual report of dependent health care coverage tax, pursuant to the 2008 Iowa Acts.

DEPARTMENT OF TRANSPORTATION

Annual report of highway construction program expenditures and obligations, pursuant to Chapter 307.12(15), Code of Iowa.

Fiscal year 2009 Biodiesel Fuel Revolving Fund Expenditures Report, pursuant to Chapter 307.20, Code of Iowa.

HOMELAND SECURITY AND EMERGENCY MANAGEMENT

Status report for 2009, pursuant to Chapter 34A.7A(3)(a), Code of Iowa.

IOWA DEPARTMENT OF ECONOMIC DEVELOPMENT

Generation Iowa commission status update for 2009, pursuant to Chapter 400.3(1)(2)(3), Code of Iowa.

IOWA DEPARTMENT OF HUMAN RIGHTS
Division of Criminal and Juvenile Justice Planning

Update of twenty year plan for the criminal justice system in Iowa, pursuant to Chapters 216A.133 and 216A.137, Code of Iowa.

IOWA INSURANCE DIVISION

Consumer Advocate Bureau Report, pursuant to Chapter 505.8, Code of Iowa.

REBUILD IOWA OFFICE

Report of savings using the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

STATE COURT ADMINISTRATOR

Report on the Enhanced Court Collections Fund and the Court Technology Fund, pursuant to the 2009 Iowa Acts.

WORKFORCE DEVELOPMENT

Usage of videoconferencing with the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

SUBCOMMITTEE ASSIGNMENTS

[House File 72](#) Reassigned

Commerce: Kelley, Chair; Wagner and Zirkelbach.

[House File 78](#) Reassigned

Commerce: Reichert, Chair; D. Olson and Soderberg.

[House File 192](#) Reassigned

Commerce: Reichert, Chair; D. Olson, Petersen, Soderberg and Wagner.

[House File 253](#) Reassigned

Commerce: Quirk, Chair; Helland, Jacoby, Wagner and Wenthe.

[House File 288](#) Reassigned

Commerce: Kressig, Chair; Helland, Petersen, Sands and Zirkelbach.

[House File 303](#) Reassigned

Commerce: Reasoner, Chair; Jacoby, Reichert, Sorenson and Struyk.

[House File 691](#)

Human Resources: Mascher, Chair; Baudler and Hunter.

[House File 755](#)

Veterans Affairs: Bailey, Chair; Chambers and Ficken.

[House File 763](#)

Agriculture: De Boef, Chair; Frevert and Mertz.

[House File 2048](#)

Natural Resources: Lykam, Chair; May and Palmer.

[House File 2055](#)

Veterans Affairs: Sweeney, Chair; Bukta and Gayman.

[House File 2060](#)

Veterans Affairs: Whitead, Chair; Ficken and Van Engelenhoven.

[House File 2061](#)

Veterans Affairs: Kearns, Chair; Chambers and Isenhart.

[House File 2066](#)

State Government: Cohoon, Chair; Schulte and Willems.

[Senate File 404](#)

Agriculture: Drake, Chair; Beard and Bukta.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 242 Reassigned](#)

Commerce: Reichert, Chair; D. Olson, Soderberg, Struyk and Wenthe.

[House Study Bill 575](#)

State Government: Lensing, Chair; Frevert and Struyk.

[House Study Bill 577](#)

Public Safety: Burt, Chair; Kressig and Lukan.

[House Study Bill 578](#)

State Government: Willems, Chair; Koester and Quirk.

[House Study Bill 579](#)

Agriculture: Beard, Chair; Dolecheck and Marek.

[House Study Bill 580](#)

Commerce: Oldson, Chair; Pettengill and Reasoner.

[House Study Bill 582](#)

Veterans Affairs: Bailey, Chair; Chambers and Isenhart.

[House Study Bill 583](#)

Veterans Affairs: Zirkelbach, Chair; Gayman and Watts.

[House Study Bill 584](#)

Veterans Affairs: Bailey, Chair; Kearns and Sweeney.

[House Study Bill 585](#)

Veterans Affairs: Bailey, Chair; Alons and Thomas.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 587](#) **Environmental Protection**

Regarding matters under the purview of the department of natural resources.

[H.S.B. 588](#) **Labor**

Relating to choice of medical care by members of the municipal police and fire retirement system who are injured in the line of duty.

[H.S.B. 589](#) **Judiciary**

Relating to mediation in domestic relations actions.

[H.S.B. 590](#) **Commerce**

Requiring health insurance coverage for costs relating to mental health conditions, including alcohol or substance abuse treatment services costs, and requiring coordination of services to maximize access to mental health and substance abuse treatment for veterans, and including effective date provisions.

[H.S.B. 591](#) **Commerce**

Requiring that certain health insurance policies provide coverage for preventive screenings and services for colorectal cancer.

H.S.B. 592 Rebuild Iowa and Disaster Recovery

Establishing smart planning principles, establishing guidelines for the adoption of certain comprehensive plans and land development regulations, and providing for the establishment of a smart planning task force.

H.S.B. 593 Economic Growth

Relating to provisions authorizing sales and use tax exemptions and refunds for a data center business, and including effective date provisions.

COMMITTEE RECOMMENDATIONS

MR. 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.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

Committee Bill (Formerly [House Study Bill 502](#)), amending the joint rules of the Senate and House of Representatives relating to compensation payable by the General Assembly.

Fiscal Note is not required.

Recommended **Do Pass** January 20, 2010.

Committee Bill (Formerly [House Study Bill 503](#)), amending the permanent rules of the House of Representatives relating to admittance to the floor of the house, the issuance of certificates of recognition or condolence, and the requirements for consideration of amendments.

Fiscal Note is not required.

Recommended **Do Pass** January 20, 2010.

COMMITTEE ON ETHICS

Committee Bill (Formerly [House Study Bill 506](#)), relating to ethics laws by establishing disclosure requirements, providing jurisdictional authority, and allowing certain procedures in resolving ethics complaints.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 20, 2010.

RESOLUTION FILED

[HR 103](#), by Zirkelbach, a resolution honoring Iowa's military veterans.

Laid over under **Rule 25**.

On motion by Abdul-Samad of Polk the House adjourned at 6:06 p.m., until 9:00 a.m., Thursday, January 21, 2010.