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**STATE OF IOWA**

**House Journal**

**THURSDAY, JANUARY 21, 2010**

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Produced daily by the State of Iowa during the sessions of the General Assembly.  
(The official bound copy will be available after a reasonable time upon adjournment.)

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## JOURNAL OF THE HOUSE

Eleventh Calendar Day - Eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, January 21, 2010

The House met pursuant to adjournment at 9:18 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Craig Nelson, Chaplain of the Iowa Veterans Home. He was the guest of Representative Mark Smith of Marshall County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sam Kavalier, House Page from Toledo.

The Journal of Wednesday, January 20, 2010 was approved.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [House Resolution 103](#).

### ADOPTION OF [HOUSE RESOLUTION 103](#)

Chambers of O'Brien and Zirkelbach of Jones called up for immediate consideration [House Resolution 103](#), a resolution honoring Iowa's military veterans, and moved its adoption.

The motion prevailed and the resolution was adopted.

McCarthy of Polk asked and received unanimous consent for immediate consideration of [House Resolution 104](#).

### ADOPTION OF [HOUSE RESOLUTION 104](#)

Sweeney of Hardin, Bukta of Clinton, Windschitl of Harrison, Chambers of O'Brien, Isenhardt of Dubuque, Alons of Sioux, Beard of Winneshiek and Gayman of Scott called up for consideration [House Resolution 104](#), a resolution to honor the Blue Star Mothers of America, Inc., and moved its adoption.

The motion prevailed and the resolution was adopted.

On motion by McCarthy of Polk, the House was recessed at 9:30 a.m., until 5:00 p.m.

#### EVENING SESSION

The House reconvened at 5:04 p.m., Speaker Murphy in the chair.

#### 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 21, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2062](#), a bill for an act providing for a retirement incentive program for state employees and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

#### INTRODUCTION OF BILLS

[House Joint Resolution 2004](#), by Hagenow, a joint resolution proposing an amendment to the Constitution of the State of Iowa providing for a state general fund expenditure limitation.

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

[House Joint Resolution 2005](#), by Raecker, Alons, Anderson, Arnold, Baudler, Chambers, Cownie, De Boef, Deyoe, Dolecheck, Drake, Forristall, Grassley, Hagenow, Heaton, Helland, Horbach, Huseman, Kaufmann, Koester, Lukan, May, L. Miller, S. Olson, Paulsen, Pettengill, Rants, Rayhons, Roberts, Sands, Schulte, Schultz, Soderberg, Sorenson, Struyk, Sweeney, Tjepkes, Tymeson, Upmeyer, Van Engelenhoven, Wagner, Watts, Windschitl and Worthan, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to state budgeting by creating a state general fund expenditure limitation and requiring authorization for certain bonds.

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

[House File 2105](#), by Kaufmann, Wagner and Schultz, a bill for an act to include a separate proposition relating to smoking prohibitions as part of any referendum to approve or disapprove a gambling game license applicant.

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

[House File 2106](#), by Drake, a bill for an act relating to the use of a licensed engineer, landscape architect, or architect for public improvements.

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

[House File 2107](#), by Kelley, a bill for an act providing for the severance and annexation of real property upon petition of the real property owners and approval of the city development board.

Read first time and referred to committee on **economic growth**.

[House File 2108](#), by Quirk, a bill for an act relating to the installation of fire sprinklers or fire suppression systems in residential buildings.

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

[House File 2109](#), by committee on ethics, a bill for an act relating to ethics laws by establishing disclosure requirements, providing jurisdictional authority, and allowing certain procedures in resolving ethics complaints, and including effective date provisions.

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

[House File 2110](#), by committee on veterans affairs, a bill for an act relating to unemployment insurance benefits for spouses who leave employment to accompany a spouse on a military assignment.

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

[House File 2111](#), by committee on commerce, a bill for an act providing notification to the department of workforce development by the secretary of state when certain business entities apply for

reinstatement after dissolution to ensure certain tax obligations have been fulfilled.

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

[House File 2112](#), by Alons, Chambers, Quirk and Soderberg, a bill for an act concerning choice of automobile repair facilities under automobile liability insurance policies.

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

[House File 2113](#), by Hanson, a bill for an act relating to the use of headlamps when a motor vehicle's windshield wipers are in use and making a penalty applicable.

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

[House File 2114](#), by Pettengill, Schultz, Windschitl, S. Olson, Deyoe, De Boef, Upmeyer, Sands, Soderberg, Alons and Schulte, a bill for an act updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions.

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

[House File 2115](#), by Roberts, a bill for an act eliminating the corporate income tax and including effective date and retroactive applicability provisions.

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

[House File 2116](#), by Wenthe, Burt, Ficken, Beard, Kearns, Hunter, Willems and Mascher, a bill for an act relating to access to and security of employee personnel files.

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

[House File 2117](#), by T. Olson, a bill for an act concerning payments for certain dental care services including fee schedules for dental services and assignment of dental care coverage benefits.

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

[House File 2118](#), by Schulte, May, Windschitl, L. Miller, Rayhons, Drake, Hagenow, Wagner, Soderberg, Deyoe, Watts, Raecker, Sweeney, Chambers, Huseman, Alons, Koester, Forristall, S. Olson, Sands, Dolecheck, Upmeyer, Paulsen and Grassley, a bill for an act requiring state employees to pay a portion of health insurance premium costs and including applicability provisions.

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

[House File 2119](#), by Raecker, Alons, Anderson, Arnold, Baudler, Chambers, Cownie, De Boef, Deyoe, Dolecheck, Drake, Forristall, Grassley, Hagenow, Heaton, Helland, Horbach, Huseman, Kaufmann, Koester, Lukan, May, L. Miller, S. Olson, Paulsen, Pettengill, Rants, Rayhons, Roberts, Sands, Schulte, Schultz, Soderberg, Sorenson, Struyk, Sweeney, Tjepkes, Tymeson, Upmeyer, Van Engelenhoven, Wagner, Watts, Windschitl and Worthan, a bill for an act establishing an organized system of reviews and ongoing repeal dates for programs and projects administered by executive branch departments.

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

[House File 2120](#), by Abdul-Samad, a bill for an act relating to nuisances and providing remedies and making a penalty applicable.

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

[House File 2121](#), by Frevert, a bill for an act relating to modification of a spousal support order based on duration of the order.

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

[House File 2122](#), by Rants, a bill for an act relating to the residency restrictions for a sex offender, and making penalties applicable.

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

[House File 2123](#), by Tymeson, a bill for an act relating to placement of a combat veteran in a mental health or substance abuse facility as part of a criminal sentence.

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

#### SENATE MESSAGE CONSIDERED

[Senate File 2062](#), by committee on state government, a bill for an act providing for a retirement incentive program for state employees and including effective date provisions.

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

#### [HOUSE FILE 783](#) REREFERRED

The Speaker announced that [House File 783](#), previously referred to committee on **transportation** was rereferred to committee on **economic growth**.

#### [HOUSE FILE 785](#) REREFERRED

The Speaker announced that [House File 785](#), previously referred to committee on **transportation** was rereferred to committee on **environmental protection**.

#### [HOUSE FILE 2053](#) REREFERRED

The Speaker announced that [House File 2053](#), previously referred to committee on **transportation** was rereferred to committee on **public safety**.

#### SUBCOMMITTEE ASSIGNMENTS

##### [House Joint Resolution 2003](#)

State Government: Lensing, Chair; Koester and Mascher.

##### [House File 495](#)

Education: Raecker, Chair; Ficken and Wendt.

[House File 589](#)

Education: Bukta, Chair; May and Wendt.

[House File 770](#)

Judiciary: Lensing, Chair; R. Olson and Schulte.

[House File 2057](#)

Judiciary: Huser, Chair; Baudler and Mertz.

[House File 2059](#)

State Government: Lensing, Chair; Isenhart and Kaufmann.

[House File 2065](#)

Human Resources: Smith, Chair; Heaton and Heddens.

[House File 2069](#)

Human Resources: Mascher, Chair; Hunter and Koester.

[House File 2070](#)

Education: Cohoon, Chair; May and Wendt.

[House File 2071](#)

Education: Abdul-Samad, Chair; Cohoon and Tymeson.

[House File 2072](#)

Education: Steckman, Chair; May and Willems.

[House File 2074](#)

Transportation: Abdul-Samad, Chair; Quirk and Tjepkes.

[House File 2077](#)

Human Resources: Mascher, Chair; Hunter and L. Miller.

[House File 2078](#)

Human Resources: Hunter, Chair; Abdul-Samad and Heaton.

[House File 2079](#)

Human Resources: Hunter, Chair; Abdul-Samad and Heaton.

[House File 2093](#)

Human Resources: Mascher, Chair; Hunter and L. Miller.

[House File 2094](#)

Human Resources: Mascher, Chair; Hunter and Soderberg.

[House File 2095](#)

Human Resources: Mascher, Chair; Forristall and Hunter.

[House File 2096](#)

State Government: Isenhart, Chair; Koester and Lensing.

[House File 2103](#)

State Government: Taylor, Chair; Quirk and Struyk.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 569](#) Reassigned

Human Resources: Heddens, Chair; Heaton and Wendt.

[House Study Bill 586](#)

Judiciary: Huser, Chair; Helland and Smith.

[House Study Bill 587](#)

Environmental Protection: Lensing, Chair; Hanson and Schultz.

[House Study Bill 589](#)

Judiciary: Huser, Chair; Schulte and Smith.

[House Study Bill 590](#)

Commerce: Peterson, Chair; D. Olson, Struyk, Windschitl and Zirkelbach.

[House Study Bill 591](#)

Commerce: T. Olson, Chair; Lukan and D. Olson.

[House Study Bill 593](#)

Economic Growth: Thomas, Chair; Forristall and Kelley.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 594](#) **State Government**

Providing for a retirement incentive program for state employees and including effective date provisions.

[H.S.B. 595](#) **Transportation**

Relating to annual motor vehicle registration fees for older-model multipurpose vehicles and certain vehicles equipped for a person with a disability or used by a person who relies on a wheelchair.

[H.S.B. 596](#) **Judiciary**

Relating to conducting court hearings by video conference.

[H.S.B. 597](#) **Judiciary**

Relating to judgment liens on homesteads.

[H.S.B. 598](#) **Judiciary**

Relating to the rights of a donee created by an anatomical gift.

[H.S.B. 599](#) **Judiciary**

Modifying the definition of assault.

[H.S.B. 600](#) **Education**

Allowing special education pupils to qualify for supplementary weighting in the senior year plus program.

[H.S.B. 601](#) **Judiciary**

Relating to the issuance of a protective order or approval of a consent agreement in a domestic abuse case and providing for a study.

**H.S.B. 602 Commerce**

Relating to the utilization of energy by authorizing the establishment of an energy finance program to finance certain energy improvements, and providing a penalty.

**H.S.B. 603 Public Safety**

Relating to eluding or attempting to elude a marked law enforcement vehicle, and providing a penalty.

**H.S.B. 604 Public Safety**

Providing for the treatment of animals other than agricultural animals, by providing for a regulation of commercial establishments, providing for fees, providing penalties, and including effective date provisions.

**H.S.B. 605 Public Safety**

Relating to the criminal offense of simulated public intoxication.

**H.S.B. 606 Public Safety**

Relating to the criminal offense of detention in a brothel.

**H.S.B. 607 Public Safety**

Repealing the simple misdemeanor offense relating to the use of cowl lamps on motor vehicles.

**H.S.B. 608 Rebuild Iowa and Disaster Recovery**

Relating to development in five hundred year floodplains.

**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 COMMERCE

**Committee Bill** (Formerly [House Study Bill 522](#)), updating references to the federal Truth in Lending Act.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 21, 2010.

## COMMITTEE ON HUMAN RESOURCES

[House File 234](#), a bill for an act requiring health insurance coverage for costs relating to mental health conditions, including alcohol or substance abuse treatment services.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment [H-8024](#)** January 20, 2010.

## COMMITTEE ON VETERANS AFFAIRS

**Committee Bill** (Formerly [House Study Bill 540](#)), exempting from the computation of the state individual income tax certain amounts received from the veterans trust fund and including a retroactive applicability provision.

Fiscal Note is not required.

Recommended **Do Pass** January 21, 2010.

**Committee Bill** (Formerly [House Study Bill 560](#)), relating to the military division of the department of public defense concerning state military service and the Iowa code of military justice.

Fiscal Note is not required.

Recommended **Do Pass** January 21, 2010.

**Committee Bill** (Formerly [House File 2055](#)), relating to eligible lenders for the home ownership assistance program for military members.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 21, 2010.

## AMENDMENTS FILED

<a href="#">H-8024</a>	<a href="#">H.F. 234</a>	Committee on Human Resources
<a href="#">H-8025</a>	<a href="#">H.F. 2075</a>	T. Olson of Linn Struyk of Pottawattamie

On motion by McCarthy of Polk the House adjourned at 5:09 p.m., until 9:00 a.m., Friday, January 22, 2010.