

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, JANUARY 27, 2010

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

JOURNAL OF THE HOUSE

Seventeenth Calendar Day - Twelfth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 27, 2010

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

Prayer was offered by the Honorable Rod Roberts, state representative from Carroll County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Caytlin Hentzel, House Page from Ft. Madison.

The Journal of Tuesday, January 26, 2010 was approved.

INTRODUCTION OF BILLS

[House Joint Resolution 2008](#), by Hunter, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the boundary lines of counties.

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

[House File 2145](#), by Chambers, a bill for an act relating to assignment of visitation to the grandparent of a child when a parent is serving active duty in the military service of the United States.

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

[House File 2146](#), by Chambers, a bill for an act concerning the operation of all-terrain vehicles on certain streets and highways.

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

[House File 2147](#), by Frevert, a bill for an act requiring airport notification and a determination regarding the existence of an airport

hazard prior to the construction of a wind energy system within specified distances.

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

[House File 2148](#), by committee on veterans affairs, a bill for an act relating to eligible lenders for the home ownership assistance program for military members.

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

On motion by McCarthy of Polk, the House was recessed at 9:16 a.m., until 3:30 p.m.

AFTERNOON SESSION

The House reconvened at 3:48 p.m., Abdul-Samad of Polk in the chair.

INTRODUCTION OF BILLS

[House File 2149](#), by Windschitl and Upmeyer, a bill for an act relating to licensing board rules concerning the scope of practice of licensed professions.

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

[House File 2150](#), by Heddens, a bill for an act relating to rights of persons with disabilities.

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

[House File 2151](#), by Kelley, a bill for an act modifying provisions applicable to the formation and operation of electric power agencies.

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

[House File 2152](#), by Wessel-Kroeschell, a bill for an act relating to the property tax exemption for dwelling units owned by certain nonprofit organizations and including applicability provisions.

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

[House File 2153](#), by Helland, a bill for an act exempting from sales tax charges paid for membership in a physical exercise club.

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

[House File 2154](#), by Helland, a bill for an act providing individual and corporate income tax deductions for a portion of the costs associated with conducting wellness programs and providing fitness facility memberships to employees and including retroactive applicability provisions.

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

[House File 2155](#), by Helland, a bill for an act providing a deduction from the computation of net income for purposes of the individual income tax for the cost of personal wellness services and including retroactive applicability provisions.

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

[House File 2156](#), by D. Olson, a bill for an act relating to an exemption from the fee for new registration of a vehicle for vehicles used substantially in interstate commerce.

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

[House File 2157](#), by Hanson, a bill for an act providing for signs or decals identifying the motor vehicles of certain novice drivers and making a penalty applicable.

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

[House File 2158](#), by Wessel-Kroeschell, a bill for an act relating to eligibility for the preparation for adult living program administered by the department of human services.

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

[House File 2159](#), by Helland, a bill for an act repealing the prohibition on entering into agreements with private sector entities to

house inmates committed to the custody of the director of the department of corrections.

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

[House File 2160](#), by Running-Marquardt, a bill for an act relating to loan forgiveness under the residential landlord business support program and including effective date and applicability provisions.

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

CONSIDERATION OF BILL
Regular Calendar

[House File 681](#), a bill for an act requiring employers to provide notice of business closings and mass layoffs and providing penalties, was taken up for consideration.

Hunter of Polk 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. 681](#))

The ayes were, 81:

Anderson	Arnold	Bailey	Beard
Bell	Berry	Bukta	Burt
Chambers	Cohoon	Cownie	Dolecheck
Ficken	Ford	Frevert	Gaskill
Gayman	Grassley	Hagenow	Hanson
Heaton	Heddens	Horbach	Hunter
Huseman	Huser	Isenhart	Jacoby
Kaufmann	Kearns	Kelley	Kressig
Kuhn	Lensing	Lykam	Marek
Mascher	McCarthy	Mertz	Miller, H.
Miller, L.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, S.	Olson, T.	Palmer
Paulsen	Petersen	Pettengill	Quirk
Reasoner	Reichert	Roberts	Running-Marquardt
Schueller	Schulte	Shomshor	Smith
Soderberg	Sorenson	Steckman	Struyk
Swaim	Taylor	Thede	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wendt	Wenthe	Wessel-Kroeschell	Whitead
Willems	Winckler	Worthan	Zirkelbach
Abdul-Samad, Presiding			

The nays were, 18:

Alons	Baudler	De Boef	Deyoe
Drake	Forristall	Helland	Koester
Lukan	May	Raecker	Rayhons
Sands	Schultz	Sweeney	Wagner
Watts	Windschitl		

Absent or not voting, 1:

Rants

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

IMMEDIATE MESSAGE

McCarthy of Polk asked and received unanimous consent that [House File 681](#) be immediately messaged to the Senate.

COMMUNICATIONS RECEIVED

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

BOARD OF REGENTS

Annual diversity report, pursuant to Chapters 19B.5(3) and 262.93, Code of Iowa.

Annual report on the Beginning Farmer Center at Iowa State University, pursuant to Chapter 266.39E, Code of Iowa.

Annual report on transfer students, pursuant to Chapter 262.24, Code of Iowa.

DEPARTMENT OF ADMINISTRATIVE SERVICES

Annual report on recycled products, pursuant to Chapter 8A.315, Code of Iowa.

DEPARTMENT OF EDUCATION

Annual report of Community College Accreditation and Accountability, pursuant to the 2008 Iowa Acts.

Report on the research and development infrastructure, pursuant to Chapter 256, Code of Iowa.

DEPARTMENT OF HUMAN RIGHTS

Annual report, pursuant to Chapter 216A, Code of Iowa.

DEPARTMENT OF HUMAN SERVICES

Annual report of the food assistance program, pursuant to Chapters 234.6 and 234.12, Code of Iowa.

DEPARTMENT OF NATURAL RESOURCES

Annual report of the Comprehensive Recycling Planning Task Force, pursuant to Chapter 455B.480, Code of Iowa.

Report of the sustainable natural resource funding, pursuant to Chapter 455A.5, Code of Iowa.

Report on Household Hazardous Materials for 2009, pursuant to Chapter 455A, Code of Iowa.

DEPARTMENT OF PUBLIC SAFETY

Annual report of the Uniform Crime Report, pursuant to Chapter 80.17, Code of Iowa.

DEPARTMENT OF REVENUE

Annual report of the Industrial Processing Exemption Study Committee, pursuant to Chapter 421, Code of Iowa.

Annual report of the Iowa Capital Investment Board, pursuant to Chapter 15E.46, Code of Iowa.

DEPARTMENT OF TRANSPORTATION

Annual report of the Iowa Highway Research Board, pursuant to Chapters 310.36 and 312.3A, Code of Iowa.

Fiscal year 2009 Recycled Content Plastic Bag and Soy Inks report, pursuant to Chapter 307.21, Code of Iowa.

ENVIRONMENTAL PROTECTION COMMISSION

Annual report and recommendations, pursuant to Chapter 455B.105(5), Code of Iowa.

IOWA INSURANCE DIVISION

Annual report, pursuant to Chapter 505.8, Code of Iowa.

Annual medical malpractice report, pursuant to Chapter 505.27, Code of Iowa.

IOWA STUDENT LOAN

2009 year in review, pursuant to Chapter 97B.1A, Code of Iowa.

IOWA UTILITIES BOARD

Annual report of energy efficient plans, pursuant to Chapter 476, Code of Iowa.

SUBCOMMITTEE ASSIGNMENTS

[House Joint Resolution 2007](#)

Human Resources: Mascher, Chair; Hunter and Upmeyer.

[House File 384](#)

Environmental Protection: D. Olson, Chair; Deyoe and Kearns.

[House File 2082](#)

Economic Growth: Jacoby, Chair; Marek and May.

[House File 2088](#)

Rebuild Iowa and Disaster Recovery: Running-Marquardt, Chair; Burt and Pettengill.

[House File 2090](#)

Local Government: Huser, Chair; Isenhardt and Sorenson.

[House File 2113](#) Reassigned

Transportation: Gaskill, Chair; Kelley and Wagner.

[House File 2120](#)

Judiciary: Lensing, Chair; Heaton and Willems.

[House File 2121](#)

Judiciary: Smith, Chair; Palmer and Schulte.

[House File 2126](#)

Judiciary: Wessel-Kroeschell, Chair; Kaufmann and Lensing.

[House File 2130](#)

Judiciary: T. Olson, Chair; Kaufmann and Lensing.

[House File 2139](#)

Natural Resources: Steckman, Chair; Hanson and Huseman.

[House File 2140](#)

Education: Cohoon, Chair; Sweeney and Wendt.

[House File 2142](#)

Natural Resources: Beard, Chair; May and Thede.

[House File 2143](#)

Local Government: Whitead, Chair; Schueller and Sorenson.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 616 Reassigned](#)

Transportation: Abdul-Samad, Chair; Hagenow and Hanson.

[House Study Bill 621](#)

Human Resources: Wendt, Chair; Alons and Steckman.

[House Study Bill 622](#)

Education: Wendt, Chair; Koester and Thede.

[House Study Bill 623](#)

Education: Kelley, Chair; Forristall and Palmer.

[House Study Bill 624](#)

Education: Winckler, Chair; Ford and Sweeney.

[House Study Bill 625](#)

Education: Wendt, Chair; Dolecheck and Ficken.

[House Study Bill 626](#)

Human Resources: Thede, Chair; Baudler and Hunter.

[House Study Bill 627](#)

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

[House Study Bill 628](#)

Commerce: Kelley, Chair; Lukan and Reichert.

[House Study Bill 629](#)

Commerce: Jacoby, Chair; Helland and Reichert.

[House Study Bill 630](#)

Commerce: Kressig, Chair; Sands and Shomshor.

[House Study Bill 631](#)

Natural Resources: Bell, Chair; Arnold, Beard, Palmer and Rayhons.

[House Study Bill 632](#)

Local Government: Huser, Chair; Cohoon and Deyoe.

[House Study Bill 634](#)

Human Resources: T. Olson, Chair; Berry and L. Miller.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 635](#) **Local Government**

Relating to the determination of city population for purposes of civil service commissions.

[H.S.B. 636](#) **Local Government**

Establishing certain definitions relating to instruments affecting real estate and specifying information to be contained in index records.

[H.S.B. 637](#) **Judiciary**

Relating to adjudications of persons with mental illness and providing an effective date.

[H.S.B. 638](#) **Judiciary**

Relating to the criminal offense of intimidation with a dangerous weapon or motor vehicle, and providing penalties.

H.S.B. 639 Judiciary

Relating to the status of posthumously conceived and born children in the context of legitimacy, inheritance, rights to claim an after-born child's share, and other rights.

H.S.B. 640 Judiciary

Relating to the appointment of judicial officers, senior judges, court reporters, and clerks of the district court, and creating a full-time magistrate office.

H.S.B. 641 Judiciary

Relating to an assault causing serious injury.

H.S.B. 642 Judiciary

Relating to escapes or attempted escapes from custody due to the commission of a criminal offense and providing a penalty.

H.S.B. 643 Judiciary

Relating to expunging convictions of certain criminal offenses.

H.S.B. 644 Judiciary

Relating to extending a period of probation and including applicability provisions.

H.S.B. 645 Judiciary

Relating to the definition of serious injury for purposes of criminal offenses.

H.S.B. 646 Judiciary

Relating to the abuse of a corpse and providing penalties.

H.S.B. 647 Judiciary

Relating to the criminal offense of intimidation with a dangerous weapon.

H.S.B. 648 Judiciary

Creating the criminal offense of robbery in the third degree, and providing a penalty.

H.S.B. 649 Judiciary

Relating to the criminal and juvenile justice planning advisory council, establishing a public safety advisory board, and providing for implementation.

H.S.B. 650 Judiciary

Relating to driver's license sanctions, including the issuance of temporary restricted licenses and certain requirements relating to ignition interlock devices, and providing penalties.

H.S.B. 651 Ways and Means

Relating to the technical administration of the tax and related laws by the department of revenue, including administration of income taxes, moneys and credits tax, insurance premiums tax, sales and use taxes, fees for new vehicle registration, franchise fees, and the environmental protection charge, making penalties applicable, and including retroactive applicability provisions.

H.S.B. 652 Ways and Means

Updating the Code references to the Internal Revenue Code, providing for decoupling from certain bonus depreciation provisions, and including effective date and retroactive applicability provisions.

H.S.B. 653 Judiciary

Prohibiting magistrates from acting as counsel in certain cases.

H.S.B. 654 Judiciary

Amending provisions of the uniform residential landlord and tenant Act relating to certain definitions, attorney fees, remedies, and late fees, and including applicability provisions.

H.S.B. 655 Judiciary

Relating to the responsibilities of the county central point of coordination process when a civil commitment order has been entered.

H.S.B. 656 Environmental Protection

Relating to the Iowa comprehensive petroleum underground storage tank fund.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARK W. BRANDSGARD
Chief Clerk of the House

COMMITTEE ON VETERANS AFFAIRS

House File 755, a bill for an act concerning eligibility for the injured veterans grant program.

Fiscal Note is not required.

Recommended **Do Pass** January 26, 2010.

AMENDMENT FILED

H-8031 H.R. 105 Cownie of Polk
Raecker of Polk

On motion by McCarthy of Polk the House adjourned at 4:16 p.m., until 9:00 a.m., Thursday, January 28, 2010.