

PROOF

STATE OF IOWA

House Journal

TUESDAY, MARCH 16, 2010

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JOURNAL OF THE HOUSE

Sixty-fifth Calendar Day - Forty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 16, 2010

The House met pursuant to adjournment at 9:19 a.m., Speaker Murphy in the chair.

Prayer was offered by Reverend Steven C. Hetzel, pastor of Emmanuel Lutheran Church, Clarinda. He was the guest of Representative Richard Anderson from Page County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Rachel Steckman, granddaughter of Representative Sharon Steckman of Cerro Gordo County and Mackenzie Gibbons, friend of Rachel.

The Journal of Monday, March 15, 2010 was approved.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 15, 2010, passed the following bill in which the concurrence of the Senate was asked:

[House File 823](#), a bill for an act requiring public schools and state agencies to utilize environmentally preferable cleaning and maintenance products in school facilities and state buildings.

Also: That the Senate has on March 15, 2010, passed the following bill in which the concurrence of the Senate was asked:

[House File 2295](#), a bill for an act establishing a task force to review the present mission, structure, governance, and funding of the area education agencies.

Also: That the Senate has on March 15, 2010, passed the following bill in which the concurrence of the Senate was asked:

[House File 2409](#), a bill for an act eliminating specified mortgage loan disclosure statement filing requirements applicable to financial institutions.

Also: That the Senate has on March 15, 2010, passed the following bill in which the concurrence of the Senate was asked:

[House File 2418](#), a bill for an act relating to periodic evaluations of certain air quality standards.

Also: That the Senate has on March 15, 2010, passed the following bill in which the concurrence of the Senate was asked:

[House File 2461](#), a bill for an act relating to school business official training and authorization.

Also: That the Senate has on March 15, 2010, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2156](#), a bill for an act relating to the IowaCare program, and providing for repeals.

Also: That the Senate has on March 15, 2010, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2224](#), a bill for an act relating to boards of administration for horizontal property.

Also: That the Senate has on March 15, 2010, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2254](#), a bill for an act relating to the powers and duties of county treasurers to assess certain property associated with fence disputes and water districts.

Also: That the Senate has on March 15, 2010, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2286](#), a bill for an act relating to the regulation of professional and amateur mixed martial arts matches and events by the labor commissioner and providing penalties.

Also: That the Senate has on March 15, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2369](#), a bill for an act relating to the reporting of statewide school infrastructure funding expenditures to the general assembly.

Also: That the Senate has on March 15, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2371](#), a bill for an act relating to royalty fees for removal of sand and gravel from state-owned lands and waters located on the Cedar river in certain counties and including effective date provisions.

Also: That the Senate has on March 15, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2375](#), a bill for an act relating to the administration of the sales and use taxes under the streamlined sales tax agreement and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

[Senate File 2369](#), by committee on ways and means, a bill for an act relating to the reporting of statewide school infrastructure funding expenditures to the general assembly.

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

[Senate File 2371](#), by committee on ways and means, a bill for an act relating to royalty fees for removal of sand and gravel from state-owned lands and waters located on the Cedar river in certain counties and including effective date provisions.

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

[Senate File 2375](#), by committee on ways and means, a bill for an act relating to the administration of the sales and use taxes under the streamlined sales tax agreement and including effective date provisions.

Read first time and **passed on file**.

SPECIAL PRESENTATION

Baudler of Adair introduced to the House, Anne Langguth, Miss Iowa 2010 from Iowa City.

The House rose and expressed its welcome.

ADOPTION OF [HOUSE RESOLUTION 123](#)

Rayhons of Hancock, Heaton of Henry, Kuhn of Floyd, Upmeyer of Hancock, Frevert of Palo Alto and Steckman of Cerro Gordo, called up for consideration [House Resolution 123](#), a resolution supporting and recognizing the goals and ideals of "RV Centennial Celebration

Month" to commemorate 100 years of enjoyment of recreation vehicles in the United States, and moved its adoption.

The motion prevailed and the resolution was adopted.

On motion by McCarthy of Polk, the House was recessed at 9:31 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:20 p.m., Speaker Murphy in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Wendt of Woodbury on request of McCarthy of Polk.

SPECIAL PRESENTATION

Upmeyer of Hancock introduced to the House the Honorable Dan Boddicker, former state representative from Cedar County and the Honorable Polly Granzow, former state representative from Hardin County.

The House rose and expressed its welcome.

The House stood at ease at 1:23 p.m., until the fall of the gavel.

The House resumed session at 3:41 p.m., Speaker Murphy in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 16, 2010, passed the following bill in which the concurrence of the Senate was asked:

[House File 2437](#), a bill for an act relating to private sewage disposal system inspections and groundwater hazard statements as part of certain property transfers.

Also: That the Senate has on March 16, 2010, amended and passed the following bill in which the concurrence of the House is asked:

[House File 2438](#), a bill for an act relating to the criminal offense of enticing or attempting to entice a minor and providing penalties.

Also: That the Senate has on March 16, 2010, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2318](#), a bill for an act concerning and affecting veterans and military members, related to employment benefits, professional licensing, and interest rate limit enforcement, and making penalties applicable.

Also: That the Senate has on March 16, 2010, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2352](#), a bill for an act relating to the emergency hospitalization of a person with a serious mental impairment.

Also: That the Senate has on March 16, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2377](#), a bill for an act relating to and making appropriations to the judicial branch.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILL

[House File 2528](#), by McCarthy, a bill for an act relating to permits to carry weapons and permits to acquire pistols and revolvers including the dissemination of information relating to persons suffering from mental and substance abuse health-related disorders and the possession of firearms and providing penalties.

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

SENATE MESSAGE CONSIDERED

[Senate File 2377](#), by committee on appropriations, a bill for an act relating to and making appropriations to the judicial branch.

Read first time and **passed on file**.

CONSIDERATION OF BILLS
Unfinished Business Calendar

[Senate File 2197](#), a bill for an act relating to the enforcement of criminal law provisions including providing false identification information and public indecent exposure and providing penalties, with report of committee recommending passage, was taken up for consideration.

Burt of Black Hawk 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. 2197](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	Horbach	Hunter	Huseman
Huser	Isenhardt	Jacoby	Kaufmann
Kearns	Kelley	Koester	Kressig
Kuhn	Lensing	Lukan	Lykam
Marek	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rayhons	Reasoner
Reichert	Roberts	Running-Marquardt	Sands
Schueller	Schulte	Schultz	Shomshor
Smith	Soderberg	Sorenson	Steckman
Struyk	Swaim	Sweeney	Taylor
Thede	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Watts
Wenthe	Wessel-Kroeschell	Whitehead	Willems
Winckler	Windschitl	Worthan	Zirkelbach
Mr. Speaker			
Murphy			

The nays were, none.

Absent or not voting, 3:

Ford	Rants	Wendt
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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 2448](#), a bill for an act modifying sex offender registry provisions, providing penalties, and including effective date provisions, was taken up for consideration.

Baudler of Adair offered amendment [H-8222](#) filed by him as follows:

[H-8222](#)

1 Amend [House File 2448](#) as follows:
2 1. Page 1, after line 18 by inserting:
3 <Sec. ____ Section 692A.101, subsection 27, Code
4 Supplement 2009, is amended to read as follows:
5 27. "Sex offense" means an indictable offense for
6 which a conviction has been entered that ~~has an element~~
7 ~~involving a sexual act, sexual contact, or sexual~~
8 ~~conduct, and which~~ is enumerated in section 692A.102,
9 and means any comparable offense for which a conviction
10 has been entered under prior law, or any comparable
11 offense for which a conviction has been entered in
12 a federal, military, or foreign court, or another
13 jurisdiction.
14 Sec. ____ Section 692A.101, Code Supplement 2009,
15 is amended by adding the following new subsection:
16 NEW SUBSECTION. 28A. "Sexually motivated" means the
17 same as defined in section 229A.2.>
18 2. Page 1, by striking lines 19 through 31.
19 3. Page 1, before line 32 by inserting:
20 <Sec. ____ Section 692A.102, subsection 1,
21 paragraph a, subparagraphs (6) and (7), Code Supplement
22 2009, are amended to read as follows:
23 (6) (a) Harassment in violation of section 708.7,
24 subsection 1, 2, or 3, if a determination is made that
25 the offense was sexually motivated pursuant to section
26 692A.126.
27 ~~(7)~~ (b) Stalking in violation of section 708.11,
28 except a violation of subsection 3, paragraph "b",
29 subparagraph (3), if a determination is made that the
30 offense was sexually motivated pursuant to section
31 692A.126.
32 (c) Any other indictable offense in violation of
33 chapter 708 if the offense is committed against a minor
34 and if a determination is made that the offense was

35 sexually motivated pursuant to section 692A.126.
36 Sec. ____ Section 692A.102, subsection 1, paragraph
37 a, Code Supplement 2009, is amended by adding the
38 following new subparagraphs:
39 NEW SUBPARAGRAPH. (08) Pimping in violation of
40 section 725.2 if the offense was committed against
41 a minor or otherwise involves a minor and if a
42 determination is made that the offense was sexually
43 motivated pursuant to section 692A.126.
44 NEW SUBPARAGRAPH. (008) Pandering in violation
45 of section 725.3, subsection 2, if a determination is
46 made that the offense was sexually motivated pursuant
47 to section 692A.126.
48 NEW SUBPARAGRAPH. (0008) Any indictable offense in
49 violation of chapter 726 if the offense is committed
50 against a minor or otherwise involves a minor and if

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1 a determination is made that the offense was sexually
2 motivated pursuant to section 692A.126.
3 Sec. ____ Section 692A.102, subsection 1, paragraph
4 b, Code Supplement 2009, is amended by adding the
5 following new subparagraph:
6 NEW SUBPARAGRAPH. (015) Pandering in violation of
7 section 725.3.>
8 4. Page 1, line 35, by striking <(5A).> and
9 inserting <(06)>
10 5. Page 2, after line 13 by inserting:
11 <Sec. ____ Section 692A.113, subsection 1,
12 unnumbered paragraph 1, Code Supplement 2009, is
13 amended to read as follows:
14 A sex offender who has been convicted of a sex
15 offense against a minor or a person required to
16 register as a sex offender in another jurisdiction for
17 an offense involving a minor shall not do any of the
18 following:>
19 6. Page 2, after line 28 by inserting:
20 <Sec. ____ Section 692A.125, Code Supplement 2009,
21 is amended by adding the following new subsection:
22 NEW SUBSECTION. 2A. For an offense requiring
23 registration due to sexual motivation, the registration
24 requirements of section 692A.126 shall apply to a
25 person convicted of an offense if the department
26 makes the determination that the offense was sexually
27 motivated as provided in section 692A.126, subsection
28 2.
29 Sec. ____ Section 692A.126, Code Supplement 2009,
30 is amended to read as follows:
31 692A.126 Sexually motivated offense –
32 determination.
33 1. If a judge or jury makes a determination, beyond

34 a reasonable doubt, that any of the following offenses
 35 for which a conviction has been entered on or after
 36 July 1, 2009, are sexually motivated, the person shall
 37 be required to register as provided in this chapter:

- 38 a. Murder in the first degree in violation of
- 39 section 707.2.
- 40 b. Murder in the second degree in violation of
- 41 section 707.3.
- 42 c. Voluntary manslaughter in violation of section
- 43 707.4.
- 44 d. Involuntary manslaughter in violation of section
- 45 707.5.
- 46 e. Attempt to commit murder in violation of section
- 47 707.11.
- 48 f. Harassment in violation of section 708.7,
- 49 subsection 1, 2, or 3.
- 50 g. Stalking in violation of section 708.11,

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- 1 subsection 3, paragraph "b", subparagraph (3).
- 2 h. Any other indictable offense in violation of
- 3 chapter 708 if the offense was committed against a
- 4 minor or otherwise involves a minor.
- 5 ~~h. i.~~ Kidnapping in the first degree in violation
- 6 of section 710.2.
- 7 ~~i. j.~~ Kidnapping in the second degree in violation
- 8 of section 710.3.
- 9 ~~j. k.~~ Kidnapping in the third degree in violation
- 10 of section 710.4.
- 11 ~~k. l.~~ Child stealing in violation of section
- 12 710.5.
- 13 ~~l. m.~~ Purchase or sale or attempted purchase or
- 14 sale of an individual in violation of section 710.11.
- 15 ~~m. n.~~ Burglary in the first degree in violation
- 16 of section 713.3, subsection 1, paragraph "a", "b", or
- 17 "c".
- 18 ~~n. o.~~ Attempted burglary in the first degree in
- 19 violation of section 713.4.
- 20 ~~o. p.~~ Burglary in the second degree in violation
- 21 of section 713.5.
- 22 ~~p. q.~~ Attempted burglary in the second degree in
- 23 violation of section 713.6.
- 24 ~~q. r.~~ Burglary in the third degree in violation of
- 25 section 713.6A.
- 26 ~~r. s.~~ Attempted burglary in the third degree in
- 27 violation of section 713.6B.
- 28 t. Pimping in violation of section 725.2 if the
- 29 offense was committed against a minor or otherwise
- 30 involves a minor.
- 31 u. Pandering in violation of section 725.3,
- 32 subsection 2.

33 v. Any indictable offense in violation of chapter
 34 726 if the offense was committed against a minor or
 35 otherwise involves a minor.
 36 2. ~~a. If a~~ The following persons shall be required
 37 to register as provided in this chapter if the
 38 department makes a determination that the offense was
 39 sexually motivated:
 40 (1) A person convicted of an offense in this state
 41 specified under subsection 1 prior to July 1, 2009.
 42 (2) A person is convicted of an offense in another
 43 jurisdiction, or convicted of an offense that was
 44 prosecuted in a federal, military, or foreign court,
 45 prior to, on, or after July 1, 2009, that is comparable
 46 to an offense specified in subsection 1, the person
 47 shall be required to register as provided in this
 48 chapter if the department makes a determination that
 49 the offense was sexually motivated.
 50 ~~3. (3) If a~~ A juvenile is convicted of a n offense

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1 in another jurisdiction, or convicted of an offense
 2 as a juvenile in a similar juvenile court proceeding
 3 in a federal, military, or foreign court, prior to,
 4 on, or after July 1, 2009, that is comparable to an
 5 offense specified in subsection 1, ~~the person shall be~~
 6 ~~required to register as provided in this chapter if the~~
 7 ~~department makes a determination that the offense was~~
 8 ~~sexually motivated.~~
 9 b. A determination made pursuant to this subsection
 10 shall be issued in writing and shall include a summary
 11 of the information and evidence considered in making
 12 the determination that the offense was sexually
 13 motivated.
 14 c. The determination made by the department shall
 15 be subject to judicial review in accordance with
 16 chapter 17A.
 17 Sec. ____ NEW SECTION. 708.14 Sexual motivation.
 18 A person convicted of any indictable offense under
 19 this chapter shall be required to register as a sex
 20 offender pursuant to the provisions of chapter 692A,
 21 if the offense was committed against a minor and the
 22 fact finder makes a determination that the offense was
 23 sexually motivated pursuant to section 692A.126.>
 24 7. Page 3, after line 33 by inserting:
 25 <Sec. ____ NEW SECTION. 726.10 Sexual motivation.
 26 A person convicted of any indictable offense under
 27 this subchapter shall be required to register as a sex
 28 offender pursuant to the provisions of chapter 692A,
 29 if the offense was committed against a minor and the
 30 fact finder makes a determination that the offense was
 31 sexually motivated pursuant to section 692A.126.>

32 8. Title page, lines 1 and 2, by striking
 33 <providing penalties, and> and inserting <and providing
 34 penalties and>

Amendment [H-8222](#) was adopted.

Anderson of Page asked and received unanimous consent to withdraw amendment [H-8255](#) filed by Rants of Woodbury on February 25, 2010.

Anderson of Page asked and received unanimous consent to withdraw amendment [H-8256](#) filed by Rants of Woodbury on February 25, 2010.

[SENATE FILE 2305](#) SUBSTITUTED FOR [HOUSE FILE 2448](#)

Baudler of Adair asked and received unanimous consent to substitute [Senate File 2305](#) for [House File 2448](#).

[Senate File 2305](#), a bill for an act modifying sex offender registry provisions, and providing penalties and including effective date provisions, was taken up for consideration.

Baudler of Adair 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. 2305](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	Horbach	Hunter	Huseman
Huser	Isenhardt	Jacoby	Kaufmann
Kearns	Kelley	Koester	Kressig
Kuhn	Lensing	Lukan	Lykam
Marek	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rayhons	Reasoner
Reichert	Roberts	Running-Marquardt	Sands
Schueller	Schulte	Schultz	Shomshor

Smith	Soderberg	Sorenson	Steckman
Struyk	Swaim	Sweeney	Taylor
Thede	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Watts
Wenthe	Wessel-Kroeschell	Whitead	Willems
Winckler	Windschitl	Worthan	Zirkelbach
Mr. Speaker Murphy			

The nays were, none.

Absent or not voting, 3:

Ford	Rants	Wendt
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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 2448](#) WITHDRAWN

Baudler of Adair asked and received unanimous consent to withdraw [House File 2448](#) from further consideration by the House.

[Senate File 2348](#), a bill for an act providing for the licensing and regulation of real estate closing agents, making penalties applicable, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Whitead of Woodbury in the chair at 4:00 p.m.

Jacoby of Johnson 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. 2348](#))

The ayes were, 96:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	Horbach	Hunter	Huseman
Huser	Isenhardt	Jacoby	Kaufmann

Kearns	Kelley	Koester	Kressig
Kuhn	Lensing	Lukan	Lykam
Marek	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rayhons
Reasoner	Reichert	Roberts	Running-Marquardt
Sands	Schueller	Schulte	Schultz
Shomshor	Soderberg	Sorenson	Steckman
Struyk	Swaim	Sweeney	Taylor
Thede	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Watts
Wenthe	Wessel-Kroeschell	Willems	Winckler
Windschitl	Worthan	Zirkelbach	Whitead, Presiding

The nays were, none.

Absent or not voting, 4:

Ford	Rants	Smith	Wendt
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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 2483](#), a bill for an act relating to trusts and estates including provisions relating to state inheritance tax, uniform transfers to minors, and medical assistance claims, and including an applicability provision, was taken up for consideration.

Huser of Polk offered the following amendment [H-8235](#) filed by her and moved its adoption:

[H-8235](#)

- 1 Amend [House File 2483](#) as follows:
- 2 1. By striking page 10, line 10, through page 11,
- 3 line 3.
- 4 2. By renumbering as necessary.

Amendment [H-8235](#) was adopted.

Huser of Polk offered the following amendment [H-8234](#) filed by her and moved its adoption:

[H-8234](#)

- 1 Amend [House File 2483](#) as follows:
- 2 1. Page 11, by striking lines 4 through 10.
- 3 2. By renumbering as necessary.

Amendment [H-8234](#) was adopted.

Huser 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. 2483](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	Horbach	Hunter	Huseman
Huser	Isenhardt	Jacoby	Kaufmann
Kearns	Kelley	Koester	Kressig
Kuhn	Lensing	Lukan	Lykam
Marek	Mascher	May	McCarthy
Mertz	Miller, H.	Miller, L.	Murphy, Spkr.
Oldson	Olson, D.	Olson, R.	Olson, S.
Olson, T.	Palmer	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rayhons
Reasoner	Reichert	Roberts	Running-Marquardt
Sands	Schueller	Schulte	Schultz
Shomshor	Smith	Soderberg	Sorenson
Steckman	Struyk	Swaim	Sweeney
Taylor	Thede	Thomas	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Watts	Wenthe	Wessel-Kroeschell	Willems
Winckler	Windschitl	Worthan	Zirkelbach
Whitead			
Presiding			

The nays were, none.

Absent or not voting, 3:

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

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: [House File 2483](#), [Senate Files 2197, 2305 and 2348](#).

SENATE AMENDMENT CONSIDERED

Zirkelbach of Jones called up for consideration [House File 2197](#), a bill for an act providing veterans a holiday for veterans day and making penalties applicable, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8376](#):

[H-8376](#)

- 1 Amend [House File 2197](#), as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 9, after <Day> by inserting <
- 4 unless providing time off would impact public health
- 5 or safety or would cause the employer to experience
- 6 significant economic or operational disruption>
- 7 2. Page 1, line 10, after <3.> by inserting <a.>
- 8 3. Page 1, after line 16 by inserting:
- 9 <b. The employer shall, at least ten days prior
- 10 to Veterans Day, notify the employee if the employee
- 11 shall be provided paid or unpaid time off on Veterans
- 12 Day. If the employer determines that the employer is
- 13 unable to provide time off for Veterans Day for all
- 14 employees who request time off, the employer shall deny
- 15 time off to the minimum number of employees needed by
- 16 the employer to protect public health and safety or to
- 17 maintain minimum operational capacity, as applicable.>
- 18 4. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-8376](#).

Zirkelbach of Jones moved that the bill, as amended by the Senate and concurred in by the House, 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. 2197](#))

The ayes were, 95:

Abdul-Samad	Alons	Anderson	Arnold
Bailey	Baudler	Beard	Bell
Berry	Bukta	Burt	Chambers
Cohoon	Cownie	De Boef	Deyoe
Dolecheck	Drake	Ficken	Forristall
Frevert	Gaskill	Gayman	Grassley
Hagenow	Hanson	Heaton	Heddens
Helland	Horbach	Huseman	Huser
Isenhardt	Jacoby	Kaufmann	Kearns
Kelley	Koester	Kressig	Kuhn
Lensing	Lukan	Lykam	Marek
Mascher	May	McCarthy	Mertz
Miller, H.	Miller, L.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, S.	Olson, T.
Palmer	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rayhons	Reasoner
Reichert	Roberts	Running-Marquardt	Sands
Schueller	Schulte	Schultz	Shomshor
Smith	Soderberg	Sorenson	Steckman
Struyk	Swaim	Sweeney	Taylor
Thede	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Wagner	Wenthe
Wessel-Kroeschell	Willems	Winckler	Windschitl
Worthan	Zirkelbach	Whitead, Presiding	

The nays were, 2:

Hunter Watts

Absent or not voting, 3:

Ford Rants Wendt

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 2197](#) be immediately messaged to the Senate.

Appropriations Calendar

[House File 2525](#), a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection, and including effective date provisions, was taken up for consideration.

Reichert of Muscatine offered the following amendment [H-8435](#) filed by him from the floor and moved its adoption:

[H-8435](#)

- 1 Amend [House File 2525](#) as follows:
- 2 1. Page 6, line 26, by striking <44.00> and
- 3 inserting <50.00>
- 4 2. By renumbering as necessary.

Amendment [H-8435](#) was adopted.

Reichert of Muscatine offered amendment [H-8427](#) filed by him as follows:

[H-8427](#)

- 1 Amend [House File 2525](#) as follows:
- 2 1. Page 14, after line 9 by inserting:
- 3 <DIVISION _____
- 4 DEPARTMENT OF NATURAL RESOURCES – GREENHOUSE GAS
- 5 EMISSIONS
- 6 Sec. ____ Section 455B.104, subsection 4, as
- 7 enacted by 2010 Iowa Acts, [Senate File 2088](#), section
- 8 258, is amended to read as follows:
- 9 4. By ~~September 1~~ December 31 of each year, the
- 10 department shall submit a report to the governor and
- 11 the general assembly regarding the greenhouse gas
- 12 emissions in the state during the previous calendar
- 13 year and forecasting trends in such emissions. The
- 14 first submission by the department shall be filed by
- 15 ~~September 1~~ December 31, 2011, for the calendar year
- 16 beginning January 1, 2010.>
- 17 2. By renumbering as necessary.

De Boef of Keokuk rose on a point of order that amendment [H-8427](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8427](#) not germane.

Bailey of Hamilton asked and received unanimous consent to withdraw amendment [H-8433](#) filed by Bailey, Kuhn of Floyd, Mertz of Kossuth, Hanson of Jefferson and Marek of Washington from the floor.

Reichert of Muscatine 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. 2525](#))

The ayes were, 53:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Frevert	Gaskill	Gayman
Hanson	Heddens	Hunter	Huser
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Mertz
Miller, H.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Running-Marquardt
Schueller	Shomshor	Smith	Steckman
Taylor	Thede	Thomas	Wenthe
Wessel-Kroeschell	Willems	Winckler	Zirkelbach
Whitead, Presiding			

The nays were, 44:

Alons	Anderson	Arnold	Baudler
Chambers	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Grassley
Hagenow	Heaton	Helland	Horbach
Huseman	Kaufmann	Koester	Lukan
May	Miller, L.	Olson, S.	Paulsen
Pettengill	Raecker	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Swaim	Sweeney
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Wagner	Watts	Windschitl	Worthan

Absent or not voting, 3:

Ford Rants Wendt

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

Zirkelbach of Jones in the chair at 4:50 p.m.

House File 2522, a bill for an act relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, and the public employment relations board, and related matters and including effective date provisions, was taken up for consideration.

Cownie of Polk offered the following amendment [H-8406](#) filed by him and moved its adoption:

[H-8406](#)

- 1 Amend [House File 2522](#) as follows:
- 2 1. Page 2, by striking lines 4 through 6 and
- 3 inserting:
- 4 <Sec. ____ STATE RECORDS STORAGE. The department
- 5 of cultural affairs shall, within six months of the
- 6 effective date of this Act, find new storage space for
- 7 the storage of state records.>
- 8 2. By renumbering as necessary.

Roll call was requested by Cownie of Polk and Raecker of Polk.

On the question "Shall amendment [H-8406](#) be adopted?" ([H.F. 2522](#))

The ayes were, 45:

Alons	Anderson	Arnold	Bailey
Baudler	Chambers	Cownie	De Boef
Deyoe	Dolecheck	Drake	Forristall
Grassley	Hagenow	Heaton	Helland
Horbach	Huseman	Kaufmann	Koester
Lukan	May	Miller, L.	Olson, S.
Paulsen	Pettengill	Raecker	Rayhons
Roberts	Sands	Schulte	Schultz
Shomshor	Soderberg	Sorenson	Struyk
Sweeney	Tjepkes	Tymeson	Upmeyer

Van Engelenhoven Wagner Watts Windschitl
Worthan

The nays were, 52:

Abdul-Samad	Beard	Bell	Berry
Bukta	Burt	Cohoon	Ficken
Frevert	Gaskill	Gayman	Hanson
Heddens	Hunter	Huser	Isenhardt
Jacoby	Kearns	Kelley	Kressig
Kuhn	Lensing	Lykam	Marek
Mascher	McCarthy	Mertz	Miller, H.
Murphy, Spkr.	Oldson	Olson, D.	Olson, R.
Olson, T.	Palmer	Petersen	Quirk
Reasoner	Reichert	Running-Marquardt	Schueller
Smith	Steckman	Swaim	Taylor
Thede	Thomas	Wenthe	Wessel-Kroeschell
Whitead	Willems	Winckler	Zirkelbach, Presiding

Absent or not voting, 3:

Ford Rants Wendt

Amendment [H-8406](#) lost.

Soderberg of Plymouth offered the following amendment [H-8402](#) filed by him and moved its adoption:

[H-8402](#)

- 1 Amend [House File 2522](#) as follows:
- 2 1. Page 5, before line 21 by inserting:
- 3 <Od. The moneys appropriated to the community
- 4 development division pursuant to this subsection
- 5 shall not be used for purposes of providing financial
- 6 assistance for the Iowa green streets pilot project
- 7 or for any other program or project that involves the
- 8 implementation of geothermal systems for melting snow
- 9 and ice from streets or sidewalks.>
- 10 2. By renumbering as necessary.

Roll call was requested by Soderberg of Plymouth and May of Dickinson.

On the question "Shall amendment [H-8402](#) be adopted?" ([H.F. 2522](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Chambers	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Grassley
Hagenow	Heaton	Helland	Horbach
Huseman	Kaufmann	Koester	Lukan
May	Miller, L.	Olson, S.	Paulsen
Pettengill	Raecker	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Watts	Windschitl	Worthan	

The nays were, 54:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Frevvert	Gaskill	Gayman
Hanson	Heddens	Hunter	Huser
Isenhardt	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Mertz
Miller, H.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Reichert	Running-Marquardt
Schueller	Shomshor	Smith	Steckman
Swaim	Taylor	Thede	Thomas
Wenthe	Wessel-Kroeschell	Whitead	Willems
Winckler	Zirkelbach, Presiding		

Absent or not voting, 3:

Ford	Rants	Wendt
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Amendment [H-8402](#) lost.

Thomas of Clayton offered the following amendment [H-8398](#) filed by him and moved its adoption:

[H-8398](#)

- 1 Amend [House File 2522](#) as follows:
- 2 1. Page 8, line 1, by striking <\$1,076,234> and
- 3 inserting <\$994,929>
- 4 2. Page 8, line 2, after <centers.> by inserting
- 5 <If moneys allocated pursuant to this subsection exceed
- 6 the amount allocated for small business centers in 2009
- 7 Iowa Acts, chapter 176, section 11, subsection 2, at
- 8 least \$100,000 of the moneys allocated pursuant to this

9 subsection shall be used to increase the assistance
10 to small businesses for providing one-on-one business
11 planning and marketing counseling.>
12 3. By renumbering as necessary.

Amendment [H-8398](#) was adopted.

Soderberg of Plymouth offered amendment [H-8401](#) filed by him as follows:

[H-8401](#)

1 Amend [House File 2522](#) as follows:
2 1. Page 15, by striking lines 25 through 28 and
3 inserting:
4 <Sec. ____ USE OF FURLOUGH DAYS BY STATE EMPLOYEES.
5 1. The moneys appropriated to the department of
6 workforce development pursuant to this Act shall not
7 be expended until the department has developed rules
8 for the use of furlough days by employees of state
9 agencies.
10 2. The rules shall prohibit employees of state
11 agencies from taking two or more furlough days
12 consecutively. The rules shall apply to all employees
13 of state agencies required to take furlough days in the
14 fiscal year beginning July 1, 2009.
15 Sec. ____ EFFECTIVE UPON ENACTMENT.
16 1. The section of this Act amending 2009 Iowa Acts,
17 chapter 176, and the sections amending section 303.17,
18 being deemed of immediate importance, take effect upon
19 enactment.
20 2. The section of this Act making certain
21 appropriations to the department of workforce
22 development contingent upon the development of rules
23 for the use of furlough days by employees of state
24 agencies, being deemed of immediate importance, takes
25 effect upon enactment.>
26 2. By renumbering as necessary.

Soderberg of Plymouth offered the following amendment [H-8431](#),
to amendment [H-8401](#), filed by him from the floor and moved its
adoption:

[H-8431](#)

1 Amend the amendment, [H-8401](#), to [House File 2522](#) as
2 follows:
3 1. Page 1, line 7, after <department> by inserting
4 <, in conjunction with the department of administrative

5 services,>
6 2. By renumbering as necessary.

Amendment [H-8431](#) was adopted.

Soderberg of Plymouth moved the adoption of amendment [H-8401](#), as amended.

Roll call was requested by Soderberg of Plymouth and Schultz of Crawford.

On the question "Shall amendment [H-8401](#), as amended, be adopted?" ([H.F. 2522](#))

The ayes were, 43:

Alons	Anderson	Arnold	Baudler
Chambers	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Grassley
Hagenow	Heaton	Helland	Horbach
Huseman	Kaufmann	Koester	Lukan
May	Miller, L.	Olson, S.	Paulsen
Pettengill	Raecker	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Watts	Windschitl	Worthan	

The nays were, 53:

Abdul-Samad	Bailey	Bell	Berry
Bukta	Burt	Cohoon	Ficken
Ford	Frevert	Gaskill	Gayman
Hanson	Heddens	Hunter	Huser
Isenhart	Jacoby	Kearns	Kelley
Kressig	Kuhn	Lensing	Lykam
Marek	Mascher	McCarthy	Mertz
Miller, H.	Murphy, Spkr.	Oldson	Olson, D.
Olson, R.	Olson, T.	Palmer	Petersen
Quirk	Reasoner	Running-Marquardt	Schueller
Shomshor	Smith	Steckman	Swaim
Taylor	Thede	Thomas	Wenthe
Wessel-Kroeschell	Whitead	Willems	Winckler
Zirkelbach, Presiding			

Absent or not voting, 4:

Beard	Rants	Reichert	Wendt
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Amendment [H-8401](#), as amended, lost.

Kressig of Black Hawk 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. 2522](#))

The ayes were, 55:

Abdul-Samad	Bailey	Beard	Bell
Berry	Bukta	Burt	Cohoon
Ficken	Ford	Frevert	Gaskill
Gayman	Hanson	Heddens	Hunter
Huser	Isenhart	Jacoby	Kearns
Kelley	Kressig	Kuhn	Lensing
Lykam	Marek	Mascher	McCarthy
Mertz	Miller, H.	Murphy, Spkr.	Oldson
Olson, D.	Olson, R.	Olson, T.	Palmer
Petersen	Quirk	Reasoner	Reichert
Running-Marquardt	Schueller	Shomshor	Smith
Steckman	Swaim	Taylor	Thede
Thomas	Wenthe	Wessel-Kroeschell	Whitead
Willems	Winckler	Zirkelbach, Presiding	

The nays were, 43:

Alons	Anderson	Arnold	Baudler
Chambers	Cownie	De Boef	Deyoe
Dolecheck	Drake	Forristall	Grassley
Hagenow	Heaton	Helland	Horbach
Huseman	Kaufmann	Koester	Lukan
May	Miller, L.	Olson, S.	Paulsen
Pettengill	Raecker	Rayhons	Roberts
Sands	Schulte	Schultz	Soderberg
Sorenson	Struyk	Sweeney	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Wagner
Watts	Windschitl	Worthan	

Absent or not voting, 2:

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 16, 2010, passed the following bill in which the concurrence of the Senate was asked:

[House File 2487](#), a bill for an act relating to the allocation, issuance, reporting, recapture, and reallocation of recovery zone bonds, and including effective date provisions.

Also: That the Senate has on March 16, 2010, concurred in the House amendment and adopted the following resolution in which the concurrence of the Senate was asked:

[Senate Joint Resolution 2007](#), a joint resolution supporting the preservation efforts for the Battleship Iowa, BB-61.

Also: That the Senate has on March 16, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2376](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective date and applicability provisions.

Also: That the Senate has on March 16, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2378](#), a bill for an act relating to and making appropriations to the justice system, providing for fees and fines, and including effective date provisions.

MICHAEL E. MARSHALL, Secretary

IMMEDIATE MESSAGES

McCarthy of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2522** and **2525**.

BILLS 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 bills have 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 16th day of March, 2010: House Files 2233, 2372, 2374, 2392, 2466 and 2488.

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 March 16, 2010, he approved and transmitted to the Secretary of State the following bills:

[House File 755](#), an Act concerning eligibility for the injured veterans grant program.

[House File 2110](#), an Act relating to unemployment insurance benefits for spouses who leave employment to accompany a spouse on a military assignment.

[House File 2449](#), an Act relating to the encouragement and assistance of businesses owned by disabled veterans.

SUBCOMMITTEE ASSIGNMENT

[Senate File 2364](#)

Ways and Means: Huser, Chair; Isenhart and Pettengill.

AMENDMENTS FILED

H-8428	S.F. 2370	Pettengill of Benton
H-8429	S.F. 2370	Pettengill of Benton
H-8430	S.F. 2370	May of Dickinson
		D. Olson of Boone
H-8432	H.F. 2284	Thede of Scott
H-8434	S.F. 2370	Schulte of Linn

H-8436	H.F. 2438	Senate Amendment
H-8437	S.F. 2324	Quirk of Chickasaw

On motion by McCarthy of Polk the House adjourned at 5:43 p.m., until 9:00 a.m., Wednesday, March 17, 2010.