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**STATE OF IOWA**

# **House Journal**

**THURSDAY, MARCH 17, 2011**

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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

Sixty-seventh Calendar Day - Forty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 17, 2011

The House met pursuant to adjournment at 8:32 a.m., Kaufmann of Cedar in the chair.

Prayer was offered by Dan Boddicker, former member of the House from Tipton. He was the guest of Representative Kaufmann of Cedar County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Colin and Carter Upmeyer, grandsons of Representative Upmeyer of Hancock.

The Journal of Wednesday, March 16, 2011 was approved.

### SENATE MESSAGE CONSIDERED

[Senate File 456](#), by committee on judiciary, a bill for an act relating to persons prohibited from possessing or receiving firearms because of mental health commitments or adjudications and to petitions for relief from such prohibitions, and including effective date and applicability provisions.

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

### SPECIAL PRESENTATION

Deyoe of Story presented to the House the Honorable Teresa Garman, former member of the House from Story County.

The House rose and expressed its welcome.

The House stood at ease at 8:47 a.m., until the fall of the gavel.

The House resumed session at 9:14 a.m., Speaker Paulsen in the chair.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Brandenburg of Pottawattamie, Watts of Dallas and Lukan of Dubuque, until his arrival, on request of Upmeyer of Hancock; Gaines of Polk on request of Abdul-Samad of Polk; McCarthy of Polk and Mascher of Johnson on request of M. Smith of Marshall.

CONSIDERATION OF BILLS  
Regular Calendar

[House File 618](#), a bill for an act modifying licensing provisions applicable to fire extinguishing and alarm systems contractors and installers, and electricians and electrical contractors, was taken up for consideration.

Pettengill of Benton asked and received unanimous consent to withdraw amendment [H-1371](#) filed by her on March 16, 2011.

Pettengill of Benton 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. 618](#))

The ayes were, 60:

|            |            |                  |                        |
|------------|------------|------------------|------------------------|
| Alons      | Anderson   | Arnold           | Baltimore              |
| Baudler    | Byrnes     | Chambers         | Cownie                 |
| De Boef    | Deyoe      | Dolecheck        | Drake                  |
| Forristall | Fry        | Garrett          | Grassley               |
| Hagenow    | Hager      | Hanson           | Hanusa                 |
| Heaton     | Hein       | Helland          | Horbach                |
| Huseman    | Iverson    | Jorgensen        | Kaufmann               |
| Klein      | Koester    | Lofgren          | Massie                 |
| Miller, L. | Moore      | Olson, S.        | Paustian               |
| Pearson    | Pettengill | Raecker          | Rasmussen              |
| Rayhons    | Rogers     | Sands            | Schulte                |
| Schultz    | Shaw       | Smith, J.        | Soderberg              |
| Swaim      | Sweeney    | Taylor, J.       | Thomas                 |
| Tjepkes    | Upmeyer    | Van Engelenhoven | Vander Linden          |
| Wagner     | Windschitl | Worthan          | Mr. Speaker<br>Paulsen |

The nays were, 33:

|                   |            |                   |            |
|-------------------|------------|-------------------|------------|
| Abdul-Samad       | Berry      | Cohoon            | Gaskill    |
| Hall              | Heddens    | Hunter            | Isenhart   |
| Jacoby            | Kajtazovic | Kearns            | Kelley     |
| Kressig           | Lensing    | Lykam             | Miller, H. |
| Muhlbauer         | Murphy     | Oldson            | Olson, T.  |
| Petersen          | Quirk      | Running-Marquardt | Smith, M.  |
| Steckman          | Taylor, T. | Thede             | Wenthe     |
| Wessel-Kroeschell | Willems    | Winckler          | Wittneben  |
| Wolfe             |            |                   |            |

Absent or not voting, 7:

|             |           |       |         |
|-------------|-----------|-------|---------|
| Brandenburg | Gaines    | Lukan | Mascher |
| McCarthy    | Olson, R. | Watts |         |

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

[House File 589](#), a bill for an act relating to offenses involving agricultural operations, and providing penalties and remedies, was taken up for consideration.

Lykam of Scott asked and received unanimous consent to withdraw amendment [H-1292](#) filed by him on March 14, 2011, placing out of order amendments [H-1320](#) and [H-1321](#) filed by T. Taylor of Linn on March 15, 2011 and amendment [H-1326](#) filed by Isenhart of Dubuque on March 15, 2011.

M. Smith of Marshall asked and received unanimous consent to withdraw amendment [H-1288](#) filed by Mascher of Johnson on March 14, 2011.

M. Smith of Marshall asked and received unanimous consent to withdraw amendment [H-1304](#) filed by Petersen of Polk on March 15, 2011.

Isenhart of Dubuque asked and received unanimous consent that amendment [H-1283](#) be deferred.

S. Olson of Clinton offered amendment [H-1375](#) filed by him and moved its adoption.

Amendment [H-1375](#) was adopted, placing out of order amendment [H-1283](#) filed by Isenhart of Dubuque on March 14, 2011, previously deferred.

Sweeney of Hardin offered amendment [H-1278](#) filed by her.

T. Taylor of Linn asked and received unanimous consent to withdraw amendment [H-1318](#), to amendment [H-1278](#), filed by him on March 15, 2011.

T. Taylor of Linn asked and received unanimous consent to withdraw amendment [H-1319](#), to amendment [H-1278](#), filed by him on March 15, 2011.

Sweeney of Hardin moved amendment [H-1278](#).

Amendment [H-1278](#) was adopted.

Lykam of Scott asked and received unanimous consent to withdraw amendment [H-1286](#) filed by him on March 14, 2011.

M. Smith of Marshall asked and received unanimous consent to withdraw amendment [H-1263](#) filed by him on March 9, 2011.

Sweeney of Hardin 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. 589](#))

The ayes were, 66:

|            |            |            |           |
|------------|------------|------------|-----------|
| Alons      | Anderson   | Arnold     | Baltimore |
| Baudler    | Berry      | Byrnes     | Chambers  |
| Cownie     | De Boef    | Deyoe      | Dolecheck |
| Drake      | Forristall | Fry        | Garrett   |
| Grassley   | Hagenow    | Hager      | Hanusa    |
| Heaton     | Hein       | Helland    | Horbach   |
| Huseman    | Iverson    | Jorgensen  | Kaufmann  |
| Kelley     | Klein      | Koester    | Lofgren   |
| Massie     | Miller, H. | Miller, L. | Moore     |
| Muhlbauer  | Olson, S.  | Paustian   | Pearson   |
| Pettengill | Quirk      | Raecker    | Rasmussen |
| Rayhons    | Rogers     | Sands      | Schulte   |

|         |                        |                  |               |
|---------|------------------------|------------------|---------------|
| Schultz | Shaw                   | Smith, J.        | Soderberg     |
| Swaim   | Sweeney                | Taylor, J.       | Thomas        |
| Tjepkes | Upmeyer                | Van Engelenhoven | Vander Linden |
| Wagner  | Wenthe                 | Windschitl       | Wittneben     |
| Worthan | Mr. Speaker<br>Paulsen |                  |               |

The nays were, 27:

|             |            |                   |                   |
|-------------|------------|-------------------|-------------------|
| Abdul-Samad | Cohoon     | Gaskill           | Hall              |
| Hanson      | Heddens    | Hunter            | Isenhart          |
| Jacoby      | Kajtazovic | Kearns            | Kressig           |
| Lensing     | Lykam      | Murphy            | Oldson            |
| Olson, T.   | Petersen   | Running-Marquardt | Smith, M.         |
| Steckman    | Taylor, T. | Thede             | Wessel-Kroeschell |
| Willems     | Winckler   | Wolfe             |                   |

Absent or not voting, 7:

|             |           |       |         |
|-------------|-----------|-------|---------|
| Brandenburg | Gaines    | Lukan | Mascher |
| McCarthy    | Olson, R. | Watts |         |

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

[HOUSE FILE 431](#) WITHDRAWN

Sweeney of Hardin asked and received unanimous consent to withdraw [House File 431](#) from further consideration by the House.

[HOUSE FILE 10](#) WITHDRAWN

Pettengill of Benton asked and received unanimous consent to withdraw [House File 10](#) from further consideration by the House.

IMMEDIATE MESSAGES

Upmeyer of Hancock asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 589** and **618**.

On motion by Upmeyer of Hancock, the House was recessed at 9:58 a.m., until 12:30 p.m.

## AFTERNOON SESSION

The House reconvened at 12:32 p.m., Speaker Paulsen in the chair.

## SUBCOMMITTEE ASSIGNMENTS

[Senate File 238](#)

Education: L. Miller, Chair; Forristall and Willems.

[Senate File 239](#)

Education: L. Miller, Chair; Forristall and Willems.

[Senate File 243](#)

Commerce: Wagner, Chair; Baltimore and T. Olson.

[Senate File 328](#)

Education: L. Miller, Chair; Abdul-Samad and Forristall.

[Senate File 468](#)

Education: Abdul-Samad, Chair; Jorgensen and Koester.

[Senate File 494](#) Reassigned

Judiciary: Pearson, Chair; Kaufmann and Swaim.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 172](#)  
(Committee of the Whole)

Appropriations: Raecker, Chair; Chambers, Cohoon, Dolecheck, Drake, Garrett, Gaskill, Hagenow, Hall, Heaton, Heddens, Huseman, Lukan, Murphy, T. Olson, Rogers, Running-Marquardt, Schulte, Schultz, T. Taylor, Wagner, Watts, Wenthe, Winckler and Worthan.

## RESOLUTIONS FILED

[H.R. 29](#), by Pettengill, Kaufmann, Sands, J. Smith, Alons, Iverson, Watts, Shaw, Heaton, Baudler, Tjepkes, Drake, Schultz, Baltimore, Byrnes, Horbach, Rasmussen, Soderberg, Grassley, Paustian, Dolecheck, Chambers, Vander Linden, Muhlbauer, Hein, Wittneben, Rayhons, Windschitl, Wenthe, Moore, Thomas, De Boef, Deyoe, Fry, Massie, and Quirk, a resolution urging the nullification of rules adopted by the United States Environmental Protection Agency

relating to national emissions standards for hazardous air pollutants for reciprocating internal combustion engines.

Laid over under **Rule 25**.

**H.R. 30**, by J. Taylor, Jorgensen, and Hall, a resolution to congratulate the Bishop Heelan Crusaders on winning the Class 3A Boys' Basketball 2011 Championship.

Laid over under **Rule 25**.

#### AMENDMENTS FILED

|                        |                          |                           |
|------------------------|--------------------------|---------------------------|
| <a href="#">H-1376</a> | <a href="#">H.F. 607</a> | Garrett of Warren         |
| <a href="#">H-1377</a> | <a href="#">H.F. 590</a> | Thomas of Clayton         |
| <a href="#">H-1378</a> | <a href="#">H.F. 590</a> | H. Miller of Webster      |
| <a href="#">H-1379</a> | <a href="#">H.F. 590</a> | Heddens of Story          |
| <a href="#">H-1380</a> | <a href="#">H.F. 590</a> | Lukan of Dubuque          |
| <a href="#">H-1381</a> | <a href="#">H.F. 590</a> | Running-Marquardt of Linn |
| <a href="#">H-1382</a> | <a href="#">H.F. 590</a> | Running-Marquardt of Linn |
| <a href="#">H-1383</a> | <a href="#">S.F. 402</a> | Shaw of Pocahontas        |
| <a href="#">H-1384</a> | <a href="#">H.F. 590</a> | Lukan of Dubuque          |
| <a href="#">H-1385</a> | <a href="#">H.F. 549</a> | Rogers of Black Hawk      |
| <a href="#">H-1386</a> | <a href="#">H.F. 590</a> | Thomas of Clayton         |
| <a href="#">H-1387</a> | <a href="#">H.F. 590</a> | Lukan of Dubuque          |
| <a href="#">H-1388</a> | <a href="#">H.F. 534</a> | J. Taylor of Woodbury     |

On motion by Upmeyer of Hancock the House adjourned at 12:32 p.m., until 10:00 a.m., Friday, March 18, 2011.