

PROOF

STATE OF IOWA

House Journal

SATURDAY, MARCH 27, 2010

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JOURNAL OF THE HOUSE

Seventy-sixth Calendar Day - Fifty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Saturday, March 27, 2010

The House met pursuant to adjournment at 11:29 a.m., Speaker Murphy in the chair.

Prayer was offered by the Honorable Christopher Rants, state representative from Woodbury County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Katie, Natalie and Gerard Sam Ruiz. They are the grandchildren of Representative Marcella Frevert, state representative from Palo Alto County.

The Journal of Friday, March 26, 2010 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Horbach of Tama and Raecker of Polk on request of Paulsen of Linn; Wendt of Woodbury on request of McCarthy of Polk.

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 26, 2010, concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

[House File 2284](#), a bill for an act relating to various activities regulated and programs administered by the department of public health, including fetal death certification, and optometry, cosmetology, and barbering licensure, and including effective date provisions.

Also: That the Senate has on March 26, 2010, amended and passed the following bill in which the concurrence of the House is asked:

[House File 2531](#), a bill for an act relating to state and local finances by providing for funding of property tax credits and reimbursements, by increasing the maximum allowable local hotel and motel tax rates, by making, increasing, and reducing appropriations, providing for salaries and compensation of state employees, providing for matters relating to tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date and retroactive applicability provisions.

Also: That the Senate has on March 26, 2010, passed the following bill in which the concurrence of the Senate was asked:

[House File 2532](#), a bill for an act exempting from the computation of the state individual income tax certain amounts received from the veterans trust fund and including a retroactive applicability provision.

Also: That the Senate has on March 26, 2010, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2201](#), a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including the Iowa grain indemnity fund board, uniform securities Act, examination of insurance companies, life insurance companies and associations, utilization and cost control, external review of health care coverage decisions, insurance other than life, mortgage guaranty insurance, cemetery and funeral merchandise and funeral services, and regulation of cemeteries and making penalties applicable.

Also: That the Senate has on March 26, 2010, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 2356](#), a bill for an act relating to health reform in Iowa by providing for options for health care coverage including a premium assistance program study and IowaCare program changes and creating an Iowa insurance information exchange.

Also: That the Senate has on March 26, 2010, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was 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

The House stood at ease at 11:37 a.m., until the fall of the gavel.

The House resumed session at 12:58 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 27, 2010, adopted the following resolution in which the concurrence of the Senate was asked:

[House Concurrent Resolution 108](#), a concurrent resolution to approve and confirm the appointment of the Citizens' Aide.

Also: That the Senate has on March 27, 2010, passed the following bill in which the concurrence of the House is asked:

[Senate File 2379](#), 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 and an effective date.

MICHAEL E. MARSHALL, Secretary

On motion by Smith of Marshall, the House was recessed at 12:58 p.m., until 2:30 p.m.

AFTERNOON SESSION

The House reconvened at 3:21 p.m., Bukta of Clinton in the chair.

McCarthy of Polk asked and received unanimous consent for the immediate consideration of [Senate File 2383](#).

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 APPROPRIATIONS

[Senate File 2383](#), a bill for an act relating to the collection of debt obligations owed the state and cities and establishing a state debt coordinator, providing a fee, and including effective date provisions.

Fiscal Note is not required.

Recommendation: **Amend and Do Pass with amendment [H-8645](#)** March 27, 2010.

CONSIDERATION OF BILLS
Appropriations Calendar

[Senate File 2383](#), a bill for an act relating to the collection of debt obligations owed the state and cities and establishing a state debt coordinator, providing a fee, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

McCarthy of Polk asked and received unanimous consent to defer [Senate File 2383](#).

The House stood at ease at 3:27 p.m., until the fall of the gavel.

The House resumed session at 7:14 p.m., Speaker Murphy in the chair.

INTRODUCTION OF BILL

[House File 2534](#), by committee on appropriations, a bill for an act relating to and making, reducing, and transferring appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, the revenue bonds capitals fund, the revenue bonds capitals II fund, the FY 2009 prison bonding fund, and other funds, creating the Iowa jobs II program, and the revenue bonds federal subsidy holdback fund, providing for related matters, and providing an effective date.

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

SENATE FILE CONSIDERED

[Senate File 2379](#), by Gronstal, 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 and an effective date.

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

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-five members present, fifteen absent.

Appropriations Calendar

The House resumed consideration of [Senate File 2383](#), a bill for an act relating to the collection of debt obligations owed the state and cities and establishing a state debt coordinator, providing a fee, and including effective date provisions, previously deferred.

Wenthe of Fayette offered the following amendment [H-8645](#) filed by the committee on appropriations from the floor and moved its adoption:

[H-8645](#)

- 1 Amend [Senate File 2383](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 8, by striking lines 19 through 22 and
- 4 inserting <debt coordinator, on behalf of the state,
- 5 shall have a right to a lien against all monetary
- 6 claims arising from a civil action which the debtor may
- 7 file against a third party. A lien under this section
- 8 becomes effective once the state debt coordinator files
- 9 a notice of>
- 10 2. Page 10, lines 17 and 18, by striking <has
- 11 authority to file a satisfaction of the lien> and
- 12 inserting <shall file a satisfaction of the lien in the
- 13 civil action if the state debt coordinator, pursuant
- 14 to this subsection, settles any part of the debt
- 15 obligation owed the state.>
- 16 3. Page 11, line 5, by striking <The> and inserting
- 17 <Except as provided in subsection 7, the>
- 18 4. Page 11, after line 8 by inserting:
- 19 <7. An insurance company that makes a payment to
- 20 the debtor or the debtor's attorney in a civil action
- 21 that is subject to a lien under this section shall have
- 22 no further liability for the lien filed in the civil
- 23 action.>
- 24 5. Page 11, by striking lines 9 through 14 and
- 25 inserting:
- 26 <8. As used in this section, unless the context
- 27 otherwise requires:
- 28 a. "Insurance company" means an insurer organized or
- 29 operating under chapter 508, 514, 514B, 515, 518, 518A,
- 30 519, or 520, or authorized to do business in Iowa as an
- 31 insurer or an insurance producer under chapter 522B.
- 32 b. "Third party" means an individual, institution,

33 corporation, or public or private agency which is or
 34 may be liable to pay all or part of a debtor's monetary
 35 claim. "Third party" does not include a financial
 36 institution as defined in section 572.2.>
 37 6. Page 20, lines 16 and 17, by striking <case in
 38 which the debt accrued> and inserting <eligible debt>

The committee amendment [H-8645](#) was adopted.

Wenthe of Fayette offered the following amendment [H-8650](#) filed by him from the floor and moved its adoption:

[H-8650](#)

1 Amend [Senate File 2383](#), as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 15, after line 31 by inserting:
 4 <Sec. ____ **NEW SECTION.** 421C.5 Future repeal.
 5 This chapter is repealed January 1, 2014. The
 6 general assembly shall consider corresponding
 7 amendments to the Code of Iowa to effectuate the repeal
 8 of this chapter.>

Amendment [H-8650](#) was adopted.

Wenthe of Fayette 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. 2383](#))

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	Ford
Forristall	Frevert	Gaskill	Gayman
Grassley	Hagenow	Hanson	Heaton
Heddens	Helland	Hunter	Huseman
Huser	Isenhart	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	Rants	Rayhons	Reasoner
Reichert	Roberts	Running-Marquardt	Sands
Schueller	Schulte	Schultz	Shomshor
Smith	Soderberg	Sorenson	Steckman

Struyk	Swaim	Sweeney	Taylor
Thede	Thomas	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, 4:

Horbach	Raecker	Tjepkes	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 MESSAGE

McCarthy of Polk asked and received unanimous consent that [Senate File 2383](#) be immediately messaged to the Senate.

The House stood at ease at 7:40 p.m., until the fall of the gavel.

The House resumed session at 8:02 p.m., Speaker Murphy in the chair.

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 APPROPRIATIONS

Committee Bill (Formerly [House Study Bill 742](#)), relating to and making, reducing, and transferring appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the technology reinvestment fund, the revenue bonds capitals fund, the revenue bonds capitals II fund, the FY 2009 prison bonding fund, and other funds, creating the Iowa jobs II program, and the revenue bonds federal subsidy holdback fund, providing for related matters, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 27, 2010.

COMMITTEE ON PUBLIC SAFETY

[House File 2528](#), 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.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment** [H-8641](#) March 27, 2010.

AMENDMENTS FILED

H-8640	H.F. 2531	Senate Amendment
H-8641	H.F. 2528	Committee on Public Safety
H-8642	H.F. 2531	Pettengill of Benton
H-8643	H.F. 2531	Rants of Woodbury
H-8644	H.F. 2531	Rants of Woodbury
H-8646	H.F. 2531	Steckman of Cerro Gordo
H-8647	H.F. 2531	Tymeson of Madison
H-8648	H.F. 2531	Tymeson of Madison
H-8649	H.F. 2531	R. Olson of Polk
H-8651	H.F. 2531	Isenhart of Dubuque
H-8652	S.F. 2379	Roberts of Carroll

On motion by McCarthy of Polk the House adjourned at 8:09 p.m., until 10:00 a.m., Monday, March 29, 2010.