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**STATE OF IOWA**

# **House Journal**

**MONDAY, FEBRUARY 4, 2013**

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

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## JOURNAL OF THE HOUSE

Twenty-second Calendar Day - Thirteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, February 4, 2013

The House met pursuant to adjournment at 1:00 p.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Al Hazelton, First Assembly of God, Harlan. He was the guest of Representative Muhlbauer of Crawford County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Carter Yerkes, Page from Greene.

The Journal of Thursday, January 31, 2013, was approved.

### SPECIAL PRESENTATION

Soderberg of Plymouth introduced to the House former state legislator, Don Paulin.

The House rose and expressed its welcome.

On motion by Upmeyer of Cerro Gordo, the House was recessed at 1:07 p.m., until 5:00 p.m.

### AFTERNOON SESSION

The House reconvened at 5:00 p.m., Speaker Paulsen 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 February 4, 2013, passed the following bill in which the concurrence of the House is asked:

[Senate File 106](#), a bill for an act updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, providing certain taxpayers additional time to file a claim for refund or credit of individual income tax, and including effective date and retroactive applicability provisions.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILLS

[House Joint Resolution 6](#), by Murphy, Hall, Muhlbauer, Thomas, Anderson, Thede, H. Miller, Kearns, Wolfe, Abdul-Samad, R. Olson, Gaskill, Kelley and Bearinger, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to an individual's right to keep and bear arms.

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

[House File 113](#), by Dolecheck, Forristall, Landon, Salmon, Watts, Garrett, Sheets, S. Olson, Schultz, Klein, Costello, Jorgensen, and Byrnes, a bill for an act relating to independent accreditation of nonpublic schools.

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

[House File 114](#), by Mascher, Stutsman, T. Taylor, Kressig, Heddens, Wolfe, Staed, Kearns, Bearinger, Ruff, Berry, Anderson, Kajtazovic, Lundby, Wessel-Kroeschell, Winckler, Lykam, Cohoon, M. Smith, Abdul-Samad, R. Olson, Gaines, Hanson, Jacoby, Lensing, Kelley, Murphy, Forbes, Oldson, Dunkel, Wood, Riding, Hunter, Thomas, Steckman, and Hall, a bill for an act relating to reimbursement for services provided under a medical assistance home and community-based services waiver for the elderly.

Read first time and referred to committee on **Human Resources**.

[House File 115](#), by Mascher, Stutsman, T. Taylor, Kressig, Wolfe, Staed, Kearns, Bearinger, Ruff, Berry, H. Miller, Thede, Anderson, Kajtazovic, Wessel-Kroeschell, Winckler, Cohoon, Lykam, M. Smith, Gaskill, Hall, Steckman, Thomas, Hunter, Isenhardt, Riding, Wood, Dunkel, Oldson, Forbes, Murphy, Muhlbauer, Kelley, Lensing, Jacoby, Hanson, Gaines, Abdul-Samad, and R. Olson, a bill for an act relating to the department on aging, and making an appropriation.

Read first time and referred to committee on **Human Resources**.

[House File 116](#), by Mascher, Stutsman, T. Taylor, Kressig, Heddens, Wolfe, Staed, Kearns, Bearinger, Ruff, Berry, Thede, Anderson, Wessel-Kroeschell, Winckler, Lykam, Cohoon, M. Smith, R. Olson, Abdul-Samad, Gaines, Hanson, Jacoby, Lensing, Kelley, Muhlbauer, Murphy, Forbes, Oldson, Wood, Riding, Hunter, Thomas, Steckman, and Hall, a bill for an act relating to the long-term care resident's advocate program and making appropriations.

Read first time and referred to committee on **Human Resources**.

[House File 117](#), by Heddens, T. Olson, Hall, Lundby, Running-Marquardt, Winckler, T. Taylor, Murphy, Wood, Hunter, Muhlbauer, Ourth, Forbes, Wessel-Kroeschell, Gaines, Wolfe, Staed, Kressig, Kearns, Bearinger, Berry, Thede, Anderson, Lykam, Cohoon, M. Smith, Mascher, Stutsman, Oldson, and Gaskill, a bill for an act relating to mental health and disability services by making supplemental appropriations for the fiscal year beginning July 1, 2012, and related changes, and including effective dates.

Read first time and referred to committee on **Human Resources**.

[House File 118](#), by Isenhardt and Koester, a bill for an act creating an Iowa institute for public policy.

Read first time and referred to committee on **State Government**.

[House File 119](#), by committee on Judiciary, a bill for an act relating to county attorney duties when representing the department of human services in juvenile court.

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

[House File 120](#), by committee on Judiciary, a bill for an act relating to the administration of the judicial branch including provisions pertaining to shorthand reporters and the practice of law, making appropriations, and providing for a fee.

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

[House File 121](#), by committee on Labor, a bill for an act relating to conformity with federal law concerning unemployment insurance

employer charges and claimant misrepresentation regarding benefit overpayments, providing a penalty, and including applicability provisions.

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

[House File 122](#), by Isenhart and Highfill, a bill for an act relating to the operations of certain common interest communities.

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

[House File 123](#), by Isenhart, Kaufmann, and Jacoby, a bill for an act providing for a product stewardship report by the department of natural resources.

Read first time and referred to committee on **Natural Resources**.

[House File 124](#), by Pettengill, Heartsill, Alons, Huseman, Sheets, Heaton, Hess, and Hagenow, a bill for an act establishing a property tax exemption for a principal residence owned by a totally disabled individual or certain elderly individuals and including applicability provisions.

Read first time and referred to committee on **Ways and Means**.

[House File 125](#), by Pettengill, Hein, Hess, Koester, Stanerson, and Alons, a bill for an act providing a sales tax exemption for textbooks used in attending a postsecondary educational institution.

Read first time and referred to committee on **Ways and Means**.

[House File 126](#), by Isenhart, Koester, Hanson, and Byrnes, a bill for an act relating to school guidance counselors and professional service providers, including professional service and secondary guidance counselor preparation and professional development programs, related licensing and endorsement requirements under the board of educational examiners, and the provision of career and academic guidance counseling services by school districts.

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

[House File 127](#), by Lofgren and Kaufmann, a bill for an act prohibiting employers and schools from seeking access to certain online personal employee and student information and providing penalties.

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

[House File 128](#), by Isenhardt, Kelley, Wessel-Kroeschell, Lensing, Steckman, Anderson, and Mascher, a bill for an act relating to permits for the drilling of a well for oil or gas utilizing hydraulic fracturing and providing for the establishment of fees.

Read first time and referred to committee on **Environmental Protection**.

[House File 129](#), by Thomas, Murphy, Steckman, Running-Marquardt, Hall, Gaskill, Abdul-Samad, Ourth, Gaines, Hanson, Jacoby, Lensing, Stutsman, Kelley, Muhlbauer, Forbes, Dunkel, Riding, H. Miller, Anderson, Kajtazovic, Wessel-Kroeschell, Winckler, Lykam, Cohoon, M. Smith, Mascher, T. Taylor, Kressig, Wolfe, Staed, Kearns, Beringer, and Heddens, a bill for an act relating to employee stock ownership plans by making an appropriation to provide assistance, promotion, and education to interested businesses and to obtain the services of an expert in employee stock ownership plans.

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

[House File 130](#), by Lofgren, Kaufmann, Byrnes, Grassley, Kressig, Muhlbauer, Windschitl, Rogers, Hunter, Heddens, Murphy, L. Miller, Hagenow, Worthan, Deyoe, Rayhons, Klein, Heaton, Kelley, J. Smith, Landon, Jacoby, Lykam, and Cownie, a bill for an act providing for the issuance of special hunting licenses to certain nonresident disabled veterans and disabled members of the armed forces serving on active federal service.

Read first time and referred to committee on **Veterans Affairs**.

[House File 131](#), by committee on State Government, a bill for an act authorizing charitable giving payroll deductions for community college employees.

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

[House File 132](#), by committee on Judiciary, a bill for an act relating to an application for the immediate return of seized property.

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

[House File 133](#), by committee on Judiciary, a bill for an act relating to the discharge of a firearm near buildings or feedlots by certified law enforcement officers for training purposes, providing penalties, and including effective date provisions.

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

#### SENATE MESSAGES CONSIDERED

[Senate File 51](#), by committee on Education, a bill for an act relating to establishment of the categorical state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions.

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

[Senate File 52](#), by committee on Education, a bill for an act relating to establishment of the state percent of growth for purposes of the state school foundation program and including effective date and applicability provisions.

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

[Senate File 53](#), by committee on Education, a bill for an act relating to school district funding from the taxpayers trust fund by making transfers to the property tax equity and relief fund, establishing a school district property tax replacement fund and making transfers to the fund, making appropriations, and including effective date and applicability provisions.

Read first time and referred to committee on **Ways and Means**.

[Senate File 106](#), by committee on Ways and Means, a bill for an act updating the Code references to the Internal Revenue Code and decoupling from certain federal bonus depreciation provisions, providing certain taxpayers additional time to file a claim for refund

or credit of individual income tax, and including effective date and retroactive applicability provisions.

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

[HOUSE FILE 98](#) REREFERRED

The Speaker announced that [House File 98](#), previously referred to committee on **Human Resources** was rereferred to committee on **Ways and Means**.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 99](#) **Commerce**

Relating to insurance coverage for dental care services.

[H.S.B. 100](#) **Judiciary**

Relating to the boards of directors of public corporations.

[H.S.B. 101](#) **Ways and Means**

Relating to the administration of the streamlined sales and use tax agreement by the department of revenue.

SUBCOMMITTEE ASSIGNMENTS

[House File 2](#)

Ways and Means: Sands, Chair; Forbes, Forristall, Kearns, Landon, Oldson and Stanerson.

[House File 47](#)

Ways and Means: Windschitl, Chair; Kelley and Sands.

[House File 48](#)

Ways and Means: Windschitl, Chair; Forbes and Sands.

[House File 52](#)

Ways and Means: Windschitl, Chair; Isenhart and Sands.



[House File 79](#)

Ways and Means: Windschitl, Chair; Isenhart and Stanerson.

[House File 87](#)

Local Government: Hanusa, Chair; Gaskill and Highfill.

[House File 92](#)

Ways and Means: Windschitl, Chair; Isenhart and Sands.

[House File 104](#)

Judiciary: Hess, Chair; Gassman and M. Smith.

[House File 105](#)

Local Government: Rayhons, Chair; Lundby and Sheets.

[House File 109](#)

Judiciary: Hess, Chair; Hagenow and Wessel-Kroeschell.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 99](#)

Commerce: Soderberg, Chair; Lykam and Watts.

RESOLUTION FILED

[H.R. 8](#), by Upmeyer, Paulsen, Soderberg, Lofgren, Rogers, Berry, Kelley, Landon, Drake and Mascher, a resolution congratulating the Republic of China (Taiwan) on its inclusion in the United States Visa Waiver Program; supporting Taiwan's efforts to secure entry into the Trans-Pacific Partnership; and reaffirming support for Taiwan's participation in the International Civil Aviation Organization, and for strengthening sister-state ties between Iowa and Taiwan.

Laid over under **Rule 25**.

AMENDMENT FILED

[H-1001](#)      [H.F. 110](#)      Landon of Polk

On motion by Upmeyer of Cerro Gordo, the House adjourned at 5:09 p.m., until 8:30 a.m., Tuesday, February 5, 2013.