

PROOF

STATE OF IOWA

House Journal

THURSDAY, FEBRUARY 14, 2013

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JOURNAL OF THE HOUSE

Thirty-second Calendar Day - Twenty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 14, 2013

The House met pursuant to adjournment at 8:33 a.m., Speaker Paulsen in the chair.

Prayer was offered by Father Larry Hoffmann from St. Luke Catholic Church, Ankeny. He was the guest of Representative Koester of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Aubrey Kohl, Page from Davenport.

The Journal of Wednesday, February 13, 2013, was approved.

INTRODUCTION OF BILLS

[House Joint Resolution 8](#), by Heaton, a joint resolution to nullify administrative rules of the department of human services concerning respite care provider rates and providing an effective date.

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

[House File 208](#), by H. Miller, a bill for an act creating a committee to provide for greater collaboration between urban and rural communities.

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

[House File 209](#), by committee on State Government, a bill for an act relating to the legal sufficiency review of and notification procedures for complaints filed with the Iowa ethics and campaign disclosure board.

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

[House File 210](#), by committee on Judiciary, a bill for an act relating to the practices and procedures of the state public defender.

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

[House File 211](#), by committee on Judiciary, a bill for an act requiring in-state construction contracts and disputes thereof to be governed by Iowa law.

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

[House File 212](#), by committee on Judiciary, a bill for an act relating to conducting condemnation proceedings.

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

[House File 213](#), by committee on Judiciary, a bill for an act relating to the transmission of court records by the clerk of the district court to the clerk of the supreme court in an appeal.

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

[House File 214](#), by committee on Judiciary, a bill for an act relating to the possession of alcohol by certain minors and juvenile court jurisdiction, and making penalties applicable.

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

[House File 215](#), by committee on Education, a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, the college student aid commission, school districts, and accredited nonpublic schools; making appropriations and providing for the establishment and retention of certain fees; and including transition and effective date provisions.

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

ADOPTION OF [HOUSE RESOLUTION 11](#)

Upmeyer of Cerro Gordo called up for consideration [House Resolution 11](#), a resolution designating February 2013 as Black History Month, and moved its adoption.

The motion prevailed and the resolution was adopted.

On motion by Upmeyer of Cerro Gordo, the House was recessed at 8:43 a.m., until the conclusion of the committee on Ways and Means meeting.

AFTERNOON SESSION

The House reconvened at 4:30 p.m., Speaker Paulsen 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 February 14, 2013, adopted the following resolution in which the concurrence of the Senate was asked:

[House Concurrent Resolution 5](#), a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-fifth General Assembly.

Also: That the Senate has on February 14, 2013, adopted the following resolution in which the concurrence of the House is asked:

[Senate Concurrent Resolution 4](#), a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-fifth general assembly.

Also: That the Senate has on February 14, 2013, passed the following bill in which the concurrence of the House is asked:

[Senate File 161](#), a bill for an act establishing the categorical state percent of growth for the school budget year beginning July 1, 2014, and including applicability provisions.

Also: That the Senate has on February 14, 2013, passed the following bill in which the concurrence of the House is asked:

[Senate File 162](#), a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 2014, and including applicability provisions.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILLS

[House File 216](#), by Heartsill, Windschitl, Salmon, Schultz, Huseman, Costello, Landon, Fisher, Sheets, Shaw, Alons, Hagenow, Klein, Watts, and Maxwell, a bill for an act concerning driver education instruction by a teaching parent.

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

[House File 217](#), by Heaton, a bill for an act relating to the creation of a mental health advocate division in the department of inspections and appeals and including effective date provisions.

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

[House File 218](#), by Running-Marquardt, a bill for an act relating to criminal and abuse registry background checks for health-related employment and the requirements for requesting Iowa criminal history data.

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

[House File 219](#), by Kaufmann, Jacoby, Kressig, Lensing, Byrnes, Wood, Stutsman, Muhlbauer, Lykam, Moore, Highfill, Shaw, J. Smith, Hess, Heartsill, Vander Linden, Garrett, Sands, Fisher, Salmon, Beringer, Huseman, Hein, Schultz, R. Olson, Landon, Grassley, Hagenow, and Anderson, a bill for an act relating to eminent domain authority and procedures and including effective date and applicability provisions.

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

[House File 220](#), by R. Olson, a bill for an act relating to the assessment of court costs and administrative fees upon dismissal of a citation for driving without proof of financial liability coverage.

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

[House File 221](#), by committee on Veterans Affairs, a bill for an act exempting federal retirement pay of a resident received for

military service from the state individual income tax and including retroactive applicability provisions.

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

[House File 222](#), by committee on Public Safety, a bill for an act relating to the confidentiality of information filed with the court for the purpose of securing an arrest warrant.

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

[House File 223](#), by committee on Public Safety, a bill for an act concerning issuance of a license or users permit for specified activities regarding explosives.

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

[House File 224](#), by committee on Public Safety, a bill for an act relating to privileged communications between certain peer support group counselors and officers.

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

[House File 225](#), by committee on Environmental Protection, a bill for an act relating to pollution prevention and waste management assistance.

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

SENATE MESSAGES CONSIDERED

[Senate Concurrent Resolution 4](#), by committee on Rules and Administration, a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-fifth general assembly.

Read first time and referred to committee on **Administration and Rules**.

[Senate File 161](#), by committee on Education, a bill for an act establishing the categorical state percent of growth for the school

budget year beginning July 1, 2014, and including applicability provisions.

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

[Senate File 162](#), by committee on Education, a bill for an act establishing the state percent of growth for the school budget year beginning July 1, 2014, and including applicability provisions.

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

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 14, 2013, he approved and transmitted to the Secretary of State the following bill:

[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.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 142](#) Judiciary

Enhancing the criminal penalty for an assault on a public transit bus operator, and providing penalties.

[H.S.B. 143](#) Judiciary

Relating to business corporations, including by providing for their organization and operation; providing for the relationship between shareholders, directors, and officers; and including effective date provisions.

[H.S.B. 144](#) Commerce

Relating to the duties and responsibilities of insurance producers under insurance policies or contracts.

[H.S.B. 145](#) Commerce

Authorizing specified electric utility customers to engage in agricultural aggregate net metering.

[H.S.B. 146](#) Commerce

Concerning applications for liquor control licenses and micro-distilled spirits, beer, and wine permits.

[H.S.B. 147](#) Commerce

Concerning the alcoholic beverages division of the department of commerce and alcoholic beverage control, and making penalties applicable.

[H.S.B. 148](#) Human Resources

Requiring the development and use of a standard form for prior authorization of prescription drug benefits.

[H.S.B. 149](#) Human Resources

Relating to prescription authority for certain psychologists and making penalties applicable.

SUBCOMMITTEE ASSIGNMENTS**[House File 70](#)**

Economic Growth: Moore, Chair; Gaskill and Schultz.

[House File 143](#)

Education: Fry, Chair; Byrnes and Wood.

[House File 183](#)

Education: L. Miller, Chair; Koester, Winckler.

[House File 187](#)

Education: Fry, Chair; Byrnes and Wood.

[House File 188](#)

Education: L. Miller, Chair; Garrett and Hanson.

[House File 194](#)

Transportation: Pettengill, Chair; Heartsill and Wolfe.

[House File 202](#)

Education: L. Miller, Chair; Rogers and Ruff.

[House File 204](#)

Education: Koester, Chair; Gaines and Stanerson.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 138](#)

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

[House Study Bill 142](#)

Judiciary: Kaufmann, Chair; Gassman and R. Olson.

[House Study Bill 143](#)

Judiciary: Hagenow, Chair; Hess and T. Olson.

[House Study Bill 144](#)

Commerce: Baltimore, Chair; Dawson and Watts.

[House Study Bill 145](#)

Commerce: Cownie, Chair; Lykam and Soderberg.

[House Study Bill 146](#)

Commerce: R. Taylor, Chair; Landon and Riding.

[House Study Bill 147](#)

Commerce: R. Taylor, Chair; Landon and Lykam.

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:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly [House File 8](#)), a bill for an act appropriating moneys in the cigarette fire safety standard fund.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 14, 2013.

[House File 215](#), a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, the college student aid commission, school districts, and accredited nonpublic schools; making appropriations and providing for the establishment and retention of certain fees; and including transition and effective date provisions.

Fiscal Note: **No**

Recommended **Do Pass** February 14, 2013

COMMITTEE ON EDUCATION

Committee Bill (Formerly [House Study Bill 4](#)), relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, the college student aid commission, school districts, and accredited nonpublic schools; making appropriations and providing for the establishment and retention of certain fees; and including transition and effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 13, 2013.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly [House Study Bill 30](#)), exempting federal retirement pay of a resident received for military service from the state individual income tax and including retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 12, 2013.

COMMITTEE ON WAY AND MEANS

[House File 215](#), a bill for an act relating to and providing for education reform involving student, teacher, and administrator programs and activities under the purview of the department of education, the state board of education, the college student aid commission, school districts, and accredited nonpublic schools; making appropriations and providing for the establishment and retention of certain fees; and including transition and effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 14, 2013.

Referred to committee on Appropriations pursuant to Rule 31.7.

RESOLUTIONS FILED

[H.R. 13](#), by Kelley, a resolution in support of extending the federal production tax credit for wind energy.

Laid over under **Rule 25**.

[H.R. 14](#), by L. Miller, a resolution honoring the March of Dimes Foundation for its multifaceted and ongoing role in protecting the health of mothers, infants, and children.

Laid over under **Rule 25**.

[H.R. 15](#), by Hall and Maxwell, a resolution honoring the Grinnell College Men's Basketball Team.

Laid over under **Rule 25**.

[H.R. 16](#), by Upmeyer, Paulsen, Grassley, Drake, J. Smith, Lofgren, Deyoe, Muhlbauer, Mascher, Winckler, Thomas, and Riding, a resolution recognizing the sesquicentennial of the American Veterinary Medical Association and honoring the work of America's veterinarians.

Laid over under **Rule 25**.

On motion by Upmeyer of Cerro Gordo, the House adjourned at 4:33 p.m., until 10:00 a.m., Friday, February 15, 2013.