

PROOF

STATE OF IOWA

House Journal

THURSDAY, FEBRUARY 28, 2013

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

JOURNAL OF THE HOUSE

Forty-sixth Calendar Day - Thirtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 28, 2013

The House met pursuant to adjournment at 8:31 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Stan Johnson from Evangelical Free Church, Britt. He was the guest of Representative Rayhons of Hancock County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Brooklyn Moore of Bellevue. She is the daughter of Representative Moore of Jackson.

The Journal of Wednesday, February 27, 2013, was approved.

INTRODUCTION OF BILLS

[House File 367](#), by Kelley, a bill for an act prohibiting employment discrimination based on unemployment status and providing remedies.

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

[House File 368](#), by Garrett, Worthan, Rogers, Rayhons, Watts, Fry, Brandenburg, Heartsill, Gassman, L. Miller, Hanusa, Dolecheck, Salmon, Byrnes, Hess, Drake, Pettengill, Fisher, Alons, Deyoe, Koester, Sheets, Windschitl, Huseman, Schultz, Shaw, Maxwell, R. Taylor, and Hanson, a bill for an act relating to the employment of unauthorized aliens and providing penalties and remedies.

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

[House File 369](#), by Hagenow, a bill for an act relating to the procedure for tax sales and including applicability provisions.

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

[House File 370](#), by Hall, a bill for an act requiring payment of the migratory game bird fee before hunting mourning doves, and providing a penalty.

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

[House File 371](#), by Hall and Stanerson, a bill for an act relating to the mandatory submission of a chemical test by a driver of a motor vehicle involved in an accident involving death and making civil remedies applicable.

Read first time and referred to committee on **Public Safety**.

[House File 372](#), by Hall, a bill for an act establishing a state poison control center support fund, authorizing assessments, and making appropriations.

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

[House File 373](#), by Hagenow, a bill for an act relating to the practice of physical therapy assistants.

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

[House File 374](#), by Gaskill, a bill for an act relating to emergency contact and medical information contained in a driver's license or nonoperator's identification card record.

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

[House File 375](#), by Watts and Alons, a bill for an act establishing a driver's license reimbursement fund and providing for the allocation of revenues from the sales tax on dyed special fuel, making an appropriation, and including retroactive applicability provisions.

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

[House File 376](#), by S. Olson, a bill for an act providing for the blending of gasoline or diesel fuel by dealers or distributors, and including penalties.

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

[House File 377](#), by Kajtazovic, a bill for an act relating to greater transparency for state board of regents meetings, forums, and proposals.

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

[House File 378](#), by Highfill, a bill for an act concerning gambling on fantasy sports games.

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

[House File 379](#), by Kajtazovic, Steckman, Anderson, Kressig, Jacoby, and Ourth, a bill for an act relating to the awarding of bonuses to state employees and including effective date provisions.

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

[House File 380](#), by committee on State Government, a bill for an act concerning setoff procedures for collection of debts owed a state agency or political subdivision.

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

[House File 381](#), by committee on State Government, a bill for an act concerning restrictions on dosage amounts for phenylbutazone in certain horse races.

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

The House stood at ease at 8:41 a.m., until the fall of the gavel.

The House resumed session at 9:27 a.m., Cownie of Polk in the chair.

CONSIDERATION OF BILL
Regular Calendar

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

Kaufmann of Cedar offered amendment [H-1054](#) filed by him and moved its adoption.

Amendment [H-1054](#) was adopted.

Kaufmann of Cedar 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. 211](#))

The ayes were, 89:

Alons	Bacon	Bearinger	Berry
Brandenburg	Byrnes	Cohoon	Costello
Dawson	Deyoe	Dolecheck	Drake
Dunkel	Fisher	Forbes	Forristall
Fry	Gaines	Garrett	Gassman
Grassley	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Heddens
Hein	Hess	Highfill	Huseman
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kelley	Klein	Koester	Kressig
Landon	Lensing	Lofgren	Lundby
Lykam	Mascher	Maxwell	Miller, H.
Miller, L.	Moore	Muhlbauer	Murphy
Oldson	Olson, R.	Olson, S.	Olson, T.
Ourth	Paulsen, Spkr.	Pettengill	Prichard
Rayhons	Riding	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Schultz
Shaw	Sheets	Smith, J.	Smith, M.
Soderberg	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Taylor, T.	Thede
Upmeyer	Vander Linden	Watts	Wessel-Kroeschell
Windschitl	Wolfe	Wood	Worthan
Cownie, Presiding			

The nays were, 7:

Abdul-Samad	Anderson	Gaskill	Hunter
McCarthy	Thomas	Winckler	

Absent or not voting, 4:

Baltimore	Baudler	Isenhart	Kearns
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

IMMEDIATE MESSAGE

Upmeyer of Cerro Gordo asked and received unanimous consent that [House File 211](#) be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone
Isenhart of Dubuque

Baudler of Adair
Kearns of Lee

[HOUSE FILE 315](#) REREFERRED

The Speaker announced that [House File 315](#), previously referred to committee on **Education** was rereferred to committee on **Economic Growth**.

EXPLANATION OF VOTE

On February 27, 2013, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

[House File 131](#) – “aye”

[House File 159](#) – “aye”

[House File 197](#) – “aye”

[House File 198](#) – “aye”

[House File 212](#) – “aye”

[House File 223](#) – “aye”

[House File 246](#) – “aye”

STUTSMAN of Johnson

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 28, 2013, he approved and transmitted to the Secretary of State the following bills:

[Senate File 91](#), an Act increasing civil penalties applicable to specified pipeline safety violations.

[Senate File 110](#), 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.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

DEPARTMENT OF COMMERCE Banking Division

Mortgage Servicing Settlement Fund Report, pursuant to Chapter 1138.7, 2012 Iowa Acts.

DEPARTMENT OF HUMAN RIGHTS

Sex Offender Research Council Report, pursuant to Iowa Code section 216A.139(5).

DEPARTMENT OF INSPECTION AND APPEALS

Iowa Child Advocacy Board Report, pursuant to Iowa Code section 237.18.

LEGISLATIVE SERVICES AGENCY Fiscal Division

Compiled Infrastructure Status Reports, pursuant to Iowa Code section 8.57.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 193](#) **Judiciary**

Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities.

[H.S.B. 194](#) **Judiciary**

Concerning title to real estate.

[H.S.B. 195](#) **Judiciary**

Relating to workers' compensation benefits.

H.S.B. 196 Education

Relating to state and school antiharassment and antibullying policies.

H.S.B. 197 Human Resources

Relating to child, adult, and family services under the purview of the department of human services, making penalties applicable, and including effective date provisions.

H.S.B. 198 Economic Growth

Relating to the innovation fund investment tax credit by modifying the tax credit and the authority and duties of the Iowa innovation corporation relating to the tax credit, and including effective date and retroactive applicability provisions.

SUBCOMMITTEE ASSIGNMENTS**House File 177 Reassigned**

Natural Resources: Rayhons, Chair; Fisher, Hall, Hanson and J. Smith.

House File 281

Commerce: Cownie, Chair; T. Olson and Soderberg.

House File 282

Commerce: Cownie, Chair; Lykam and Soderberg.

House File 309

Education: Hanusa, Chair; Rogers and Wood.

House File 313

Commerce: Cownie, Chair; Kajtazovic and Soderberg.

House File 314

Commerce: Cownie, Chair; Kajtazovic and Soderberg.

House File 318

Judiciary: Windschitl, Chair; Dawson and Hagenow.

[House File 330](#)

State Government: Bacon, Chair; Highfill and Lensing.

[House File 331](#)

State Government: Bacon, Chair; Highfill and Lensing.

[House File 332](#)

State Government: Hein, Chair; Cohoon and Drake.

[House File 338](#)

Judiciary: Gassman, Chair; Alons and Anderson.

[House File 341](#)

Education: Garrett, Chair; Staed and Stanerson.

[House File 342](#)

Human Resources: Heaton, Chair; Abdul-Samad and Costello.

[House File 343](#)

Human Resources: Fry, Chair; Landon and Wessel-Kroeschell.

[House File 348](#)

Veterans Affairs: Alons, Chair; Kearns and L. Miller.

[House File 365](#)

Education: L. Miller, Chair; Hess and Wood.

[House File 366](#)

Human Resources: L. Miller, Chair; Fry and Heddens.

[House File 367](#)

Labor: Jorgensen, Chair; Forristall and Hunter.

[House File 368](#)

Labor: Forristall, Chair; Costello and Hunter.

[House File 376](#)

Agriculture: Klein, Chair; Drake and Kelley.

[House File 377](#)

Education: Salmon, Chair; Gassman and Mascher.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 172](#)

Judiciary: Baltimore, Chair; Kaufmann and M. Smith.

[House Study Bill 173](#)

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

[House Study Bill 174](#)

Judiciary: Alons, Chair; Heaton and R. Olson.

[House Study Bill 175](#)

Judiciary: Hagenow, Chair; Garrett and Lensing.

[House Study Bill 176](#)

Judiciary: Brandenburg, Chair; Windschitl and Wolfe.

[House Study Bill 180](#)

Ways and Means: Hein, Chair; Byrnes and Kelley.

[House Study Bill 182](#)

Judiciary: Hagenow, Chair; Anderson and Baltimore.

[House Study Bill 189](#)

State Government: Pettengill, Chair; Bacon and Prichard.

[House Study Bill 190](#)

State Government: Koester, Chair; Hein and Mascher.

[House Study Bill 191](#)

State Government: Highfill, Chair; Steckman and Vander Linden.

[House Study Bill 192](#)

State Government: Pettengill, Chair; Costello and Mascher.

[House Study Bill 193](#)

Judiciary: Brandenburg, Chair; Hagenow and Wolfe.

[House Study Bill 194](#)

Judiciary: Brandenburg, Chair; Anderson and Windschitl.

[House Study Bill 195](#)

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

[House Study Bill 196](#)

Education: Fry, Chair; Byrnes and Wood.

[House Study Bill 196 Reassigned](#)

Education: Byrnes, Chair; Fry and Wood.

[House Study Bill 197](#)

Human Resources: L. Miller, Chair; Costello and Wessel-Kroeschell.

[House Study Bill 198](#)

Economic Growth: Lofgren, Chair; Kaufmann and Wood.

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 EDUCATION

Committee Bill (Formerly [House File 4](#)), establishing a centralized state school bus purchasing program administered by the department of administrative services.

Fiscal Note: **No**

Recommendation: **Do Pass** February 27, 2013.

Committee Bill (Formerly [House Study Bill 81](#)), relating to vehicular transportation for students and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 27, 2013.

Committee Bill (Formerly [House Study Bill 89](#)), relating to education by modifying the duties and operations of the department of education, community colleges, the school budget review committee, and local school boards, eliminating a reporting requirement relating to vocational education funds, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 27, 2013.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly [House File 104](#)), relating to the payment of reasonable attorney fees relating to an appeal of a termination of parental rights order.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 28, 2013.

Committee Bill (Formerly [House Study Bill 143](#)), 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.

Fiscal Note: **No**

Recommendation: **Do Pass** February 28, 2013.

Committee Bill (Formerly [House Study Bill 161](#)), relating to nonsubstantive Code corrections.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 28, 2013.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly [House File 3](#)), relating to the individual income tax by creating an alternative base income tax imposed at the election of the taxpayer and including effective date and retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 28, 2013.

RESOLUTION FILED

[H.R. 23](#), by Schultz, a resolution requesting the legislative council to establish an interim study committee to study elimination of the income tax in Iowa.

Laid over under **Rule 25**.

AMENDMENT FILED

[H-1055](#) [H.F. 245](#) Worthan of Buena Vista

On motion by Upmeyer of Cerro Gordo, the House adjourned at 9:37 a.m., until 1:00 p.m., Monday, March 4, 2013.