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**STATE OF IOWA**

# **House Journal**

**MONDAY, MARCH 25, 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

Seventy-first Calendar Day - Forty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, March 25, 2013

The House met pursuant to adjournment at 1:01 p.m., Speaker Paulsen in the chair.

Prayer was offered by Reverend Michael Willer, Trinity United Methodist Church, Fort Dodge. He was the guest of Representative H. Miller of Webster County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by representatives from the Iowa Department for the Blind.

The Journal of Friday, March 22, 2013, was approved.

## SPECIAL PRESENTATION

Alons of Sioux introduced to the House the Orange City Tulip Festival Queen and her court.

The House rose and expressed its welcome.

The House stood at ease at 1:16 p.m., until the fall of the gavel.

The House resumed session at 3:20 p.m., Speaker Paulsen in the chair.

## CONSIDERATION OF BILLS

### Regular Calendar

[House File 356](#), a bill for an act relating to the statute of limitation period in executing a judgment in an action on a claim for rent, was taken up for consideration.

Kaufmann of Cedar offered amendment [H-1191](#) filed by him and moved its adoption.

Amendment [H-1191](#) 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. 356](#))

The ayes were, 97:

Abdul-Samad	Alons	Bacon	Baltimore
Baudler	Bearinger	Berry	Brandenburg
Byrnes	Cohoon	Costello	Cownie
Dawson	Deyoe	Dolecheck	Drake
Dunkel	Fisher	Forbes	Forristall
Fry	Gaines	Garrett	Gaskill
Gassman	Grassley	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Hess	Highfill
Hunter	Huseman	Isenhardt	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Landon	Lensing	Lofgren	Lundby
Lykam	Mascher	Maxwell	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Olson, R.	Olson, S.	Olson, T.
Ourth	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	Thomas
Upmeyer	Vander Linden	Watts	Wessel-Kroeschell
Winckler	Windschitl	Wolfe	Worthan
Mr. Speaker Paulsen			

The nays were, none.

Absent or not voting, 3:

Anderson	Oldson	Wood
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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.

**House File 380**, a bill for an act concerning setoff procedures for collection of debts owed a state agency or political subdivision, was taken up for consideration.

Gaskill of Wapello offered amendment [H-1201](#) filed by her and moved its adoption.

Amendment [H-1201](#) was adopted.

Bacon of Story 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. 380](#))

The ayes were, 97:

Abdul-Samad	Alons	Bacon	Baltimore
Baudler	Bearinger	Berry	Brandenburg
Byrnes	Cohoon	Costello	Cownie
Dawson	Deyoe	Dolecheck	Drake
Dunkel	Fisher	Forbes	Forristall
Fry	Gaines	Garrett	Gaskill
Gassman	Grassley	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Hess	Highfill
Hunter	Huseman	Isenhart	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Landon	Lensing	Lofgren	Lundby
Lykam	Mascher	Maxwell	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Olson, R.	Olson, S.	Olson, T.
Ourth	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	Thomas
Upmeyer	Vander Linden	Watts	Wessel-Kroeschell
Winckler	Windschitl	Wolfe	Worthan
Mr. Speaker Paulsen			

The nays were, none.

Absent or not voting, 3:

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

[House File 491](#), a bill for an act relating to certain title abstracts to property with private sewage disposal systems and providing effective date and retroactive applicability provisions, was taken up for consideration.

[SENATE FILE 390](#) SUBSTITUTED FOR [HOUSE FILE 491](#)

Sheets of Appanoose asked and received unanimous consent to substitute [Senate File 390](#) for [House File 491](#).

[Senate File 390](#), a bill for an act relating to certain title abstracts to property with private sewage disposal systems and providing effective date and retroactive applicability provisions, was taken up for consideration.

Sheets of Appanoose 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. 390](#))

The ayes were, 97:

Abdul-Samad	Alons	Bacon	Baltimore
Baudler	Bearinger	Berry	Brandenburg
Byrnes	Cohoon	Costello	Cownie
Dawson	Deyoe	Dolecheck	Drake
Dunkel	Fisher	Forbes	Forristall
Fry	Gaines	Garrett	Gaskill
Gassman	Grassley	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Hess	Highfill
Hunter	Huseman	Isenhardt	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Landon	Lensing	Lofgren	Lundby
Lykam	Mascher	Maxwell	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Olson, R.	Olson, S.	Olson, T.
Ourth	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	Thomas
Upmeyer	Vander Linden	Watts	Wessel-Kroeschell
Winckler	Windschitl	Wolfe	Worthan
Mr. Speaker Paulsen			

The nays were, none.

Absent or not voting, 3:

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

### [HOUSE FILE 491](#) WITHDRAWN

Sheets of Appanoose asked and received unanimous consent to withdraw [House File 491](#) from further consideration by the House.

[House File 521](#), a bill for an act relating to certain license requirements under the purview of the natural resource commission, was taken up for consideration.

Fisher of Tama 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. 521](#))

The ayes were, 92:

Abdul-Samad	Alons	Bacon	Baltimore
Bearinger	Berry	Brandenburg	Byrnes
Cohoon	Costello	Cownie	Dawson
Deyoe	Dolecheck	Drake	Dunkel
Fisher	Forbes	Forristall	Fry
Gaines	Garrett	Gaskill	Gassman
Grassley	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Heddens
Hein	Hess	Highfill	Huseman
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Landon	Lensing	Lofgren
Lundby	Lykam	Mascher	Maxwell
McCarthy	Miller, H.	Miller, L.	Moore

Muhlbauer	Murphy	Olson, S.	Olson, T.
Ourth	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	Thomas
Upmeyer	Vander Linden	Watts	Winckler
Windschitl	Wolfe	Worthan	Mr. Speaker
			Paulsen

The nays were, 5:

Baudler	Hunter	Isenhardt	Olson, R.
Wessel-Kroeschell			

Absent or not voting, 3:

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

**House File 527**, a bill for an act requiring a person other than a juvenile convicted of or receiving a deferred judgment for an aggravated misdemeanor to submit a DNA sample and including effective date provisions, was taken up for consideration.

Klein of Washington 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. 527](#))

The ayes were, 79:

Abdul-Samad	Alons	Bacon	Baltimore
Baudler	Bearinger	Berry	Brandenburg
Byrnes	Cohoon	Costello	Cownie
Dawson	Deyoe	Dolecheck	Drake
Dunkel	Fisher	Forbes	Forristall
Fry	Gaines	Garrett	Gassman
Grassley	Hagenow	Hall	Hanson
Hanusa	Heaton	Heddens	Hein
Hess	Highfill	Huseman	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Klein
Koester	Kressig	Landon	Lofgren
Lykam	Maxwell	Miller, L.	Moore

Muhlbauer	Murphy	Olson, R.	Olson, S.
Olson, T.	Ourth	Pettengill	Prichard
Rayhons	Riding	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Sheets
Smith, J.	Smith, M.	Soderberg	Staed
Stanerson	Steckman	Stutsman	Taylor, R.
Thomas	Upmeyer	Vander Linden	Watts
Windschitl	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 18:

Gaskill	Heartsill	Hunter	Isenhart
Kearns	Kelley	Lensing	Lundby
Mascher	McCarthy	Miller, H.	Schultz
Shaw	Taylor, T.	Thede	Wessel-Kroeschell
Winckler	Wolfe		

Absent or not voting, 3:

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

[House File 534](#), a bill for an act relating to identity theft, and providing a penalty, was taken up for consideration.

Brandenburg of Pottawattamie 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. 534](#))

The ayes were, 87:

Abdul-Samad	Alons	Bacon	Baltimore
Baudler	Bearinger	Berry	Brandenburg
Byrnes	Cohoon	Costello	Cownie
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	Lofgren	Lundby	Lykam
Maxwell	McCarthy	Miller, H.	Miller, L.

Moore	Muhlbauer	Murphy	Olson, S.
Olson, T.	Ourth	Pettengill	Prichard
Rayhons	Riding	Rogers	Ruff
Running-Marquardt	Salmon	Sands	Schultz
Shaw	Sheets	Smith, J.	Smith, M.
Soderberg	Staed	Stanerson	Steckman
Stutsman	Taylor, R.	Thede	Thomas
Upmeyer	Vander Linden	Watts	Windschitl
Wood	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 11:

Gaskill	Hunter	Isenhart	Kearns
Lensing	Mascher	Olson, R.	Taylor, T.
Wessel-Kroeschell	Winckler	Wolfe	

Absent or not voting, 2:

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

**[House File 570](#)**, a bill for an act relating to informal conferences on contested citations or regulatory insufficiencies in health care facilities or assisted living programs and including applicability provisions, was taken up for consideration.

**[SENATE FILE 394](#) SUBSTITUTED FOR [HOUSE FILE 570](#)**

Heaton of Henry asked and received unanimous consent to substitute [Senate File 394](#) for [House File 570](#).

**[Senate File 394](#)**, a bill for an act relating to informal conferences on contested citations or regulatory insufficiencies in health care facilities or assisted living programs and including applicability provisions, was taken up for consideration.

Heaton of Henry 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. 394](#))

The ayes were, 98:

Abdul-Samad	Alons	Bacon	Baltimore
Baudler	Bearinger	Berry	Brandenburg
Byrnes	Cohoon	Costello	Cownie
Dawson	Deyoe	Dolecheck	Drake
Dunkel	Fisher	Forbes	Forristall
Fry	Gaines	Garrett	Gaskill
Gassman	Grassley	Hagenow	Hall
Hanson	Hanusa	Heartsill	Heaton
Heddens	Hein	Hess	Highfill
Hunter	Huseman	Isenhart	Jacoby
Jorgensen	Kajtazovic	Kaufmann	Kearns
Kelley	Klein	Koester	Kressig
Landon	Lensing	Lofgren	Lundby
Lykam	Mascher	Maxwell	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Olson, R.	Olson, S.	Olson, T.
Ourth	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	Thomas
Upmeyer	Vander Linden	Watts	Wessel-Kroeschell
Winckler	Windschitl	Wolfe	Wood
Worthan	Mr. Speaker		
	Paulsen		

The nays were, none.

Absent or not voting, 2:

Anderson            Oldson

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

#### [HOUSE FILE 570](#) WITHDRAWN

Heaton of Henry asked and received unanimous consent to withdraw [House File 570](#) from further consideration by the House.

[House File 572](#), a bill for an act relating to the statute of limitations period in an action arising out of the unsafe or defective condition of an improvement to real property, was taken up for consideration.

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. 572](#))

The ayes were, 53:

Alons	Bacon	Baltimore	Baudler
Brandenburg	Byrnes	Costello	Cownie
Deyoe	Dolecheck	Drake	Fisher
Forristall	Fry	Garrett	Gassman
Grassley	Hagenow	Hanusa	Heartsill
Heaton	Hein	Hess	Highfill
Huseman	Jorgensen	Kaufmann	Klein
Koester	Landon	Lofgren	Maxwell
Miller, L.	Moore	Olson, S.	Pettengill
Rayhons	Rogers	Salmon	Sands
Schultz	Shaw	Sheets	Smith, J.
Soderberg	Stanerson	Taylor, R.	Upmeyer
Vander Linden	Watts	Windschitl	Worthan
Mr. Speaker Paulsen			

The nays were, 45:

Abdul-Samad	Bearinger	Berry	Cohoon
Dawson	Dunkel	Forbes	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhardt	Jacoby	Kajtazovic
Kearns	Kelley	Kressig	Lensing
Lundby	Lykam	Mascher	McCarthy
Miller, H.	Muhlbauer	Murphy	Olson, R.
Olson, T.	Ourth	Prichard	Riding
Ruff	Running-Marquardt	Smith, M.	Staed
Steckman	Stutsman	Taylor, T.	Thede
Thomas	Wessel-Kroeschell	Winckler	Wolfe
Wood			

Absent or not voting, 2:

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

## LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Anderson of Polk  
Wood of Scott

Oldson of Polk

## IMMEDIATE MESSAGES

Upmeyer of Cerro Gordo asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 356, 380, 521, 527, 534, 572** and **Senate Files 390 and 394**.

## 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 25, 2013, amended and passed the following bill in which the concurrence of the House is asked:

[House File 397](#), a bill for an act relating to the administration of duties and programs by the economic development authority.

Also: That the Senate has on March 25, 2013, passed the following bill in which the concurrence of the House is asked:

[Senate File 406](#), a bill for an act relating to involuntary commitments for persons with substance-related disorders, mental illness, and intellectual disabilities, and providing for the creation of an office of mental health advocate in the department of human rights and including effective date provisions.

Also: That the Senate has on March 25, 2013, passed the following bill in which the concurrence of the House is asked:

[Senate File 427](#), a bill for an act relating to the licensing of plumbing, mechanical, HVAC-refrigeration, sheet metal, or hydronic professionals, including transition provisions, including effective date provisions, and making penalties applicable.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 4:18 p.m., until the fall of the gavel.

The House resumed session at 4:49 p.m., Speaker Paulsen in the chair.

## SENATE MESSAGE CONSIDERED

[Senate File 406](#), by committee on Judiciary, a bill for an act relating to involuntary commitments for persons with substance-related disorders, mental illness, and intellectual disabilities, and providing for the creation of an office of mental health advocate in the department of human rights and including effective date provisions.

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

[HOUSE FILE 420](#) REFERRED

The Speaker announced that [House File 420](#), previously placed on the **calendar** was referred to committee on **State Government**.

## BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 25<sup>th</sup> day of March, 2013: House Files 133, 160, 185, 199, 225, 324, 358, 458 and 496.

CARMINE BOAL  
Chief Clerk of the House

## HOUSE STUDY BILL COMMITTEE ASSIGNMENT

[H.S.B. 229](#) Appropriations

Relating to human services involving mental health and disability services and children's services, making appropriations, and including effective dates.

## SUBCOMMITTEE ASSIGNMENTS

[House File 420](#)

State Government: Costello, Chair; Koester and Prichard.

[Senate File 269](#)

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

[Senate File 380](#)

State Government: Stanerson, Chair; Bacon and Lensing.

[Senate File 383](#)

Judiciary: Hess, Chair; Anderson and Heartsill.

AMENDMENTS FILED

<a href="#"><u>H-1202</u></a>	<a href="#"><u>H.F. 562</u></a>	M. Smith of Marshall
<a href="#"><u>H-1203</u></a>	<a href="#"><u>H.F. 454</u></a>	Dolecheck of Ringgold
<a href="#"><u>H-1204</u></a>	<a href="#"><u>H.F. 548</u></a>	Winckler of Scott
		Mascher of Johnson
		Steckman of Cerro Gordo
		Stutsman of Johnson
<a href="#"><u>H-1205</u></a>	<a href="#"><u>H.F. 397</u></a>	Senate Amendment
<a href="#"><u>H-1206</u></a>	<a href="#"><u>S.F. 288</u></a>	Hess of Clay
<a href="#"><u>H-1207</u></a>	<a href="#"><u>H.F. 538</u></a>	Alons of Sioux
<a href="#"><u>H-1208</u></a>	<a href="#"><u>H.F. 529</u></a>	Shaw of Pocahontas
<a href="#"><u>H-1209</u></a>	<a href="#"><u>S.F. 202</u></a>	Fry of Clarke
<a href="#"><u>H-1210</u></a>	<a href="#"><u>H.F. 569</u></a>	M. Smith of Marshall
<a href="#"><u>H-1211</u></a>	<a href="#"><u>H.F. 597</u></a>	Klein of Washington
<a href="#"><u>H-1212</u></a>	<a href="#"><u>H.F. 454</u></a>	Winckler of Scott

On motion by Upmeyer of Cerro Gordo, the House adjourned at 4:49 p.m., until 8:30 a.m., Tuesday, March 26, 2013.