

**PROOF**

---

---

**STATE OF IOWA**

# **House Journal**

**WEDNESDAY, MARCH 27, 2013**

---

Produced daily by the State of Iowa during the sessions of the General Assembly.  
(The official bound copy will be available after a reasonable time upon adjournment.)

---

---

# JOURNAL OF THE HOUSE

Seventy-third Calendar Day - Forty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 27, 2013

The House met pursuant to adjournment at 8:34 a.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor DC Darensbourg, Second Baptist Church, Fort Dodge. He was the guest of Representative H. Miller of Webster County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Josh Larson, Page from Mt. Pleasant.

The Journal of Tuesday, March 26, 2013, was approved.

## 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 March 26, 2013, passed the following bill in which the concurrence of the House is asked:

[Senate File 423](#), 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, college student aid commission, school districts and accredited nonpublic schools; establishing a fee; and including effective date and applicability provisions.

MICHAEL E. MARSHALL, Secretary

## ADOPTION OF [HOUSE RESOLUTION 33](#)

Upmeyer of Cerro Gordo asked and received unanimous consent for the immediate consideration of [House Resolution 33](#), a resolution recognizing Knoxville as the birthplace of the Iowa State Flag, and moved its adoption.

The motion prevailed and the resolution was adopted.

## SPECIAL PRESENTATION

Vander Linden of Mahaska presented to the House, the Queen of the 2013 Pella Tulip Festival and her court.

The House rose and expressed its welcome.

The House stood at ease at 8:50 a.m., until the fall of the gavel.

The House resumed session at 9:56 a.m., Speaker Paulsen in the chair.

## CONSIDERATION OF BILLS

## Regular Calendar

[House File 499](#), a bill for an act permitting the use of crossbows to hunt deer and providing penalties, was taken up for consideration.

Fisher of Tama offered amendment [H-1219](#) filed by him.

Amendment [H-1219](#) was adopted.

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. 499](#))

The ayes were, 95:

|             |            |            |           |
|-------------|------------|------------|-----------|
| Abdul-Samad | Alons      | Bacon      | Baltimore |
| Bearinger   | 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     | Oldson     | Olson, R. |

|                   |            |               |            |
|-------------------|------------|---------------|------------|
| Olson, S.         | Olson, T.  | Ourth         | Pettengill |
| Prichard          | Rayhons    | Riding        | Rogers     |
| Ruff              | 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, 5:

|                   |         |       |             |
|-------------------|---------|-------|-------------|
| Anderson          | Baudler | Berry | Brandenburg |
| Running-Marquardt |         |       |             |

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

### [HOUSE FILE 162](#) WITHDRAWN

Fisher of Tama asked and received unanimous consent to withdraw [House File 162](#) from further consideration by the House.

[House File 569](#), a bill for an act relating to licensure of professionals practicing addiction counseling or providing addiction prevention services by the behavioral science board, making penalties applicable, and including effective date provisions, was taken up for consideration.

M. Smith of Marshall offered amendment [H-1133](#) filed by him.

M. Smith of Marshall offered amendment [H-1210](#), to amendment [H-1133](#), filed by him and moved its adoption.

Amendment [H-1210](#), to amendment [H-1133](#), was adopted.

M. Smith of Marshall moved the adoption of amendment [H-1133](#), as amended.

Amendment [H-1133](#), as amended, was adopted.

Fry of Clarke 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. 569](#))

The ayes were, 95:

|                   |            |               |            |
|-------------------|------------|---------------|------------|
| Abdul-Samad       | Alons      | Bacon         | Baltimore  |
| Bearinger         | 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     | Oldson        | Olson, R.  |
| Olson, S.         | Olson, T.  | Ourth         | Pettengill |
| Prichard          | Rayhons    | Riding        | Rogers     |
| Ruff              | 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, 5:

|                   |         |       |             |
|-------------------|---------|-------|-------------|
| Anderson          | Baudler | Berry | Brandenburg |
| Running-Marquardt |         |       |             |

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

Upmeyer of Cerro Gordo asked and received unanimous consent for the immediate consideration of [House File 495](#).

[House File 495](#), a bill for an act relating to the residential landlord and tenant laws and making penalties applicable, was taken up for consideration.

Heartsill of Marion offered amendment [H-1198](#) filed by him.

The House stood at ease at 10:15 a.m., until the fall of the gavel.

The House resumed session at 10:31 a.m., Speaker Paulsen in the chair.

Heartsill of Marion requested a division to amendment [H-1198](#) as follows:

Division A: Page 1, line 2 through page 2, line 39 and page 3, lines 5 through 7.

Division B: Page 2, line 40 through page 3, line 4.

Heartsill of Marion asked and received unanimous consent to withdraw amendment [H-1198B](#) filed by him on March 21, 2013.

Heartsill of Marion moved the adoption of amendment [H-1198A](#).

Amendment [H-1198A](#) was adopted.

Heartsill of Marion 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. 495](#))

The ayes were, 97:

|             |            |           |            |
|-------------|------------|-----------|------------|
| Abdul-Samad | Alons      | Bacon     | Baltimore  |
| Bearinger   | Berry      | 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            | Oldson     |
| 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<br>Paulsen |           |                   |            |

The nays were, none.

Absent or not voting, 3:

|          |         |             |
|----------|---------|-------------|
| Anderson | Baudler | Brandenburg |
|----------|---------|-------------|

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

#### IMMEDIATE MESSAGES

Upmeyer of Cerro Gordo asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 495, 499 and 569.**

The House stood at ease at 10:43 a.m., until the fall of the gavel.

The House resumed session at 11:26 a.m., Speaker Paulsen in the chair.

[House File 587](#), 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, was taken up for consideration.

Pettengill of Benton offered amendment [H-1215](#) filed by her and moved its adoption.

Amendment [H-1215](#) was adopted.

SENATE FILE 427 SUBSTITUTED FOR HOUSE FILE 587

Pettengill of Benton asked and received unanimous consent to substitute Senate File 427 for House File 587.

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, was taken up for consideration.

Pettengill of Benton offered amendment H-1218 filed by her.

Pettengill of Benton offered amendment H-1221, to amendment H-1218, filed by her from the floor and moved its adoption.

Amendment H-1221, to amendment H-1218, was adopted.

Pettengill of Benton moved the adoption of amendment H-1218, as amended.

Amendment H-1218, as amended, was adopted.

Pettengill of Benton 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. 427)

The ayes were, 97:

|             |           |            |            |
|-------------|-----------|------------|------------|
| Abdul-Samad | Alons     | Bacon      | Baltimore  |
| Baudler     | Bearinger | Berry      | 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       | Kressig   | Landon     | Lensing    |
| Lofgren     | Lundby    | Lykam      | Mascher    |
| Maxwell     | McCarthy  | Miller, H. | Miller, L. |



|                        |           |                   |            |
|------------------------|-----------|-------------------|------------|
| Moore                  | Muhlbauer | Murphy            | Oldson     |
| 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<br>Paulsen |           |                   |            |

The nays were, none.

Absent or not voting, 3:

|          |             |         |
|----------|-------------|---------|
| Anderson | Brandenburg | Koester |
|----------|-------------|---------|

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

### [HOUSE FILE 587](#) WITHDRAWN

Pettengill of Benton asked and received unanimous consent to withdraw [House File 587](#) from further consideration by the House.

### INTRODUCTION OF BILLS

[House File 613](#), by committee on Appropriations, a bill for an act relating to the war orphans educational assistance fund by transferring the moneys in the fund to the veterans trust fund and transferring duties for providing educational assistance to orphaned children of veterans to the commission on veterans affairs.

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

[House File 614](#), by committee on Appropriations, a bill for an act appropriating federal funds made available from federal block grants and other nonstate sources, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated and including effective date and retroactive applicability provisions.

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

[House File 615](#), by committee on Ways and Means, a bill for an act 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.

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

[House File 616](#), by committee on Ways and Means, a bill for an act relating to the requirements and administration of the targeted jobs withholding credit pilot project and including applicability provisions.

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

[House File 617](#), by committee on Ways and Means, a bill for an act relating to the licensure of ambulatory surgical centers, providing for fees to be considered repayment receipts, providing penalties, and including effective date provisions.

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

#### IMMEDIATE MESSAGE

Upmeyer of Cerro Gordo asked and received unanimous consent that [Senate File 427](#) be immediately messaged to the Senate.

#### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Anderson of Polk

Baudler of Adair

Brandenburg of Pottawattamie

Koester of Polk

#### [SENATE FILE 355](#) REREFERRED

The Speaker announced that [Senate File 355](#), previously referred to committee on **Transportation** was rereferred to committee on **Ways and Means**.

## EXPLANATIONS OF VOTE

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

[Senate File 427](#) – “aye”

KOESTER of Polk

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

[House File 499](#) – “aye”

[House File 569](#) – “aye”

RUNNING-MARQUARDT of Linn

## SUBCOMMITTEE ASSIGNMENTS

[House File 584](#) Reassigned

Ways and Means: Baltimore, Chair; Cownie and Thomas.

[Senate File 231](#)

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

[Senate File 343](#)

Judiciary: Kaufmann, Chair; Dawson and Worthan.

[Senate File 358](#)

Judiciary: Hagenow, Chair; Dawson and Garrett.

[Senate File 366](#)

Local Government: Windschitl, Chair; Highfill and Kressig.

[Senate File 381](#)

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

[Senate File 385](#) Reassigned

Public Safety: Fry, Chair; Dawson and Klein.

[Senate File 387](#)

Local Government: Pettengill, Chair; Forbes and Hanusa.

[Senate File 416](#)

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

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 AGRICULTURE

[Senate File 316](#), a bill for an act relating to farm tenancies of less than forty acres by providing procedures for termination.

Fiscal Note: **No**

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

COMMITTEE ON EDUCATION

[Senate File 339](#), a bill for an act relating to inspections of school buses and certain other vehicles used to transport children and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment [H-1220](#)** March 26, 2013.

RESOLUTIONS FILED

[H.C.R. 6](#), by Upmeyer and McCarthy, a concurrent resolution relating to Pioneer Lawmakers.

Laid over under **Rule 25**.

[H.R. 34](#), by Kajtazovic, Berry, Kressig, Heddens, Mascher, M. Smith, Abdul-Samad, Gaines, Running-Marquardt, Staed, Lensing, Wessel-Kroeschell, Stutsman, Winckler, Lundby, Thede, H. Miller, Hanson, Kearns, Bearinger, Thomas, Byrnes, Ourth, Ruff, Koester, Vander Linden, Gassman,

Dolecheck, Stanerson, Landon, Hess, R. Taylor, Bacon, Costello, Deyoe, Maxwell, Worthan, Kaufmann, Highfill, Hanusa, Jorgensen, Drake, and Moore, a resolution recognizing the month of April 2013 as Genocide Awareness Month.

Laid over under **Rule 25**.

AMENDMENTS FILED

|                        |                          |                        |
|------------------------|--------------------------|------------------------|
| <a href="#">H-1220</a> | <a href="#">S.F. 339</a> | Committee on Education |
| <a href="#">H-1221</a> | <a href="#">S.F. 427</a> | Pettengill of Benton   |

On motion by Upmeyer of Cerro Gordo, the House adjourned at 11:36 a.m., until 8:30 a.m., Thursday, March 28, 2013.