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**STATE OF IOWA**

# **House Journal**

**MONDAY, APRIL 1, 2013**

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## JOURNAL OF THE HOUSE

Seventy-eighth Calendar Day - Fifty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, April 1, 2013

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

Prayer was offered by Reverend Lucille King, Parish Associate at Christ Church Presbyterian, Cedar Rapids. She was the guest of Representative Staed of Linn County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Cole Button, Page from Indianola.

The Journal of Friday, March 29, 2013, was approved.

### INTRODUCTION OF BILLS

[House File 620](#), by committee on Ways and Means, a bill for an act relating to the economic development financial assistance duties and powers of the economic development authority by authorizing and creating fees, affecting the aggregate tax credit limit for certain economic development programs and the tax credit for the endow Iowa tax credit, authorizing the diversion of withholding tax payments for certain programs, making an appropriation, and including effective date and retroactive applicability provisions.

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

[House File 621](#), by committee on Ways and Means, a bill for an act relating to the protest and appeal of property assessments and including effective date and applicability provisions.

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

On motion by Upmeyer of Cerro Gordo, the House was recessed at 1:04 p.m., until 3:00 p.m.

## AFTERNOON SESSION

The House reconvened at 3:03 p.m., Speaker Paulsen in the chair.

The House stood at ease at 3:04 p.m., until the fall of the gavel.

The House resumed session at 4:20 p.m., Speaker Paulsen in the chair.

## CONSIDERATION OF BILLS

## Regular Calendar

[House File 512](#), a bill for an act providing for the determination of animal units which are part of confinement feeding operations, and making penalties applicable, was taken up for consideration.

Isenhart of Dubuque offered amendment [H-1228](#) filed by him.

Isenhart of Dubuque asked and received unanimous consent to withdraw amendment [H-1231](#), to amendment [H-1228](#), filed by him from the floor.

Isenhart of Dubuque moved the adoption of amendment [H-1228](#).

Amendment [H-1228](#) lost.

Hein of Jones 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. 512](#))

The ayes were, 83:

Alons	Bacon	Baltimore	Baudler
Bearinger	Berry	Byrnes	Cohoon
Costello	Cownie	Dawson	Deyoe
Dolecheck	Drake	Dunkel	Fisher
Forristall	Fry	Gaines	Garrett
Gaskill	Gassman	Grassley	Hagenow
Hall	Hanson	Hanusa	Heartsill
Heaton	Hein	Hess	Highfill
Huseman	Jacoby	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester

Kressig	Landon	Lofgren	Lundby
Lykam	Maxwell	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.	Soderberg
Staed	Stanerson	Steckman	Stutsman
Taylor, R.	Thede	Thomas	Upmeyer
Vander Linden	Watts	Windschitl	Wolfe
Wood	Worthan	Mr. Speaker	
		Paulsen	

The nays were, 16:

Abdul-Samad	Anderson	Forbes	Heddens
Hunter	Ishart	Kajtazovic	Lensing
Mascher	McCarthy	Oldson	Olson, R.
Smith, M.	Taylor, T.	Wessel-Kroeschell	Winckler

Absent or not voting, 1:

Brandenburg

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

**House File 558**, a bill for an act relating to drug control, including the criminal offense of prohibited acts related to controlled substances and the information program for drug prescribing and dispensing, and providing a penalty, was taken up for consideration.

Hagenow of Polk offered amendment [H-1225](#) filed by him and moved its adoption.

Amendment [H-1225](#) 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. 558](#))

The ayes were, 89:

Abdul-Samad	Alons	Bacon	Baltimore
Baudler	Bearinger	Byrnes	Cphoon

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	Isenhart
Jacoby	Jorgensen	Kajtazovic	Kaufmann
Kearns	Kelley	Klein	Koester
Kressig	Landon	Lofgren	Lundby
Lykam	Maxwell	McCarthy	Miller, H.
Miller, L.	Moore	Muhlbauer	Oldson
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
Winckler	Windschitl	Wood	Worthan
Mr. Speaker Paulsen			

The nays were, 10:

Anderson	Berry	Hunter	Lensing
Mascher	Murphy	Olson, R.	Taylor, T.
Wessel-Kroeschell	Wolfe		

Absent or not voting, 1:

Brandenburg

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

**[House File 590](#)**, a bill for an act relating to child abuse reporting, assessment procedures, and placement on the central registry for child abuse, and including effective date and applicability provisions, was taken up for consideration.

Fry of Clarke offered amendment [H-1195](#) filed by him.

S. Olson of Clinton in the chair at 4:54 p.m.

Dawson of Woodbury offered amendment [H-1213](#), to amendment [H-1195](#), filed by him and moved its adoption.

Amendment [H-1213](#), to amendment [H-1195](#), lost.

Fry of Clarke moved the adoption of amendment [H-1195](#).

Amendment [H-1195](#) 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. 590](#))

The ayes were, 84:

Abdul-Samad	Alons	Bacon	Baltimore
Baudler	Bearinger	Byrnes	Cohoon
Costello	Cownie	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	Oldson	Olson, R.	Paulsen, Spkr.
Pettengill	Rayhons	Rogers	Salmon
Sands	Schultz	Shaw	Sheets
Smith, J.	Soderberg	Stanerson	Stutsman
Taylor, R.	Thede	Thomas	Upmeyer
Vander Linden	Watts	Wessel-Kroeschell	Winckler
Windschitl	Wood	Worthan	Olson, S., Presiding

The nays were, 14:

Anderson	Berry	Dawson	Murphy
Olson, T.	Ourth	Prichard	Riding
Ruff	Smith, M.	Staed	Steckman
Taylor, T.	Wolfe		

Absent or not voting, 2:

Brandenburg	Running-Marquardt
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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 415](#) WITHDRAWN

Fry of Clarke asked and received unanimous consent to withdraw [House File 415](#) from further consideration by the House.

[House File 592](#), a bill for an act relating to payments from the indigent defense fund by the state public defender, was taken up for consideration.

Kaufmann of Cedar offered amendment [H-1226](#) filed by Hagenow of Polk and moved its adoption.

Amendment [H-1226](#) 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. 592](#))

The ayes were, 98:

Abdul-Samad	Alons	Anderson	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	Koester	Kressig
Landon	Lensing	Lofgren	Lundby
Lykam	Mascher	Maxwell	McCarthy
Miller, H.	Miller, L.	Moore	Muhlbauer
Murphy	Oldson	Olson, R.	Olson, T.
Ourth	Paulsen, Spkr.	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	Olson, S., Presiding		

The nays were, none.

Absent or not voting, 2:

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 607**, a bill for an act relating to the state government, by providing for the transfer of powers and duties from the agricultural development authority to the Iowa finance authority, the composition of the Iowa finance authority board of directors, the administration of programs by the board, the implementation of law by the board, and including effective date provisions, was taken up for consideration.

Grassley of Butler offered amendment [H-1224](#) filed by Pettengill of Benton and moved its adoption.

Amendment [H-1224](#) was adopted.

Isenhart of Dubuque offered amendment [H-1227](#) filed by him.

Isenhart of Dubuque offered amendment [H-1234](#), to amendment [H-1227](#), filed by him from the floor and moved its adoption.

Amendment [H-1234](#), to amendment [H-1227](#), lost.

Isenhart of Dubuque asked and received unanimous consent to withdraw amendment [H-1227](#) filed by him on March 29, 2013.

Speaker Paulsen in the chair at 5:42 p.m.

Cownie of Polk 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. 607](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	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	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	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, 3:

Brandenburg	Riding	Running-Marquardt
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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.

#### 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 April 1, 2013, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 288](#), a bill for an act relating to the placement of a juvenile on youthful offender status and the prosecution of a juvenile in juvenile or district court, and access to child abuse records by a juvenile court intake officer.

Also: That the Senate has on April 1, 2013, passed the following bill in which the concurrence of the House is asked:

[Senate File 384](#), a bill for an act relating to removing or attempting to remove a communication or control device from the possession of a peace officer or correctional officer, interference with official acts, and providing penalties.

Also: That the Senate has on April 1, 2013, passed the following bill in which the concurrence of the House is asked:

[Senate File 389](#), a bill for an act relating to hunter safety and ethics education course requirements.

Also: That the Senate has on April 1, 2013, passed the following bill in which the concurrence of the House is asked:

[Senate File 396](#), a bill for an act relating to government operations and efficiency and other related matters, and including effective date and applicability provisions.

Also: That the Senate has on April 1, 2013, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was 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.

Also: That the Senate has on April 1, 2013, passed the following bill in which the concurrence of the House is asked:

[Senate File 429](#), a bill for an act relating to workforce training programs and making appropriations.

MICHAEL E. MARSHALL, Secretary

#### SENATE MESSAGES CONSIDERED

[Senate File 384](#), by committee on Judiciary, a bill for an act relating to removing or attempting to remove a communication or control device from the possession of a peace officer or correctional officer, interference with official acts, and providing penalties.

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

[Senate File 389](#), by committee on Natural Resources and Environment, a bill for an act relating to hunter safety and ethics education course requirements.

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

[Senate File 396](#), by committee on State Government, a bill for an act relating to government operations and efficiency and other related matters, and including effective date and applicability provisions.

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

[Senate File 429](#), by committee on Appropriations, a bill for an act relating to workforce training programs and making appropriations.

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

#### IMMEDIATE MESSAGES

Upmeyer of Cerro Gordo asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 512, 558, 590, 592 and 607**.

#### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Brandenburg of Pottawattamie

#### SUBCOMMITTEE ASSIGNMENTS

[Senate File 115](#)

Transportation: Byrnes, Chair; Forbes and Landon.

[Senate File 386](#)

Ways and Means: Moore, Chair; Forbes and Forristall.

[Senate File 406](#)

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

#### COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

## COMMITTEE ON JUDICIARY

[House File 608](#), a bill for an act relating to a right of subrogation by an insurer in a criminal case.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment [H-1232](#)** April 1, 2013.

## AMENDMENTS FILED

<a href="#">H-1231</a>	<a href="#">H.F. 512</a>	Isenhart of Dubuque
<a href="#">H-1232</a>	<a href="#">H.F. 608</a>	Committee on Judiciary
<a href="#">H-1233</a>	<a href="#">H.F. 614</a>	Rogers of Black Hawk
<a href="#">H-1234</a>	<a href="#">H.F. 607</a>	Isenhart of Dubuque
<a href="#">H-1235</a>	<a href="#">H.F. 615</a>	Lofgren of Muscatine
<a href="#">H-1236</a>	<a href="#">H.F. 516</a>	Deyoe of Story
<a href="#">H-1237</a>	<a href="#">H.F. 614</a>	Rogers of Black Hawk
<a href="#">H-1238</a>	<a href="#">H.F. 566</a>	Baltimore of Boone
<a href="#">H-1239</a>	<a href="#">H.F. 615</a>	Isenhart of Dubuque

On motion by Upmeyer of Cerro Gordo, the House adjourned at 5:50 p.m., until 8:30 a.m., Tuesday, April 2, 2013.