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**STATE OF IOWA**

# **House Journal**

**MONDAY, APRIL 29, 2013**

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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.)

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## JOURNAL OF THE HOUSE

One Hundred-sixth Calendar Day - Seventieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, April 29, 2013

The House met pursuant to adjournment at 1:05 p.m., Speaker Paulsen in the chair.

Prayer was offered by Pastor Dick Dayton, Urbandale Baptist Church. He was the guest of Representative Forbes of Polk County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Carter Yerkes, Page from Greene.

The Journal of Thursday, April 25, 2013, was approved.

### SPECIAL PRESENTATION

Abdul-Samad of Polk introduced to the House former state legislator, Wayne Ford.

The House rose and expressed its welcome.

On motion by Upmeyer of Cerro Gordo, the House was recessed at 1:09 p.m., until 2:50 p.m.

### AFTERNOON SESSION

The House reconvened at 2:54 p.m., Speaker Paulsen in the chair.

### HOUSE INSISTS

Sands of Louisa called up for consideration [Senate File 295](#), a bill for an act establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions and moved that the House insist on its amendment, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED  
([Senate File 295](#))

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning [Senate File 295](#): Sands of Louisa, Chair; S. Olson of Clinton, Hagenow of Polk, Oldson of Polk and Thomas of Clayton.

IMMEDIATE MESSAGE

Upmeyer of Cerro Gordo asked and received unanimous consent that [Senate File 295](#) be immediately messaged to the Senate.

On motion by Upmeyer of Cerro Gordo, the House was recessed at 2:56 p.m., until 5:30 p.m.

The House reconvened at 5:46 p.m., Speaker Paulsen in the chair.

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 April 29, 2013, appointed the Conference Committee to [Senate File 295](#), a bill for an act establishing a property tax credit for commercial, industrial, and railway property, providing penalties, making appropriations, and including implementation and applicability provisions, and the members of the Conference Committee on the part of the Senate are: The Senator from Polk, Senator McCoy; the Senator from Johnson, Senator Bolkcom; the Senator from Black Hawk, Senator Dotzler; the Senator from Sioux, Senator Feenstra; the Senator from Butler, Senator Dix.

MICHAEL E. MARSHALL, Secretary

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 29<sup>th</sup> day of April, 2013: House Files 152, 211, 454, 524, 556, 613 and 630.

CARMINE BOAL  
Chief Clerk of the House

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 25, 2013, he approved and transmitted to the Secretary of State the following bill:

[House File 533](#), an Act providing for entrepreneurial education funds for student organizations and clubs and including effective date and applicability provisions.

Also: the Governor announced on April 26, 2013, he approved and transmitted to the Secretary of State the following bills:

[House File 351](#), an Act providing that children who are enrolled in the statewide preschool program are of compulsory attendance age.

[House File 538](#), an Act authorizing alternate members of the Board of Parole.

[Senate File 146](#), an Act extending a provision relating to the use of certain increases in watercraft registration fees by the Natural Resource Commission.

[Senate File 186](#), an Act relating to funds transfers under the uniform commercial code, and including effective date provisions.

[Senate File 317](#), an Act prohibiting the disbursement of a certain plant, including its seeds, commonly classified as garlic mustard, oriental bittersweet, Japanese knotweed, and Japanese hop within this state, and making penalties applicable.

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

[Senate File 419](#), an Act providing for vision screening for school children.

[Senate File 427](#), 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.

## GOVERNOR'S VETO MESSAGES

A copy of the following communications were received and placed on file:

April 26, 2013

The Honorable Kraig Paulsen  
Speaker of the House  
State Capitol  
Des Moines, Iowa 50319

Dear Speaker Paulsen:

[House File 569](#), an Act relating to licensure of professionals practicing substance and addictive disorder counseling or providing substance and addictive disorder prevention services, making penalties applicable, and inducing transition, implementation and effective date provisions is hereby disapproved and transmitted to you in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa.

[House File 569](#) is hereby disapproved on this date.

I am unable to approve [House File 569](#) for the following reasons:

[House File 569](#) mandates licensing for four new professions: substance and addictive disorder counselor (L.S.A.D.C.), master substance and addictive disorder counselor (L.M.S.A.D.C.), independent substance and addictive disorder counselor (L.I.S.A.D.C.) and substance and addictive disorder prevention professional (L.S.A.D.P.P.). This legislation also expands the size and cost of government by adding four new positions to the Board of Behavioral Science. The Board of Behavioral Science would need to increase fees on hardworking Iowans to pay for the increased expenses of the board and hire additional staff because the addition of four new required licenses doubles the size of active licenses.

Professionals who work in the area of substance abuse and addictive disorder counseling and prevention are essential. They provide valuable services to those with substance abuse and other addictions. Currently, these professionals can be certified by the Iowa Board of Certification to establish their credentials. The Iowa Board of Certification has been doing a good job of providing standards and certification. There is no need for an additional layer of government regulation and licensure. Furthermore, many of these certified professionals work in licensed facilities or under the supervision of others with licenses.

It is anticipated that the field of substance abuse and addictive disorder counseling and prevention will grow to meet treatment demand. It is in the best interests of Iowans to ensure that no artificial barriers to entry are created to keep people from the field. Often, counselors decide to enter the field after successfully winning the battle with their own addiction or abuse issues. We want to ensure that qualified people can continue to enter the profession. For example, each of the four licenses in this legislation requires a bachelors or master's degree before someone can work in this field. However, nearly one out of four people working in this field today in Iowa does not have such a degree, but possesses relevant experience equal to the requirements of the field. Although this legislation grandfathers these people in for now, future Iowans would not have the same path or opportunity to enter this important field.

According to *License to Work*, a study by the Institute for Justice, in the 1950's only one in twenty individuals needed the government's permission to pursue their chosen profession. But today, the number is almost one in three.

Regulations and licenses should only be mandated when necessary to serve public health or safety. An occupational license is governmental permission to work in a particular field. In contrast, certification serves to provide a professional credentialing process for treatment and prevention providers. Licenses serve to increase costs on licensees, increase consumer costs and options, and reduce opportunities for new workers. One of my goals is to grow jobs by eliminating impediments to economic

growth imposed by burdensome administrative rules and regulations. New policies that encourage a job-friendly environment can take Iowa a significant way forward in our effort to compete for new jobs, but much of that work can be undone by overregulation. Given that the certification process for substance abuse and addictive disorder counseling and prevention professionals is well-functioning and serves the interests of protecting health and public safety, there is no need to add an additional mandated layer of regulation and four new licenses.

For the above reasons, I respectfully disapprove of [House File 569](#), in its entirety, in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa.

Sincerely,  
TERRY E. BRANSTAD  
Governor

April 26, 2013

The Honorable Pam Jochum  
President of the Senate  
State Capitol  
Des Moines, Iowa 50319

Dear President Jochum:

[Senate File 204](#), an Act concerning persons voluntarily excluded from gambling facilities is hereby disapproved and transmitted to you in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa.

[Senate File 204](#) is hereby disapproved on this date.

I am unable to approve [Senate File 204](#) for the following reasons:

[Senate File 204](#) makes it possible for people with gambling addictions who voluntarily banned themselves from gambling to engage in gambling again after five years. The voluntary lifetime ban was instituted in 2004 so that an individual can choose to be banned from all casinos in Iowa for life. In addition, if someone who has voluntarily banned themselves from gaming has gaming winnings, these monies are forfeited to the Iowa Gambling Treatment Program. Treatment experts have found that addictions tend to be life-long, which is why the voluntary lifetime ban serves a valuable public purpose. This voluntary ban option is an important part of Iowa's laws relating to responsible gaming.

For the above reasons, I respectfully disapprove of [Senate File 204](#), in its entirety, in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa.

Sincerely,  
TERRY E. BRANSTAD  
Governor

## AMENDMENT FILED

[H-1372](#)      [S.F. 406](#)      M. Smith of Marshall

On motion by Upmeyer of Cerro Gordo, the House adjourned at 5:47 p.m., until 8:30 a.m., Tuesday, April 30, 2013.