

**PROOF**

---

---

**STATE OF IOWA**

# **House Journal**

**WEDNESDAY, MAY 8, 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

One Hundred-fifteenth Calendar Day - Seventy-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, May 8, 2013

The House met pursuant to adjournment at 8:35 a.m., Speaker Paulsen in the chair.

Prayer was offered by Representative Rogers of Black Hawk County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alex Conover, Page from Holstein.

The Journal of Tuesday, May 7, 2013, was approved.

### 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 May 7, 2013, amended and passed the following bill in which the concurrence of the House is asked:

[House File 119](#), a bill for an act relating to county attorney duties when representing the department of human services in juvenile court.

Also: That the Senate has on May 7, 2013, amended and passed the following bill in which the concurrence of the House is asked:

[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.

Also: That the Senate has on May 7, 2013, passed the following bill in which the concurrence of the Senate was asked:

[House File 627](#), a bill for an act establishing a property tax exemption for fairgrounds owned by a county or a fair and including applicability provisions.

Also: That the Senate has on May 7, 2013, amended and passed the following bill in which the concurrence of the House is asked:

[House File 632](#), a bill for an act relating to the assessment of certain real estate used in the cultivation and production of algae, and including effective date and retroactive applicability provisions.

Also: That the Senate has on May 7, 2013, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

[Senate File 452](#), a bill for an act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

MICHAEL E. MARSHALL, Secretary

On motion by Upmeyer of Cerro Gordo, the House was recessed at 8:41 a.m., until 11:00 a.m.

The House reconvened at 11:13 a.m., Speaker Paulsen in the chair.

SENATE AMENDMENTS CONSIDERED  
House Concurred

Hess of Clay called up for consideration [House File 119](#), a bill for an act relating to county attorney duties when representing the department of human services in juvenile court, amended by the Senate, and moved that the House concur in the Senate amendment [H-1443](#).

The motion prevailed and the House concurred in the Senate amendment [H-1443](#).

Hess of Clay moved that the bill, as amended by the Senate and concurred in by the House, 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. 119](#))

The ayes were, 97:

Abdul-Samad	Alons	Anderson	Bacon
Baudler	Bearinger	Berry	Brandenburg
Byrnes	Cohoon	Costello	Cownie
Dawson	Deyoe	Dolecheck	Drake
Dunkel	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	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			
Paulsen			

The nays were, none.

Absent or not voting, 3:

Baltimore	Fisher	Muhlbauer
-----------	--------	-----------

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

#### House Concurred

Fry of Clarke called up for consideration [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, amended by the Senate, and moved that the House concur in the Senate amendment [H-1444](#).

The motion prevailed and the House concurred in the Senate amendment [H-1444](#).

Fry of Clarke moved that the bill, as amended by the Senate and concurred in by the House, 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, 97:

Abdul-Samad	Alons	Anderson	Bacon
Baudler	Bearinger	Berry	Brandenburg
Byrnes	Cohoon	Costello	Cownie
Dawson	Deyoe	Dolecheck	Drake
Dunkel	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	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			
Paulsen			

The nays were, none.

Absent or not voting, 3:

Baltimore	Fisher	Muhlbauer
-----------	--------	-----------

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

House Concurred

Dolecheck of Ringgold called up for consideration [House File 632](#), a bill for an act relating to the assessment of certain real estate used in the cultivation and production of algae, and including effective date and retroactive applicability provisions, amended by the Senate, and moved that the House concur in the Senate amendment [H-1445](#).

The motion prevailed and the House concurred in the Senate amendment [H-1445](#).

Dolecheck of Ringgold moved that the bill, as amended by the Senate and concurred in by the House, 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. 632](#))

The ayes were, 97:

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

The nays were, none.

Absent or not voting, 3:

Baltimore	Fisher	Muhlbauer
-----------	--------	-----------

The bill having received a constitutional majority was declared to have passed the House and the title 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 119, 590 and 632.**

On motion by Upmeyer of Cerro Gordo, the House was recessed at 11:21 a.m., until 3:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 3:05 p.m., Speaker Paulsen in the chair.

The House stood at ease at 3:07 p.m., until the fall of the gavel.

The House resumed session at 3:46 p.m., Speaker Paulsen in the chair.

#### INTRODUCTION OF BILL

[House File 648](#), by committee on Appropriations, a bill for an act relating to state and local finances by making transfers and appropriations and including effective date and applicability provisions.

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

#### SENATE AMENDMENT CONSIDERED

House Refused To Concur

Lofgren of Muscatine called up for consideration [Senate File 452](#), a bill for an act relating to state and local finances by making appropriations, providing for fees, providing for legal responsibilities, providing for certain employee benefits, and providing for properly related matters, and including effective date and retroactive and other applicability provisions, amended by the House, further amended by the Senate and moved that the House concur in the Senate amendment [H-1446](#) to the House amendment.

Roll call was requested by Hall of Woodbury and McCarthy of Polk.

On the question "Shall the House concur in the Senate amendment [H-1446](#), to the House amendment?" ([S.F. 452](#))

The ayes were, 45:

Abdul-Samad	Anderson	Bearinger	Berry
Cohoon	Dawson	Dunkel	Forbes
Gaines	Gaskill	Hall	Hanson
Heddens	Hunter	Isenhart	Jacoby

Kajtažovic	Kearns	Kelley	Kressig
Lensing	Lundby	Lykam	Mascher
McCarthy	Miller, H.	Murphy	Oldson
Olson, R.	Olson, T.	Ourth	Prichard
Riding	Ruff	Running-Marquardt	Smith, M.
Staed	Stutsman	Taylor, T.	Thede
Thomas	Wessel-Kroeschell	Winckler	Wolfe
Wood			

The nays were, 52:

Alons	Bacon	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

Absent or not voting, 3:

Baltimore	Muhlbauer	Steckman
-----------	-----------	----------

The motion lost and the House refused to concur in the Senate amendment [H-1446](#), to the House amendment.

#### IMMEDIATE MESSAGE

Upmeyer of Cerro Gordo asked and received unanimous consent that [Senate File 452](#) be immediately messaged to the Senate.

#### 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 May 8, 2013, amended and passed the following bill in which the concurrence of the House is asked:

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



Also: That the Senate has on May 8, 2013, passed the following bill in which the concurrence of the Senate was asked:

[House File 644](#), a bill for an act relating to enhanced E911 emergency communication systems, and providing penalties.

Also: That the Senate has on May 8, 2013, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 432](#), a bill for an act relating to the administration of the tax and related laws of the department of revenue, including administration of income taxes, sales and use and excise taxes, an environmental protection charge, and property taxes, and including effective date and retroactive applicability provisions.

Also: That the Senate has on May 8, 2013, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 436](#), a bill for an act relating to the historic preservation and cultural and entertainment district tax credit by modifying the definition of substantial rehabilitation, the qualifications for certain projects, and including effective date and applicability provisions.

MICHAEL E. MARSHALL, Secretary

On motion by Upmeyer of Cerro Gordo, the House was recessed at 3:48 p.m., until 6:00 p.m.

#### EVENING SESSION

The House reconvened at 6:04 p.m., Speaker Paulsen in the chair.

#### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Baltimore of Boone  
Muhlbauer of Crawford

Fisher of Tama

#### EXPLANATION OF VOTE

On May 8, 2013, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

[House File 119](#) – “aye”

[House File 590](#) – “aye”

[House File 632](#) – “aye”

FISHER of Tama

## HOUSE STUDY BILL COMMITTEE ASSIGNMENT

**H.S.B. 240 Government Oversight**

Relating to the liability of a land holder for the public use of private lands and waters for a recreational purpose or urban deer control.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

**House Study Bill 240**

Government Oversight: Cownie, Chair; Gaines and Heartsill.

## 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 APPROPRIATIONS

**Committee Bill** (Formerly [House Study Bill 239](#)), creating the state bond repayment fund, making transfers to and appropriations from the fund, and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** May 8, 2013.

## AMENDMENTS FILED

<a href="#">H-1443</a>	<a href="#">H.F. 119</a>	Senate Amendment
<a href="#">H-1444</a>	<a href="#">H.F. 590</a>	Senate Amendment
<a href="#">H-1445</a>	<a href="#">H.F. 632</a>	Senate Amendment
<a href="#">H-1446</a>	<a href="#">S.F. 452</a>	Senate Amendment
<a href="#">H-1447</a>	<a href="#">H.F. 592</a>	Senate Amendment

On motion by Upmeyer of Cerro Gordo, the House adjourned at 6:04 p.m., until 8:30 a.m., Thursday, May 9, 2013.