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**STATE OF IOWA**

**House Journal**

**TUESDAY, FEBRUARY 4, 2014**

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## JOURNAL OF THE HOUSE

Twenty-third Calendar Day - Fifteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 4, 2014

The House met pursuant to adjournment at 8:32 a.m., Speaker Paulsen in the chair.

Prayer was offered by Reverend Jon Rollefson, Our Savior's Lutheran Church, Callender. He was the guest of Representative Shaw of Pocahontas County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Zack Krawiec, Speaker's Page from Davenport.

The Journal of Monday, February 3, 2014, was approved.

### SPECIAL PRESENTATION

Lofgren of Muscatine introduced to the House, Canadian Consul General, Jamshed Merchant; Speaker of the Saskatchewan Legislature, Honorable Dan D'Autremont; Honorable John Nilson, Honorable Greg Brkich and Honorable Ms. Victoria Jurgens, members of the Saskatchewan Legislature.

The House rose and expressed its welcome.

### ADOPTION OF [HOUSE RESOLUTION 104](#)

Upmeyer of Cerro Gordo called up for consideration [House Resolution 104](#), a resolution honoring the over 200 years of peace, prosperity, and kinship between the peoples of Canada and the United States, and recognizing February 4, 2014, as Canada Day at the Iowa Capitol, and moved its adoption.

The motion prevailed and the resolution was adopted.

Canadian Consul General, Jamshed Merchant addressed the House.

## INTRODUCTION OF BILLS

[House Joint Resolution 2003](#), by J. Smith, a joint resolution nullifying board of educational examiners rules relating to prohibited conduct between licensees and former students and including effective date provisions.

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

[House File 2110](#), by Klein, a bill for an act providing for certification requirements for persons actively involved in the operation of a commercial manure service.

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

[House File 2111](#), by Hess, a bill for an act providing an exemption from usury provisions for pawnbrokers.

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

[House File 2112](#), by Klein, a bill for an act relating to certification requirements for persons involved in the application of pesticides, and including provisions for contingent implementation.

Read first time and referred to committee on **Environmental Protection**.

[House File 2113](#), by Shaw, Heartsill, Alons, Sheets, Dolecheck, Lofgren, Fisher, Gassman, Salmon, Schultz, and Gustafson, a bill for an act relating to the justifiable use of reasonable force and providing a remedy.

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

[House File 2114](#), by Shaw, a bill for an act relating to the murder of a peace officer, reserve peace officer, correctional officer, jailer, public employee, or hostage, and providing penalties.

Read first time and referred to committee on **Public Safety**.

[House File 2115](#), by Staed, Mascher, M. Smith, Abdul-Samad, Berry, Winckler, Steckman, Gaines, Thede, Anderson, Wolfe, Ourth, and Bearinger, a bill for an act relating to the privacy of a victim of sexual related crimes.

Read first time and referred to committee on **Public Safety**.

[House File 2116](#), by Pettengill, a bill for an act prohibiting the disclosure of personal information except under specified circumstances and providing penalties.

Read first time and referred to committee on **Public Safety**.

[House File 2117](#), by Hunter, a bill for an act requiring certain new school buses to be equipped with seat belts, requiring the use of such seat belts, and making penalties applicable.

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

[House File 2118](#), by Mascher, Ruff, Hunter, Murphy, Staed, Jacoby, Kearns, Stutsman, Lensing, Dunkel, Abdul-Samad, Wessel-Kroeschell, T. Taylor, Hall, Meyer, Bearinger, Ourth, Wolfe, Anderson, H. Miller, Gaines, Steckman, Winckler, Berry, Gaskill, Kajtazovic, and Oldson, a bill for an act relating to local long-term care ombudsmen and providing an appropriation.

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

[House File 2119](#), by L. Miller, a bill for an act relating to certain costs under the statewide preschool program for four-year-old children.

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

[House File 2120](#), by Mascher, Ruff, Hunter, Staed, Jacoby, Kearns, Stutsman, Lensing, Dunkel, Abdul-Samad, Cohoon, T. Taylor, Hall, Meyer, Isenhardt, Wolfe, Ourth, Bearinger, and Oldson, a bill for an act relating to the submission of a Medicaid state plan amendment for the provision of home and community-based services to elders.

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

[House File 2121](#), by Mascher, Ruff, Hunter, Murphy, Staed, Jacoby, Kearns, Dawson, Stutsman, Lensing, Dunkel, Abdul-Samad, Cohoon, T. Taylor, Hall, Meyer, Bearinger, Ourth, Wolfe, Anderson, H. Miller, Gaines, Wessel-Kroeschell, Steckman, Winckler, Berry, Gaskill, Kajtazovic, Hanson, and Oldson, a bill for an act relating to the reimbursement of providers of home and community-based services waiver services.

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

[House File 2122](#), by Mascher, Ruff, Hunter, Murphy, Staed, Jacoby, Kearns, Dawson, Stutsman, Lensing, Dunkel, Abdul-Samad, Cohoon, T. Taylor, Hall, Meyer, Heddens, Bearinger, Ourth, Wolfe, Anderson, Thede, H. Miller, Gaines, Steckman, Winckler, Berry, Gaskill, Kajtazovic, Hanson, and Oldson, a bill for an act relating to elderly persons with aggressive or psychiatric behaviors in long-term care facilities.

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

On motion by Upmeyer of Cerro Gordo, the House was recessed at 8:47 a.m., until 4:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 4:08 p.m., Speaker Paulsen in the chair.

#### INTRODUCTION OF BILLS

[House File 2123](#), by Kaufmann, a bill for an act relating to the spaying and neutering of pets, by establishing a board and fund, providing for an income tax checkoff, providing for special motor vehicle registration plates, establishing fees, and making appropriations.

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

[House File 2124](#), by Anderson, a bill for an act exempting certain animals from requirements relating to rabies vaccinations, and making penalties applicable.

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

[House File 2125](#), by Steckman, a bill for an act relating to disclosures on the uniform citation and complaint form.

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

[House File 2126](#), by Highfill, a bill for an act relating to special education scholarships for children requiring special education attending a nonpublic school, establishing a special education scholarship fund, providing a tax exemption, making appropriations, providing penalties, and including applicability provisions.

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

[House File 2127](#), by Wolfe, a bill for an act relating to sex offender applications to modify certain sex offender registry requirements.

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

[House File 2128](#), by Highfill, a bill for an act relating to fantasy sports contests.

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

[House File 2129](#), by committee on Judiciary, a bill for an act relating to the exclusion from the computation of net income for the individual income tax of net capital gains from the sale of a business and including retroactive applicability provisions.

Read first time and referred to committee on **Ways and Means**.

[House File 2130](#), by committee on Commerce, a bill for an act relating to matters under the purview of the banking division of the department of commerce.

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

[House File 2131](#), by committee on Commerce, a bill for an act modifying provisions applicable to the recording of a mortgage or deed of trust executed by a transmitting utility.

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

[House File 2132](#), by committee on Judiciary, a bill for an act establishing the Gideon fellowship program in the office of the state public defender.

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

[House File 2133](#), by committee on Judiciary, a bill for an act relating to the criminal offense of interference with official acts, and providing penalties.

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

#### COMMUNICATIONS RECEIVED

The following communications were received by the Speaker of the House:

#### **Rules Referred Under 17A.8(7)**

Administrative Rules Review Committee Report providing for the general referral of **ARC 1192C**, Department of Public Health—podiatrist licensing fees.

Referred to committee on **State Government**.

Administrative Rules Review Committee Report providing for the general referral of **ARC 0893C**, Pharmacy Board—controlled substances.

Referred to committee on **Public Safety**.

#### **Rules Referred Under 17A.8(9)**

Administrative Rules Review Committee Report providing for the delay of an effective date of **ARC 1170C**, Board of Educational Examiners—prohibited conduct.

Referred to committee on **Education**.

Administrative Rules Review Committee Report providing for the delay of an effective date of **ARC 0734C**, Racing and Gaming Commission—standard of review for appeal of stewards' decisions.

Referred to committee on **State Government**.

Administrative Rules Review Committee Report providing for the delay of an effective date of **ARC 1119C**, Department of Education—supplementary weighting.

Referred to committee on **Education**.

Administrative Rules Review Committee Report providing for the delay of an effective date of **ARC 1220C**, Department of Public Health—plumber licensing.

Referred to committee on **State Government**.

#### SPONSOR ADDED

Heartsill of Marion requested to be added as a sponsor of [House Concurrent Resolution 106](#).

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

##### [H.S.B. 608](#) **Judiciary**

Relating to the Iowa business corporation Act by removing limitations imposed on shareholders making long-term arrangements affecting the affairs of the corporation, and by providing for the delivery of financial information to shareholders.

##### [H.S.B. 609](#) **Commerce**

Relating to the registration of child care homes and including effective date provisions.

#### SUBCOMMITTEE ASSIGNMENTS

##### [House Joint Resolution 2002](#)

State Government: Watts, Chair; Grassley and Isenhart.

##### [House Joint Resolution 2003](#)

Education: Fry, Chair; Staed and Stanerson.

##### [House File 2016](#)

Transportation: Byrnes, Chair; Kaufmann and Wolfe.

[House File 2034](#)

Commerce: Cownie, Chair; Meyer and Soderberg.

[House File 2064](#)

Transportation: Kaufmann, Chair; Moore and Stutsman.

[House File 2069](#)

Natural Resources: Maxwell, Chair; Bacon and Ourth.

[House File 2074](#)

Transportation: Heartsill, Chair; Forbes and Rogers.

[House File 2078](#)

Education: Jorgensen, Chair; Forristall and Steckman.

[House File 2079](#)

Education: Jorgensen, Chair; Forristall and Steckman.

[House File 2088](#)

Commerce: Grassley, Chair; Dawson and Landon.

[House File 2098](#)

Judiciary: Heartsill, Chair; Hess and Wessel-Kroeschell.

[House File 2100](#)

State Government: Watts, Chair; Grassley and Kelley.

[House File 2101](#)

Transportation: Landon, Chair; Meyer and Moore.

[House File 2103](#)

Education: Dolecheck, Chair; Fry and Ruff.

[House File 2104](#)

Education: L. Miller, Chair; Gassman and Mascher.

[House File 2110](#)

Agriculture: Klein, Chair; Cownie and Hanson.

[House File 2111](#)

Commerce: Brandenburg, Chair; Fisher and Jacoby.

[House File 2112](#)

Environmental Protection: Klein, Chair; Deyoe and Lensing.

[House File 2119](#)

Education: L. Miller, Chair; Hess and Winckler.

[House File 2120](#)

Human Resources: Forristall, Chair; Anderson and Fry.

[House File 2121](#)

Human Resources: Forristall, Chair; Fry and Murphy.

[House File 2122](#)

Human Resources: Forristall, Chair; Fry and Hunter.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 591](#)

Economic Growth: R. Taylor, Chair; Baltimore and Heddens.

[House Study Bill 596](#)

Transportation: Landon, Chair; Kaufmann and Riding.

[House Study Bill 597](#)

Transportation: Moore, Chair; Wolfe and Worthan.

[House Study Bill 598](#)

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

[House Study Bill 599](#)

Judiciary: Heartsill, Chair; Dawson and Worthan.

[House Study Bill 600](#)

Judiciary: Hagenow, Chair; Gassman and Lensing.

[House Study Bill 601](#)

Labor: Forristall, Chair; Kearns and Klein.

[House Study Bill 602](#)

Local Government: Schultz, Chair; Sheets and Thede.

[House Study Bill 603](#)

Local Government: Gassman, Chair; Rayhons and Running-Marquardt.

[House Study Bill 604](#)

Local Government: Stanerson, Chair; Hanusa and Riding.

[House Study Bill 605](#)

Local Government: Fisher, Chair; Gaskill and Highfill.

[House Study Bill 606](#)

State Government: Koester, Chair; L. Miller and Steckman.

[House Study Bill 607](#)

Education: Jorgensen, Chair; Forristall and Steckman.

[House Study Bill 608](#)

Judiciary: Hagenow, Chair; Anderson and Kaufmann.

[House Study Bill 609](#)

Commerce: Landon, Chair; Dawson and J. Smith.

#### 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 HUMAN RESOURCES

**Committee Bill** (Formerly [House Study Bill 529](#)), relating to Miller trusts and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 4, 2014.

COMMITTEE ON VETERANS AFFAIRS

**Committee Bill** (Formerly [House Study Bill 512](#)), allowing private employers to grant a preference in hiring and promotion to veterans and certain spouses.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 4, 2014.

RESOLUTION FILED

[H.R. 105](#), by Forbes, Ourth, Thomas, and Lykam, a resolution recognizing Iowa's pharmacists and pharmacies who participate in the Department of Corrections' Behavioral Health Medication Voucher Program.

Laid over under **Rule 25**.

On motion by Upmeyer of Cerro Gordo, the House adjourned at 4:10 p.m., until 8:30 a.m., Wednesday, February 5, 2014.