

PROOF

STATE OF IOWA

House Journal

THURSDAY, FEBRUARY 9, 2017

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JOURNAL OF THE HOUSE

Thirty-second Calendar Day - Twenty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 9, 2017

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Jon Schreiner, Walnut Creek Church South, Des Moines. He was the guest of Sheets of Appanoose.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Peyton Parker, Page from Panora.

The Journal of Wednesday, February 8, 2017, was approved.

INTRODUCTION OF BILLS

[House Joint Resolution 8](#), by Bennett, Jacoby, Brown-Powers, Anderson, Steckman, Wolfe, and Finkenauer, a joint resolution requesting the call of a constitutional convention in order to propose an amendment to the Constitution of the United States to allow Congress and the states to prohibit or otherwise regulate the expenditure of funds for political speech by any corporation, limited liability company, or other corporate entity.

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

[House File 255](#), by Gassman, a bill for an act modifying the membership of the college student aid commission.

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

[House File 256](#), by Heaton, a bill for an act relating to an enrollment limitation under the postsecondary enrollment options program.

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

[House File 257](#), by Breckenridge, M. Smith, McConkey, Forbes, Staed, Kearns, Mascher, Bearinger, Ourth, Nielsen, Steckman, Running-Marquardt, Heddens, and Heaton, a bill for an act relating to facilities licensed to provide inpatient psychiatric treatment and services and the psychiatric bed tracking system.

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

[House File 258](#), by Heaton, a bill for an act relating to required asset, income, and identity verification for the Medicaid program, and including effective date provisions.

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

[House File 259](#), by Heaton, a bill for an act relating to adjudicating newborns testing positive for drugs at birth as a child in need of assistance or as part of a family in need of assistance.

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

[House File 260](#), by Heaton, a bill for an act relating to subsidized guardianships.

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

[House File 261](#), by Mascher, a bill for an act relating to the elimination of the exemption from immunization of a person related to conflicts with the tenets and practices of a recognized religious denomination.

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

[House File 262](#), by Hinson, a bill for an act relating to a fiduciary's access to digital assets and including applicability provisions.

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

[House File 263](#), by Nunn, a bill for an act relating to the criminal offenses of domestic abuse, harassment, stalking, and unauthorized placement of a global positioning device, and providing penalties.

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

[House File 264](#), by Zumbach, a bill for an act allowing city council members to serve a city's volunteer fire department without compensation in any position or capacity.

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

[House File 265](#), by committee on Public Safety, a bill for an act prohibiting the state, counties, cities, and certain postsecondary educational institutions from limiting or restricting enforcement of federal immigration laws.

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

The House stood at ease at 8:43 a.m., until the fall of the gavel.

The House resumed session at 10:37 a.m., Windschitl of Harrison in the chair.

CONSIDERATION OF BILLS Regular Calendar

[House File 231](#), a bill for an act relating to the powers and programs of the economic development authority, including apprentice eligibility under the apprenticeship training program, and including effective date and applicability provisions, was taken up for consideration.

McKean 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. 231](#))

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Breckenridge
Brown-Powers	Carlin	Carlson	Cohon
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Hunter

Isenhart	Jacoby	Jones	Kacena
Kaufmann	Kearns	Kerr	Klein
Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl, Presiding	

The nays were, none.

Absent or not voting, 5:

Cownie	Forristall	Holz	Huseman
Wheeler			

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

[House File 203](#), a bill for an act authorizing the use of primary road fund moneys for the secondary road and municipal street systems, was taken up for consideration.

Hagenow of Polk asked and received unanimous consent that [House File 203](#) be deferred and that the bill retain its place on the calendar.

On motion by Hagenow of Polk, the House was recessed at 11:00 a.m., until conclusion of the committee on Government Oversight.

MORNING SESSION

The House reconvened at 11:37 a.m., Windschitl of Harrison in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-five members present, twenty-five absent.

The House resumed consideration of [House File 203](#), a bill for an act authorizing the use of primary road fund moneys for the secondary road and municipal street systems, previously deferred.

Pettengill of Benton rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

Bergan of Winneshiek rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

M. Smith of Marshall rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Hunter of Polk rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

Worthan of Buena Vista 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. 203](#))

The ayes were, 54:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Carlin
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Jones	Kaufmann
Kerr	Klein	Koester	Landon
Lundgren	Maxwell	McKean	Mohr
Mommsen	Moore	Nunn	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.

Vander Linden	Watts	Wills	Worthan
Zumbach	Windschitl, Presiding		

The nays were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Hanson	Heddens	Hunter	Isenhart
Jacoby	Kacena	Kearns	Kressig
Kurth	Lensing	Mascher	McConkey
Meyer	Miller	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, 5:

Forristall	Holz	Huseman	Paustian
Wheeler			

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

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 203** and **231**.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Cownie of Polk	Forristall of Pottawattamie
Holz of Plymouth	Huseman of Cherokee
Paustian of Scott	Wheeler of Sioux

On motion by Hagenow of Polk, the House was recessed at 12:26 p.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:04 p.m., Speaker Upmeyer in the chair.

INTRODUCTION OF BILLS

[House File 266](#), by Heddens, a bill for an act relating to certain actions brought under personal lines property and casualty insurance.

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

[House File 267](#), by Nielsen, Brown-Powers, Gaines, Hanson, Mascher, Steckman, McConkey, Abdul-Samad, and Wessel-Kroeschell, a bill for an act establishing a low-income program supplement for school districts to provide programs serving low-income pupils.

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

[House File 268](#), by Hanson, Winckler, Kacena, Hunter, Brown-Powers, McConkey, Lensing, and Gaskill, a bill for an act relating to private instruction by adding a reporting requirement and requiring school districts to conduct health and safety visits for the protection of children placed under competent private instruction or private instruction.

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

[House File 269](#), by Hanson, a bill for an act relating to school district transportation costs by establishing a transportation equity program, making appropriations, and including effective date provisions.

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

[House File 270](#), by Mascher, Steckman, Nielsen, Hanson, Brown-Powers, Staed, Gaines, Lensing, Winckler, and T. Taylor, a bill for an act requiring that human growth and development instruction by school boards include age-appropriate information regarding dating violence and prevention.

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

[House File 271](#), by Mascher, Steckman, Brown-Powers, Gaines, Olson, Lensing, Winckler, and T. Taylor, a bill for an act relating to

statewide assessments of student progress utilizing core academic indicators.

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

[House File 272](#), by Mascher, Staed, Lensing, and Winckler, a bill for an act relating to beverage container refund value and handling fee amounts.

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

[House File 273](#), by Anderson, a bill for an act relating to income eligibility, waiting list guidelines, and child care provider reimbursement rates under the state child care assistance program and including effective date provisions.

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

[House File 274](#), by R. Taylor, a bill for an act relating to continuous quality improvement for the care of individuals with stroke.

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

[House File 275](#), by Heaton, a bill for an act relating to a coordinated health care workforce recruitment and retention effort.

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

[House File 276](#), by Heartsill and Heddens, a bill for an act relating to child in need of assistance and child abuse cases involving certain drugs and other substances.

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

[House File 277](#), by Bergan, a bill for an act relating to exceptions from child care facility licensing requirements.

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

[House File 278](#), by Miller, a bill for an act establishing a notification requirement for mammogram reports to patients.

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

[House File 279](#), by Mascher, Lensing, Winckler, and T. Taylor, a bill for an act relating to child care provider reimbursement rates under the state child care assistance program.

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

[House File 280](#), by Miller, Winckler, Bennett, Kearns, Wolfe, Gaskill, Olson, Hunter, Mascher, Kacena, Hanson, Anderson, Bearinger, T. Taylor, M. Smith, Steckman, Breckenridge, Brown-Powers, Isenhardt, Nielsen, and Thede, a bill for an act relating to eligibility to enter into installment agreements for the collection of court debt.

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

[House File 281](#), by Jones, a bill for an act relating to the criminal offense of invasion of privacy, and providing penalties.

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

[House File 282](#), by Anderson, a bill for an act providing for an increase in the state minimum hourly wage and subsequent increases by the same percentage as the increase in the midwest consumer price index and increasing the tip threshold for the state minimum hourly wage for tipped employees.

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

[House File 283](#), by Grassley, a bill for an act relating to the issuance of senior crossbow deer hunting licenses.

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

[House File 284](#), by Hanson, a bill for an act relating to the registration of hunting and fishing outfitters or hunting and fishing guides and providing a penalty.

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

[House File 285](#), by Hanson, Steckman, Miller, Olson, Heaton, Bergan, Heddens, McConkey, and Kacena, a bill for an act permitting certain motor vehicles to stand unattended without first stopping the engine.

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

[House File 286](#), by Mascher and Lensing, a bill for an act relating to the use of safety helmets by operators of, and passengers on, motorcycles and motorized bicycles, and providing a penalty.

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

[House File 287](#), by Abdul-Samad, a bill for an act concerning the issuance of temporary visitor driver's licenses to certain foreign nationals.

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

[House File 288](#), by Nunn, a bill for an act relating to water service taxation by exempting from the state sales tax the sales price from the sale or furnishing of a water service by a water utility and creating related state and local water service excise taxes and providing for transfer and distribution of the water service excise taxes.

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

[House File 289](#), by committee on Transportation, a bill for an act relating to the issuance of driver's licenses, nonoperator's identification cards, and persons with disabilities identification devices by certain counties, and including effective date provisions.

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

[House File 290](#), by committee on Ways and Means, a bill for an act prohibiting the deduction of amounts classified as a penalty reimbursement for purposes of the individual and corporate income tax and franchise tax, and including retroactive applicability provisions.

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

[House File 291](#), by committee on Labor, a bill for an act relating to employment matters involving public employees including collective bargaining, educator employment matters, personnel records and settlement agreements, city civil service requirements, and health insurance matters, making penalties applicable, and including effective date, applicability, and transition provisions.

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

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 94](#) **Education**

Relating to the registration of postsecondary schools by the college student aid commission and student eligibility for state student financial aid programs.

[H.S.B. 95](#) **Education**

Relating to the disposition or modification of uncollectible student debt owed to the college student aid commission.

[H.S.B. 96](#) **Education**

Relating to eligibility requirements for grant and loan forgiveness programs administered by the college student aid commission that provide assistance to elementary and secondary school teachers in this state.

[H.S.B. 97](#) **Education**

Relating to high school equivalency programs and assessments and including effective date provisions.

[H.S.B. 98](#) **Human Resources**

Relating to the nurse licensure compact, including provisions for assessments against party states, and including effective date provisions.

H.S.B. 99 Human Resources

Relating to prescription drugs, including the drug prescribing and dispensing information program, medication-assisted treatment insurance and Medicaid coverage, partial dispensing for opioid medication, and allocation of moneys to the pharmaceutical collection and disposal program.

H.S.B. 100 State Government

Concerning the contract bidding process for public improvement projects conducted by the state board of regents.

SUBCOMMITTEE ASSIGNMENTS**House File 59**

Ways and Means: Vander Linden, Chair; McConkey and Windschitl.

House File 149

State Government: Koester, Chair; Highfill and Hunter.

House File 150

State Government: Koester, Chair; Highfill and Hunter.

House File 168

State Government: Koester, Chair; Highfill and Hunter.

House File 171

Commerce: Cownie, Chair; Grassley and Oldson.

House File 194

State Government: Koester, Chair; Highfill and Hunter.

House File 196

Commerce: Pettengill, Chair; Best and Kressig.

House File 201

State Government: Koester, Chair; Highfill and Hunter.

[House File 206](#)

Commerce: Wills, Chair; Jacoby and Lundgren.

[House File 212](#)

State Government: Koester, Chair; Highfill and Hunter.

[House File 229](#)

State Government: Kaufmann, Chair; Pettengill and Steckman.

[House File 230](#)

Ways and Means: Forristall, Chair; Carlin and Jacoby.

[House File 240](#)

Ways and Means: Maxwell, Chair; Forbes and Kaufmann.

[House File 247](#)

State Government: Koester, Chair; Highfill and Hunter.

[House File 250](#)

Ways and Means: Carlin, Chair; Gaskill and Windschitl.

[House File 259](#)

Human Resources: Bergan, Chair; Heddens and Salmon.

[House File 260](#)

Human Resources: Bacon, Chair; Anderson and Koester.

[House File 261](#)

Human Resources: Forristall, Chair; Best and Mascher.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 87](#)

Agriculture: Zumbach, Chair; Bearinger and Sieck.

[House Study Bill 93](#)

State Government: Rizer, Chair; Hein, Koester, Lensing and Winckler.

[House Study Bill 94](#)

Education: Gassman, Chair; Forristall and R. Smith.

[House Study Bill 95](#)

Education: Gassman, Chair; Breckenridge and Mommsen.

[House Study Bill 96](#)

Education: Gassman, Chair; Hanusa and Staed.

[House Study Bill 97](#)

Education: Gassman, Chair; Jones and R. Smith.

[House Study Bill 98](#)

Human Resources: Heaton, Chair; Brown-Powers and Moore.

[House Study Bill 99](#)

Human Resources: Heaton, Chair; Forbes and Lundgren.

[House Study Bill 100](#)

State Government: Moore, Chair; T. Taylor and Watts.

COMMITTEE RECOMMENDATIONS

MADAM 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 38](#)), relating to the prescribing of biological products and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 9, 2017.

Committee Bill (Formerly [House Study Bill 72](#)), relating to the requirements for nurse aide training and testing programs provided by or in a nursing facility.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 9, 2017.

COMMITTEE ON LABOR

Committee Bill (Formerly [House Study Bill 84](#)), relating to employment matters involving public employees including collective bargaining, educator employment matters, personnel records and settlement agreements, city civil service requirements, and health insurance matters, making penalties applicable, and including effective date, applicability, and transition provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2017.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly [House Study Bill 61](#)), relating to controlled substances, including by temporarily designating substances as controlled substances, modifying the penalties for imitation controlled substances and certain controlled substances, modifying the controlled substances listed in schedules I, III, and IV, and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** February 9, 2017.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly [House Study Bill 66](#)), permitting motor vehicles to stand unattended without first stopping the engine.

Fiscal Note: **No**

Recommendation: **Do Pass** February 9, 2017.

Committee Bill (Formerly [House Study Bill 70](#)), requiring the removal of motor vehicles involved in certain accidents from the roadway, and providing a penalty.

Fiscal Note: **No**

Recommendation: **Do Pass** February 9, 2017.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly [House File 19](#)), prohibiting the deduction of amounts classified as a penalty reimbursement for purposes of the individual and corporate income tax and franchise tax, and including retroactive applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2017.

On motion by Hagenow of Polk, the House adjourned at 4:10 p.m., until 9:00 a.m., Friday, February 10, 2017.