

State of Iowa
1999

JOURNAL OF THE HOUSE

1999
REGULAR SESSION
SEVENTY-EIGHTH
GENERAL ASSEMBLY

Convened January 11, 1999
Adjourned April 29, 1999

Volume I
January 11, 1999—April 7, 1999

THOMAS J. VILSACK, Governor
RON J. CORBETT, Speaker of the House
MARY KRAMER, President of the Senate

Published by the
STATE OF IOWA

Des Moines

SEVENTY-EIGHTH GENERAL ASSEMBLY
1999 Regular Session
OFFICERS OF THE HOUSE

RON J. CORBETT, <i>Speaker of the House</i>	Cedar Rapids
CHRISTOPHER C. RANTS, <i>Speaker Pro Tempore</i>	Sioux City
BRENT SIEGRIST, <i>Majority Leader</i>	Council Bluffs
CHUCK GIPP, <i>Majority Whip</i>	Decorah
DONNA BARRY, <i>Assistant Majority Leader</i>	Dunlap
GARY B. BLODGETT, <i>Assistant Majority Leader</i>	Clear Lake
BARRY BRAUNS, <i>Assistant Majority Leader</i>	Muscatine
DANNY CARROLL, <i>Assistant Majority Leader</i>	Grinnell
DAVID SCHRADER, <i>Minority Leader</i>	Monroe
RICHARD E. MYERS, <i>Minority Whip</i>	Iowa City
JOHN H. CONNORS, <i>Assistant Minority Leader</i>	Des Moines
PAM JOCHUM, <i>Assistant Minority Leader</i>	Dubuque
STEVE WARNSTADT, <i>Assistant Minority Leader</i>	Sioux City
KEITH WEIGEL, <i>Assistant Minority Leader</i>	New Hampton
ELIZABETH A. ISAACSON, <i>Chief Clerk</i>	West Des Moines
SUE JENNINGS, <i>Assistant Chief Clerk</i>	Ankeny
GAYLE GOBLE, <i>Journal Editor</i>	Des Moines
ELAINE SCHOONOVER, <i>Assistant Journal Editor</i>	Des Moines
TRINA STERLING, <i>Assistant Journal Editor</i>	West Des Moines
BETTY M. SOENER, <i>Confidential Secretary</i> <i>to Chief Clerk</i>	West Des Moines
JANE FOWLER, <i>Assistant Legal Counsel</i>	Des Moines
DOREEN TERRELL, <i>Assistant to the Legal Counsel</i>	Des Moines
PEG KEPHART, <i>Engrossing/Enrolling</i> <i>Text Processor</i>	Des Moines
JUDY GRAESCH, <i>Text Processor II</i>	Des Moines
DEBRA K. REX, <i>Senior Finance Officer</i>	Earlham

KELLY WACHT, <i>Assistant Finance Officer</i>	Des Moines
ALYCE ELMITT, <i>Recording Clerk II</i>	Urbandale
COLLEEN DILLON, <i>Secretary Supervisor</i>	Des Moines
KATHY FARRELL, <i>Clerk to Chief Clerk</i>	Clive
JUANITA SWACKHAMMER, <i>Indexer II</i>	Des Moines
KRISTIN L. WENTZ, <i>Indexer I</i>	West Des Moines
DAN FOGLEMAN, <i>Administrative Assistant to Speaker II</i>	Pleasant Hill
JEFF MITCHELL, <i>Administrative Assistant to Speaker III</i>	West Des Moines
SUSAN BRUCKSHAW, <i>Confidential Secretary to Speaker</i>	Des Moines
SUSAN SEVERINO, <i>Administrative Assistant to Majority Leader III</i>	Des Moines
BECKY LORENZ, <i>Executive Secretary to Majority Leader</i>	Ankeny
WARREN FYE, <i>Senior Caucus Staff Director</i>	Clive
BRUCE BRANDT, <i>Senior Caucus Staff Secretary</i>	Des Moines
LON ANDERSON, <i>Legislative Research Analyst II</i>	Johnston
JUSTIN HUPFER, <i>Legislative Research Analyst</i>	Des Moines
STACIE MAASS, <i>Legislative Research Analyst III</i>	West Des Moines
LEW OLSON, <i>Legislative Research Analyst II</i>	Des Moines
CRAIG SCHOENFELD, <i>Legislative Research Analyst II</i>	Des Moines
PAT SCHULTZ, <i>Legislative Research Analyst I</i>	Des Moines
BRAD TROW, <i>Legislative Research Analyst I</i>	Des Moines
MARK BRANDSGARD, <i>Senior Administrative Assistant to Minority Leader</i>	West Des Moines

MARGARET THOMSON, <i>Senior Legislative Research Analyst</i>	Clive
CAROLYN GAUKEL, <i>Confidential Secretary to Minority Leader</i>	West Des Moines
PAULEE LIPSMAN, <i>Senior Caucus Staff Director</i>	Des Moines
ANNA HYATT-CROZIER, <i>Legislative Research Analyst</i>	Des Moines
DAVID EPLEY, <i>Caucus Staff Secretary</i>	Indianola
MARY BRAUN, <i>Senior Legislative Research Analyst</i>	Des Moines
ED CONLOW, <i>Senior Legislative Research Analyst</i>	Des Moines
JENIFER PARSONS, <i>Legislative Research Analyst III</i>	Mingo
THOMAS R. PATTERSON, <i>Senior Legislative Research Analyst</i>	Des Moines
JOSEPH P. ROMANO, <i>Senior Legislative Research Analyst</i>	Johnston
HOWARD COWLES, <i>Switchboard Operator</i>	Des Moines
MADLINE JAMES, <i>Switchboard Operator</i>	Des Moines
MILDRED STEWART, <i>Bill Clerk</i>	Des Moines
MARIE A. KIRBY, <i>Assistant Bill Clerk</i>	Des Moines
WILLIAM C. WALLING, <i>Postmaster</i>	Des Moines
WILBUR RHOADS, <i>Sergeant-at-Arms</i>	Des Moines
MAYNARD L. BOATWRIGHT, <i>Assistant Sergeant-at-Arms</i>	Des Moines
PAUL AARDSMA, <i>Doorkeeper</i>	Des Moines
JIM BEYER, <i>Doorkeeper</i>	Urbandale
CHARLES FOGELSON, <i>Doorkeeper</i>	Des Moines
JERRY ORMAN, <i>Doorkeeper</i>	Windsor Heights
RICHARD R. OVERHOLSER, <i>Doorkeeper</i>	Des Moines
KATHLEEN L. O'LEARY, <i>Doorkeeper</i>	Des Moines
CARL PARKER, <i>Doorkeeper</i>	Windsor Heights

ELECTED OFFICERS, SUPREME COURT JUSTICES AND

IOWA COURT OF APPEALS JUDGES

ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

- THOMAS J. VILSACK, *Governor* Mount Pleasant
- SALLY J. PEDERSON, *Lieutenant Governor* Des Moines
- CHET CULVER, *Secretary of State* Des Moines
- RICHARD JOHNSON, *State Auditor* Sheldahl
- MICHAEL FITZGERALD, *Treasurer of State* Des Moines
- PATTY JUDGE, *Secretary of Agriculture
and Land Stewardship* Albia
- TOM MILLER, *Attorney General* McGregor

JUSTICES OF THE IOWA SUPREME COURT

- ARTHUR A. MCGIVERIN, *Chief Justice* Ottumwa
- MARK S. CADY, *Justice* Fort Dodge
- JAMES H. CARTER, *Justice* Cedar Rapids
- K. DAVID HARRIS, *Justice* Jefferson
- J. L. LARSON, *Justice* Harlan
- LOUIS A. LAVORATO, *Justice* Des Moines
- LINDA NEUMAN, *Justice* Davenport
- BRUCE M. SNELL, Jr., *Justice* Ida Grove
- MARSHA TERNUS, *Justice* Des Moines

IOWA COURT OF APPEALS JUDGES

- ROSEMARY S. SACKETT, *Chief Judge* Spencer
- TERRY L. HUITINK, *Judge* Orange City
- ROBERT E. MAHAN, *Judge* Waterloo
- MICHAEL J. STREIT, *Judge* Des Moines
- GAYLE NELSON VOGEL, *Judge* Knoxville
- VAN D. ZIMMER, *Judge* Vinton

MEMBERS OF THE HOUSE—SEVENTY-EIGHTH GENERAL ASSEMBLY—1999 REGULAR SESSION

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Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Alons, Dwayne	Hull	52	Farmer/Air National Guard	5th— <i>Sioux</i>	None
Arnold, Richard	Russell	53	Farmer	91st—Appanoose, Clarke, <i>Lucas, Wayne</i>	76, 77
Barry, Donna M.	Dunlap	51	Farmer	82nd— <i>Harrison</i>	76, 77
Baudler, Clel	Greenfield	59	Retired State Trooper	78th— <i>Adair, Guthrie, Madison</i>	None
Bell, Paul A.	Newton	48	Police Lieutenant	57th— <i>Jasper</i>	76, 77
Blodgett, Gary	Clear Lake	61	Retired Orthodontist	19th— <i>Cerro Gordo</i>	75, 76, 77
Boal, Carmine	Ankeny	42	Homemaker	65th— <i>Polk</i>	None
Boddicker, Dan	Tipton	36	Electrical Engineer	39th— <i>Cedar, Clinton, Jones</i>	75, 76, 77
Boggess, Effie Lee	Villisca	70	Farmer	87th— <i>Adams, Page, Taylor</i>	76, 77
Bradley, Clyde	Camanche	63	Retired Engineer	37th— <i>Clinton, Scott</i>	76, 77
Brauns, Barry D.	Muscatine	66	Fair Manager	47th— <i>Johnson, Louisa, Muscatine</i>	75, 76, 77
Brunkhorst, Bob	Waverly	33	Computer Analyst	22nd— <i>Black Hawk, Bremer</i>	75, 76, 77
Bukta, Polly	Clinton	61		38th— <i>Clinton</i>	77
Burnett, Cecelia	Ames	47	Consultant/Legislator	61st— <i>Story</i>	76, 77
Carroll, Danny C.	Grinnell	45	Realtor	58th— <i>Jasper, Mahaska, Marshall, Poweshiek</i>	76, 77
Cataldo, Michael J.	Des Moines	33	Vice President-Iowa EPS Products	68th— <i>Polk</i>	75, 76, 77
Chapman, Kay	Cedar Rapids	61	Lawyer	53rd— <i>Linn</i>	70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 77
Chiodo, Frank J.	Des Moines	30	Small Business Manager	67th— <i>Polk</i>	77
Cohoon, Dennis M.	Burlington	45	Teacher	100th— <i>Des Moines</i>	72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77
Connors, John H.	Des Moines	76	Retired Fire Captain	69th— <i>Polk</i>	65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77
Corbett, Ron J.	Cedar Rapids	38	Special Project Manager	52nd— <i>Linn</i>	72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77

REPRESENTATIVES

MEMBERS OF THE HOUSE—SEVENTY-EIGHTH GENERAL ASSEMBLY – 1999 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Cormack, Michael G.	Fort Dodge	28	Substitute Teacher/Youth Baseball Coach	13th— <i>Webster</i>	76, 77
Davis, Galen M.	Ottumwa	47	Police Sergeant	93rd— <i>Wapello</i>	None
Dix, Bill	Shell Rock	36	Farmer	21st— <i>Butler, Grundy</i>	77
Doderer, Minnette	Iowa City	75		45th— <i>Johnson</i>	60X, 61, 62, 63, 64, 65, 66, 67, 67X, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77
Dolecheck, Cecil	Mount Ayr	47	Farmer	88th— <i>Decator, Ringgold,</i> <i>Taylor, Union</i>	77
Dotzler, William A., Jr.	Waterloo	50	Machine Operator/ Labor Rep.	26th— <i>Black Hawk</i>	77
Drake, Jack	Lewis	64	Farmer	81st— <i>Audubon,</i> <i>Pottawattamie, Shelby</i>	75, 76, 77
Drees, James H.	Manning	68	Retired	80th— <i>Carroll, Greene</i>	76, 77
Eddie, Russell J.	Storm Lake	60	Retired Farmer/Pork Producer	10th— <i>Buena Vista, Clay,</i> <i>Pocahontas</i>	72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77
Falck, Steve	Stanley	40	Real Estate Appraiser	28th— <i>Buchanan, Fayette</i>	77
Fallon, Ed	Des Moines	40	Legislator/Musician	70th— <i>Polk</i>	75, 76, 77
Foege, Ro	Mount Vernon	60	Social Worker	50th— <i>Johnson, Linn</i>	77
Ford, Wayne	Des Moines	47	Human Services	71st— <i>Polk</i>	77
Frevert, Marcella R.	Emmetsburg	61	Legislator	8th— <i>Clay, Kossuth, Palo Alto</i>	77
Garman, Teresa	Ames	61	Farmer/Landlord	63rd— <i>Marshall, Story</i>	72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77
Gipp, Chuck	Decorah	50	Dairy Farmer	31st— <i>Allamakee,</i> <i>Winneshiek</i>	74, 74X, 74XX, 75, 76, 77
Greiner, Sandra H.	Keota	53	Farmer	96th— <i>Keokuk, Mahaska,</i> <i>Wapello, Washington</i>	75, 76, 77

MEMBERS OF THE HOUSE—SEVENTY-EIGHTH GENERAL ASSEMBLY – 1999 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Grundberg, Betty	Des Moines	60	Renovation & Property Mgt.	73rd—Polk	75, 76, 77
Hahn, James F.	Muscatine	63	Real Estate/Property Mgt.	48th—Muscatine, Scott	74, 74X, 74XX, 75, 76, 77
Hansen, Brad	Carter Lake	30	Health Care Administrator	83rd—Pottawattamie	77
Heaton, David E.	Mt. Pleasant	57	Restaurant Owner	97th—Des Moines, Henry, Washington	76, 77
Hoffman, Clarence C.	Charter Oak	65	Insurance	12th—Crawford, Monona - Woodbury	None
Holmes, Danny J.	Walcott	52	Accountant	40th—Scott	77
Holveck, Jack	Des Moines	55	Attorney	72nd—Polk	70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77
Horbach, Lance	Tama	40	Horbach Furniture	60th—Benton, Black Hawk Tama	None
Houser, Hubert M.	Carson	56	Farmer	85th—Fremont, Mills, Pottawattamie	75, 76, 77
Huseman, Daniel A.	Aurelia	46	Farmer	9th—Buena Vista, Cherokee, O'Brien, Plymouth	76, 77
Huser, Geri	Altoona	35		66th—Polk	77
Jacobs, Libby	West Des Moines	42	Asst. Director - Corporate Relations, Principal Financial Group	74th—Polk	76, 77
Jager, Michael D.	La Porte City	30	Small Business Owner	27th—Black Hawk, Buchanan, Delaware	None
Jenkins, G. Willard	Waterloo	61	Engineer	24th—Black Hawk	77
Jochum, Pam	Dubuque	44		35th—Dubuque	75, 76, 77
Johnson, David	Ocheyedan	48	Dairy Farmer	6th—Lyon, O'Brien, Osceola, Sioux	None
Kettering, Steven	Lake View	55	Banker	11th—Ida, Sac, Woodbury	None
Klemme, Ralph	LeMars	59	Farmer	4th—Plymouth, Woodbury	75, 76, 77
Kreiman, Keith A.	Bloomfield	44	Attorney	92nd—Appanoose, Davis, Monroe, Van Buren	75, 76, 77

MEMBERS OF THE HOUSE—SEVENTY-EIGHTH GENERAL ASSEMBLY – 1999 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Kuhn, Mark A.	Charles City	48	Farmer	29th— <i>Floyd, Mitchell</i>	None
*Larkin, Richard L.	Fort Madison	46	Correctional Counselor	99th— <i>Des Moines, Lee</i>	75, 76, 77
Larson, Charles W., Jr.	Cedar Rapids	30	Asst. Jones Co. Attorney	55th— <i>Liun</i>	75, 76, 77
Lord, David G.	Perry	64	Retired Clothier	77th— <i>Dallas, Madison</i>	76, 77
Martin, Mona K.	Davenport	64	Property Manager	43rd— <i>Scott</i>	75, 76, 77
Mascher, Mary	Iowa City	46	Teacher	46th— <i>Johnson</i>	76, 77
May, Dennis	Kensett	51	Farmer	20th— <i>Cerro Gordo, Mitchell</i> <i>Worth</i>	72, 72X, 72XX, 73, 75, 76, 77
Mertz, Dolores M.	Ottosen	70	Self Employed - Farmer/ Legislator	15th— <i>Humboldt, Kossuth</i>	73, 74, 74X, 74XX, 75, 76, 77
Metcalfe, Janet	Urbandale	62	Legislator	75th— <i>Polk</i>	71, 72, 72X, 72XX, 73 74, 74X, 74XX, 75, 76, 77
Millage, David A.	Bettendorf	45	Attorney	41st— <i>Scott</i>	74, 74X, 74XX, 75, 76, 77
Mundie, Norman	Fort Dodge	70	Retired Farmer	14th— <i>Boone, Calhoun,</i> <i>Hamilton, Webster</i>	75, 76, 77
**Murphy, Pat	Dubuque	39	Self Employed/Jajona Ent.	36th— <i>Dubuque</i>	73 (2nd), 74, 74X, 74XX, 75, 76, 77
***Myers, Richard E.	Iowa City	64	Business Owner	49th— <i>Johnson</i>	75 (2nd), 76, 77
Nelson, Beverly J.	Marshalltown	69	Executive Vice President Iowa Valley Comm. College	64th— <i>Marshall</i>	76, 77
O'Brien, Michael J.	Boone	59	Retired Teacher	79th— <i>Boone, Greene</i>	75, 76, 77
****Osterhaus, Robert J.	Maquoketa	67	Pharmacist	34th— <i>Dubuque, Jackson</i>	76 (2nd), 77
Parmenter, Dennis W.	Cambridge	47	Lawyer	62nd— <i>Story</i>	None
Raecker, J. Scott	Urbandale	37	Exec. Director-Legacy 150 Instructor at Drake University	76th— <i>Polk, Dallas</i>	None
Rants, Christopher	Sioux City	31	Pierce and Associates	3rd— <i>Woodbury</i>	75, 76, 77

*Elected in Special Election February 16, 1993

**Elected in Special Election September 26, 1989

***Elected in Special Election February 22, 1994

****Elected in Special Election January 16, 1996

MEMBERS OF THE HOUSE—SEVENTY-EIGHTH GENERAL ASSEMBLY – 1999 REGULAR SESSION

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Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Rayhons, Henry	Garner	62	Farmer	16th— <i>Hancock, Winnebago</i> Wright	77
Reynolds, Rebecca	Bonaparte	49	Nurse/Legislator	94th— <i>Jefferson, Van Buren,</i> Wapello	77
Richardson, Steve	Indianola	43	Teacher	89th— <i>Warren</i>	77
Scherrman, Paul	Farley	50	Vice Pres. J.P. Scherrman, Inc.	33rd— <i>Delaware, Dubuque</i>	77
Schrader, David	Monroe	46	Small Business Owner/ Operator, Legislator	90th— <i>Marion, Warren</i>	72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77
Shoultz, Don	Waterloo	62	Consultant	25th— <i>Black Hawk</i>	70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77
Siegrist, Brent	Council Bluffs	46	Consultant	84th— <i>Pottawattamie</i>	71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77
Stevens, Greg	Milford	38	Teacher/Coach	7th— <i>Dickinson, Emmet</i> Palo Alto	None
Sukup, Steven E.	Dougherty	42	Engineer	18th— <i>Franklin, Hardin</i>	76, 77
Sunderbruch, John P.	Davenport	49	Firefighter Lt./EMT-I	44th— <i>Scott</i>	None
*Taylor, Todd	Cedar Rapids	32	Staff Representative- AFSCME	54th— <i>Linn</i>	76 (2nd), 77
Teig, Russell W.	Jewell	41	Farmer	17th— <i>Franklin, Hamilton,</i> Hardin, Wright	76, 77
Thomas, Roger	Elkader	48	Farmer	32nd— <i>Allamakee, Clayton,</i> Fayette	77
**Thomson, Rosemary R.	Marion	62		51st— <i>Linn</i>	76, 77
Tyrrell, Phil	North English	66	Independent Insurance Agent	59th— <i>Benton, Iowa</i>	68, 69, 69X, 69XX, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77

* Elected in Special Election June 27, 1995

**Elected in Special Election January 10, 1995

REPRESENTATIVES

MEMBERS OF THE HOUSE—SEVENTY-EIGHTH GENERAL ASSEMBLY – 1999 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Van Engelenhoven, James L.	Leighton	55	Farmer	95th—Mahaska, Marion	None
Van Fossen, James	Davenport	38	Service Representative MidAmerican Energy	42nd—Scott	76, 77
Warnstadt, Steve	Sioux City	31	Adjunct Instructor	2nd—Woodbury	76, 77
Weidman, Dick	Griswold	58	Funeral Home Employee/ Retired State Trooper	86th—Cass, Montgomery Pottawattamie	74, 74X, 74XX, 75, 76, 77
Weigel, Keith	New Hampton	43	Certified Financial Planner	30th—Chickasaw, Howard Winneshiek	75, 76, 77
Welter, Jerry J.	Monticello	63	Farmer	56th—Jones, Linn	75, 76, 77
Whitead, Wesley E.	Sioux City	65	Retired Sm. Business Owner	1st—Woodbury	77
Wise, Philip	Keokuk	52	Teacher	98th—Henry, Lee	72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77
Witt, William G.	Cedar Falls	48	Photojournalist	23rd—Black Hawk	75, 76, 77

JOURNAL OF THE HOUSE

First Calendar Day - First Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 11, 1999

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the House of Representatives of the Seventy-eighth General Assembly of Iowa, 1999 Regular Session, convened at 10:00 a.m., Monday, January 11, 1999.

The House was called to order by the Honorable Chuck Gipp, state representative from Winneshiek County.

Prayer was offered by Reverend Ray Barrett, pastor of New Covenant Bible Church, Cedar Rapids.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Wilbur Rhoads, House Sergeant-at-Arms.

TEMPORARY OFFICERS

On motion by Carroll of Poweshiek, Elizabeth A. Isaacson of Polk County was elected Acting Chief Clerk. Elizabeth A. Isaacson presented herself and took and subscribed to the following oath:

"I do solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of Iowa and that I will faithfully discharge the duties of my office to the best of my ability, so help me God."

Brauns of Muscatine moved that the Honorable Chuck Gipp of Winneshiek County be elected Temporary Speaker.

The motion prevailed and the oath of office was administered to the Honorable Chuck Gipp by Acting Chief Clerk Isaacson.

Temporary Speaker Gipp in the chair.

CREDENTIALS OF MEMBERS

Martin of Scott moved that a committee of five on credentials be appointed and that the accredited list of the Secretary of State be accepted.

The motion prevailed and the following committee was appointed: Martin of Scott, Larson of Linn, Metcalf of Polk, Bell of Jasper and Cohoon of Des Moines.

REPORT OF COMMITTEE ON CREDENTIALS

MR. SPEAKER: We, your committee on credentials, respectfully report that we find the following named persons duly elected to and entitled to seats in the House of Representatives of the Seventy-eighth General Assembly as shown by duplicate copies of the certificates of election on file in the office of the Secretary of State:

CERTIFICATION

STATE OF IOWA
Office of
THE SECRETARY OF STATE

To the Honorable, The Chief Clerk of the House of Representatives:

I, CHESTER J. CULVER, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the State, do hereby certify that the State Canvassing Board has declared that at the General Election held on November 3, 1998, each of the following named persons was duly elected to the office of State Representative for the term of two years beginning on the first day of January, 1999:

- First Wesley Whitead
Second Steve Warnstadt
Third Christopher C. Rants
Fourth Ralph F. Klemme
Fifth Dwayne Arlan Alons
Sixth David J. Johnson
Seventh Greg Stevens
Eighth Marcella R. Frevert
Ninth Dan Huseman
Tenth Russell Eddie
Eleventh Steve Kettering
Twelfth Clarence C. Hoffman
Thirteenth Michael G. Cormack
Fourteenth Norman Mundie
Fifteenth Dolores M. Mertz
Sixteenth Henry Rayhons
Seventeenth Russell W. Teig
Eighteenth Steve Sukup
Nineteenth Gary B. Blodgett
Twentieth Dennis May

Twenty-first.....	Bill Dix
Twenty-second	Bob Brunkhorst
Twenty-third	William G. Witt
Twenty-fourth	Willard Jenkins
Twenty-fifth	Don Shoultz
Twenty-sixth	Bill Dotzler
Twenty-seventh.....	Michael D. Jager
Twenty-eighth.....	Steve Falck
Twenty-ninth	Mark A. Kuhn
Thirtieth.....	Keith Weigel
Thirty-first	Chuck Gipp
Thirty-second	Roger Thomas
Thirty-third	Paul Scherrman
Thirty-fourth	Robert J. Osterhaus
Thirty-fifth	Pam Jochum
Thirty-sixth	Pat Murphy
Thirty-seventh	Clyde Bradley
Thirty-eighth.....	Polly Bukta
Thirty-ninth	Dan Boddicker
Fortieth.....	Danny J. Holmes
Forty-first	David A. Millage
Forty-second	James Van Fossen
Forty-third	Mona Martin
Forty-fourth.....	John P. Sunderbruch
Forty-fifth.....	Minnette Doderer
Forty-sixth.....	Mary Mascher
Forty-seventh.....	Barry Brauns
Forty-eighth.....	James F. Hahn
Forty-ninth.....	Dick Myers
Fiftieth.....	Ro Foege
Fifty-first	Rosemary Thomson
Fifty-second.....	Ron J. Corbett
Fifty-third.....	Kay Chapman
Fifty-fourth.....	Todd Taylor
Fifty-fifth.....	Chuck Larson
Fifty-sixth.....	Jerry Welter
Fifty-seventh.....	Paul Bell
Fifty-eighth.....	Danny C. Carroll
Fifty-ninth.....	Phil Tyrrell
Sixtieth	Lance Horbach
Sixty-first	Cecelia Burnett
Sixty-second	Dennis W. Parmenter
Sixty-third	Teresa Garman
Sixty-fourth.....	Beverly J. Nelson
Sixty-fifth	Carmine Boal
Sixty-sixth	Gerri D. Huser
Sixty-seventh.....	Frank Chiodo
Sixty-eighth.....	Michael Cataldo
Sixty-ninth	John H. Connors
Seventieth.....	Ed Fallon
Seventy-first.....	Wayne Ford
Seventy-second.....	Jack Holveck
Seventy-third	Betty Grundberg
Seventy-fourth	Libby Jacobs

Seventy-fifth Janet Metcalf
 Seventy-sixth Scott Raecker
 Seventy-seventh David G. Lord
 Seventy-eighth Clel Baudler
 Seventy-ninth Michael J. O'Brien
 Eightieth James Drees
 Eighty-first Jack Drake
 Eighty-second Donna M. Barry
 Eighty-third Brad Hansen
 Eighty-fourth Brent Siegrist
 Eighty-fifth Hubert Houser
 Eighty-sixth Dick Weidman
 Eighty-seventh Effie Lee Boggess
 Eighty-eighth Cecil Dolecheck
 Eighty-ninth Steve Richardson
 Ninetieth David Schrader
 Ninety-first Richard D. Arnold
 Ninety-second Keith A. Kreiman
 Ninety-third Galen M. Davis
 Ninety-fourth Rebecca Reynolds-Knight
 Ninety-fifth James Van Engelenhoven
 Ninety-sixth Sandra H. Greiner
 Ninety-seventh David E. Heaton
 Ninety-eighth Philip Wise
 Ninety-ninth Rick Larkin
 One Hundredth Dennis M. Cohoon

(Seal) IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Statehouse in Des Moines, this eleventh day of January, 1999.

CHESTER J. CULVER, Secretary of State

I hereby acknowledge receipt of the original copy of this document on the eleventh day of January, 1999.

ELIZABETH A. ISAACSON, Chief Clerk of the House of Representatives

MONA MARTIN, Chair
 CHARLES LARSON
 JANET METCALF
 PAUL BELL
 DENNIS COHOON

Martin of Scott moved that the report of the committee on credentials be adopted.

The motion prevailed and the report was adopted.

MEMBERS' OATH OF OFFICE

The following members took and subscribed to the oath of office as follows:

"I do solemnly swear or affirm that I will support the Constitution of the United States and the Constitution of the State of Iowa and that I will faithfully discharge the duties of the office of Representative in the General Assembly of the State of Iowa according to the best of my ability, so help me God."

Dwayne Alons
Richard Arnold
Donna Barry
Clel Baudler
Paul Bell
Gary Blodgett
Carmine Boal
Dan Boddicker
Effie Lee Boggess
Clyde Bradley
Barry Brauns
Bob Brunkhorst
Polly Bukta
Cecelia Burnett
Danny Carroll
Michael Cataldo
Kay Chapman
Frank Chiodo
Dennis Cohoon
John Connors
Ron Corbett
Michael Cormack
Galen Davis
Bill Dix
Minnette Doderer
Cecil Dolecheck
Bill Dotzler
Jack Drake
James Drees
Russell Eddie
Steve Falck
Ed Fallon
Ro Foege
Wayne Ford
Marcella Frevert
Teresa Garman
Chuck Gipp
Sandra Greiner
Betty Grundberg
James Hahn
Brad Hansen
Dave Heaton
Clarence Hoffman

Danny Holmes
Jack Holveck
Lance Horbach
Hubert Houser
Dan Huseman
Geri Huser
Libby Jacobs
Michael Jager
Willard Jenkins
Pam Jochum
David Johnson
Steve Kettering
Ralph Klemme
Keith Kreiman
Mark Kuhn
Richard Larkin
Charles Larson
David Lord
Mona Martin
Mary Mascher
Dennis May
Dolores Mertz
Janet Metcalf
David Millage
Norman Mundie
Pat Murphy
Richard Myers
Beverly Nelson
Michael O'Brien
Robert Osterhaus
Dennis Parmenter
Scott Raecker
Christopher Rants
Henry Rayhons
Rebecca Reynolds
Steve Richardson
Paul Scherrman
David Schrader
Don Shoultz
Brent Siegrist
Greg Stevens
Steve Sukup
John Sunderbruch

Todd Taylor
Russell Teig
Roger Thomas
Rosemary Thomson
Phil Tyrrell
Jim Van Engelenhoven
Jamie Van Fossen

Steven Warnstadt
Dick Weidman
Keith Weigel
Jerry Welter
Wesley Whitead
Philip Wise
Bill Witt

ELECTION OF SPEAKER

Grundberg of Polk presented the name of the Honorable Ron J. Corbett of Linn County as candidate for Speaker of the House of Representatives of the Seventy-eighth General Assembly, preceding such nomination with the following remarks:

Mr. Speaker and members of the Seventy-eighth General Assembly:

I wish to place in nomination for the Speaker of the Iowa House, the Honorable Ron Corbett, representative from House District 52, Linn County. Ron Corbett has been the Speaker of the Iowa House for the last four years. During that time the Iowa House has been held in high esteem for the efforts to make Iowa a great place to live. Ron has led those efforts. Ron is a leader. He is a leader who is approachable, who attempts to bring reason to a sometimes unreasonable process. Ron is a leader who works to build consensus yet leaders need to lead, and Ron does that leading. Ron is a leader with vision. The vision of a better Iowa for us, for our parents and for our children. The Iowa House will continue to be the voice for a better Iowa. Ron Corbett as a Speaker of the Iowa House will lead us toward this better Iowa. It is an honor to nominate Ron Corbett as a Speaker of the Seventy-eighth General Assembly.

Carroll of Poweshiek seconded the nomination of Ron J. Corbett for Speaker of the House, preceded by the following remarks:

Mr. Speaker, fellow House Members:

I wish to second the nomination of Ron Corbett for Speaker of the Iowa House. I do so because Ron is qualified. First of all and most important to me, Ron is a husband and a father. You can tell a lot about a man by the way he treats his wife. Ron exemplifies a faithful husband and a loyal father to his children. Ron is honest and forthright. He will tell you where he stands, and you don't have to wonder. Most of all, from Ron's personal qualifications he exemplifies what I think has made Iowa the state that it is today is discipline. He works hard, and he has a proper respect for authority.

Those are Ron's personal qualifications. I second the nomination as well because of his professional qualifications. I remember before I was a member of this House when I first heard about Ron Corbett. It might surprise you to know it was in a David Yepsen column. In that column David was commenting about the fine cooperation that Ron as appropriations chair of the House had with the appropriations chair in the Senate, Senator Larry Murphy. Ron has demonstrated in the past that he can work with the other party.

Ron, as Representative Grundberg has noted has been Speaker now for the past two sessions of the General Assembly having first taken office in 1995. He has those qualifications of experience that has helped to put this state in the position it is today of having the largest surplus in Iowa history and a remarkably low unemployment rate. The prosperity we enjoy today is due in part to Ron Corbett. Finally Mr. Speaker I second the nomination of Ron Corbett for Speaker of the House because he has what it takes to lead this House. He has what it takes to lead Iowa. Thank you.

Schrader of Marion seconded the nomination of Ron J. Corbett for Speaker of the House, preceded by the following remarks:

Mr. Speaker I wish to second the nomination of Ron Corbett of Linn County as Speaker. During previous sessions, Ron serving as Speaker of the House has demonstrated a deep commitment to the House, its members and to the history and traditions of this great institution. During difficult times when we are most tested, Ron has recognized the intense feelings on the issue of the day to not be allowed to override the legislative process which has developed through time and tradition and has served this House well. Ron's judgement as a leader has been good. It's my pleasure to second the nomination of Ron Corbett of Linn County as Speaker of the House.

In accordance with the foregoing motion, the Acting Chief Clerk cast the votes of all the members of the House of Representatives for the Honorable Ron J. Corbett as Speaker of the House of Representatives of the Seventy-eighth General Assembly. The Honorable Ron J. Corbett of Linn County, having received all of the votes cast for the office of Speaker of the House of Representatives of the Seventy-eighth General Assembly, was declared duly elected to that office.

Grundberg of Polk moved that a committee of two be appointed to escort the Speaker to the chair.

The motion prevailed and the following committee was appointed: Grundberg of Polk and Chiodo of Polk.

PRESENTATION OF SPEAKER

The Honorable Ron J. Corbett was escorted to the Speaker's station and, having been sworn, assumed the chair. Temporary Speaker Gipp of Winneshiek presented Speaker Corbett with the gavel and congratulated him on his unanimous election.

Speaker Corbett thanked the House for the honor bestowed upon him and offered the following remarks:

Thank you so much for the honor and responsibility to be your Speaker for the next two years. Even though this is my third term as your Speaker, I still get awe struck

seeing the Capitol as I turn onto I-235. And, as I walk up these steps and into this chamber, I still need to pinch myself. What a wonderful opportunity we have to mold, shape, and set public policy.

There was a guest speaker that came to Cedar Rapids to give a talk on how business will be successful in the future. He said it's not the big versus the small, or the strong versus the weak, but rather the fast versus the slow. Those quick to change will have the advantage. Government has never been known for being very swift. But, as I look out into this chamber, I don't see any timid souls. I see people who are here to make a difference. In my 12 years here, this chamber has never been known as a "do nothing" chamber, and from the looks on your faces, this year won't be an exception.

So, what's ahead? We have some opportunities, some challenges, and some problems to address.

Opportunities...We have many. I would like to highlight one. We have a 900 million dollar surplus and revenues are running ahead of projections. The taxpayers deserve a raise. There are three ways we can increase the take-home pay of Iowans: We can mandate what employers have to pay, but that's not very practical. We can increase educational and job training opportunities so people can get a better job, which we will do this year. The third way is to cut the taxes on Iowa families. We have an opportunity to eliminate some inequities in our tax system and increase people's take-home pay.

On December 23rd, I was riding around Cedar Rapids with one of our city planners. He was showing me some of the Tax Increment Financing projects in Cedar Rapids. We drove by three men who were out laying pipe in the bitter cold, making sure someone would be able to get water out of their faucet when it was turned on. Last Thursday, I dropped Nicolas and Anna, my two youngest, off at their pre-school program. Two ladies were there working, taking care of the seven or eight babies in the nursery. These people could have been from any town in Iowa. They're working and contributing to the economy. It's *their* 900 million dollar surplus.

I know that over the next few months, you'll be told to "go slow," and be given all kinds of reasons why Iowans don't deserve an increase in their take-home pay. I want you to think of those pipe fitters working in the sub-zero weather and those day-care providers changing the kids' diapers. We have an opportunity to give them a raise. You and I both know they deserve it.

Challenges... We have many of these too. Let me talk about the most important one, improving education. I think it's great that we are not satisfied being one of the best in the country. We want to be better. I made the statement a month or so ago that I want Governor Vilsack to be successful in his efforts to improve education. The reporter looked at me with a skeptical eye. Why do I want Governor Vilsack to be successful? I have four children. One is in the first grade and another is in kindergarten. If we improve education, *my* kids will benefit. Your kids and grandkids will too. If we don't improve, our kids suffer.

Jeremy's in first grade in a class of 27. Matthieu is in a kindergarten class with 22 children. Mrs. Frischcorn and Mrs. Kollander, I don't know how you do it. All I can do is say thank you. There are thousands of Mrs. Frischcorns and Mrs. Kollanders all over our state. I want to congratulate you, Majority Leader Siegrist, for initiating a recognition program honoring teachers here in the House.

We have this challenge of improving education, reading scores, and class sizes. As we do, keep in mind this quote from Albert Einstein. He said "imagination is more important than knowledge." Learning is changing. Just as here in the House, laws are not just developed within these walls. They come from forums, town meetings, and coffee shops. That holds true for education as well. Not all education takes place in the classroom. We need to be imaginative and have new ideas. Maybe one of those ideas is a "virtual schoolhouse" out on the internet that our children and teachers can access anytime to discuss any subject. We can't be afraid of new ideas. Will improving education be challenging? Yes! But not overwhelming.

Problems... We can be thankful we don't have so many problems, but unfortunately, there are some. We must deal with this methamphetamine epidemic. I want to say to Governor Vilsack, I'm proud of your stance on putting the meth dealers that sell to minors in prison for the rest of their lives. I know you're taking some heat. Hang in there.

It says something about the values of a society when it is willing to protect the most vulnerable and innocent among them. What is more precious than our children and grandchildren? Nothing. This past September, a 14 year-old Burlington girl died from meth. Her name is Jessica Smith. She isn't going to get a second chance.

A society that is willing to take a stand for children and the family is a society that is working together to be successful. I believe we can beat this problem. Not so much because of what we are going to do, but because of the people that live in this state. How many of you saw the article last week in the *Des Moines Register* about Dale and Doreen Terrell and how they're giving a two year-old meth baby a second chance. Do you know where she works? Right here in the House of Representatives. She works in the legal counsel's office by day and takes care of meth babies by night. That's what makes Iowa great! It's not the government, it's all the unsung heroes - the people of Iowa.

I'm so proud to call Iowa home. I'm proud of the people. That's why I have hope. That's why I am an optimist. We need to do a better job of telling people how fortunate we are to live here. We need to let our young people know this is a great state. I'm tired of so many of our own people talking negatively. It boils down to this. All too soon, my four children will graduate from high school, college, and then settle down. When I go to pick up the phone to call them, I want it to be a local call, not a long distance call. Unfortunately, too many Iowans are making long distance calls to their kids and grandkids. You have a chance to change that this year if you choose to.

I have one last story and a quote to close with...

Yesterday, I turned on the television to watch Iowa Press. My five year-old son Matthieu was working by the t.v. making a space shuttle with his K-Nex he got for Christmas. It was about a quarter 'till 12, so the tail end of the McLaughlin Group was on. My son - busy working, t.v. on in the background - looked up at me and said "Papa, those people aren't being very nice." And I said, "What do you mean?" He said, "Well, first they are all yelling, and when one person is talking, the others interrupt." Five years old, and *he* notices the lack of civility in today's political discourse. My friends, if a five year-old can figure out that it's wrong, it's time to change.

Which leads me to this quote from Henry Ford: "Coming together is a beginning. Keeping together is progress. Working together is success."

Mr. Majority Leader...Mr. Minority Leader... Members of the House... Can I tell Governor Vilsack and the Senate the House is ready to work together? To address the people's business so not just a five year-old can be proud of our actions, but all Iowans can be proud!?!

PERMANENT CHIEF CLERK

Carroll of Poweshiek moved that Elizabeth A. Isaacson be elected permanent Chief Clerk of the House.

The motion prevailed and Elizabeth A. Isaacson was declared elected permanent Chief Clerk.

COMMITTEE TO NOTIFY THE GOVERNOR

Johnson of Osceola moved that a committee of three be appointed to notify the Governor that the House was duly organized and ready to receive any communication that he may desire to transmit.

The motion prevailed and the following committee was appointed: Johnson of Osceola, Chair; Boal of Polk and Warnstadt of Woodbury.

COMMITTEE TO NOTIFY THE SENATE

Davis of Wapello moved that a committee of three be appointed to notify the Senate that the House was duly organized and ready to receive any communication that the Senate may desire to transmit.

The motion prevailed and the following committee was appointed: Davis of Wapello, Chair; Barry of Harrison and Mertz of Kossuth.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 1

Siegrist of Pottawattamie asked and received unanimous consent for the immediate consideration of the following resolution and moved its adoption:

- 1 HOUSE CONCURRENT RESOLUTION 1
- 2 By Siegrist and Schrader
- 3 *Be It Resolved by the House of Representatives, The*
- 4 *Senate Concurring, That a joint convention of the two*
- 5 *houses of the 1999 session of the Seventy-eighth*
- 6 *General Assembly be held on Monday, January 11, 1999,*
- 7 *at 1:30 p.m.; and*
- 8 *Be It Further Resolved, That at this joint*
- 9 *convention the votes for Governor and Lieutenant*

10 Governor be canvassed and the results announced and
 11 recorded as provided by law.
 12 *Be It Further Resolved*, That Governor Terry E.
 13 Branstad be invited to deliver his condition of the
 14 state message at a joint convention of the two houses
 15 of the General Assembly on Tuesday, January 12, 1999,
 16 at 10:00 a.m., and that the Speaker of the House of
 17 Representatives and the President of the Senate be
 18 designated to extend the invitation to him.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 2

Siegrist of Pottawattamie asked and received unanimous consent for the immediate consideration of the following resolution and moved its adoption:

1 HOUSE CONCURRENT RESOLUTION 2
 2 By Siegrist and Schrader
 3 *Be It Resolved by the House of Representatives, The*
 4 *Senate Concurring*, That the joint convention of the
 5 two houses of the 1999 session of the Seventy-eighth
 6 General Assembly be held on Wednesday, January 13,
 7 1999, at 10:00 a.m.; and
 8 *Be It Further Resolved*, That Chief Justice
 9 McGiverin be invited to present his message of the
 10 condition of the judicial branch at this convention,
 11 and recommend such matters as the Chief Justice deems
 12 expedient, pursuant to section 602.1207 of the Code.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 3

Siegrist of Pottawattamie asked and received unanimous consent for the immediate consideration of the following resolution and moved its adoption:

1 HOUSE CONCURRENT RESOLUTION 3
 2 By Siegrist and Schrader
 3 A Concurrent Resolution relating to appointment of
 4 a joint inaugural committee.
 5 *Be It Resolved by the House of Representatives, The*
 6 *Senate Concurring*, That a joint committee be
 7 designated, consisting of six members of the House of
 8 Representatives to be appointed by the Speaker of the
 9 House, and six members of the Senate to be appointed
 10 by the President of the Senate, to arrange for the

11 inauguration of the Governor and Lieutenant Governor.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Concurrent Resolutions 1, 2 and 3.**

ELECTION OF SPEAKER PRO TEMPORE

Sukup of Franklin placed in nomination the Honorable Christopher Rants as candidate for Speaker pro tempore of the House of Representatives of the Seventy-eighth General Assembly, preceding his nomination with the following remarks:

Thank you Mr. Speaker.

I wish to place in nomination the name of Christopher Rants of Woodbury County for the office of Speaker pro tempore. For the first time in four years we'll be selecting a new Speaker pro tempore. And yes, those will be big wooden shoes to fill. The level of integrity and fairness has been established for this position. Representative Rants has those qualities, and his enthusiasm for the legislative process has him arriving early each day and working on the challenges that face us in Iowa.

Chris has a deep respect for the Iowa House and its institution. As we all know Chris enjoys a rigorous and occasionally engaging discussion of the issues. But at the same time the protocol and civility of the debate must maintain the highest standards. As Speaker pro tempore I know Chris will help the House keep those expectations.

Chris has occasionally tried to maintain some of our quotas for culture by quoting Voltaire. But his every day actions as a leader in the Iowa House best demonstrate his devotion to debate and democracy. I ask you to join me in supporting Christopher Rants for Speaker pro tempore of the Iowa House.

Thank you Mr. Speaker.

Bradley of Clinton seconded the nomination of Representative Rants as Speaker pro tempore of the House of Representatives, preceding his nomination with the following remarks:

Thank you Mr. Speaker. Ladies and Gentlemen of the House, I rise to second the nomination of the Honorable Chris Rants for the position of Speaker pro tempore of the House.

In the years I've spent with this House when I first came to meet Chris, I met an individual who I saw that represented many of the young officers that I'd run into in the military. He was assertive, he was sure of himself, sometimes a little abrasive, and

certainly he was a person who you knew where he stood on an issue. Over the four years I've come to have a deep respect for Representative Rants. And I believe he has some of the rare qualities I would like to see in a person holding this position. He is very proactive in many of the issues that come to this body. In a certain way he recognizes those when those issues are young and before they become chaotic and emotional and he attacks them when they're small and we can still deal with those issues when we can handle them rationally and objectively.

Representative Rants has an excellent analytical mind. He communicates his thoughts and his ideas very clearly. If you know Chris, you know he doesn't sugar coat his position. He does not straddle the fence nor is he timid. You know exactly where he stands. One thing I've come to appreciate very much though is the fact that he is attentive to others' opinions and their thoughts on issues whether or not they mirror his. I believe this is an attribute that any good leader should have.

The other thing is that he is able to bounce so many balls so uniquely and carefully without compromising any of the issues. Certainly very important. Lastly and certainly not least, Representative Rants has a deep and abiding respect for the role and responsibilities of this House and the responsibilities of the office of Speaker pro tempore, and the discharge of those responsibilities. I've noted that he's a leader who places the needs of the citizens of this state above his own personal self-interest or agenda. Certainly an imperative for any leadership position. I urge this body to support and unanimously select Representative Rants for this position. Thank you.

Connors of Polk seconded the nomination of Representative Rants, preceding his nomination with the following remarks:

Mr. Speaker, Ladies and Gentlemen of the House:

It is my distinct honor and privilege to second the nomination of Mr. Christopher Rants of Woodbury County for Speaker pro tempore of the Iowa House of Representatives.

While researching for the remarks of Speakers pro tempore from those first printed in the House Journal of January 11, 1909, which was 90 years ago, I was impressed with the concerns, dedication and sincerity of those men to the duties of this office.

Representative Rants is now serving his fourth term in the House. He has been loyal to this House, and he cares about this institution and the people in it.

As a member of the minority we shall respect the power of the majority, but will rely upon the kind of fairness that Representative Rants is qualified and capable of performing as Speaker pro tempore that both parties will respect these next two years, and aid Speaker Corbett and Governor Vilsack in making the people of Iowa proud of our service.

I move that the Chief Clerk be directed to cast the votes of all the members of the House of Representatives for the Honorable Christopher Rants of Woodbury County.

In accordance with the foregoing motion, the Chief Clerk cast the votes of all the members of the House of Representatives for the Honorable Christopher Rants as Speaker pro tempore of the House of

Representatives of the Seventy-eighth General Assembly. The Honorable Christopher Rants of Woodbury County, having received all of the votes cast for the office of Speaker pro tempore of the House of Representatives of the Seventy-eighth General Assembly, was declared duly elected to that office.

Sukup of Franklin moved that a committee of two be appointed to escort the Speaker pro tempore to the chair.

The motion prevailed and the following committee was appointed: Sukup of Franklin and Connors of Polk.

Representative Rants was escorted to the Speaker's station and, being duly sworn, offered the following remarks:

George Washington wrote. "Be not tedious in discourse, make not many digressions, nor repeat often the same matter of discourse." With that in mind, I won't retread the ground covered by Speaker Corbett. There will be plenty of opportunity for that over the next one hundred days.

Instead, I'd like to take just a moment of your time to share a few thoughts with our new colleagues. Let me be among the many to offer congratulations on your election, and let me be among the first to welcome you to the Iowa House. And welcome you to your new extended family. Because, you will find over the next two years, that is what we are. Like many Iowa families, we can be a little dysfunctional at times, but all the same, we care for one another, we will laugh together, at times even cry together, but all the while, we will be working together to make Iowa a better place for all of our families back home. And in that vein, there are just a few words of advice I would like to offer you.

Always honor your word. Now, I do not enjoy the reputation of being overly bipartisan. This is all right. The framers of our constitution wanted spirited, and partisan debates. I hope, however, that even my most ardent critic would grant that I am honest, even in the most heated of debates. Because the integrity, my new fellow legislators, of giving your word, and then living up to it is the bond that holds this place together. That makes compromise between disparate parties possible. If you cannot honor a commitment, do not make it. Because once your word has been broken, that kind of trust is very difficult to rebuild.

Always honor the process and the institution. Perhaps the most daunting task before us over the next two years in ensuring, if not rebuilding, the public's trust of government. More often than not, the general public does not make distinctions when they form their opinion about the Iowa legislature. They do not differ between rural or urban representatives, they aren't concerned over our partisan differences, they do not care whether we are from eastern or western Iowa. No, they paint us with a very broad brush. We are all representatives of the people. And as such, we share the same institution, follow the same process, and should treat them both with respect.

Always honor your colleagues. No matter how strong the disagreement, remember we were all elected because the public believed the same thing about each one of us. That we each would work to make Iowa a better place. Some members of the chamber across the rotunda have referred to the intentions of some House members as being evil. I have every faith that none in this house would stoop so low as to question a member's integrity over a difference in partisan philosophy. The intention of every member of this body is good and honorable.

Lastly, I would like to thank all the members of this body, Mr. Speaker, for the honor you have bestowed upon me by electing me your Speaker Pro Tempore. I look forward to working with each and every one of you, and if I can ever be of assistance, or help you with a matter of procedure, or piece of House business, please call on me, my door is always open.

Thank you.

REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

Johnson of Osceola, Chair of the committee appointed to notify the Governor that the House was ready to receive it in joint convention, reported that the committee had performed its duty.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Davis of Wapello, Chair of the committee appointed to notify the Senate that the House was ready to receive it in joint convention, reported that the committee had performed its duty.

SPECIAL ORDER

Siegrist of Pottawattamie moved that the assignment of seats to the members of the House be made a special order for this afternoon at 2:15 p.m., which motion prevailed.

ADOPTION OF HOUSE RESOLUTION 1

Carroll of Poweshiek asked and received unanimous consent for the immediate consideration of the following resolution and moved its adoption:

- 1 HOUSE RESOLUTION 1
- 2 By Carroll
- 3 *Be It Resolved by the House of Representatives,*
- 4 That each member of the House of Representatives shall
- 5 be entitled to select and appoint a secretary, and
- 6 such secretary may be called upon to aid in the
- 7 discharge of the clerical work of the House of
- 8 Representatives. Only expert typists and

9 stenographers will be considered qualified. The
 10 Speaker and Chief Clerk shall appoint their
 11 secretaries and pages to serve for the session, and
 12 the Chief Clerk is hereby authorized to employ such
 13 additional clerical assistance as her duties may
 14 require.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 2

Carroll of Poweshiek asked and received unanimous consent for the immediate consideration of the following resolution and moved its adoption:

1 HOUSE RESOLUTION 2
 2 By Carroll
 3 *Be It Resolved by the House of Representatives, That*
 4 a committee of one be appointed to arrange for opening
 5 the sessions with prayer.

The motion prevailed and the resolution was adopted.

COMMITTEE ON MILEAGE

Eddie of Buena Vista moved that a committee of three be appointed to determine the mileage due each member and report the same to the House.

The motion prevailed and the following committee was appointed: Eddie of Buena Vista, Chair; Tyrrell of Iowa and Murphy of Dubuque.

ADOPTION OF TEMPORARY RULES OF THE HOUSE

Carroll of Poweshiek moved that the permanent rules of the House and provisions for compensation of employees adopted by the Seventy-seventh General Assembly be the temporary rules and temporary compensation provisions for the House of the Seventy-eighth General Assembly.

The motion prevailed.

COMMITTEE FROM THE SENATE

A committee from the Senate appeared and notified the House that the Senate was duly organized and ready to receive any communications that the House might desire to transmit.

REMARKS BY MINORITY LEADER

Schrader of Marion offered the following remarks:

To all of my colleagues returning as veteran legislators, welcome back. To the freshman class of 1998, congratulations on being chosen by your neighbors to represent them. I predict that we have an exciting year ahead of us. For the first time in sixteen years we have a new governor. For the first time in thirty years, the governor is a Democrat. We live in a time of perhaps the greatest economic prosperity in history.

We all know, though, that even in the best of times things can be better. In some areas in Iowa things must be better. Our system of public education must produce test scores trending up instead of down. Methamphetamine, scarcely heard of five years ago, has become a major threat to people all across the state. Iowa's chart showing test scores dropping and meth use rising is unacceptable. We have the resources and I believe we have the will and ability to yet turn these trends around.

We face these tasks while assuming new roles. We have all worked with and respect Senator Vilsack. Democrats wish Governor Vilsack good luck and are excited as he takes the reins of our state. We have enjoyed helping Governor Vilsack put together his program. We will be working hard to help him enact it into law. The majority party has to work with a Democratic Governor and provide their alternative to his agenda. These new roles will require hard work and responsible decisions from all of us. I hope we can work together better in the next two years than we have in the past. I've already seen what I think are signs of cooperation. Representative Siegrist, for example, wants to eliminate straight ticket voting, a sure sign that he wants to vote for more Democrats.

In recent weeks I've heard a lot about taking bold steps and about going fast versus going slow. I hope that's the case. Last year Democrats proposed a bold plan to fight meth. Republicans opted to go slow. Last year Democrats offered aggressive plans on school reform, Republicans offered a plan which Governor Branstad called a halting, half-step before he vetoed it. Democrats also offered a plan to eliminate the middle-class tax penalty, but that too, was rejected for a more slow-going approach.

This year we do need to go faster. Governor Vilsack has some great ideas for making our schools number one again - reducing class size, restoring discipline, improving infrastructure. We should embrace them. We should make insurance companies more accountable to the people they insure. We should make property tax cuts. We should invest in our independent family farmers. We should return local control to neighbors and communities threatened by large hog operations. We should reform our sentencing laws so that a kid doesn't spend seven years in prison for hitting another kid.

I like to go fast. But I know that there is a fine line between going fast and being reckless. When moving fast becomes reckless Democrats will put on the brakes.

Democrats look forward to a productive session under the leadership of our new governor, Tom Vilsack. Together we can get a lot of good things done.

REMARKS BY MAJORITY LEADER

Siegrist of Pottawattamie offered the following remarks:

Good morning and welcome to the opening day of the 1999 Legislative Session. We stand here today as the legislators who will be setting the course for Iowa as we enter the 21st Century. It is always an awesome responsibility to serve in this grand chamber, but even more so to know that we will make up the Iowa House of Representatives as we enter the next millenium. What an unique opportunity!

It is always like the first day of school when we start a new year. It is great to see old friends and catch up on what has been happening in their lives back in the real world. For my part, it was a great interim, made more special by the fact that my wife, Valerie, gave birth to a baby daughter in September. Harriet Addison joins her 3 ½ year-old brother, Evan, in making our lives very special and very hectic. It will also make it very difficult for me to be here for the next four months. I'm not sure that the citizens of Iowa truly understand the sacrifice we make in order to serve in this place. Leaving behind families, friends, and careers is not easy. I would just like to thank all of you for having the guts and commitment to public service to put your name on the ballot. And now that you have been elected, thank you for the sacrifices you are making to be here.

The tough part is over. You got elected! As David Wilcox sings in his song, *Top of the Roller Coaster*, "It's all downhill from here". Today, we begin the fun part. Today we start to govern; to set public policy. To be sure, there will be days that it feels like a roller coaster. However, we must be successful.

To the 15 new members – welcome! You are about to embark on the best ride of your life. This is a great bunch of people who will become like a second family to you. Occasionally, it will be a dysfunctional family, but you couldn't ask for a better group of individuals.

We arrive here today to a landscape that has changed. While both the House and Senate have increased Republican majorities, in a couple of days, Tom Vilsack will be sworn in as our first new governor in sixteen years, and the first Democratic Governor in thirty years. Many of us know and respect Tom Vilsack. With a new administration comes new challenges and exciting possibilities. We cannot afford to let these opportunities pass us by. Since the election, House Republicans have made it clear that we want to work in a bipartisan manner to move Iowa forward. That was not empty rhetoric. We are sincere in our desire to find common ground on the many issues facing our great state. Governor Vilsack, Minority Leader Schrader, and the rest of the Democratic Caucus, my pledge to you is that I will work as hard as I can to forge bipartisan solutions to the issues before us. I realize that we will have disagreements and occasional controversy, but we must strive to work together. The election is over. It is time to make a difference.

Many issues will be addressed by this House during the next 100 days. All of them are important, but our ultimate goal must be to make Iowa a place where our citizens, both young and old, want to live. There is a song by John Mellencamp called *Jack and Diane* that has a line "Well, you know Diane, we oughtta run off to the city. Diane says 'Baby, you ain't missin' a thing'". It is our job to make sure that our citizens don't leave for Houston, Phoenix, Denver, or even Minneapolis. It is our job to work to improve the overall quality of life in Iowa so that our citizens aren't missing a thing and want to stay here, and other people want to come here.

In an effort to accomplish that, the Majority Party will specifically focus on five goals for the upcoming session:

- Education
- Tax Cuts
- Methamphetamine
- Recreation and Tourism
- Workforce Development

Iowa has a great education system and great teachers. We are still leading the nation in educational excellence, but some disturbing trends require action. It is our intent to work closely with the Minority Party and Governor Vilsack to focus on several areas in education.

It is the intention of the Majority Party to test our children's reading skills in the first and second grade and provide resources for after-school reading programs and summer reading academies for those children who need additional help learning to read.

Reducing class size is also an important goal, and while we all agree on the goal, implementation will require some consensus. It is very easy to campaign on reducing class size. Even Jesse Ventura had a commercial about it. But different districts have different problems. We intend to approach this problem with open minds and we will work with Governor Vilsack, but we still believe, as we did last year, that block grants of \$10 million to local school districts would be the most flexible way to make sure that the class-size problem is addressed.

Secondly, I think everyone ran on cutting taxes. It is the intention of the Majority Party to fashion a package of property and income tax cuts to send to the Governor. We have cut taxes four years in a row and in each of those years, some group of people always cried out "No. We can't do that. That is too much. We don't know what the future holds." Yet for four years in a row, we have aggressively cut taxes. And for four years in a row, the economy has grown and today, we have a record budget surplus. I think most incumbents in here bragged about tax cuts in their brochures last campaign. While the details need to be worked out, we feel that taxes need to be cut between \$100 - \$200 million. I am sure voices will be raised to say we can't do that. But we can.

We need to have the state reduce property taxes by picking up a greater share of the funding for education in Iowa. We need to target income tax relief to the elderly and the middle-class in our state. Among other things, we need to remove the tax on social security, increase the exemption on pension income, and look at doubling the dependent child tax credit.

We can. We must. And we will cut taxes.

Third is methamphetamine. Methamphetamine use is a growing scourge on Iowa. In a bipartisan manner, we intend to work with Democrats in the House, the Senate, and Governor Vilsack to fashion a package that will make a difference in putting a stop to this horrible drug. Included in the package, there needs to be a methamphetamine strike task force made up of state troopers and drug enforcement agents, and a Prosecutor Posse, which will be made up of prosecutors who will go where they are needed across the state to try drug cases. It is also imperative that we find resources for treatment and education to solve this problem.

And, yes, we will send Governor Vilsack his top priority in this area – life imprisonment for dealing meth to minors.

As we attempt to keep our young people in the state and entice people to move to our state, recreation, tourism, and quality-of-life issues must come to the forefront. Programs we passed last year to help with historical sites in Iowa, biking and hiking trails, the recreational grant program, and the Restore the Outdoor Plan have all been successful in enhancing our quality of life.

This year, we need to fund the Community Attractions and Tourism Fund to encourage Iowans to dream of projects and make them become a reality. If it is a new arena or a race track, a rain forest, or a world-class zoo, the State of Iowa must help communities all across the state – urban and rural – make this a better place to live.

At the same time, we must enhance the environmental quality of our state by providing funding to cap ag drainage wells to protect our ground water, to continue to fund the R.E.A.P. program and soil conservation programs, and it is time for Iowa to take a big step in protecting a unique geological treasure that in the United States is only found in Iowa – the Loess Hills. It is imperative that the state help protect the Loess Hills for future generations.

Lastly, workforce development and the shortage of skilled workers is a critical issue facing our state. This chamber has already taken steps to address this problem with the passage of the apprenticeship program last year and various other workforce development programs. But more needs to be done. I applaud Governor Vilsack for putting Lieutenant Governor Sally Pederson in charge of this very important area. House Republicans look forward to working with the administration to make significant progress in attracting and retaining skilled workers in Iowa.

The other day when I went to pick up my kids at the sitter's house, I saw the local paper on the table with my picture on the front page. It's a picture that is five years old that they continue to use even though I sent them a new one last year. I said to my son, Evan, "Who's this a picture of, Evan?" And he said, "That's you Daddy, but it's a bad picture. You're older than that."

That comment made me reflect on the fact that I am humbled today to be starting my 7th year as Majority Leader and 15th year in the Iowa House. I think back to the '80's when the General Assembly was making promises that they didn't keep, like funding R.E.A.P. at \$30 million a year. Or the early '90's when we had across-the-board budget cuts for schools because we were in debt. Then, I thought proudly about how, in a bipartisan manner, we worked to eliminate the debt, reduce taxes, and build up the largest budget surplus in the history of our state. That's a pretty good record of accomplishment. But, the best is yet to come. Working together, we can make Iowa a place where our kids and grandkids will be proud to call home.

As we enter the last year of this century, there is much to be done. But, we can do it. Let's get to work.

INTRODUCTION OF BILLS

House Joint Resolution 1, by Corbett, Siegrist, Rayhons, Greiner, Dix, Eddie, Heaton, Van Fossen, Welter, Jager, Johnson, Baudler, Teig, Klemme, Hoffman, Huseman, Raecker, Kettering, Drake, Sunderbruch, Alons, Blodgett, Brauns, Tyrrell, Holmes, Lord, Larson, Jenkins, Davis, Hansen, Nelson, Barry, Bradley, Gipp, Hahn, Boddicker, Sukup, Thomson, Rants, Cormack, Jacobs, and Metcalf, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the state budget by limiting state general fund expenditures and restricting certain state tax revenue changes.

Read first time and referred to committee on **ways and means**.

House File 1, by Corbett, Rayhons, Greiner, Dix, Grundberg, Heaton, Van Fossen, Arnold, Welter, Jager, Johnson, Baudler, Teig, Klemme, Hoffman, Huseman, Raecker, Martin, Drake, Sunderbruch, Alons, Blodgett, Brauns, Boggess, Tyrrell, Holmes, Lord, Larson, Jenkins, Davis, Hansen, Nelson, Barry, Bradley, Gipp, Hahn, Boddicker, Garman, Sukup, Thomson, Rants, Cormack, Siegrist, Jacobs, and Metcalf, a bill for an act making an appropriation to the department of education for allocation to school districts for purposes of class size reduction, school discipline, and reading improvement.

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

House File 2, by Corbett, Rayhons, Greiner, Van Fossen, Welter, Johnson, Baudler, Teig, Klemme, Drake, Sunderbruch, Blodgett, Brauns, Tyrrell, Lord, Larson, Hansen, Nelson, Barry, Bradley, Hahn, Boddicker, Sukup, Rants, and Cormack, a bill for an act establishing English as the common language of the state.

Read first time and referred to committee on **state government**.

House File 3, by Corbett, Rayhons, Greiner, Dix, Grundberg, Eddie, Van Fossen, Welter, Jager, Baudler, Teig, Klemme, Hoffman, Raecker, Drake, Sunderbruch, Alons, Blodgett, Brauns, Tyrrell, Holmes, Lord, Larson, Davis, Nelson, Barry, Bradley, Gipp, Hahn, Boddicker, Sukup, Thomson, Rants, Jacobs, and Metcalf, a bill for an act relating to recoverable noneconomic damage limitations in legal actions arising out of motor vehicle accidents by certain persons.

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

House File 4, by Corbett, Rayhons, Greiner, Grundberg, Eddie, Heaton, Arnold, Welter, Johnson, Baudler, Teig, Klemme, Raecker, Drake, Sunderbruch, Alons, Blodgett, Brauns, Boggess, Tyrrell, Holmes, Lord, Larson, Jenkins, Nelson, Barry, Bradley, Hahn, Boddicker, Garman, Thomson, Rants, Jacobs, and Metcalf, a bill for an act providing additional funding for pupils in school districts experiencing increases in enrollment, making an appropriation, and providing an effective date.

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

House File 5, by Corbett, Siegrist, Rayhons, Greiner, Van Fossen, Welter, Jager, Johnson, Baudler, Teig, Hoffman, Raecker, Kettering, Martin, Drake, Sunderbruch, Alons, Blodgett, Brauns, Boggess, Tyrrell, Holmes, Lord, Larson, Jenkins, Davis, Hansen, Nelson, Barry, Bradley, Hahn, Boddicker, Garman, Thomson, Rants, Cormack, Jacobs, and Metcalf, a bill for an act providing an exemption from state individual income tax for pension and retirement pay received and providing a retroactive applicability date.

Read first time and referred to committee on **ways and means**.

House File 6, by Corbett, Siegrist, Rayhons, Greiner, Dix, Eddie, Heaton, Arnold, Van Fossen, Welter, Jager, Johnson, Baudler, Teig, Klemme, Hoffman, Huseman, Raecker, Kettering, Martin, Drake, Sunderbruch, Alons, Blodgett, Brauns, Boggess, Tyrrell, Holmes, Lord, Larson, Jenkins, Davis, Hansen, Nelson, Barry, Bradley, Gipp, Hahn, Boddicker, Garman, Sukup, Thomson, Rants, Cormack, Van Engelenhoven, Jacobs, and Metcalf, a bill for an act exempting social security benefits from the state individual income tax and including a retroactive effective date provision.

Read first time and referred to committee on **ways and means**.

House File 7, by Corbett, Rayhons, Greiner, Eddie, Heaton, Van Fossen, Arnold, Welter, Jager, Johnson, Baudler, Teig, Klemme, Huseman, Raecker, Kettering, Drake, Sunderbruch, Alons, Blodgett, Brauns, Boggess, Tyrrell, Holmes, Lord, Larson, Davis, Hansen, Nelson, Barry, Bradley, Hahn, Boddicker, Garman, Rants, Cormack,

Van Engelenhoven, and Metcalf, a bill for an act eliminating the state inheritance tax and providing for the Act's applicability.

Read first time and referred to committee on **ways and means**.

House File 8, by Corbett, Siegrist, Van Fossen, Welter, Jager, Johnson, Baudler, Teig, Klemme, Huseman, Raecker, Sunderbruch, Alons, Brauns, Boggess, Tyrrell, Holmes, Larson, Davis, Hansen, Nelson, Barry, Bradley, Hahn, Boddicker, Sukup, Rants, Cormack, and Metcalf, a bill for an act reducing the state individual income tax by ten percent and including an effective date provision.

Read first time and referred to committee on **ways and means**.

House File 9, by Corbett, Rayhons, Greiner, Dix, Grundberg, Eddie, Van Fossen, Welter, Jager, Baudler, Teig, Klemme, Hoffman, Raecker, Kettering, Martin, Drake, Sunderbruch, Brauns, Boggess, Tyrrell, Holmes, Lord, Larson, Jenkins, Hansen, Nelson, Barry, Bradley, Hahn, Boddicker, Garman, Sukup, Thomson, Rants, Cormack, Jacobs, and Metcalf, a bill for an act increasing the personal exemption credit for dependents under the state individual income tax and including a retroactive effective date provision.

Read first time and referred to committee on **ways and means**.

House File 10, by Corbett, Rayhons, Greiner, Dix, Eddie, Van Fossen, Arnold, Welter, Baudler, Teig, Klemme, Hoffman, Huseman, Raecker, Kettering, Drake, Alons, Blodgett, Brauns, Boggess, Tyrrell, Holmes, Lord, Larson, Davis, Nelson, Barry, Bradley, Hahn, Boddicker, Sukup, Thomson, Rants, Cormack, Van Engelenhoven, Jacobs, and Metcalf, a bill for an act relating to the funding of state mandates.

Read first time and referred to committee on **local government**.

House File 11, by Corbett, Rayhons, Greiner, Dix, Eddie, Heaton, Arnold, Welter, Jager, Johnson, Baudler, Teig, Klemme, Hoffman, Huseman, Raecker, Kettering, Drake, Alons, Blodgett, Brauns, Boggess, Tyrrell, Holmes, Lord, Larson, Nelson, Barry, Bradley, Hahn, Boddicker, Garman, Sukup, and Cormack, a bill for an act providing for a one hundred one percent budget guarantee for school districts, and providing an effective date.

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

House File 12, by Corbett, Greiner, Van Fossen, Welter, Jager, Johnson, Baudler, Hoffman, Huseman, Kettering, Sunderbruch, Alons, Brauns, Boggess, Tyrrell, Larson, Bradley, Hahn, Boddicker, Rants, and Cormack, a bill for an act increasing the tuition tax credit under the individual income tax and including a retroactive effective date provision.

Read first time and referred to committee on **ways and means**.

House File 13, by Corbett, Siegrist, Rayhons, Greiner, Dix, Heaton, Van Fossen, Arnold, Welter, Jager, Johnson, Baudler, Teig, Klemme, Hoffman, Huseman, Raecker, Kettering, Martin, Drake, Sunderbruch, Alons, Blodgett, Brauns, Boggess, Tyrrell, Holmes, Lord, Larson, Jenkins, Davis, Hansen, Nelson, Barry, Bradley, Gipp, Hahn, Boddicker, Garman, Sukup, Thomson, Rants, Cormack, Jacobs, and Metcalf, a bill for an act relating to law enforcement activities directed at the manufacturing and distribution of methamphetamine, making related appropriations to various state agencies, and increasing penalties relating to the illegal use of anhydrous ammonia.

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

House File 14, by Corbett, Siegrist, Rayhons, Greiner, Dix, Grundberg, Eddie, Van Fossen, Welter, Jager, Johnson, Baudler, Teig, Hoffman, Raecker, Kettering, Martin, Drake, Sunderbruch, Alons, Blodgett, Brauns, Tyrrell, Holmes, Lord, Larson, Davis, Nelson, Barry, Bradley, Gipp, Hahn, Boddicker, Sukup, Rants, Jacobs, and Metcalf, a bill for an act relating to early elementary reading assessments, creating a grant program, and making an appropriation.

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

House File 15, by Corbett, Rayhons, Greiner, Dix, Eddie, Van Fossen, Welter, Jager, Baudler, Teig, Klemme, Hoffman, Raecker, Drake, Sunderbruch, Alons, Brauns, Lord, Larson, Hansen, Nelson, Barry, Bradley, Gipp, Hahn, Boddicker, Sukup, Thomson, Rants, and Jacobs, a bill for an act to change the penalty applicable to the distribution of methamphetamine by adults to persons under eighteen years of age.

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

House File 16, by Corbett, Rayhons, Greiner, Eddie, Heaton, Van Fossen, Welter, Jager, Johnson, Baudler, Teig, Klemme, Hoffman, Huseman, Raecker, Drake, Sunderbruch, Alons, Blodgett, Brauns, Boggess, Tyrrell, Holmes, Larson, Nelson, Barry, Bradley, Gipp, Hahn, Boddicker, Garman, Thomson, Rants, and Metcalf, a bill for an act providing for the elimination of special education deficits incurred by school districts and making an appropriation.

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

House File 17, by Corbett, Siegrist, Greiner, Dix, Grundberg, Heaton, Van Fossen, Johnson, Baudler, Martin, Sunderbruch, Blodgett, Brauns, Boggess, Holmes, Lord, Larson, Nelson, Barry, Bradley, Hahn, Boddicker, Rants, and Metcalf, a bill for an act relating to practitioner preparation and professional development for beginning and experienced educators.

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

House File 18, by Corbett, Siegrist, Rayhons, Greiner, Van Fossen, Welter, Johnson, Baudler, Teig, Raecker, Martin, Drake, Sunderbruch, Blodgett, Brauns, Boggess, Holmes, Lord, Larson, Davis, Hansen, Nelson, Barry, Bradley, Gipp, Hahn, Boddicker, Sukup, Thomson, Rants, Cormack, Jacobs, and Metcalf, a bill for an act establishing the crime of consumer fraud against an older person and providing penalties.

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

House File 19, by Corbett, Siegrist, Rayhons, Greiner, Dix, Grundberg, Eddie, Heaton, Van Fossen, Arnold, Welter, Jager, Baudler, Raecker, Martin, Sunderbruch, Blodgett, Brauns, Tyrrell, Holmes, Lord, Larson, Davis, Nelson, Barry, Bradley, Hahn, Boddicker, Sukup, Rants, Cormack, Jacobs, and Metcalf, a bill for an act increasing the child and dependent care credit under the state individual income tax and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 20, by Corbett, Rayhons, Greiner, Dix, Van Fossen, Welter, Jager, Johnson, Baudler, Teig, Klemme, Hoffman, Huseman, Raecker, Kettering, Drake, Alons, Brauns, Holmes, Lord, Larson, Davis, Nelson, Barry, Bradley, Gipp, Hahn, Boddicker, Sukup, Thomson, Rants, and Metcalf, a bill for an act relating to the family investment program and food stamp benefits by providing for the ineligibility of individuals convicted of certain felony offenses involving a controlled substance and providing an applicability provision.

Read first time and referred to committee on **human resources**.

House File 21, by Corbett, Rayhons, Dix, Grundberg, Heaton, Van Fossen, Welter, Jager, Baudler, Raecker, Kettering, Sunderbruch, Blodgett, Brauns, Boggess, Tyrrell, Jenkins, Davis, Nelson, Barry, Bradley, Hahn, Boddicker, Thomson, Jacobs, and Metcalf, a bill for an act relating to the computation of the state individual income tax by reducing the number of adjustments to federal adjusted gross income in computing the net income, modifying filing status options, and providing a second-earner tax credit, and including an effective and applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 22, by Corbett, Rayhons, Greiner, Dix, Eddie, Heaton, Van Fossen, Welter, Jager, Johnson, Teig, Klemme, Huseman, Raecker, Kettering, Martin, Drake, Sunderbruch, Alons, Blodgett, Brauns, Boggess, Tyrrell, Holmes, Lord, Larson, Hansen, Nelson, Barry, Bradley, Gipp, Hahn, Boddicker, Garman, Sukup, Thomson, Rants, Cormack, and Metcalf, a bill for an act providing for an increase in the regular program foundation base per pupil, the regular program foundation base per pupil for the portion of weighted enrollment that is additional enrollment because of special education, and the special education support services foundation base, and including an effective date and applicability provision.

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

House File 23, by Corbett, Greiner, Van Fossen, Welter, Johnson, Baudler, Raecker, Drake, Brauns, Tyrrell, Holmes, Lord, Larson, Nelson, Barry, Bradley, Hahn, Boddicker, Sukup, Thomson, Rants, Jacobs, and Metcalf, a bill for an act concerning alcohol testing of

private sector employees and prospective employees and providing an effective date.

Read first time and referred to committee on **labor and industrial relations**.

House File 24, by Corbett, Sukup, Garman, Boddicker, Hahn, Bradley, Barry, Davis, Lord, Holmes, Tyrrell, Brauns, Blodgett, Alons, Sunderbruch, Baudler, Johnson, Greiner, and Rayhons, a bill for an act incorporating phonics into the educational standards for kindergarten through grade three.

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

House File 25, by Corbett, Siegrist, Rayhons, Greiner, Grundberg, Heaton, Van Fossen, Welter, Jager, Baudler, Hoffman, Martin, Sunderbruch, Alons, Blodgett, Brauns, Boggess, Holmes, Lord, Larson, Davis, Nelson, Barry, Bradley, Hahn, Boddicker, Thomson, Rants, and Metcalf, a bill for an act relating to protections provided an enrollee of a health maintenance organization and making remedies and penalties applicable.

Read first time and referred to committee on **commerce and regulation**.

House File 26, by Corbett, Greiner, Van Fossen, Jager, Baudler, Klemme, Drake, Sunderbruch, Alons, Brauns, Lord, Larson, Davis, Hansen, Barry, Bradley, Hahn, Boddicker, Sukup, Rants, and Cormack, a bill for an act applying the death penalty or life imprisonment for the offense of first degree murder, by establishing circumstances under which the death penalty will be applied, by providing a minimum age for imposition of a death sentence, by providing for review of death sentences, by providing for execution by lethal injection, by amending the rules of criminal procedure, and by providing an effective date and for the Act's applicability.

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

STANDING COMMITTEES APPOINTED

The Speaker announced the following appointments to the standing committees of the House:

ADMINISTRATION AND RULES - 14 Members

Carroll, Chair	Blodgett	Myers	Siegrist
Brauns*	Corbett	Rants	Warnstadt
Connors**	Gipp	Schrader	Weigel
Barry	Jochum		

AGRICULTURE - 21 Members

Klemme, Chair	Drake	Johnson	Parmenter
Horbach*	Fallon	Kuhn	Rayhons
Drees**	Frevert	May	Scherrman
Alons	Greiner	Mertz	Teig
Baudler	Huseman	Mundie	Welter
Boggess			

APPROPRIATIONS - 25 Members

Millage, Chair	Cataldo	Hansen	Nelson
Dix*	Cormack	Heaton	Parmenter
Murphy**	Falck	Huser	Sukup
Barry	Garman	Jacobs	Taylor
Bell	Gipp	Mascher	Warnstadt
Boggess	Greiner	Mertz	Wise
Brunkhorst			

COMMERCE AND REGULATION - 21 Members

Metcalf, Chair	Dix	Holveck	Raecker
Hoffman*	Doderer	Jacobs	Rants
Chapman**	Drees	Jenkins	Van Fossen
Bradley	Hansen	Johnson	Weigel
Cataldo	Holmes	Osterhaus	Wise
Chiodo			

ECONOMIC DEVELOPMENT - 21 Members

Teig, Chair	Dolecheck	Martin	Stevens
Jenkins*	Heaton	May	Thomas
Dotzler**	Hoffman	Metcalf	Van Fossen
Boggess	Horbach	Nelson	Weigel
Cohoon	Jochum	O'Brien	Witt
Cormack			

EDUCATION - 23 Members

Grundberg, Chair	Bukta	Falck	Rants
Thomson*	Burnett	Foege	Stevens
Wise**	Carrroll	Hansen	Sunderbruch
Boal	Cohoon	Kreiman	Thomas
Boddicker	Dolecheck	Lord	Warnstadt
Brunkhorst	Eddie	Nelson	

ENVIRONMENTAL PROTECTION - 21 Members

Hahn, Chair	Burnett	Gipp	Klemme
Bradley*	Cormack	Greiner	Mascher
Witt**	Drake	Holveck	Richardson
Alons	Fallon	Huseman	Shoultz
Bogges	Foege	Kettering	Stevens
Brunkhorst			

HUMAN RESOURCES - 21 Members

Boddicker, Chair	Brunkhorst	Ford	Mertz
Lord*	Bukta	Grundberg	Murphy
Foege**	Burnett	Hahn	Reynolds
Barry	Carroll	Kreiman	Thomson
Blodgett	Davis	Martin	Witt
Boal			

JUDICIARY - 21 Members

Larson, Chair	Chapman	Jager	Raecker
Baudler*	Davis	Kettering	Shoultz
Kreiman**	Doderer	Millage	Sukup
Barry	Ford	Myers	Sunderbruch
Bell	Holveck	Parmenter	Thomson
Boddicker			

LABOR AND INDUSTRIAL RELATIONS - 21 Members

Tyrrell, Chair	Dotzler	Horbach	Parmenter
Barry*	Falck	Larson	Raecker
Taylor**	Ford	Metcalf	Scherrman
Boddicker	Grundberg	Millage	Sukup
Connors	Hoffman	Murphy	Whitead
Dolecheck			

LOCAL GOVERNMENT - 21 Members

Houser, Chair	Connors	Klemme	Richardson
Arnold*	Dix	Kuhn	Van Engelenhoven
Fallon**	Eddie	Mascher	Weidman
Alons	Hahn	Mundie	Welter
Brauns	Huser	Reynolds	Whitead
Carroll			

NATURAL RESOURCES - 21 Members

Huseman, Chair	Brauns	Kettering	Rayhons
Sunderbruch*	Dotzler	Klemme	Richardson
O'Brien**	Drake	May	Scherrman
Alons	Frevert	Mundie	Tyrrell
Baudler	Garman	Myers	Weidman
Bell			

STATE GOVERNMENT - 21 Members

Martin, Chair	Cataldo	Houser	O'Brien
Holmes*	Chiodo	Jacobs	Reynolds
Larkin**	Connors	Jager	Taylor
Arnold	Davis	Jochum	Van Engelenhoven
Bradley	Gipp	Metcalf	Whitead
Brauns			

TRANSPORTATION - 21 Members

Welter, Chair	Bukta	Garman	Rayhons
Jager*	Chiodo	Heaton	Thomas
May**	Cohoon	Huser	Van Engelenhoven
Arnold	Drees	Johnson	Warnstadt
Blodgett	Eddie	Larkin	Weidman
Brauns			

WAYS AND MEANS - 25 Members

Van Fossen, Chair	Frevert	Jochum	Osterhaus
Drake*	Hoffman	Kuhn	Raecker
Shoultz**	Holmes	Larkin	Rants
Blodgett	Houser	Larson	Richardson
Boal	Jager	Lord	Teig
Chapman	Jenkins	Myers	Weigel
Doderer			

ETHICS - 6 Members

Cormack, Chair	Warnstadt**	Martin	Weigel
Lord*	Chapman		

HOUSE APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION AND REGULATION - 9 Members

Brunkhorst, Chair	Chiodo	Klemme	Taylor
Van Engelenhoven*	Holmes	O'Brien	Tyrrell
Cataldo**			

AGRICULTURE AND NATURAL RESOURCES - 9 Members

Greiner, Chair	Baudler	Hahn	Parmenter
Dolecheck*	Eddie	May	Thomas
Mertz**			

ECONOMIC DEVELOPMENT - 9 Members

Bogges, Chair	Dotzler	Reynolds	Sunderbruch
Raecker*	Hoffman	Stevens	Teig
Holveck**			

EDUCATION - 9 Members

Hansen, Chair	Barry	Dix	Scherrman
Boal*	Carroll	Frevort	Witt
Mascher**			

HEALTH AND HUMAN RIGHTS - 9 Members

Nelson, Chair	Brauns	Lord	Thomson
Alons*	Chapman	Shoultz	Weigel
Ford**			

HUMAN SERVICES - 9 Members

Heaton, Chair	Arnold	Burnett	Houser
Johnson*	Blodgett	Foegel	Jochum
Osterhaus**			

JUSTICE SYSTEM - 9 Members

Garman, Chair	Cormack	Larkin	Richardson
Davis*	Jager	Mundie	Welter
Bell**			

OVERSIGHT AND COMMUNICATIONS - 9 Members

Jacobs, Chair	Bradley	Huser	Martin
Kettering*	Drees	Jenkins	Whitead
Falk**			

TRANSPORTATION, INFRASTRUCTURE AND CAPITALS - 9 Members

Sukup, Chair	Bukta	Huseman	Warnstadt
Rayhons*	Horbach	Kuhn	Weidman
Cohoon**			

* Vice Chair

** Ranking Member

HOUSE COMMITTEE ASSIGNMENTS

Dwayne Alons

Agriculture
 Environmental Protection
 Local Government
 Natural Resources
 Health and Human Rights Appropriations
 Subcommittee, Vice Chair

Richard Arnold

Local Government, Vice Chair
 State Government
 Transportation
 Human Services Appropriations Subcommittee

Donna Barry	Administration and Rules Appropriations Human Resources Judiciary Labor and Industrial Relations, Vice Chair Education Appropriations Subcommittee
Clel Baudler	Agriculture Judiciary, Vice Chair Natural Resources Agriculture and Natural Resources Appropriations Subcommittee
Paul Bell	Appropriations Judiciary Natural Resources Justice System Appropriations Subcommittee, Ranking Member
Gary Blodgett	Administration and Rules Human Resources Transportation Ways and Means Human Services Appropriations Subcommittee
Carmine Boal	Education Human Resources Ways and Means Education Appropriations Subcommittee, Vice Chair
Dan Boddicker	Education Human Resources, Chair Judiciary Labor and Industrial Relations
Effie Lee Boggess	Agriculture Appropriations Economic Development Environmental Protection Economic Development Appropriations Subcommittee, Chair
Clyde Bradley	Commerce and Regulation Environmental Protection, Vice Chair State Government Oversight and Communications Appropriations Subcommittee
Barry Brauns	Administration and Rules, Vice Chair Local Government Natural Resources State Government Transportation

	Health and Human Rights Appropriations Subcommittee
Bob Brunkhorst	Appropriations Education Environmental Protection Human Resources Administration and Regulation Appropriations Subcommittee, Chair
Polly Bukta	Education Human Resources Transportation Transportation, Infrastructure and Capitals Appropriations Subcommittee
Cecelia Burnett	Education Environmental Protection Human Resources Human Services Appropriations Subcommittee
Danny Carroll	Administration and Rules, Chair Education Human Resources Local Government Education Appropriations Subcommittee
Michael Cataldo	Appropriations Commerce and Regulation State Government Administration and Regulation Appropriations Subcommittee, Ranking Member
Kay Chapman	Commerce and Regulation, Ranking Member Ethics Judiciary Ways and Means Health and Human Rights Appropriations Subcommittee
Frank Chiodo	Commerce and Regulation State Government Transportation Administration and Regulation Appropriations Subcommittee
Dennis Cohoon	Economic Development Education Transportation Transportation, Infrastructure and Capitals Appropriations Subcommittee, Ranking Member
John Connors	Administration and Rules, Ranking Member Labor and Industrial Relations

	Local Government State Government
Ron Corbett	Administration and Rules
Michael Cormack	Appropriations Economic Development Environmental Protection Ethics, Chair Justice System Appropriations Subcommittee
Galen Davis	Human Resources Judiciary State Government Justice System Appropriations Subcommittee, Vice Chair
Bill Dix	Appropriations, Vice Chair Commerce and Regulation Local Government Education Appropriations Subcommittee
Minnette Doderer	Commerce and Regulation Judiciary Ways and Means
Cecil Dolecheck	Economic Development Education Labor and Industrial Relations Agriculture and Natural Resources Appropriations Subcommittee, Vice Chair
Bill Dotzler	Economic Development, Ranking Member Labor and Industrial Relations Natural Resources Economic Development Appropriations Subcommittee
Jack Drake	Agriculture Environmental Protection Natural Resources Ways and Means, Vice Chair
Jim Drees	Agriculture, Ranking Member Commerce and Regulation Transportation Oversight and Communications Appropriations Subcommittee
Russell Eddie	Education Local Government Transportation Agriculture and Natural Resources Appropriations Subcommittee

Steve Falck	Appropriations Education Labor and Industrial Relations Oversight and Communications Appropriations Subcommittee, Ranking Member
Ed Fallon	Agriculture Environmental Protection Local Government, Ranking Member
Ro Foegel	Education Environmental Protection Human Resources, Ranking Member Human Services Appropriations Subcommittee
Wayne Ford	Human Resources Judiciary Labor and Industrial Relations Health and Human Rights Appropriations Subcommittee, Ranking Member
Marcella Frevert	Agriculture Natural Resources Ways and Means Education Appropriations Subcommittee
Teresa Garman	Appropriations Natural Resources Transportation Justice System Appropriations Subcommittee, Chair
Chuck Gipp	Administration and Rules Appropriations Environmental Protection State Government
Sandra Greiner	Agriculture Appropriations Environmental Protection Agriculture and Natural Resources Appropriations Subcommittee, Chair
Betty Grundberg	Education, Chair Human Resources Labor and Industrial Relations
James Hahn	Environmental Protection, Chair Human Resources Local Government Agriculture and Natural Resources Appropriations Subcommittee

Brad Hansen	Appropriations Commerce and Regulation Education Education Appropriations Subcommittee, Chair
Dave Heaton	Appropriations Economic Development Transportation Human Services Appropriations Subcommittee, Chair
Clarence Hoffman	Commerce and Regulation, Vice Chair Economic Development Labor and Industrial Relations Ways and Means Economic Development Appropriations Subcommittee
Danny Holmes	Commerce and Regulation State Government, Vice Chair Ways and Means Administration and Regulation Appropriations Subcommittee
Jack Holveck	Commerce and Regulation Environmental Protection Judiciary Economic Development Appropriations Subcommittee, Ranking Member
Lance Horbach	Agriculture, Vice Chair Economic Development Labor and Industrial Relations Transportation, Infrastructure and Capitals Appropriations Subcommittee
Hubert Houser	Local Government, Chair Ways and Means State Government Human Services Appropriations Subcommittee
Dan Huseman	Agriculture Environmental Protection Natural Resources, Chair Transportation, Infrastructure and Capitals Appropriations Subcommittee
Geri Huser	Appropriations Local Government Transportation Oversight and Communications Appropriations Subcommittee
Libby Jacobs	Appropriations

	Commerce and Regulation State Government Oversight and Communications Appropriations Subcommittee, Chair
Michael Jager	Judiciary State Government Transportation, Vice Chair Ways and Means Justice System Appropriations Subcommittee
Willard Jenkins	Commerce and Regulation Economic Development, Vice Chair Ways and Means Oversight and Communications Appropriations Subcommittee
Pam Jochum	Administration and Rules Economic Development State Government Ways and Means Human Services Appropriations Subcommittee
David Johnson	Agriculture Commerce and Regulation Transportation Human Services Appropriations Subcommittee, Vice Chair
Steve Kettering	Environmental Protection Judiciary Natural Resources Oversight and Communications Appropriations Subcommittee, Vice Chair
Ralph Klemme	Agriculture, Chair Environmental Protection Local Government Natural Resources Administration and Regulation Appropriations Subcommittee
Keith Kreiman	Education Human Resources Judiciary, Ranking Member
Mark Kuhn	Agriculture Local Government Ways and Means Transportation, Infrastructure and Capitals Appropriations Subcommittee
Rick Larkin	State Government, Ranking Member Transportation

	Ways and Means Justice System Appropriations Subcommittee
Chuck Larson	Judiciary, Chair Labor and Industrial Relations Ways and Means
David Lord	Education Ethics, Vice Chair Human Resources, Vice Chair Ways and Means Health and Human Rights Appropriations Subcommittee
Mona Martin	Economic Development Ethics Human Resources State Government, Chair Oversight and Communications Appropriations Subcommittee
Mary Mascher	Appropriations Environmental Protection Local Government Education Appropriations Subcommittee, Ranking Member
Dennis May	Agriculture Economic Development Natural Resources Transportation, Ranking Member Agriculture and Natural Resources Appropriations Subcommittee
Dolores Mertz	Agriculture Appropriations Human Resources Agriculture and Natural Resources Appropriations Subcommittee, Ranking Member
Janet Metcalf	Commerce and Regulation, Chair* Economic Development Labor and Industrial Relations State Government
David Millage	Appropriations, Chair Judiciary Labor and Industrial Relations
Norman Mundie	Agriculture Local Government Natural Resources Justice System Appropriations Subcommittee

Pat Murphy	Appropriations, Ranking Member Human Resources Labor and Industrial Relations
Dick Myers	Administration and Rules Judiciary Natural Resources Ways and Means
Beverly Nelson	Appropriations Economic Development Education Health and Human Rights Appropriations Subcommittee, Chair
Michael O'Brien	Economic Development Natural Resources, Ranking Member State Government Administration and Regulation Appropriations Subcommittee
Robert Osterhaus	Commerce and Regulation Ways and Means Human Services Appropriations Subcommittee, Ranking Member
Dennis Parmenter	Agriculture Appropriations Judiciary Labor and Industrial Relations Agriculture and Natural Resources Appropriations Subcommittee
J. Scott Raecker	Commerce and Regulation Judiciary Labor and Industrial Relations Ways and Means Economic Development Appropriations Subcommittee, Vice Chair
Christopher Rants	Administration and Rules Commerce and Regulation Education Ways and Means
Henry Rayhons	Agriculture Natural Resources Transportation Transportation, Infrastructure and Capitals Appropriations Subcommittee, Vice Chair
Rebecca Reynolds	Human Resources Local Government State Government

	Economic Development Appropriations Subcommittee
Steve Richardson	Environmental Protection Local Government Natural Resources Ways and Means Justice System Appropriations Subcommittee
Paul Scherrman	Agriculture Labor and Industrial Relations Natural Resources Education Appropriations Subcommittee
David Schrader	Administration and Rules
Don Shoultz	Environmental Protection Judiciary Ways and Means, Ranking Member Health and Human Rights Appropriations Subcommittee
Brent Siegrist	Administration and Rules
Greg Stevens	Economic Development Education Environmental Protection Economic Development Appropriations Subcommittee
Steve Sukup	Appropriations Judiciary Labor and Industrial Relations Transportation, Infrastructure and Capitals Appropriations Subcommittee, Chair
John Sunderbruch	Education Judiciary Natural Resources, Vice Chair Economic Development Appropriations Subcommittee
Todd Taylor	Appropriations Labor and Industrial Relations, Ranking Member State Government Administration and Regulation Appropriations Subcommittee
Russell Teig	Agriculture Economic Development, Chair Ways and Means Economic Development Appropriations Subcommittee

Roger Thomas	Economic Development Education Transportation Agriculture and Natural Resources Appropriations Subcommittee
Rosemary Thomson	Education, Vice Chair Human Resources Judiciary Health and Human Rights Appropriations Subcommittee
Phil Tyrrell	Labor and Industrial Relations, Chair Natural Resources Administration and Regulation Appropriations Subcommittee
Jim Van Engelenhoven	Local Government State Government Transportation Administration and Regulation Appropriations Subcommittee, Vice Chair
James Van Fossen	Commerce and Regulation Economic Development Ways and Means, Chair
Steven Warnstadt	Administration and Rules Appropriations Education Ethics, Ranking Member Transportation Transportation, Infrastructure and Capitals Appropriations Subcommittee
Dick Weidman	Local Government Natural Resources Transportation Transportation, Infrastructure and Capitals Appropriations Subcommittee
Keith Weigel	Administration and Rules Commerce and Regulation Economic Development Ethics Ways and Means Health and Human Rights Appropriations Subcommittee
Jerry Welter	Agriculture Local Government Transportation, Chair Justice System Appropriations Subcommittee

Wesley Whitead	Labor and Industrial Relations Local Government State Government Oversight and Communications Appropriations Subcommittee
Philip Wise	Appropriations Commerce and Regulation Education, Ranking Member
William Witt	Economic Development Environmental Protection, Ranking Member Human Resources Education Appropriations Subcommittee

COMMUNICATION FROM SECRETARY OF STATE

The following communication from the Secretary of State has been received and is on file in the office of the Chief Clerk:

REPORT TO THE SEVENTY-EIGHTH GENERAL ASSEMBLY REGARDING THE PUBLICATION OF PROPOSED CONSTITUTIONAL AMENDMENTS

To the Honorable, the Chief Clerk of the House of Representatives:

I, CHESTER J. CULVER, Secretary of State of the State of Iowa, do hereby certify that the following named newspapers were designated to publish SENATE JOINT RESOLUTION #9, Acts of the Seventy-seventh General Assembly. In accordance with Chapter 49A, Code of Iowa, affidavits showing proof of those publications are on file in this Department and are recorded as follows:

<u>Congressional District</u>	<u>Newspapers</u>	<u>1998 Dates Published</u>
First	Quad City Times, Davenport	8/4 9/8 10/7
	Cedar Rapids Gazette, Cedar Rapids	8/5 9/10 10/7
Second	Dubuque Telegraph Herald, Dubuque	8/4 9/9 10/8
	Waterloo Courier, Waterloo	8/4 9/8 10/6
Third	Ames Daily Tribune, Ames	8/3 9/7 10/5
	Burlington Hawk Eye, Burlington	8/4 9/8 10/6
Fourth	Council Bluffs Nonpariel, Council Bluffs	8/2 9/6 10/4
	Des Moines Register, Des Moines	8/5 9/9 10/7
Fifth	Fort Dodge Messenger, Fort Dodge	8/4 9/5 10/6
	Sioux City Journal, Sioux City	8/8 9/12 10/10

(Seal)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Secretary of State at the Capitol, in Des Moines, this eleventh day of January, 1999.

CHESTER J. CULVER, Secretary of State

I hereby acknowledge that I received the original copy of this document on the eleventh day of January, 1999.

ELIZABETH A. ISAACSON, Chief Clerk of the House

RULE 57 SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend Rule 57, relating to committee on notice and agenda for a meeting of the committee on administration and rules, upon recess:

On motion by Siegrist of Pottawattamie, the House was recessed at 11:25 a.m., until 1:15 p.m.

AFTERNOON SESSION

The House reconvened at 1:15 p.m., Speaker Corbett in the chair.

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 January 11, 1999, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 1, a concurrent resolution relating to a joint convention on Monday, January 11, 1999, at 1:30 p.m. for the purpose of canvassing votes and a joint convention on Tuesday, January 12, 1999 at 10:00 a.m. for the purpose of Governor Terry E. Branstad presenting his Condition of the State and Budget message.

Also: That the Senate has on January 11, 1999, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 2, a concurrent resolution relating to a joint convention on Wednesday, January 13, 1999, at 10:00 a.m. for the purpose of the Condition of the Judicial Branch message by Chief Justice Arthur A. McGiverin.

Also: That the Senate has on January 11, 1999, adopted the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 3, a concurrent resolution relating to appointment of a joint inaugural committee.

MICHAEL E. MARSHALL, Secretary

COMMITTEE TO NOTIFY THE SENATE

Rayhons of Hancock moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed and the Speaker appointed as such committee: Rayhons of Hancock, Boggess of Taylor and Chiodo of Polk.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Rayhons of Hancock, chair of the committee to notify the Senate that the House was ready to receive it in joint convention, reported that the committee had performed its duty.

The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station, the Secretary of the Senate to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

JOINT CONVENTION

In accordance with law and the concurrent resolution duly adopted, the joint convention was called to order, President Kramer presiding.

Senator Iverson moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present.

The motion prevailed.

President Kramer announced a quorum present and the joint convention duly organized.

CANVASS OF VOTES

President Kramer announced that the time had arrived for the canvass of votes for the offices of Governor and Lieutenant Governor at the General Election held on November 3, 1998, and announced as teller, on the part of the Senate, Senator Tinsman of Scott, and assistant tellers Senators McKean of Jones and Szymoniak of Polk, and as teller, on the part of the House, Representative Greiner of Washington, and assistant tellers Representatives Heaton of Henry and Larkin of Lee.

President Kramer further announced that, in accordance with statute, the six tellers just named would constitute the judges of said canvass.

The returns were opened in the presence of the joint convention and the tellers then proceeded to canvass the vote for Governor and Lieutenant Governor of the State of Iowa, cast at the General Election held on November 3, 1998.

Representative Siegrist moved that the joint convention recess until 9:45 a.m., Tuesday, January 12, 1999.

The motion prevailed and the joint convention was recessed at 2:05 p.m.

The House reconvened at 2:07 p.m., Speaker pro tempore Rants in the chair.

INTRODUCTION OF BILL

House File 27, by Corbett, Boddicker, Myers, Hahn, Bradley, Barry, Larson, Lord, Boggess, Brauns, Drake, Baudler, Jager, Welter, Dix, Greiner, Rayhons, Fallon, Thomas, Richardson, Falck, and Mertz, a bill for an act relating to the exercise of the power of eminent

domain and to condemnation proceedings and including effective and applicability date provisions.

Read first time and referred to committee on **local government**.

SPECIAL ORDER

The hour for the special order having arrived, the members were requested to vacate their seats.

The drawing of seats was as follows:

1. Speaker of the House Corbett—floor seat
2. Speaker pro tempore Rants
3. Majority Floor Leader Siegrist
4. Minority Floor Leader Schrader
5. Assistant Floor Leaders —
6. Members with defective sight, hearing and physical disability
7. Drawing by seniority:
 - a. Former Speaker
 - b. Returning members, by seniority
 - c. New members

The drawing of seats proceeded with the following results:

Name	Seat No.	Name	Seat No.
Dwayne Alons.....	3	Minnette Doderer.....	98
Richard Arnold.....	35	Cecil Dolecheck.....	61
Donna Barry.....	68	Bill Dotzler.....	9
Clel Baudler.....	17	Jack Drake.....	45
Paul Bell.....	86	James Drees.....	71
Gary Blodgett.....	65	Russell Eddie.....	27
Carmine Boal.....	36	Steve Falck.....	11
Dan Boddicker.....	32	Ed Fallon.....	90
Effie Lee Boggess.....	13	Ro Foegen.....	58
Clyde Bradley.....	49	Wayne Ford.....	10
Barry Brauns.....	64	Marcella Frevort.....	77
Bob Brunkhorst.....	59	Teresa Garman.....	34
Polly Bukta.....	73	Chuck Gipp.....	66
Cecelia Burnett.....	72	Sandra Greiner.....	55
Danny Carroll.....	25	Betty Grundberg.....	46
Michael Cataldo.....	62	James Hahn.....	63
Kay Chapman.....	88	Brad Hansen.....	20
Frank Chiodo.....	12	Dave Heaton.....	6
Dennis Cohoon.....	67	Clarence Hoffman.....	21
John Connors.....	84	Danny Holmes.....	30
Ron Corbett.....	14	Jack Holveck.....	93
Michael Cormack.....	8	Lance Horbach.....	15
Galen Davis.....	38	Hubert Houser.....	48
Bill Dix.....	44	Dan Huseman.....	47

Name	Seat No.	Name	Seat No.
Geri Huser.....	56	Scott Raecker	18
Libby Jacobs.....	28	Christopher Rants	16
Michael Jager.....	40	Henry Rayhons.....	57
Willard Jenkins.....	22	Rebecca Reynolds.....	23
Pam Jochum.....	96	Steve Richardson.....	76
David Johnson.....	4	Paul Scherrman.....	75
Steve Kettering.....	19	David Schrader.....	99
Ralph Klemme.....	26	Don Shoultz.....	91
Keith Kreiman.....	60	Brent Siegrist.....	100
Mark Kuhn.....	78	Greg Stevens.....	74
Richard Larkin.....	53	Steve Sukup.....	52
Charles Larson.....	82	John Sunderbruch.....	39
David Lord.....	5	Todd Taylor.....	95
Mona Martin.....	24	Russell Teig.....	37
Mary Mascher.....	70	Roger Thomas.....	42
Dennis May.....	51	Rosemary Thomson.....	79
Dolores Mertz.....	7	Phil Tyrrell.....	2
Janet Metcalf.....	31	Jim Van Engelenhoven.....	29
David Millage.....	87	Jamie Van Fossen.....	50
Norman Mundie.....	43	Steven Warnstadt.....	83
Pat Murphy.....	85	Dick Weidman.....	33
Richard Myers.....	97	Keith Weigel.....	89
Beverly Nelson.....	54	Jerry Welter.....	81
Michael O'Brien.....	1	Wesley Whitead.....	69
Robert Osterhaus.....	41	Philip Wise.....	94
Dennis Parmenter.....	80	Bill Witt.....	92

Siegrist of Pottawattamie moved that the assignment of seats be accepted as listed.

The motion prevailed.

HOUSE FILE 3 REREFERRED

The Speaker announced that House File 3, previously referred to committee on **judiciary** was rereferred to committee on **commerce and regulation**.

INTERIM APPOINTMENTS

The following appointments were made during the interim:

HAWK-I BOARD

(Chapter 1196, Section 6 (1), 1998 Acts of the Seventy-seventh General Assembly)

Brad Hansen.....	To a term ending June 22, 2001
Robert J. Osterhaus.....	To a term ending June 22, 2001

IOWA EMPOWERMENT BOARD

(Chapter 7I.2, Code of Iowa)

Betty Grundberg To a term ending May 20, 2001
 Hubert Houser..... To a term ending May 20, 2001
 Ro Foege..... To a term ending May 20, 2001

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

AUDITOR OF STATE

The Independent Auditor's Report for the period ending June 30, 1997, pursuant to Chapter 11.25, Code of Iowa.

An analysis of the Area Education Agencies, pursuant to Chapter 1215, 1998 Acts of the Seventy-seventh General Assembly.

CITIZENS' AIDE/OMBUDSMAN

A copy of the Investigative Report 98-1, Investigation of the Department of Natural Resources' response to water pollution complaints involving Lynndana Acres Subdivision, pursuant to Chapter 2C, Code of Iowa.

COMMUNITY ACTION AGENCIES IN IOWA

The 1997 Annual Report, pursuant to Chapter 216A, Code of Iowa.

COMMUNITY HEALTH MANAGEMENT INFORMATION SYSTEM

The Annual Report for the 1998-1999 period, pursuant to Chapter 144C, Code of Iowa.

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

A report regarding the conference on the status of soil and water conservation, pursuant to Chapter 159, Code of Iowa.

Office of Renewable Fuels and Co-Products

The Fourth Annual Report, pursuant to Chapter 159.15, Code of Iowa.

DEPARTMENT FOR THE BLIND

The 1998 Annual Report, pursuant to Chapter 7E.3, Code of Iowa.

DEPARTMENT OF COMMERCE

A report on savings incurred from using the Iowa Communications Network, pursuant to Chapter 8D. 10, Code of Iowa.

Iowa Utilities Board

The 1997 Annual Report, pursuant to Chapters 7A.1, 7A.10 and 476.16, Code of Iowa.

DEPARTMENT OF CORRECTIONS

The Fiscal Year 1997 and Fiscal Year 1998 State Agency Purchase Report for Sales from Iowa Prison Industries, pursuant to Chapter 1222, 1998 Acts of the Seventy-seventh General Assembly.

The cumulative Pay for Stay Reports for Fiscal Year 1999, pursuant to Chapter 1222, 1998 Acts of the Seventy-seventh General Assembly.

The Fiscal Year 1997 and Fiscal Year 1998 State Agency Purchase Report for Sales from Iowa Prison Industries, pursuant to Chapter 1222, 1998 Acts of the Seventy-seventh General Assembly.

The Inmate Telephone Revenue and Expenditure Reports, pursuant to Chapter 1222, 1998 Acts of the Seventy-seventh General Assembly.

The information and reports regarding IPI Farms, pursuant to Chapter 1222, 1998 Acts of the Seventy-seventh General Assembly.

The Institutions Division Inmate Hard Labor Report, pursuant to Chapter 1222, 1998 Acts of the Seventy-seventh General Assembly.

DEPARTMENT OF CULTURAL AFFAIRS

The Fiscal Year 1998 Annual Report, pursuant to Chapters 7A.3 and 303.1(6)(b), Code of Iowa.

A summary of the amount of state financial assistance expended for fine arts in state buildings, pursuant to Chapter 1215.55, 1998 Acts of the Seventy-seventh General Assembly.

DEPARTMENT OF ECONOMIC DEVELOPMENT

A report on the savings associated with the state agency's use of the Iowa Communications Network, pursuant to Chapter 8D.10, Code of Iowa.

A report of the activities for the Rural Microenterprise Program, pursuant to Chapter 15.114, Code of Iowa.

DEPARTMENT OF HUMAN RIGHTS

Commission on Latino Affairs

The Annual Report, pursuant to Chapter 216A.12, Code of Iowa.

Commission of Persons with Disabilities

The Annual Report for the period of July 1, 1997 to June 30, 1998, pursuant to Chapter 218.48, Code of Iowa.

DEPARTMENT OF HUMAN SERVICES

The Annual Report on Personal Assistance and Family Support Services, pursuant to Chapter 225C.48, Code of Iowa.

The 1998 Annual Report, pursuant to Chapter 217.21, Code of Iowa.

A report to determine the immunization status of children receiving assistance under the Family Investment Program, pursuant to Chapter 41.13, 1997 Acts of the Seventy-seventh General Assembly.

The Annual Report of Savings realized through use of the Iowa Communications Network, pursuant to Chapter 8D.10, Code of Iowa.

A report detailing the expenditure categories for the spending in the judicial districts for court-ordered services for juveniles in fiscal year 1997-1998, pursuant to Chapter 1218.18, 1998 Acts of the Seventy-seventh General Assembly.

A report on legal settlements, pursuant to Chapter 1181.9, 1998 Acts of the Seventy-seventh General Assembly.

A report on the cost for the State to assume full cost for minors at the State Mental Health Institutes, pursuant to Chapter 1181.15, 1998 Acts of the Seventy-seventh General Assembly.

A report of recommendations regarding the improved sharing of information, including confidential information, between state agencies, pursuant to Chapter 1218.73, 1998 Acts of the Seventy-seventh General Assembly.

A review of the degree of cost recovery and other financial aspects of the practices applied to contracts for use of facilities and other resources of the state institutions administered by the department, pursuant to Chapter 1155.5, 1998 Acts of the Seventy-seventh General Assembly.

A report of the Medicaid Drug Prior Authorization/Prospective Drug Utilization Review Task Force, pursuant to Chapter 1218.10(1), 1998 Acts of the Seventy-seventh General Assembly.

The Annual Savings Report on ICN Usage for Fiscal Year 1998, pursuant to Chapter 217.21, Code of Iowa.

A Report to the General Assembly titled: "Medicaid Durable Medical Equipment and Supplies – Reimbursement Methodology: Access, Utilization, and Rates," pursuant to Chapter 1218.32(10)(j), 1998 Acts of the Seventy-seventh General Assembly.

A Report to the General Assembly titled: "Iowa Medicaid and Physician Services – A Report to the Iowa General Assembly," pursuant to Chapter 1218.32(10)(j), 1998 Acts of the Seventy-seventh General Assembly.

A Report to the General Assembly titled: "Iowa Medicaid and Chiropractic Services – A Report to the Iowa General Assembly," pursuant to Chapter 1218.32(10)(j), 1998 Acts of the Seventy-seventh General Assembly.

A Report to the General Assembly titled: "Medicaid Dental Reimbursement Methodology: Access, Utilization, and Rates," pursuant to Chapter 1218.32(10)(j), 1998 Acts of the Seventy-seventh General Assembly.

The Progress Report on Electronic Benefit Transfer, pursuant to Chapter 1218.5, 1998 Acts of the Seventy-seventh General Assembly.

A Report of Utilization Management Criteria for Group Care, pursuant to Chapter 1218.15(2)(e), 1998 Acts of the Seventy-seventh General Assembly.

A report to the joint appropriations subcommittee on human services pursuant to Chapter 1218.73, 1998 Acts of Seventy-seventh General Assembly.

A Report and recommendations from the Support Liens Task Force, pursuant to Chapter 175.201, 1997 Acts of the Seventy-seventh General Assembly.

The Final Report on the Registered Child Care Homes Pilot Project, pursuant to Chapter 151.4, 1997 Acts of the Seventy-seventh General Assembly.

A Report submitted jointly by the Department of Human Services and the State Auditor's Office, pursuant to Chapter 1218.62, 1998 Acts of the Seventy-seventh General Assembly.

Commission on Children, Youth and Families

The 1998 Annual Report, pursuant to Chapter 217.9a, Code of Iowa.

The Final Report, pursuant to Chapter 217.9a, Code of Iowa.

DEPARTMENT OF INSPECTIONS AND APPEALS

The 1997 Fiscal Year Annual Report, pursuant to Chapter 7E.5, Code of Iowa.

The report on the Licensing of Home Health Agencies, pursuant to Chapter 1217.8(5), 1998 Acts of the Seventy-seventh General Assembly.

DEPARTMENT OF JUSTICE

Consumer Advocate Division

The Earnings Calculation and Report, pursuant to Chapter 476.98, Code of Iowa.

DEPARTMENT OF MANAGEMENT

The Utility Replacement Tax Task Force Report, pursuant to Chapter 1194, 1998 Acts of the Seventy-seventh General Assembly.

DEPARTMENT OF NATURAL RESOURCES

The Public Drinking Water Program 1997 Annual Compliance Report, pursuant to Chapter 455A.4(1)(j), Code of Iowa.

The Annual Report titled "Energy Fund Disbursement Council Report to the Governor and General Assembly," pursuant to Chapter 7A.11, Code of Iowa.

The Annual Report for Fiscal Year 1998, pursuant to Chapter 7A.3(12), Code of Iowa.

The 1998 REAP Congress Report, pursuant to Chapter 7A.11, Code of Iowa.

The Annual Report, pursuant to Chapter 7A.11(a), Code of Iowa

DEPARTMENT OF PERSONNEL

The Fiscal Year 1999 Classification and Pay Plans Report, pursuant to Chapter 19A.7, Code of Iowa.

DEPARTMENT OF PUBLIC HEALTH

The Iowa Gambling Treatment Program Evaluation, pursuant to chapter 1221.16, 1998 Acts of the Seventy-seventh General Assembly.

The Fiscal Year 1998 Annual Report, pursuant to Chapter 8D.10, Code of Iowa.

Division of Substance Abuse and Health Promotion

A Report on Methamphetamines, pursuant to Chapter 1155.4, 1998 Acts of the Seventy-seventh General Assembly.

A Report on Dual Diagnosis, pursuant to Chapter 1155.4, 1998 Acts of the Seventy-seventh General Assembly.

DEPARTMENT OF PUBLIC SAFETY

The 1997 Iowa Uniform Crime Report, pursuant to Chapter 692.15, Code of Iowa.

Division of Administrative Services

The savings gained by the departments of state government by the use of ICN video services, pursuant to Chapter 8D.10, Code of Iowa.

DEPARTMENT OF REVENUE AND FINANCE

The 1998 Annual Report, pursuant to Chapter 422.75(28), Code of Iowa.

The Comprehensive Annual Financial Report for the Fiscal Year Ending June 30, 1998, pursuant to Chapter 421.31(5), Code of Iowa.

Lottery Division

The Independent Auditor's Reports, Financial Statements and Supplemental Information, pursuant to Chapter 68B.35, Code of Iowa.

DEPARTMENT OF TRANSPORTATION

The Annual Sufficiency Rating Report, pursuant to Chapter 307A.2(12), Code of Iowa.

The Fiscal Year 1998 Highway Construction Program, actual expenditures of the program, and contractual obligations of the program, pursuant to Chapter 307.12(14), Code of Iowa.

A summary of purchasing activity for soy based inks and recycled content trash bags, pursuant to Chapter 307.21, Code of Iowa.

The 1999-2003 Transportation Improvement Program, pursuant to Chapter 307A.2(12), Code of Iowa.

The results of the Request For Proposal (RFP) for a new digitized photo license issuance system, pursuant to Chapter 1143.25, 1998 Acts of the Seventy-seventh General Assembly.

ETHICS AND CAMPAIGN DISCLOSURE BOARD

A report of savings gained by use of ICN services, pursuant to Chapter 8D.10, Code of Iowa.

GOVERNOR'S ALLIANCE ON SUBSTANCE ABUSE

The Annual Report, pursuant to Chapter 80E, Code of Iowa.

The ICN Savings Report for state fiscal year 1998, pursuant to Chapter 80E, Code of Iowa.

IOWA HIGHER EDUCATION LOAN AUTHORITY

The 1998 Annual Report, pursuant to Chapter 261A.21, Code of Iowa.

IOWA VETERANS HOME

The Annual Savings Report on ICN Usage for fiscal year 1998, pursuant to Chapter 35D.17, Code of Iowa.

STATE BOARD OF REGENTS

The Annual Reports on SUI, ISU and UNI Technology Transfer and Economic Development Activities, pursuant to Chapter 262.26, Code of Iowa.

A report from the University of Iowa Hospital and Clinics, pursuant to Chapter 263A.13, Code of Iowa.

Reports pertaining to the Regent Minority and Women Educators Enhancement Program and the College-Bound Program, pursuant to Chapters 262.82, 262.92 and 262.93, Code of Iowa.

TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

The Five-year Financial Plan for the Iowa Communication Network, pursuant to Chapter 8D.3(3)(f), Code of Iowa.

A review of maintenance contracts, pursuant to Chapter 8D.3(3)(g), Code of Iowa.

A summary of identified savings associated with the Iowa Communications Network use of the Network during Fiscal Year 1998, pursuant to Chapter 8D.10, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\1 John Davey, Indianola – For celebrating his 90th birthday.
- 1999\2 Leta Davey, Indianola – For celebrating her 90th birthday.
- 1999\3 Alva Mohl, Davenport – For celebrating his 90th birthday.
- 1999\4 Belden Lemons, Independence – For celebrating his 90th birthday.
- 1999\5 Orville and Margie Thom, Winthrop – For celebrating their 60th wedding anniversary.
- 1999\6 Leonard (Bud) and Beverly Burke, Oelwein – For celebrating their 50th wedding anniversary.
- 1999\7 Leonard and Betty Benter, Oelwein – For celebrating their 50th wedding anniversary.
- 1999\8 Lois Johnson Laflin, Dunlap – For celebrating her 90th birthday.
- 1999\9 Jason Bradwell, Fort Dodge – For helping his troupe raise more than \$30,000.00 for a thermal imaging camera (a life saving piece of equipment), which was donated to the Fort Dodge Fire Department.
- 1999\10 Ryan Trampel, Fort Dodge – For helping his troupe raise more than \$30,000.00 for a thermal imaging camera (a life saving piece of equipment), which was donated to the Fort Dodge Fire Department.
- 1999\11 Jeff Nelson, Fort Dodge – For helping his troupe raise more than \$30,000.00 for a thermal imaging camera (a life saving piece of equipment), which was donated to the Fort Dodge Fire Department.
- 1999\12 Archie Mackay, Fort Dodge – For helping his troupe raise more than \$30,000.00 for a thermal imaging camera (a life saving piece of equipment), which was donated to the Fort Dodge Fire Department.
- 1999\13 Matt Adams, Fort Dodge – For helping his troupe raise more than \$30,000.00 for a thermal imaging camera (a life saving piece of equipment), which was donated to the Fort Dodge Fire Department.

- 1999\14 Tony Cupp, Fort Dodge – For helping his troupe raise more than \$30,000.00 for a thermal imaging camera (a life saving piece of equipment), which was donated to the Fort Dodge Fire Department.
- 1999\15 Jason Smith, Fort Dodge – For helping his troupe raise more than \$30,000.00 for a thermal imaging camera (a life saving piece of equipment), which was donated to the Fort Dodge Fire Department.
- 1999\16 Bobby Cupp, Fort Dodge – For helping his troupe raise more than \$30,000.00 for a thermal imaging camera (a life saving piece of equipment), which was donated to the Fort Dodge Fire Department.
- 1999\17 Iain Mackay, Fort Dodge – For helping his troupe raise more than \$30,000.00 for a thermal imaging camera (a life saving piece of equipment), which was donated to the Fort Dodge Fire Department.
- 1999\18 Tyler Terranova, Fort Dodge – For helping his troupe raise more than \$30,000.00 for a thermal imaging camera (a life saving piece of equipment), which was donated to the Fort Dodge Fire Department.
- 1999\19 Tyler Smith, Fort Dodge – For helping his troupe raise more than \$30,000.00 for a thermal imaging camera (a life saving piece of equipment), which was donated to the Fort Dodge Fire Department.
- 1999\20 Robert Pingel, Fort Dodge – For helping his troupe raise more than \$30,000.00 for a thermal imaging camera (a life saving piece of equipment), which was donated to the Fort Dodge Fire Department.
- 1999\21 Courtney Lockner, Fort Dodge – For helping his troupe raise more than \$30,000.00 for a thermal imaging camera (a life saving piece of equipment), which was donated to the Fort Dodge Fire Department.

RESOLUTION FILED

HCR 4, by Burnett, a concurrent resolution urging the development of programs to provide economic incentives to conserve endangered ecosystems and species.

Referred to committee on **economic development**.

On motion by Siegrist of Pottawattamie the House adjourned at 2:45 p.m., until 8:45 a.m., Tuesday, January 12, 1999.

JOURNAL OF THE HOUSE

Second Calendar Day - Second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 12, 1999

The House met pursuant to adjournment at 8:45 a.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Bill Steward, pastor of Grace Methodist Church, Sioux City.

The Journal of Monday, January 11, 1999 was approved.

PETITION FILED

The following petition was received and placed on file:

By Brunkhorst of Bremer, from one thousand three hundred eighty-six constituents favoring increasing Title 19 reimbursement to nonprofit nursing homes.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Osterhaus of Jackson for today and Wednesday, January 13, 1999, on request of Schrader of Marion.

INTRODUCTION OF BILLS

House File 28, by Boggess, a bill for an act relating to the issuance of deer and wild turkey hunting licenses to a nonresident owning a farm unit in this state.

Read first time and referred to committee on **natural resources**.

House File 29, by Larson, a bill for an act relating to the voter approval of annexation and severance of territory to or from a city and including effective date and applicability provisions.

Read first time and referred to committee on **local government**.

House File 30, by O'Brien, a bill for an act relating to the time and the criteria for filing of claims for refund under the state individual income tax by retired federal employees as a result of the unconstitutional taxation of federal pensions and providing an effective date.

Read first time and referred to committee on **ways and means**.

House File 31, by Heaton, a bill for an act relating to the penalty for a first-time operating while intoxicated violation when the defendant installs an ignition interlock device.

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

House File 32, by Heaton, a bill for an act relating to voter registration deadlines and voter registration by mail.

Read first time and referred to committee on **state government**.

House File 33, by Tyrrell, a bill for an act establishing the offense of criminal voyeurism and providing a penalty.

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

House File 34, by Hansen, a bill for an act exempting from the sales, services, and use taxes sales made and services furnished to nonprofit nursing homes.

Read first time and referred to committee on **ways and means**.

House File 35, by Cormack, a bill for an act relating to reductions in the ownership of automobiles, vans, light trucks, and similar motor vehicles in the state department of transportation's motor vehicle fleet.

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

House File 36, by Chapman, a bill for an act requiring consideration of environmental enforcement actions prior to approval or denial of permits issued by the department of natural resources.

Read first time and referred to committee on **environmental protection**.

House File 37, by Burnett, a bill for an act relating to beverage containers, refund values, and redemption amounts of the beverage container control law.

Read first time and referred to committee on **environmental protection**.

House File 38, by Kreiman, a bill for an act eliminating references to an obsolete federal requirement relating to the attachment of an adoption information form to an adoption petition and decree.

Read first time and referred to committee on **human resources**.

House File 39, by Garman, a bill for an act relating to the exemption from the sales, services, and use taxes of heat for use in residential-type dwellings and for fuel used to provide heat for residential-type dwellings and providing an applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 40, by Kreiman, a bill for an act relating to trespassing while in possession of a dangerous weapon, and providing a penalty.

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

House File 41, by O'Brien, a bill for an act relating to the exemption of the sales of horses from the state sales, services, and use taxes.

Read first time and referred to committee on **ways and means**.

House File 42, by Grundberg, a bill for an act increasing the child and dependent care credit under the state individual income tax, providing for indexing of the net income amounts used in determining the amount of credit, and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

INAUGURAL COMMITTEE APPOINTED

The Speaker announced the appointment of the following members of the inaugural committee on the part of the House: Representatives Lord of Dallas, Larson of Linn, Heaton of Henry, Foege of Linn, Ford of Polk and Mascher of Johnson.

The House stood at ease at 8:52 a.m., until the fall of the gavel.

The House resumed session at 9:30 a.m., Speaker Corbett in the chair.

COMMITTEE TO NOTIFY THE SENATE

Horbach of Tama moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed and the Speaker appointed as such committee the following: Horbach of Tama, Van Engelenhoven of Mahaska and Thomas of Clayton.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Horbach of Tama, chair of the committee to notify the Senate that the House was ready to receive it in joint convention, reported that it had performed its duty.

The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 1, duly adopted, the joint convention was called to order, President Kramer presiding.

Senator Iverson of Wright moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present.

The motion prevailed.

President Kramer announced a quorum present and the joint convention duly organized.

Senator Iverson of Wright moved that a committee of six, consisting of three members from the Senate and three members from the House of Representatives, be appointed to notify Governor Terry E. Branstad that the joint convention was ready to receive him.

The motion prevailed and the President appointed as such committee Senators Behn of Boone, Boettger of Shelby and Black of Jasper, on the part of the Senate, and Representatives Raecker of Polk, Blodgett of Cerro Gordo and Richardson of Warren, on the part of the House.

The Supreme Court Justice, the Justices of the Supreme Court, and the Judges of the Court of Appeals were escorted into the House chamber.

Secretary of State, Chester J. Culver; Treasurer of State, Michael Fitzgerald; Secretary of Agriculture and Land Stewardship, Patty Judge; and State Auditor Dick Johnson, were escorted into the House chamber.

Mrs. Chris Branstad, wife of the Governor, and their sons Marcus and Eric were escorted into the House chamber.

Lieutenant Governor Joy Corning was escorted into the House chamber.

Governor-elect Tom Vilsack and Lieutenant Governor-elect Sally Pederson were escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him to the Speaker's station.

President Kramer then presented Governor Terry E. Branstad who delivered the following condition of the state address:

President Kramer, Speaker Corbett, Lieutenant Governor Corning, Governor-Elect Vilsack, Lieutenant Governor-Elect Pederson, Chief Justice McGiverin, Justices and Judges, State Officials, Senators and Representatives, Distinguished Guests, and Friends.

On this, my last State of the State Address, pardon me if I get just a little bit nostalgic. I vividly recall, back in 1982, when then Governor Ray was being touted for his 14 years of outstanding service. My friend Senator Chuck Grassley, in his own unique style, rose before the assembled throng and pronounced that Governor Ray was "the longest Governor in the history of Iowa." Well, I've never been accused of being the "longest" Governor in Iowa; the shortest, maybe; but never the longest.

These past 16 years have been the best years of my life. Challenging, yes; stressful, at times; demanding, always. But I was and remain invigorated each and every day by my love for this state and its people. To all of you who have put up with my mustache, my less than silver tongue, and my Iowa earnestness over all these years, I say thank you.

Thank you for giving this farm boy from Winnebago County a chance to be your Governor. I will never forget the honor you gave me when I led you well, nor the tender mercies you showed when I struggled with you to find a better way.

To the members of the General Assembly past and present, to Lieutenant Governor Corning, my partner of the last eight years, and our State officials, and all those Iowans who dared to dream with me of better things to come, I say thank you. You've built a better Iowa for all of us.

It's been a great run.

- In January 1983, the unemployment rate was 8.9 percent and 126,000 Iowans were out of work. Today, our unemployment rate is 2.5 percent and more Iowans are working than ever before.
- Sixteen years ago, our budget was not balanced and taxes had to be raised. In 1999, we have a record budget surplus, and taxes have been cut four years in a row, and should be cut again this year.
- In 1983, we were in the midst of a farm crisis where we literally lost a generation of Iowans. As we approach the 21st century, we can be proud that Iowa is growing again, and a majority of our counties are gaining population.

I can go on:

- The unemployment trust fund – from a \$63 million deficit to a surplus of over \$750 million;
- Manufacturing jobs, up almost 24 percent, despite a decline nationally, with payroll jobs up 40 percent;
- Per capita income, up 115 percent;
- Housing values, 147 percent higher in the last ten years;
- Factory exports, up 234 percent and business failures, down 80 percent in the last decade.

We now manage under generally accepted accounting principles, with adequate reserve accounts, and with spending under control. State government now operates as a single enterprise with a common goal, not as a multitude of independent agencies.

I could go on and on. Indeed, 1998 proved that our economic diversification strategy worked. Despite record low pork prices and other farm commodity prices in the pits, our economy continued to grow.

How did we do this? We focused on the fundamentals. We made the state more competitive by cutting taxes and regulations. We put training and incentive packages together for quality jobs. We invested in education at all levels to build a strong work force. We trained and energized a new generation of community leaders committed to economic development. We built commercial highway and telecommunications networks to link and to provide better access to all parts of our state. And we marketed and promoted Iowa like never before.

As we close the books on 1998, I am pleased to report that the state of our state is strong and sound. Iowa was recently recognized as the best state in America to raise a child. Iowa is, indeed, in good shape.

But enough of the past. What about the future? What's in store for Iowa as we embark on a new century and a new millenium?

Someone once said that the definition of a statesman is a former politician. Well, as a soon to be statesman, let me visit with you for a minute with some straight talk about change and the future of Iowa.

You see, Iowa needs to change – in three major ways – if we are to reach our potential as a people. Now, I know that we lowans don't like change. I'm living testimony to that. If things work, we generally don't tinker with them. Lord knows, with all the change in the weather, we don't need more change to deal with in our lives.

That attitude has a certain appeal to it. We continue to be a place where you know your neighbor, where they know when you're sick, and they care when you die. Family, friends, community – those constants of Iowa life give us a grounding that is unique in America today.

But that doesn't mean we can escape change. Too often, we lowans idolize the past – reflecting on the loamy smell of newly tilled ground in the spring; the ringing of the dinner bell calling us from the hay barn; or a full harvest moon over a soon-to-be picked field of corn – and we wonder why life can't always be filled with the sights, sounds, and smells of the way life used to be.

But, in reality, our state almost from its inception, has been trying to resist the inexorable march of economic change. A change that has displaced people with machines on our farms and sent some of our best and brightest packing for the bright lights of the cities.

Now that we have stabilized this state, now that we are in good shape again, it is time to stop resisting change once and for all.

It is time for Iowa to truly grow once again. That is the first and most important challenge facing us. How do we do that? Historically, we have acceded to change only

during times of catharsis – our economic diversification program became a reality only once we hit a wall called the farm crisis.

Our challenge today is to make changes in the good times so that Iowa can grow into even better times. We need to open our arms and communities to 21st century immigrants who will make our state economically stronger and more culturally diverse.

We must convince our own children and those from other states that they can make a great living and live a great life in Iowa. We will not convince them with memories of a pastoral past. You can't feed your family on memories. We will convince them only by creating a climate of growth and unlimited opportunity for all.

Therefore, I suggest that Iowans engage in a great conversation; a great conversation on growth over the next few years. In every community, barriers to growth, whether they be statutory, regulatory, cultural, or economic, should be identified and broken down. An era of responsible risk taking must be ushered in. A new era of entrepreneurship must be fostered. Successful risk-takers should be touted, not flouted. We must make it OK to stand out above the crowd in Iowa.

We need to nurture the next generation of Ruans and McLeods, John K. Hansons and Dwight Vredenburgs. And then double and triple their number.

That does not mean we have to depopulate rural Iowa while we build up only our cities, as some would say. Our capacity for growth is not based on location – technology shortens all distances. We don't need to create a greater disparity of wealth to create a better climate for wealth-creation. We can have growth everywhere in this state.

But it also means we must find ways to further process our own goods here in Iowa. We must give our producers and workers greater access to sources of capital and more options in the marketplace so they, too, can help Iowa grow. We must encourage and help our cities to grow, too, so that they reach a critical mass of economic and cultural opportunities.

We will have to think outside the box to do this. It won't be easy. We won't be able to do things the way they have always been done. But like it or not, the only thing certain about the future is the certainty of change. We must either embrace it and make this good state a growth state, or face a future that is but a mere reflection of the past. Let the great conversation on growth begin.

Our second challenge for change is in education. No state has a deeper education heritage; no state has shown a more sustained commitment to its young. But there is too much complacency. We are among the best, but not as good as we could be, and our educational establishment is too resistant to change.

The problems our schools face have never been greater. New stresses on families, the drug culture, new immigrants, and rapidly changing technologies and workplace skills all weigh heavily on our schools. But no challenge is greater than the imminent loss of a whole generation of our best teachers.

We all know you can have a class size of one, have a bad teacher, and get a horrible education. We all know that one outstanding teacher can make a difference in our life for the rest of our lives.

Then why don't we pay the good teachers what they are worth – every bit as much as a good doctor or lawyer or successful business person? Iowa should lead the nation in rejecting the seniority mentality in education and pay good teachers more, and pay great teachers more yet.

We also must recreate our schools. Why do we have only 180 days of school, when our international competitors have as many as 240? Why do we halt the education of our youngsters for three months every year, when they need it the most?

Iowa will never have mountains or oceans; our weather will always be fickle. But our schools are our creatures, subject to our control. Our constitution recognizes our unique commitment to the common school as the ticket to opportunity for our citizens.

Finally, our challenge to change must address our tax structure. Our current system is as archaic as it is complicated. Our property and income taxes are too high and almost indecipherable. Our income tax structure tells prospective business executives that their taxes will be about double what they really are.

Yet, even after two income tax cuts, our rates still place us among the top 10 in the country. Our property tax system looks like something devised by Rube Goldberg, layered with bygone eras of property tax fixes and hidden opportunities for tax increases.

Taxes can and should be cut. You can and should do that, and invest in education, too. But taxes must also be reformed. Reformed by making it harder to raise taxes and easier to understand for our citizens. Your challenge for the future is to reform the system, reduce the burden, and make it a tool of growth.

Americans are unique. We are the only people on this earth who always focus on the future and expect better things. Others yearn for the past. Our immigrant ancestors taught us that the past is but history and better days are ours for the making.

There are better days ahead for Iowa. They are ours for the making. We are poised as never before for an era of growth and opportunity. We can be a place that more and more people want to call home. But it won't happen without change. A new commitment to growth, a renewed commitment to education and a reformed tax structure are all within your grasp. Seize them and make Iowa a better place for generations to come.

With that it is time for me to move on. I've had my time. I've done what I could. It is your turn now.

Before I go, I'd like to thank my wife and my family. They know, all too well, the sacrifices involved in public service. It is time for me to serve them now.

We Iowans are a fortunate people. We have good, clean, honest, open government. We are still a place where you can respect your government and its leaders. It is that abiding trust that will allow you, the assembled members of this Legislature, to do great things.

I have tried to conduct myself with similar openness and honesty. I have truly worked to earn your trust.

When it is all said and done, I hope people will say this about my governorship:

He worked hard;

He did his best;

And he prepared us for even better days ahead.

Fellow Iowans, thank you, and God bless you all.

ADOPTION OF EXTRAORDINARY RESOLUTION

Senator Iverson of Wright asked and received unanimous consent for the immediate consideration of the following Extraordinary Resolution and moved its adoption.

SEVENTY-EIGHTH GENERAL ASSEMBLY

EXTRAORDINARY RESOLUTION

By: Senate members Angelo, Bartz, Behn, Black, Boettger, Bolkom, Connolly, Dearden, Deluhery, Drake, Dvorsky, Fink, Flynn, Fraise, Freeman, Gaskill, Gronstal, Hammond, Hansen, Harper, Hedge, Horn, Iverson, Jensen, Johnson, Kibbie, King, Kramer, Lamberti, Lundby, Maddox, McCoy, McKean, McKibben, McLaren, Miller, Redfern, Redwine, Rehberg, Rife, Rittmer, Schuerer, Sexton, Shearer, Soukup, Szymoniak, Tinsman, Veenstra, Zieman; and

House members Alons, Arnold, Barry, Baudler, Bell, Blodgett, Boal, Boddicker, Boggess, Bradley, Brauns, Brunkhorst, Bukta, Burnett, Carroll, Cataldo, Chapman, Chiodo, Cohoon, Connors, Corbett, Cormack, Davis, Dix, Doderer, Dolecheck, Dotzler, Drake, Drees, Eddie, Falck, Fallon, Foege, Ford, Frevert, Garman, Gipp, Greiner, Grundberg, Hahn, Hansen, Heaton, Hoffman, Holmes, Holveck, Horbach, Houser, Huseman, Huser, Jacobs, Jager, Jenkins, Jochum, Johnson, Kettering, Klemme, Kreiman, Kuhn, Larkin, Larson, Lord, Martin, Mascher, May, Mertz, Metcalf, Millage, Mundie, Murphy, Myers, Nelson, O'Brien, Osterhaus, Parmenter, Raecker, Rants, Rayhons, Reynolds, Richardson, Scherrman, Schrader, Shoultz, Siegrist, Stevens, Sukup, Sunderbruch, Taylor, Teig, Thomas, Thomson, Tyrrell, Van Engelenhoven, Van Fossen, Warnstadt, Weidman, Weigel, Welter, Whitead, Wise, Witt

An Extraordinary Resolution honoring Governor Terry E. Branstad for his sixteen years as Governor of the State of Iowa.

Whereas, Terry E. Branstad today addressed the Seventy-eighth General Assembly of the State of Iowa and in so doing, delivered, in addition to his Inaugural Address in 1983, his sixteenth and last Condition of the State message to the Iowa General Assembly as Governor of the State of Iowa, and

Whereas, This Joint Convention of 50 Senators and 100 Representatives therefore is honored to represent the hundreds of men and women who served in the eight General Assemblies during Terry E. Branstad's sixteen-year tenure as Governor, and

Whereas, Beginning today the state's historians and others will record and evaluate the ways in which Terry E. Branstad's dedicated public service has enriched the history of Iowa state government, and the ways in which his service has touched the lives of all Iowans; *Now Therefore*,

Be It Resolved by the Seventy-Eighth General Assembly in Joint Convention, That the Joint Convention remark for posterity upon Governor Terry E. Branstad's relationship, as head of the executive branch of state government, to the legislative branch of state government, to wit:

Terry E. Branstad's four-term tenure as Governor has been marked by a constructive separation of powers during which the Governor's policy objectives have been effectively communicated to the General Assembly, and the General Assembly has freely exercised its constitutionally mandated independence in making public policy through its lawmaking function. The results of this relationship will be recalled by others in more detail than can be expressed in this resolution, but for members of the General Assembly whose service parallels Governor Branstad's service, the following general contributions will serve as reminders of hundreds of policy changes fashioned during Governor Branstad's tenure in office from 1983 until today:

1. **ECONOMIC DEVELOPMENT.** Significant economic development initiatives relating to workforce development, workplace safety, unemployment compensation reform, agricultural and business development and diversification, insurance industry growth, tort reform, and business taxation.
2. **EDUCATION.** Far-reaching early education, kindergarten through grade 12, and higher education funding initiatives and innovations, including teacher and higher education pay and tuition tax credits.
3. **HUMAN SERVICES.** Noteworthy public policy reforms relating to welfare reform, child support, and health care coverages for children.
4. **CRIMINAL JUSTICE.** Substantial public safety reforms relating to the prosecution and incarceration of serious criminal offenders, especially violent, drug, sex, domestic abuse, and drunk driving offenders.
5. **TAXATION.** Significant taxation reform relating to income, sales, property, personal property, and inheritance taxation.
6. **ENVIRONMENT.** Important environmental protection measures relating to groundwater protection, resource enhancement and protection, underground storage tank and brownfields cleanup, and environmental audits.
7. **GOVERNMENT REFORM.** Major reforms and initiatives in state government reorganization, balanced budget financing, ethics in state and local government, state control over the gambling industry, state and local government reorganization relating to court system and mental health services funding, and state capitol complex restoration.

In addition to his many contributions in these areas of public policy, Governor Branstad should also be especially commended for his leadership during the great flood of 1993 in which he showed surpassing statesmanship and compassion in dealing with one of the great natural disasters to befall the State of Iowa in the latter half of the century; and

Be It Further Resolved by the Seventy-eighth General Assembly in Joint Convention, That Governor Branstad be recognized for the national leadership he assumed as Governor of the State of Iowa, including Chair of the Midwestern Governors' Conference in 1986-1987, Chairman of the National Governors' Association in 1989-1990, Chair of the Republican Governors' Association in 1996-1997, President of the Council of State Governments in 1991, and Chairman of the Education Commission of the States in 1997-1998, and that

he be congratulated as the senior Governor in the United States at the time of his retirement; and

Be It Further Resolved by the Seventy-eighth General Assembly in Joint Convention, That we hereby admonish writers, historians, and journalists, young and old, to compose their portrayals and analyses of the Terry E. Branstad years with wisdom, thoroughness, and compassion; and

Be It Further Resolved by the Seventy-eighth General Assembly in Joint Convention, That the Joint Convention honor Governor Terry E. Branstad as the longest serving Governor of the State of Iowa and pay tribute to him for his devoted service to the State of Iowa and the citizens of this State; and

Be It Further Resolved by the Seventy-eighth General Assembly in Joint Convention, That a copy of this resolution be forwarded to Governor Terry E. Branstad, and to First Lady Christine Branstad, where it is hoped it will be received as a symbol of appreciation, good wishes, and affection extended by the Seventy-eighth General Assembly and the people of Iowa to the Governor, First Lady, and their family.

The motion prevailed and the resolution was adopted.

President Kramer presented Governor Terry E. Branstad with an enrolled copy of the resolution.

Governor Terry E. Branstad was escorted from the House chamber by the committee previously appointed.

On motion by Siegrist of Pottawattamie, the joint convention was dissolved at 10:32 a.m.

The House stood at ease at 10:33 a.m., until the fall of the gavel.

The House resumed session at 10:45 a.m., Speaker Corbett in the chair.

REPORT OF COMMITTEE ON MILEAGE

Mr. Speaker: Your committee appointed to determine the mileage each member is entitled to begs leave to submit the following report:

Name	Round Trip Miles
Dwayne A. Alons	460
Richard D. Arnold	140
Donna M. Barry	272
Clel E. Baudler	122
Paul A. Bell	76
Gary B. Blodgett	236
Carmine R. Boal	NONE
Daniel J. Boddicker	300.6
Effie Lee Boggess	236

Clyde E. Bradley	408
Barry D. Brauns	300
Robert J. Brunkhorst	240
Mary P. Bukta	400
Cecelia A. Burnett	72
Danny C. Carroll	104
Michael J. Cataldo	NONE
Kathleen H. Chapman	260
Frank J. Chiodo	NONE
Dennis M. Cohoon	320
John H. Connors	NONE
Ron J. Corbett	256
Michael G. Cormack	180
Galen M. Davis	180
William C. Dix	240
Minnette F. Doderer	240
Cecil Dolecheck	180
William A. Dotzler, Jr.	226
Jack E. Drake	180
James H. Drees	200
Russell J. Eddie	320
Steven L. Falck	288
Edward S. Fallon, Jr.	NONE
Romaine H. Foege	270
Wayne W. Ford	NONE
Marcella R. Frevert	340
Teresa A. Garman	68
Charles R. Gipp	400
Sandra H. Greiner	192
Betty A. Grundberg	NONE
James F. Hahn	300
Brad L. Hansen	280
David E. Heaton	284
Clarence C. Hoffman	250
Danny J. Holmes	318
John K. Holveck, Jr.	NONE
Lance J. Horbach	150
Hubert M. Houser	244
Daniel A. Huseman	330
Geri D. Huser	NONE
Elizabeth S. Jacobs	NONE
Michael D. Jager	240
G. Willard Jenkins	216
Mary Pamela Jochum	400
David J. Johnson	456
Steven C. Kettering	250
Ralph F. Klemme	440
Keith A. Kreiman	204
Mark A. Kuhn	280
Richard L. Larkin	349
Charles W. Larson, Jr.	270
David G. Lord	74
Mona L. Martin	320
Mary J. Mascher	240

Dennis J. May.....	270
Dolores M. Mertz.....	260
Janet S. Metcalf.....	NONE
David A. Millage.....	350
J. Norman Mundie.....	190
Patrick J. Murphy.....	400
Richard E. Myers.....	224
Beverly J. Nelson.....	110
Michael J. O'Brien.....	104
Robert J. Osterhaus.....	364
Dennis W. Parmenter.....	50
Jeffrey S. Raecker.....	NONE
Christopher C. Rants.....	416
Henry V. Rayhons.....	250
Rebecca J. Reynolds.....	320
Steven R. Richardson.....	34
Paul J. Scherrman.....	368
David F. Schrader.....	62
Donald L. Shultz.....	220
John Brent Siegrist.....	256
Gregory R. Stevens.....	410
Steven E. Sukup.....	218
John P. Sunderbruch.....	340
Todd E. Taylor.....	242
Russell W. Teig.....	112
Roger D. Thomas.....	360
Rosemary R. Thomson.....	272
Phillip E. Tyrrell.....	200
James L. Van Engelenhoven.....	104
James K. Van Fossen.....	340
Steven H. Warnstadt.....	400
Dick B. Weidman.....	212
Keith W. Weigel.....	310
John J. Welter.....	320
Wesley E. Whitead.....	404
Philip L. Wise.....	360
William G. Witt.....	216

Respectfully submitted,
 RUSSELL J. EDDIE, Chair
 PHILLIP E. TYRRELL
 PATRICK J. MURPHY

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
 Chief Clerk of the House

1999\22 Dorothy Pickering Brooks, Oelwein - For celebrating her 90th birthday.

- 1999\23 Ulah Chapman, Arlington – For celebrating her 90th birthday.
- 1999\24 Floyd Thomson, Arlington – For celebrating his 80th birthday.
- 1999\25 Jo and Russell “Ike” Chambers, Packwood – For celebrating their 50th wedding anniversary.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 1 Ways and Means

Relating to the taxation of certain sales of aircraft under the state sales, services, and use taxes and the local option sales and services taxes.

On motion by Siegrist of Pottawattamie the House adjourned at 10:46 a.m., until 8:45 a.m., Wednesday, January 13, 1999.

JOURNAL OF THE HOUSE

Third Calendar Day - Third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 13, 1999

The House met pursuant to adjournment at 8:48 a.m., Speaker Corbett in the chair.

Prayer was offered by Father Jim Kirby, pastor of St. Theresa's Catholic Church, Des Moines.

The Journal of Tuesday, January 12, 1999 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Burnett of Story on request of Mascher of Johnson.

INTRODUCTION OF BILLS

House Joint Resolution 2, by Nelson, a joint resolution proposing an amendment to the Constitution of the State of Iowa to make the Constitution of the State of Iowa gender neutral.

Read first time and referred to committee on **state government**.

House Joint Resolution 3, by Cormack, a joint resolution proposing an amendment to the Constitution of the State of Iowa to allow the recall, by petition and election, of the Governor, Lieutenant Governor, Secretary of State, Auditor of State, Treasurer of State, Attorney General, Secretary of Agriculture, members of the General Assembly, and elective officials of political subdivisions.

Read first time and referred to committee on **state government**.

House Joint Resolution 4, by Cormack, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the power of the people to propose laws and amendments to the Constitution by initiative petition.

Read first time and referred to committee on **state government**.

House File 43, by Hahn, a bill for an act relating to the issuance of certain deer hunting licenses for various gun seasons.

Read first time and referred to committee on **natural resources**.

House File 44, by Thomson, a bill for an act relating to eluding or attempting to elude an official law enforcement vehicle and providing a penalty.

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

House File 45, by Thomson, a bill for an act prohibiting persons under legal age from entering or remaining in a premises licensed for sale and serving of alcoholic beverages, and providing a penalty.

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

House File 46, by Cormack, a bill for an act relating to the general assembly by providing for public access to meetings.

Read first time and referred to committee on **state government**.

House File 47, by Fallon, a bill for an act relating to voting by requiring employers to post notice of an employee's right to be absent from work to vote, by requiring that absentee ballots be mailed to the voter's registration address, by prohibiting political persons from receiving, handling, or delivering absentee ballots, by amending the requirements for establishment and operation of satellite absentee voting stations, by requiring notification concerning payment of postage due on an absentee ballot, and by requiring the commissioner to record the method of delivery of absentee ballots.

Read first time and referred to committee on **state government**.

House File 48, by Huser and Boal, a bill for an act relating to the date of the annual sale of parcels with delinquent property taxes.

Read first time and referred to committee on **local government**.

House File 49, by Cormack, a bill for an act relating to the issuance of free deer hunting licenses to landowners, tenants, or their respective family members.

Read first time and referred to committee on **natural resources**.

House File 50, by Barry, a bill for an act imposing civil and criminal penalties for taking of endangered and protected wildlife species.

Read first time and referred to committee on **natural resources**.

House File 51, by Cormack, a bill for an act relating to the tuition charged of nonresidents at the institutions of higher learning under the control of the state board of regents.

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

House File 52, by Cormack, a bill for an act relating to the time of holding an election on the question of imposition of a local sales and services tax after such question was previously defeated.

Read first time and referred to committee on **state government**.

House File 53, by Cormack, a bill for an act prohibiting the commercial harvest of timber in state parks and subjecting violators to a penalty.

Read first time and referred to committee on **natural resources**.

House File 54, by Cormack, a bill for an act relating to state computer use by state officers and employees.

Read first time and referred to committee on **state government**.

House File 55, by Bukta, a bill for an act relating to the elements to be considered by the court in awarding support to either party to a judgment of dissolution, annulment, or separate maintenance and in awarding child support.

Read first time and referred to committee on **human resources**.

House File 56, by Rants, a bill for an act relating to requirements for statements of account issued to students by each community college and institution of higher learning under the control of the state board of regents and providing an effective date.

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

House File 57, by Rants, a bill for an act relating to the tuition charged for courses at the institutions of higher learning under the control of the state board of regents.

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

House File 58, by Brunkhorst, a bill for an act relating to access to adoption records by the biological siblings of an adoptee.

Read first time and referred to committee on **human resources**.

House File 59, by Hahn, a bill for an act relating to the issuance of deer hunting licenses for the regular gun deer hunting season.

Read first time and referred to committee on **natural resources**.

House File 60, by Heaton, a bill for an act establishing an increasing weighted enrollment scale for dual enrollment students and providing an effective and applicability date.

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

House File 61, by Weigel, a bill for an act relating to criteria for establishing an economic development enterprise zone.

Read first time and referred to committee on **economic development**.

House File 62, by Thomas, a bill for an act providing an individual income tax credit for volunteer fire fighters and emergency medical services personnel and providing effective and retroactive applicability dates.

Read first time and referred to committee on **ways and means**.

House File 63, by Thomas, a bill for an act relating to forestry and forest resource support and making appropriations.

Read first time and referred to committee on **natural resources**.

House File 64, by Heaton, a bill for an act requiring that an insurance company not consider certain accidents for the purpose of establishing motor vehicle insurance rates.

Read first time and referred to committee on **commerce-regulation**.

House File 65, by Heaton, a bill for an act relating to the closing hour of precinct polling places.

Read first time and referred to committee on **state government**.

House File 66, by Richardson, a bill for an act relating to the increase in the amount reimbursed by the state for loss of property taxes due to the allowance of the military service tax exemption and including effective and applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 67, by Brunkhorst, a bill for an act limiting the types of courses secondary students may take under the postsecondary enrollment options Act.

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

House File 68, by Tyrrell, a bill for an act eliminating licensed executive search agencies as an enumerated service that is subject to the state sales and use taxes.

Read first time and referred to committee on **ways and means**.

House File 69, by Tyrrell, a bill for an act relating to visitation provisions between siblings under a custody order.

Read first time and referred to committee on **human resources**.

House File 70, by Alons, a bill for an act relating to the date on which the regular school calendar may commence.

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

House File 71, by Greiner, a bill for an act relating to the regulation of auctions and the licensing of auctioneers and other

auction personnel and providing fees, penalties, and an appropriation.

Read first time and referred to committee on **commerce-regulation**.

House File 72, by Kreiman, a bill for an act concerning the open meetings statute by permitting the awarding of appellate attorney fees for a successful action involving the statute.

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

House File 73, by Nelson, a bill for an act concerning the determination of a member's average covered wage for purposes of calculating retirement benefits under the Iowa public employees' retirement system.

Read first time and referred to committee on **state government**.

House File 74, by Thomson, a bill for an act relating to the sales of beer kegs, by requiring an identification number on each keg of beer, by recording the purchase of beer by the keg, and subjecting violators to an existing penalty.

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

The House stood at ease at 9:04 a.m., until the fall of the gavel.

The House resumed session at 9:35 a.m., Speaker Corbett in the chair.

INTRODUCTION OF BILLS

House File 75, by Warnstadt and Whitead, a bill for an act expanding the criminal code definition of serious injury to include certain injuries to children.

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

House File 76, by Garman, a bill for an act providing for a cause of action for a wrongful mechanic's lien.

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

House File 77, by Garman, a bill for an act establishing restrictions on contributions to political campaigns and making penalties applicable.

Read first time and referred to committee on **state government**.

House File 78, by Heaton, a bill for an act relating to the definition of commercial property for purposes of property taxation.

Read first time and referred to committee on **local government**.

House File 79, by Larson, a bill for an act establishing a small business guaranty fee tax credit against individual and corporate income tax liability and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

COMMITTEE TO NOTIFY THE SENATE

Alons of Sioux moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed and the Speaker appointed as such committee: Representative Alons of Sioux, Jager of Black Hawk and Stevens of Dickinson.

REPORT OF COMMITTEE TO NOTIFY THE SENATE

Alons of Sioux, chair of the committee to notify the Senate that the House was ready to receive it in joint convention, reported that the committee had performed its duty.

The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station, the Secretary to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

JOINT CONVENTION

In accordance with House Concurrent Resolution 2, duly adopted, the joint convention was called to order at 9:48 a.m., President Kramer presiding.

Senator Iverson of Wright moved that the roll call be dispensed with and the President of the joint convention be authorized to declare a quorum present, which motion prevailed.

President Kramer announced a quorum was present and the joint convention duly organized.

Senator Iverson of Wright moved that a committee of four, consisting of two members of the Senate and two members of the House, be appointed to escort Governor Terry E. Branstad to the House chamber for the Condition of the Judicial Branch Message.

The motion prevailed and the President appointed as such committee: Senators Gaskill of Hancock and Shearer of Washington on the part of the Senate; and Representatives Sunderbruch of Scott and Kuhn of Floyd on the part of the House.

Senator Iverson of Wright moved that a committee of six, consisting of three members of the Senate and three members of the House, be appointed to notify Chief Justice Arthur A. McGiverin that the joint convention was ready to receive him.

The motion prevailed and the President appointed as such committee: Senators Maddox of Polk, Freeman of Buena Vista and Fraise of Lee on the part of the Senate; and Representatives Baudler of Adair, Garman of Story and Parmenter of Story on the part of the House.

Secretary of State, Chester J. Culver; Treasurer of the State, Michael Fitzgerald; Secretary of Agriculture and Land Stewardship, Patty Judge; State Auditor, Dick Johnson, and Attorney General Tom Miller were escorted into the House chamber.

The Justices of the Supreme Court, the Chief Judge and Chief Judges of the Court of Appeals and the Chief Judges of the state's judicial districts were escorted into the House chamber.

Lieutenant Governor Joy Corning was escorted into the House chamber.

Mrs. Jo Ann McGiverin, wife of the Chief Justice and Ed and Mrs. Jo McGiverin, cousins of the Chief Justice were escorted into the House chamber.

Governor-elect Tom Vilsack and Lieutenant Governor-elect Sally Pederson were escorted into the House chamber.

The committee waited upon Governor Terry E. Branstad and escorted him into the House chamber.

The committee waited upon Chief Justice Arthur A. McGiverin and escorted him to the Speaker's station.

President Kramer presented Chief Justice Arthur A. McGiverin who delivered the following Condition of the Judicial Branch Message:

Madam President, Mr. Speaker, Governor Branstad and Lieutenant Governor Corning, Governor-Elect Vilsack and Lieutenant Governor-Elect Pederson, members of the General Assembly, state officials, judges, and friends:

We are honored and pleased by the opportunity each year to review the significant activities of the court system and make recommendations aimed at providing the highest quality of justice to the people of Iowa. We sincerely thank the General Assembly for the kind invitation to speak here today.

Let me begin by extending a warm welcome to the new legislators and state officials. I also want to welcome Governor-Elect Vilsack and Lieutenant Governor-Elect Pederson. We look forward to working with all of you on issues involving the administration of justice.

I would like to acknowledge Justice Mark Cady, the newest member of the supreme court, and Judge Van Zimmer who joined the court of appeals last week.

Before I begin my main remarks, I would like to recognize and thank Governor Branstad for his strong support of the judicial branch over the years. His leadership was crucial in bringing about the landmark Court Reorganization Act in the 1980s, which secured state funding for the court system. As a result of this far-sighted reform, our courts operate more efficiently and resources flow where they are most needed. Today, Iowans in all counties enjoy more equal access to court services than was possible under the previous county funding structure.

Governor Branstad has always said that appointing judges is a governor's most important job. He has appointed nearly eighty percent of Iowa's judges. However, it is the quality of the appointments he has made rather than the quantity for which he will be remembered. He took great care to appoint hardworking, fair minded and highly

principled judges, without regard to partisan political pressures. Because I am among the twenty percent he did not appoint, it is appropriate for me to say this.

Governor Branstad, we thank you and wish you well.

After my address, we hope all of you will join us for coffee and conversation downstairs in the courtroom. During the reception, I will present our Child Advocate of the Year Award. This award is given to recognize an individual who has made an extraordinary personal commitment to helping Iowa's troubled children.

The focus of my address will be about the primary work of the courts deciding cases. However, I would be remiss if I did not mention a few of the many activities we have underway to help shape the future of the court system.

Last session, we agreed to move judicial branch operations into a new building which will house both appellate courts and our administrative offices. If everything goes as planned, we will move into the new judicial building in the summer of 2002.

We look forward to the challenge of creating a building that will serve as a monument to justice. We envision a building which conveys a sense of timelessness and dignity; a building equipped with state-of-the-art communications technology; and a building which reflects Iowans' respect for the rule of law. Though no building could ever rival the splendor of our majestic Capitol, we hope that the new judicial branch building will, like the Capitol, be a source of lasting pride for all Iowans.

Shaping the ideal judicial branch for the year 2020 was the basic premise of our Commission on Planning for the 21st Century. You will remember that the commission, which was composed of over seventy Iowans from diverse backgrounds, conducted the first comprehensive, long-range study of the Iowa court system. Much has been said about the careful report of the commission since it was submitted to our court. Rather than attempt to summarize the report, I will briefly discuss some of the steps we are taking to achieve the commission's vision of the ideal court system for the 21st Century and beyond.

Recognizing that we could not simultaneously respond to all 89 of the commission's recommendations, we selected twelve priorities to address during the next two years. You will find a summary of those twelve priorities attached to my remarks. I want to briefly mention five of them.

The first priority concerns safety. Of all public institutions, the courthouse should be a safe haven. We are taking steps to ensure the safety of all court participants – not just court personnel but all people who come to court.

Another priority involves public service. The courts are here to serve the people – not the system. With that in mind, we are placing more emphasis on customer service to make our courts more user-friendly.

A third priority is information. Information is the key to effective decision-making. It is key, not only for deciding cases, but also for management and public policy decisions. We are expanding our statistical reports to cover a broad spectrum of detailed information about cases – for your benefit as well as for our own.

Another priority involves education. The vitality of the judicial branch depends upon the confidence and understanding of the public. We are establishing a

comprehensive public education program which will include developing law-related education programs for schools and promoting public understanding of the courts.

The last priority concerns technology. Information technology is rapidly changing the way people communicate and conduct business, including that of the courts. We are exploring technological advances such as electronic filing of court papers and electronic data management for storage and retrieval of court records.

As with most plans to enhance the effective administration of justice, successful implementation of our priorities will require broad public support. We ask for yours.

Much of the court system's ability to remain effective in the 21st Century hinges on the use of technology. Someone once said: technology is like a steamroller. If you are not the steamroller, then you are destined to become part of the road. I am pleased to report that we are not part of the road. In fact, Iowa has one of the most technologically advanced state court systems in the nation.

Although computer technology offers the promise of a bright future, it is not problem free. Predictions of global disaster abound because of the infamous Y2K bug. Those of you who know of my love affair with computers will understand my assessment of the situation when I say, I have seen the future and it does not compute. But I assure you that we are prepared. Our critical software applications have been upgraded to understand the year 2000. And if that does not work, I have a large stockpile of sharpened pencils!

We are preparing our courts to meet the challenges of the future. But we must not overlook the challenges of today, for they will not simply disappear come January 1, 2000. Only with your assistance can we overcome our most immediate challenge - coping with high caseloads.

This is not a new development. Indeed, a few years ago, I reported to you about the court system's struggle with rising caseloads. You helped ease the situation temporarily by providing some new judgeships throughout the state over a period of three years and we greatly appreciate that assistance. Nonetheless, as the tide of cases rises, the demand for judges continues to exceed our supply.

As in the past, our criminal and juvenile caseloads are the most demanding. Caseload statistics, however, do not illustrate the problems as well as personal accounts from our trial judges who are on the front lines. So rather than recite statistics, I ask that you carefully study the information provided with these remarks.

Swift court action is one of the most effective deterrents to crime. Long time lags between conviction or plea of guilty and sentencing undermine the effectiveness of the punishment and ultimately the effectiveness of the criminal justice system. Here are some examples of sentencing delays around the state.

In the district associate court in Black Hawk County, criminal cases are so backed up at times that it takes three months after conviction or entry of a guilty plea before a defendant can be sentenced.

A similar situation exists in Johnson County district associate court where there is a six to eight week delay from entry of a guilty plea until sentencing.

In Polk County district court, the state's busiest courthouse, the number of felony drug cases and class A felony cases have quadrupled since 1990. Because of the high felony caseload, there is an eight to nine week delay from entry of a guilty verdict until sentence in these most serious cases.

This session as you consider tougher penalties or sentencing options, please understand that due, in part, to a shortage of judges we cannot carry out sentencing in as timely a manner as basic justice clearly demands.

Like the criminal caseload, our trial courts are also struggling with a burdensome juvenile caseload. And we anticipate more pressure on the juvenile docket in the near future as we implement new state and federal time lines to move children out of foster care faster and into permanent homes.

There are special problems in the juvenile court.

In Benton County, for example, where a judge is available for juvenile cases a little more than two days per month, juvenile hearings are scheduled every fifteen minutes. According to Judge Susan Flaherty who hears cases in Benton County and surrounding counties, "We have attempted to deal with the increase by improving efficiency in scheduling and reducing hearing time allotted to each case and doing more reviews on paper. I am always concerned that by spending less time on individual cases, we are shortchanging the kids and families."

Judge Flaherty's concern is well taken. Imagine how the families must feel, when, because of inadequate resources, their day in court is reduced to minutes. We simply must provide a climate in which justice is not rationed by use of a stopwatch.

Although present difficulties in the criminal and juvenile dockets take priority, we certainly cannot ignore civil cases. Nearly one-half of the trial courts' civil docket is composed of domestic relations cases, which include dissolution of marriage, contempt, modification of dissolution, and uniform child support cases. These are important cases. But because criminal and juvenile cases must be given highest priority, domestic relations cases must wait in line. Other segments of the civil docket such as property disputes, personal injury suits, and business litigation, must wait longer.

To keep criminal and juvenile cases moving in Polk County, two district court judges are being moved from the general trial assignment. One judge is being assigned to juvenile cases and the other is being assigned to criminal cases. This shift will have a ripple effect on the civil docket. Previously, parties in dissolution of marriage cases had to wait about nine months for a trial. Now, they will have to wait even longer.

We have no control over the number of cases presented. Nor should we. To limit the number of cases would be to limit the ability of Iowans to have meaningful access to justice.

Some might suggest we can temporarily relieve the pressure in the criminal and juvenile dockets by shifting judges here and there. But this is simply reorganizing the deck chairs. It is not even an effective temporary solution, much less a long term solution. Efficiency measures and aggressive case management have been implemented, but can only do so much, because even the most productive judges can carefully decide only a certain number of cases each day. There is no escape from simple arithmetic: As long as the demand for justice grows, we will need more judges.

The details of our specific recommendations are contained in our budget request which we have submitted to you.

Alexis de Toqueville observed more than 160 years ago that in America, all public issues are eventually resolved in the courts. That observation is as true today as it was in the early 19th Century. And surely one of the most challenging issues permeating our courts in the late 20th Century is drug abuse.

Many of the cases pouring into the court system today involve drug abuse in one way or another. Its impact is not confined to prosecutions for possession or distribution of illicit drugs. Our judges see drug abuse as a major contributing cause in many child in need of assistance cases, juvenile delinquency cases, dissolution of marriage cases, termination of parental rights cases and domestic violence cases. The implications are profound. The following information was provided to me by judges from around the state who have witnessed the destruction caused by drug abuse.

Drug addiction is not isolated to one area of the state, one race or one age group. Our judges see addicts, who are, or were, professional people, homeless people, single parents and married couples, college students, factory workers, homemakers and teenagers. Drug addiction exists in rural Iowa as well as urban Iowa.

Drug addiction overlaps with child abuse and neglect. Children often end up in foster care or with relatives because they have been abused by their drug addicted parents or by others in the household while the parents are in a drug induced haze. Nor is it unusual for children to be neglected while their parents feed their drug addiction. In many cases, parental rights are eventually terminated.

Drug addiction is the root of many violent crimes. One of our judges told me of a sixteen-year-old boy who was a normal, good natured child until he became hooked on meth. When his mother confronted him about the drug, he threatened to douse her with lighter fluid and set her on fire. Later, he did.

Drug addiction is linked to domestic violence. A judge in eastern Iowa told me of four children whose meth addicted father rammed his vehicle into a car carrying them, their mother and a domestic abuse advocate. The children were traumatized. Despite the dangerous situation, the mother later reunited with her husband and the children eventually had to be placed in foster care.

When dealing with drug addicts, our traditional punitive measures tend to be ineffective. A judge in southern Iowa told me that meth is so addictive that probationers routinely fail drug testing even when they are given ten days advance notice of the test. Many addicts return to their addiction as soon as they are released from jail or prison. Many addicts commit more crimes to support their habits. And many addicts end up back in court again and again.

There is obviously no single solution to the problem. Some judges are exploring innovative approaches which strike at the heart of the problem - the addiction. For instance, Judge Linda Reade in Polk County emphasizes treatment of drug-addicted defendants in addition to punitive measures. Judge Reade says that this therapeutic approach is a better way to deal with drug-addicted defendants because it focuses on ending the addiction.

The criminal justice system cannot be the exclusive vehicle for ending drug addiction. The entire community must join forces to end this scourge.

As you search for solutions to the drug problem and other problems, please bear in mind that new laws, tougher criminal penalties, and more resources for law enforcement will add to the existing bottleneck in the courts through which all cases must flow. We will do our part to deliver justice as effectively as we can under the circumstances. But without sufficient resources to match the high demand for court services, justice will continue to lag behind the public's rightful expectations.

Our system of government calls on all three branches, in differing roles but working together, to contribute to the administration of justice. Our role is to decide cases according to the law, promptly and equally to all people. But we must rely on the other branches for the resources required to carry out this enormously important responsibility. I am confident that by working in unison, we can overcome the grave problems that threaten to impede the delivery of justice – today and in the future.

Governor Branstad was escorted from the House chamber by the committee previously appointed.

Chief Justice Arthur A. McGiverin was escorted from the House chamber by the committee previously appointed.

On motion by Siegrist of Pottawattamie, the joint convention was dissolved at 10:34 a.m.

The House reconvened at 10:35 a.m., Speaker Corbett in the chair.

ASSIGNMENT OF SEATS IN PRESS GALLERIES

The following named persons are accredited members of the press, TV and radio stations and are entitled to access to the press galleries:

Ames Daily Tribune	Tim Paradise
Burlington Hawkeye	Dennis J. Carroll
Dubuque Telegraph Herald	Mary Rae Bragg
Iowa Legislative News Service	Jack Hunt, Leslie Campbell, Tom Hunt, Bob Halvorson
Lee Enterprises Des Moines Bureau	Kathie Obradovich, Todd Dorman, Ed Tibbetts, Joel Hannahs, Bob Fenske
Omaha World Herald	Chris Clayton, David Kotok, Jeff Bundy
Sioux City Journal	Kate Thompson
The Associated Press	Mike Glover, Peter Banda, Mary Neubauer
The Des Moines Register	Jon Roos, David Yepsen, Jeff Zaleny, Shirley Salemy
The Gazette	Rod Boshart, Ken Sullivan, Katie Thuman
Waterloo Cedar Falls Courier	Eric Stern
Council Bluffs News Now – CH 44	Dana Dyksterhvis, Christine Mixan, Cris Harbold, Joel Kassera, Torri Pantaleon

Des Moines Radio Group	Polly Carver-Kimm
KASI Radio	Trent Rice
KCCI	Steve Oswalt, Geoff Greenwood, Brian Polcyn, Sheila Brummer, Erin Hurley
KFXB	Liz Luby, Jim Philbrick, Brendan Conway, Surae Chinn
KUNI Radio	Jeneane Beck
Radio Iowa	O. Kay Henderson, Dar Danielson, Matt Kelley
WHO - TV	Jim Strickland, Lisa Brones, Cal Woods, Jim Hibbs, Mary Milz
WHO - Radio	Mike McGinnis, Jodi Chapman, Chuck Shockley, Sue Danielson
WOI Radio	Joyce Russell
WOI TV (ABC)	Dan Farkas

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

**DEPARTMENT OF COMMERCE
Iowa Utilities Board**

The Annual Report, pursuant to Chapter 476.66(6), Code of Iowa.

DEPARTMENT OF NATURAL RESOURCES

A summary of the number of environmental audit notices received, the violations, and the remediation status of the violations reported pursuant to this chapter during the preceding fiscal year, pursuant to Chapter 455J.11, Code of Iowa.

DEPARTMENT OF PUBLIC HEALTH

The 1998 Annual Report, pursuant to Chapter 135.11, Code of Iowa.

STATE BOARD OF REGENTS

The Annual Report, pursuant to Chapter 263.17(4b), Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\26 Alice and Duane Johnson, Murray – For celebrating their 50th wedding anniversary.
- 1999\27 Ann and Joe Barbaglia, Centerville – For celebrating their 50th wedding anniversary.
- 1999\28 Catherine and Charles Cook, Chariton – For celebrating their 50th wedding anniversary.
- 1999\29 Mary and Albert White, Garden Grove – For celebrating their 55th wedding anniversary.
- 1999\30 Christopher Lynn Nelson, Dennison – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 1

Ways and Means: Larson, Chair; Blodgett, Boal, Jochum and Shultz.

House File 5

Ways and Means: Holmes, Chair; Chapman and Jager.

House File 6

Ways and Means: Blodgett, Chair; Lord and Osterhaus.

House File 7

Ways and Means: Blodgett, Chair; Hoffman and Weigel.

House File 8

Ways and Means: Rants, Chair; Raecker and Richardson.

House File 9

Ways and Means: Rants, Chair; Kuhn and Raecker.

House File 19

Ways and Means: Rants, Chair; Boal and Doderer.

House File 21

Ways and Means: Larson, Chair; Houser and Weigel.

House File 30

Ways and Means: Van Fossen, Chair; Drake and Frevert.

House File 35

Transportation: Eddie, Chair; Chiodo and Rayhons.

House File 39

Ways and Means: Van Fossen, Chair; Drake and Myers.

House File 41

Ways and Means: Van Fossen, Chair; Drake and Larkin.

House File 42

Ways and Means: Rants, Chair; Boal and Doderer.

On motion by Siegrist of Pottawattamie the House adjourned at 10:39 a.m., until 8:45 a.m., Thursday, January 14, 1999.

JOURNAL OF THE HOUSE

Fourth Calendar Day - Fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 14, 1999

The House met pursuant to adjournment at 8:50 a.m., Carroll of Poweshiek in the chair.

Prayer was offered by Reverend Karen Merrill, pastor of United Methodist Church, Monroe.

The Journal of Wednesday, January 13, 1999 was approved.

INTRODUCTION OF BILLS

House File 80, by Larson, a bill for an act relating to the refund of the sales, services, or use tax paid on the gross receipts from sales of tangible personal property or services rendered by a contractor used in a building contract for a project that is devoted to nonprofit private museum uses.

Read first time and referred to committee on **ways and means**.

House File 81, by Barry, a bill for an act prohibiting the crossbreeding of a dog with a wolf and the offering for sale or sale of a wolf dog crossbreed, and providing a penalty.

Read first time and referred to committee on **natural resources**.

House File 82, by Greiner, a bill for an act relating to regulation of the grain industry and providing for civil penalties.

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

House File 83, by Cormack, a bill for an act relating to political telephone communication limitations, and providing a civil penalty.

Read first time and referred to committee on **state government**.

House File 84, by Cormack and Teig, a bill for an act relating to marketing, educational, and informational expenses of the lottery.

Read first time and referred to committee on **state government**.

House File 85, by Larson, a bill for an act relating to the issuance of special motor vehicle registration plates to veterans of the United States armed forces.

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

House File 86, by Hahn, a bill for an act relating to the fees for lifetime hunting or fishing licenses for residents who are sixty-five years of age or older and providing an effective date and retroactive applicability.

Read first time and referred to committee on **natural resources**.

House File 87, by Larson, a bill for an act relating to peace officer status for investigators of the department of inspections and appeals.

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

House File 88, by Boggess, a bill for an act providing a defense in an action for misappropriation of a trade secret.

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

House File 89, by Wise, Kreiman, Reynolds, Witt, Bukta, Richardson, Mertz, Myers, Frevert, Thomas, Cohoon, and Larkin, a bill for an act relating to the state funding level for the instructional support system.

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

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

DEPARTMENT OF CORRECTIONAL SERVICES Seventh Judicial District

A report from the Seventh Judicial District, pursuant to Chapter 1222, 1998 Acts of the Seventy-seventh General Assembly.

DEPARTMENT OF HUMAN SERVICES

A report on a proposal for a seamless child care assistance system, pursuant to Chapter 1218, 1998 Acts of the Seventy-seventh General Assembly.

A report regarding the affordability, availability, accessibility and quality of child care in Iowa, pursuant to Chapter 1127.5, 1998 Acts of the Seventy-seventh General Assembly.

Division of Adult, Children and Family Services

A report to the joint appropriations subcommittee summarizing the demographics and outcomes of families receiving the Family Support Subsidy, pursuant to Chapter 235C.42, Code of Iowa.

DEPARTMENT OF MANAGEMENT

The Contract Compliance Report for Fiscal Year 1998, pursuant to Chapter 19B.7, Code of Iowa.

DEPARTMENT OF NATURAL RESOURCES

A summary of activities for the 1998 certification programs, pursuant to Chapter 272C.4, Code of Iowa.

DEPARTMENT OF REVENUE AND FINANCE

The ICN Savings Report, pursuant to Chapter 8D.10, Code of Iowa.

IOWA LAW ENFORCEMENT ACADEMY

The Annual Report for Fiscal Year 1998, pursuant to Chapter 80B.10, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\31 River Bend Middle School, Iowa Falls – For winning the Mock Trial Championship.
- 1999\32 Randy and Susan Beichley, Gladbrook – For being named 1998 Master Pork Producers.

SUBCOMMITTEE ASSIGNMENTS

House File 15

Judiciary: Sukup, Chair; Baudler, Kreiman, Larson and Myers.

House File 18

Judiciary: Thomson, Chair; Doderer and Larson.

House File 20

Human Resources: Thomson, Chair; Carroll and Ford.

House File 26

Judiciary: Sukup, Chair; Kreiman and Larson.

House File 33

Judiciary: Barry, Chair; Bell and Sukup.

House File 38

Human Resources: Lord, Chair; Barry and Foege.

House File 40

Judiciary: Kettering, Chair; Bell and Davis.

House File 44

Judiciary: Baudler, Chair; Davis and Parmenter.

House File 45

Judiciary: Thomson, Chair; Raecker and Shultz.

House File 58

Human Resources: Brunkhorst, Chair; Boal and Foege.

House File 69

Human Resources: Carroll, Chair; Boal and Reynolds.

House File 72

Judiciary: Sunderbruch, Chair; Doderer and Thomson.

House File 74

Judiciary: Thomson, Chair; Davis and Myers.

House File 75

Judiciary: Raecker, Chair; Chapman and Thomson.

House File 76

Judiciary: Millage, Chair; Holveck and Jager.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 2 Judiciary**

To provide for the payment of appellate attorney fees to persons bringing a successful court action for violations of the open meeting law.

H.S.B. 3 Judiciary

Relating to the criminal offenses that require registration as provided in the sex offender registry law and providing an effective date.

H.S.B. 4 Judiciary

Relating to adoption procedural requirements including those related to investigations, reports, and counseling.

H.S.B. 5 Judiciary

Relating to the exclusion of certain transactions under the business opportunities law and providing effective and retroactive applicability dates.

H.S.B. 6 Judiciary

Relating to certain property of a debtor which is exempt from execution.

H.S.B. 7 Judiciary

Relating to the establishment of an automatic temporary financial protective order against the parties to a dissolution of marriage, separate maintenance, or annulment action limiting certain actions relating to assets and income of the parties.

H.S.B. 8 Judiciary

Relating to presentation of evidence in civil commitment proceedings for chronic substance abusers, and including an implementation provision.

H.S.B. 9 Judiciary

Including the preparation or compounding of a controlled substance for one's own use within the definition of manufacturing a controlled substance, and providing an effective date.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

Committee Resolution, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Seventy-eighth General Assembly.

Fiscal Note is not required.

Recommended **Do Pass** January 14, 1999.

Committee Resolution, a resolution relating to permanent rules of the House for the seventy-eighth general assembly.

Fiscal Note is not required.

Recommended **Do Pass** January 14, 1999.

RESOLUTIONS FILED

HCR 5, by committee on administration and rules, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Seventy-eighth General Assembly.

Laid over under **Rule 25** and placed on the calendar.

HR 3, by committee on administration and rules, a resolution relating to permanent rules of the House for the seventy-eighth general assembly.

Laid over under **Rule 25** and placed on the **calendar**.

On motion by Gipp of Winneshiek the House adjourned at 8:55 a.m., until 8:45 a.m., Friday, January 15, 1999, at the South Gaskell Room at Veterans Memorial Auditorium.

JOURNAL OF THE HOUSE

Fifth Calendar Day - Fifth Session Day

South Gaskell Room Veterans Memorial Auditorium
Des Moines, Iowa, Friday, January 15, 1999

The House met pursuant to adjournment at 8:48 a.m., Speaker Corbett in the chair.

Prayer was offered by the Honorable Scott Raecker, state representative from Polk County.

The Journal of Thursday, January 14, 1999 was approved.

COMMITTEE TO NOTIFY THE SENATE

Kettering of Sac moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed and the Speaker appointed as such committee: Kettering of Sac, Teig of Hamilton, and Jochum of Dubuque.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Kettering of Sac, chair of the committee to notify the Senate that the House was ready to receive it in joint convention, reported that the committee had performed its duty. The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

The President of the Senate was escorted to the Speaker's station, the Secretary of the Senate to the Chief Clerk's desk and the members of the Senate were seated with members of the House.

JOINT CONVENTION

The Joint Convention reconvened at the auditorium, South Gaskell Room at 9:57 a.m., President Kramer presiding.

Senator Iverson moved that the roll call be dispensed with and that the President of the Joint Convention be authorized to declare a quorum present.

The motion prevailed.

President Kramer declared a majority of the General Assembly present at the Joint Convention.

The report of canvass of the vote was read by Elizabeth Isaacson, the Secretary of the Joint Convention, as follows:

MR. PRESIDENT AND GENTLEMEN AND LADIES OF THE JOINT CONVENTION:

Your tellers, appointed by the President of the Senate and the Speaker of the House of Representatives to canvass the vote cast for candidates for Governor and Lieutenant Governor at the election held November 3, 1998, beg leave to make the following report of the total vote cast for Governor:

Thomas J. Vilsack	500,231
Jim Ross Lightfoot	444,787
Jim Hennager	5,606
Jim Schaefer	3,144
Mark Kennis	2,006
Scattering	644

And the total vote cast for Lieutenant Governor at the election, held November 3, 1998:

Sally Pederson	500,231
Almo Hawkins	444,787
Sue Atkinson	5,606
Lynn Waters	3,144
Lois Kennis	2,006
Scattering	644

All of which is most respectfully submitted.

MARGARET N. TINSMAN
Teller of the Senate
ANDREW J. McKEAN
Assistant Teller

SANDRA H. GREINER
Teller of the House
DAVID E. HEATON
Assistant Teller

ELAINE E. SZYMONIAK
Assistant Teller

RICHARD L. LARKIN
Assistant Teller

ELIZABETH A. ISAACSON
Secretary of the Joint Convention

Senator Tinsman of Scott moved that the report be adopted.

The motion prevailed and the report was adopted.

President Kramer of the Joint Convention announced that the Honorable Thomas J. Vilsack and the Honorable Sally Pederson, having received the highest number of votes cast for Governor and Lieutenant Governor of the State of Iowa, respectively, for the ensuing term, or until a successor is duly elected and qualified.

The following certificates were signed in the presence of the Joint Convention:

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY
HALL OF THE HOUSE OF REPRESENTATIVES

GREETING:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Seventy-eighth General Assembly of the State of Iowa, of all the votes cast at the general election held November 3, 1998, for the office of Governor of the State of Iowa, it appeared that Thomas J. Vilsack received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until a successor is duly elected and qualified.

Signed in the presence of the Joint Convention this Fifteenth day of January, A.D., 1999.

RON J. CORBETT
Speaker of the House

MARGARET N. TINSMAN
Teller of the Senate

SANDRA H. GREINER
Teller of the House

ELIZABETH A. ISAACSON

Chief Clerk of the House and Secretary of the Joint Convention

MARY N. KRAMER
Presiding Officer of the
Joint Convention

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY
HALL OF THE HOUSE OF REPRESENTATIVES

GREETING:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Seventy-eighth General Assembly of the State of Iowa, of all the votes cast at the general election held November 3, 1998, for the office of Lieutenant Governor of the State of Iowa, it appeared that Sally Pederson received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until a successor is duly elected and qualified.

Signed in the presence of the Joint Convention this Fifteenth day of January, A.D., 1999.

RON J. CORBETT

Speaker of the House

MARGARET N. TINSMAN

Teller of the Senate

SANDRA H. GREINER

Teller of the House

ELIZABETH A. ISAACSON

Chief Clerk of the House and Secretary of the Joint Convention

MARY N. KRAMER

Presiding Officer of the

Joint Convention

President Kramer then directed that the abstract of votes and certificates of election be filed with the Secretary of State.

Senator Iverson moved that a committee of six, consisting of three members from the Senate and three members from the House, be appointed to notify Governor-elect Tom Vilsack and Lieutenant Governor-elect Sally Pederson of the official result of the canvass of votes.

The motion prevailed and President Kramer named as such committee: Senators Maddox of Polk, Johnson of Dallas and Szymoniak of Polk, on the part of the Senate; and Representatives Hoffman of Crawford, Arnold of Lucas and Warnstadt of Woodbury, on the part of the House.

The Joint Convention stood at ease at 9:04 a.m., until the fall of the gavel.

The Joint Convention reconvened at 9:20 a.m., President Kramer presiding.

REPORT OF COMMITTEE

Senator Maddox of Polk from the joint committee appointed to notify Thomas J. Vilsack and Sally Pederson of their election to the

office of Governor and Lieutenant Governor of Iowa, respectively, submitted the following report:

REPORT OF COMMITTEE

MR. PRESIDENT: As a committee appointed at the Joint Convention to notify the Honorable Thomas J. Vilsack and the Honorable Sally Pederson of their election to the office of Governor and Lieutenant Governor, respectively, we beg leave to report that we have performed the duty assigned to us and that they stand ready to assume duties of the offices to which they were elected.

Respectfully submitted,

GENE MADDOX
JOANN JOHNSON
ELAINE SZYMONIAK

CLARENCE HOFFMAN
RICHARD ARNOLD
STEVEN WARNSTADT

On motion by Iverson of Wright the report was adopted.

The Joint Convention stood at ease and proceeded to the floor of the auditorium for the inauguration of Governor-elect Thomas J. Vilsack and Lieutenant Governor-elect Sally Pederson.

The Joint Convention reconvened at 10:00 a.m., President Kramer presiding.

The Legislative Inaugural Committee, consisting of Senators Hedge of Mahaska, Boettger of Shelby, Rife of Cedar, Dearden of Polk, Dvorsky of Johnson and Fraise of Lee, on the part of the Senate and Representatives Lord of Dallas, Larson of Linn, Heaton of Henry, Foege of Linn, Ford of Polk and Mascher of Johnson, on the part of the House, were escorted to the front of the rostrum.

Musical accompaniment was provided by the Harlan Community High School Band and the Mount Pleasant Community High School Chorus.

Chief Justice Arthur A. McGiverin was escorted to his seat.

Governor Terry Branstad, his wife Chris, and Lieutenant Governor Joy Corning were escorted to their seats.

The Sergeant-at-Arms announced the arrival of Governor-elect Tom Vilsack and Lieutenant Governor-elect Sally Pederson and their families.

Lieutenant Governor-elect Sally Pederson and her family were escorted to the rostrum.

Governor-elect Tom Vilsack, his wife Christie and their sons Jess and Doug were escorted to the rostrum.

The colors were advanced by the Iowa National Guard.

The Pledge of Allegiance was led by Eagle Scout Reed Woodford of Sergeant Bluff, Iowa.

The National Anthem was sung by Simon Estes.

The invocation was delivered by Sister Marlene McDonnell of Cascade, Iowa.

In honor of Dr. Martin Luther King, an excerpt from his famous, "I Have a Dream" speech was read by Brittany Rideout and Jordan Landau of Waterloo.

The oath of office was administered to Lieutenant Governor-elect Sally Pederson by Chief Justice Arthur A. McGiverin, assisted by Jim Autry.

President Kramer presented Lieutenant Governor Sally Pederson who gave the following remarks:

Thank you. It's wonderful to be here.

Beyond the pride I have taken in my family, this is the proudest and at the same time most humbling moment of my life.

I'm proud to have been selected by Tom Vilsack and the citizens of this state to help lead Iowa into the 21st century. And I am humbled by the trust and faith all of you have placed in me.

And I want to tell you something. As unbelievable as it may seem, I never doubted for a minute – from the moment I was nominated – that Tom and I would be standing here today.

I never doubted it because I'm an optimist. You see, my parents are optimists and they raised all five of their children to be optimists.

The reason my parents are optimists is that they – like you and many of your parents – learned from watching their ancestors that nothing was impossible.

This state was settled by people who brought with them little more than ingenuity and determination. No problems were unsolvable. Nothing dulled their spirit for this beautiful, fertile land.

What would they say to Iowans today? What would they say to us? We tell pollsters we are generally satisfied with our lives, but are watching in dismay as we:

- ❖ see our students' test scores slip
- ❖ see many schools in need of repair
- ❖ see streams and rivers fouled by pollution
- ❖ and see methamphetamine tearing at families and communities.

These problems strike at our soul. For Iowans have always known that while we couldn't provide ocean views, mountain ranges, and the bright lights of the biggest cities, we could provide the things that really mattered: the highest standards in education, a clean environment, and wonderful communities to raise our families. When these are threatened, Iowa's very sense of self is threatened.

Our ancestors, those sturdy pioneers, would tell us to roll up our sleeves and get to work as a community.

"Every member of the community is important," they would tell us. "Civic responsibility is important," they would tell us. And they would tell us something else: "Don't leave anybody out. Cast a big net and draw in everyone, those new to politics, those who've just arrived in our state, those who have not traditionally had a voice in government."

Here's an amazing fact: Iowa has more small communities than any other state in the nation. This means that more of our people have the opportunity to serve, and be involved in the running of this state.

Iowa must make use of all its people. Civic responsibility cannot be left to a few. For civic responsibility isn't reserved for those of one background, or one gender, or one age.

Tom Vilsack gave me, an outsider to politics, an extraordinary opportunity to run for office, and you the citizens have given me an extraordinary opportunity to serve. I'd like this spirit of inclusion to spread to make this a better state for all of our citizens.

This shouldn't be hard, because Iowa has a proud history of reaching out to others. Whether it was welcoming Vietnamese refugees in the 1970s or piling sandbags during the flood of 1993, neighbor helping neighbor has been the very soul of our state. One writer called it "the casserole reflex" – Iowans automatically give to others in need.

The Vilsack-Pederson administration wants to build on this generous spirit to create opportunities for all Iowans.

It is my deepest hope that our administration will, more than anything else, stand for opportunity.

Opportunity for Iowa – all Iowa – to prosper.

Opportunity for Iowans – all Iowans, no matter what their background, their economic status, or their special circumstances – to thrive.

I am confident this is what the Vilsack-Pederson administration will bring to Iowa: A government of optimism in a land of opportunity. And add one other thing: Commitment, because optimism without commitment won't get the job done.

It is my most fervent hope that in this state of opportunity, the government of optimism will rebuild our hopes, rekindle our dreams, reinvigorate our lives. But you can't solve problems if you can't see them. You can't help people if you don't know them.

So I am pledging today to do volunteer service somewhere in our state each week, and I challenge others to do the same. I plan to help school children with their reading, to serve meals at a homeless shelter, to help a neighborhood clean-up project, or any other task that will help me learn about the problems and the people working to solve them throughout this great state. I know there are many needs, but I know also that Iowa has many willing hands.

I come here this morning, a small-town Iowan who has always loved Iowa, a businesswoman who chose to stay in Iowa, a mother, grandmother, and aunt who wants her children, grandchildren, nieces and nephews to have opportunities in Iowa – I come here this morning to ask just one thing of you.

Please join us.

Please join us in this government of optimism in this lovely, rich land blessed by God and nurtured by our ancestors. Please join us in this government of optimism in this great state of opportunity. Together, we can create the Iowa of our dreams.

Thank you.

The Mount Pleasant High School chorus performed "The Battle Hymn of the Republic."

The oath of office was administered to Governor-elect Thomas J. Vilsack by Chief Justice Arthur A. McGiverin, assisted by Mrs. Christie Vilsack.

President Kramer presented Governor Thomas J. Vilsack, who delivered the following inaugural address:

Governors Fulton, Ray and Branstad, Lieutenant Governors Pederson, Corning and Zimmerman, Chief Justice McGiverin and distinguished members of the court and judiciary, honorable members of the General Assembly – past and present, executive counsel members and ladies and gentlemen:

Today is a day of passages in the State of Iowa, as we inaugurate a new administration and look forward to the dawning of a new millennium.

It is a day to look forward to the challenges and opportunities before us, to take stock of who we are and where we are, and to take aim at where we want to go.

Before I speak of the future let me say a word about Governor Branstad and Lieutenant Governor Corning and their families. Governor and Lieutenant Governor – you have led us during the best of times and through some of the worst of times. You have worked tirelessly to improve the management of state government and to diversify and strengthen the state's economy. You have worked for over two decades for the state and the people that you love – to make Iowa a better place to live – and you leave office having done so. On behalf of a grateful people I extend our deepest appreciation to you and to your families for the sacrifices you have made on our behalf.

Twenty-three years ago I followed my heart to Iowa. My wife, Christie, and I settled in her hometown of Mt. Pleasant. We wanted to be close to family. Our hopes and dreams were simple. We wished to raise our own family in a caring, warm, and nurturing community. Our two sons, Jess and Doug benefited by that decision. Each day they give us reason to be proud.

During those twenty-three years I've learned of Iowa's greatness. It starts with its bountiful natural resources, acres of rich black soil and miles of meandering streams and rivers. But its real greatness lies in its most enduring quality – its goodness. Iowa is great because Iowa is good. Let me repeat that Iowa is great because Iowa is good. Our goodness arises from the fundamental goodness of our people – caring, hard working, well educated, and decent. From child care providers to direct care staff at nursing homes, from teachers to social workers, from farmers to factory workers, from veterans to volunteers – caring, hard-working, well educated and decent. No where is our goodness, and therefore our greatness, better displayed than in our dedication to family and community.

Family and community is how and where we raise our children and care for each other. Family and community is how and where we teach our values, how and where we mold our ambitions and our aspirations, and how and where today's dreams become tomorrow's Iowa.

Family and community – more than genetics and geography – they are our collective frame of mind, our way of living, and our shared vision of how we want to be.

At the outset I spoke of the dawning of the new millennium and of challenge and opportunity. Stated simply our challenge at the close of this century and at the beginning of a new century is to preserve what is best about Iowa and to make it better. We must dedicate ourselves to preserving our natural resources – our land, water and air and to preserving the best of family and community while adapting each to the changing world that surrounds us.

Making our best – better will not be easy. We will be challenged to change.

To preserve and to enhance our natural resources, we must rethink what we do with our land, our water, and our air. We must be good stewards and rededicate ourselves to restoring and conserving the land, to cleaning up the water, and to protecting the air. It is our natural resources that hold the key to a stronger, more prosperous Iowa. If we are able to mix good old – Iowa common sense with changing science we can enrich our natural resources and secure a better today and decades of better tomorrows.

Constant and unrelenting change challenges our notion of family. For many of us family is not simply defined. Step families, foster families, adopted families, single parent families and other arrangements today redefine family. We live life at an ever accelerating pace as we incorporate technology into every day life. Adapting to changing lifestyles and managing the hectic pace of life while preserving what is best about family will require information, knowledge and wisdom. One of the keys to successful family life is a good education.

Iowa has had a long-standing tradition of excellence in education. To maintain that tradition and to build upon it for stronger Iowa families will require us to think differently about education and to be prepared to invest in it.

In the face of growing research, we can no longer accept that an education starts with kindergarten. An education begins at birth. With new jobs being created every day, and new skills being required every day we can no longer afford to allow graduation to signal the end of an Iowan's education. In Iowa an education never ends – it is lifelong.

We must create a lifelong learning system. We must be willing to help equip parents to be their child's first and best teachers. We must invest in early childhood education so all of our children start school ready to learn. We must reduce class sizes in the early grades and improve teacher training to ensure that the basics are taught well – to lay a strong foundation for future learning. We must instill in each student the knowledge they will individually need to become productive citizens. Our children must have access to technology and master its use. We must always be sure that what we teach is what we need to learn. In short we must create an educational system that embodies excellence and that enables everyone to learn well. Let us strive for a world class education system from pre-school to graduate school that is the envy of the nation and the world. Nothing short of that commitment will enable us to hold true to the traditions of our past and ensure the security of our future.

With a real commitment from all of us today's dream of a quality education, we will build stronger families for Iowa's tomorrow.

At the heart of our sense of community is a shared concern for each other. Today we face stern challenges to that sense of community.

Every day dangerous drugs are shipped into our state, grown in our fields, or made in our neighborhoods. Each decade the drugs become more dangerous, more addicting, and more devastating.

The time has come for each of us to recognize a personal duty. The time has come for each of us to send a strong and clear signal that we have had enough.

While we will and we must do all we can do to stop the supply of these drugs – we will never succeed until we stop the demand for these drugs. Every adult in this state that works with or cares for the children of this state should accept personal responsibility to educate our children about the dangers of drugs of all kinds – cigarettes, alcohol, marijuana, and the most dangerous of all meth. To help those young people that make the mistake of taking drugs and become addicted to them we must dedicate adequate resources to their successful treatment. And for those who fail to heed our community's warning about dealing in drugs, we should be prepared to respond with swift, sure, and appropriate punishment.

Whether we provide quality health care for our most vulnerable populations – our young children, our frail elderly, and those with disabilities will determine the level of our dedication to community. Every day tens of thousands of our children go without basic health care because their working parents can not afford the cost of health insurance. Countless times I have seen communities respond when a child was in need. Why – because we are a people – a community with a tradition of helping those in need. Let us strengthen our community by extending access to quality health care to all of our children. At the same time let us recognize the same responsibility to reach out to protect our frail elderly and to assist those with disabilities.

With a real commitment from all of us today's dream of a drug free Iowa where our most vulnerable have access to basic and quality health care will build stronger communities for tomorrow's Iowa.

Today in Iowa, hundreds of Iowa's best farmers and Iowa's best workers face a tomorrow of real uncertainty. Let us promise today that we will not forget their struggle. Let us pledge today that we will act swiftly and decisively to help when and where help is needed most.

Changes in agriculture and expanding opportunities in our commercial centers creates an economic development challenge and opportunity.

We often speak as if there were two Iowans – one rural and one urban. If we are to thrive we must do so as one and we will do so as one. Combining our rich soil, our strong work ethic, and quality education system we can unleash the economic power of every kernel of corn and every soybean grown in our fields.

As the food capital of the world we can add real value to our crops and open up new markets in the state giving hope to our farmers. At the same time with each new product comes the need for research and development, for processing and manufacturing, and for marketing that creates the opportunity for high tech – high paying jobs in commercial centers and surrounding communities.

With a real commitment from all of us today's dream of Iowa as the food capital will build a brighter economic future in tomorrow's Iowa.

With a sense of hope and excitement we enter a new century with the development of a new economy not built solely on the strength of our bodies but more on the power of our intellect. Iowa is poised to take real advantage of that new economy and to offer businesses and industries that locate here the promise of long-term profitability built on the quality of our workers and our long term investment in their continued education.

Our population is stable but to realize the promise of the future we must be able to retain and to attract young people to our state. Let me start by inviting my own sons to make Iowa their lifetime home and to encourage you to invite the children of our state to be a part of its future. To Jess and Doug and to all the young people of this state, I say we need you. Our state's future depends upon your intellect, your creativity, your energy.

I realize that if young people are to stay or come back home, we must do our part before we ask them to do their part. We must invest in schools. We must support the

arts. We must expand cultural diversity and opportunity. We must recognize the importance of recreation. Let us seal that bargain today for a better Iowa tomorrow.

To the members of the General Assembly, let me repeat what Governor Harold Hughes said in his first inaugural address and I quote:

"As we meet, the question uppermost in the minds of the citizens we represent is whether or not you of the legislature with a substantial majority and I the democratic governor can work together to develop a constructive legislative program for the good of the state. As I see it we have no choice – if we are to keep faith with our oaths of office."

He went on to say on that day: "Our constitution states that all political power is inherent in the people. The people of Iowa elected a democratic governor. They elected a large republican majority in both houses of the assembly. They expect us to do our jobs regardless of party labels yet now the campaign is over and we proceed to the constructive tasks of legislation and administration, it is worth noting that the differences that divide us as partisans are small by comparison with the common ground that unites us as fellow Iowans. We want a better, more progressive, more prosperous Iowa. To attain it we must seek both unity and continuity in government."

I believe Governor Hughes said it as well as it could be said.

A better – more progressive – more prosperous Iowa will not evolve by and through government alone. We must have a clear vision of the Iowa of the future. How would each of us answer the question – what should Iowa be in the year 2020? What kind of state do we want and need? We must ask those questions now – and, we answer them thoughtfully now – for a better Iowa. We must strategically plan our future.

Future success will require a partnership with the private sector and the non-profit sector to achieve our common goal. Building and creating these relationships and partnerships can make all the difference. Lieutenant Governor Pederson knows how to build such partnerships. We will work together – drawing on our collective experiences to move Iowa forward.

Twenty-three years ago I followed my heart to Iowa – now my heart and my soul belong to our state. As someone for whom life started in an orphanage in Pennsylvania I have been privileged to be a husband, a father, a lawyer, a mayor, and a state senator. It is an extraordinary honor to stand here as your governor – embraced by the family and the community we call Iowa.

Let us work together for a better Iowa. Let us not forget that Iowa is great because Iowa is good. Let us make today's dreams tomorrow's Iowa. If we do, we say again what was said by Samuel Kirkwood more than 100 years ago – "Iowa – our eyes have been permitted to behold only the beginnings of her glory."

Thank you and may God bless you.

The Children's Chorus of Greater Des Moines presented the song "America the Beautiful."

The benediction was offered by Rabbi Neil Sandler of Des Moines.

Siegrist of Pottawattamie moved that the joint convention be now dissolved.

The motion prevailed.

The House reconvened at 11:15 a.m., Speaker Corbett in the chair.

Siegrist of Pottawattamie moved that the House adjourn until 1:00 p.m., Tuesday, January 19, 1999.

JOURNAL OF THE HOUSE

Ninth Calendar Day - Sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 19, 1999

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

Prayer was offered by the Honorable Bill Dix, state representative from Butler County.

The Journal of Friday, January 15, 1999 was approved.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Bill Dix, state representative from Butler County.

INTRODUCTION OF BILLS

House File 90, by Brunkhorst, a bill for an act relating to the issuance of free hunting licenses for antlerless deer, providing for the disposition of harvested deer meat to public institutions, and providing a penalty and for the Act's repeal.

Read first time and referred to committee on **natural resources**.

House File 91, by Whitead, Warnstadt, Reynolds, Kreiman, Frevert, Mascher, Cohoon, Foegen, Jochum, Mundie, Scherrman, Shoultz, Thomas, Falck, Richardson, Dotzler, Larkin, Drees, Myers, Mertz, May, and Huser, a bill for an act providing for legal assistance for pro se domestic abuse complainants in contempt proceedings where the defendant is represented by counsel, and making an appropriation.

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

House File 92, by Heaton, a bill for an act relating to the use of blaze orange apparel by hunters and fur harvesters and subjecting violators to a penalty.

Read first time and referred to committee on **natural resources**.

House File 93, by Larson, a bill for an act relating to the possession or control of adulterated or improperly labeled articles and eliminating controlled substances from inclusion.

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

House File 94, by Larson, a bill for an act to provide for the imposition of a life sentence for adults who manufacture and deliver methamphetamine or amphetamine to a minor.

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

House File 95, by Drake, a bill for an act providing for representation of township trustees by county attorneys.

Read first time and referred to committee on **local government**.

House File 96, by Connors, a bill for an act relating to the updating and provision of certain information regarding an adopted child.

Read first time and referred to committee on **human resources**.

House File 97, by Carroll, a bill for an act increasing compensation for grand jurors and petit jurors.

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

House File 98, by Wise, Mascher, and Bukta, a bill for an act relating to the postsecondary enrollment options Act and making an appropriation for the reimbursement of school districts for their postsecondary enrollment options costs.

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

House File 99, by Doderer, a bill for an act relating to alternative forms of identification to be attached to a petition in an action for seeking a name change.

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

House File 100, by Brauns, Weidman, Baudler, and Davis, a bill for an act relating to the revocation or suspension of a law enforcement officer's certification.

Read first time and referred to committee on **state government**.

House File 101, by Carroll, a bill for an act relating to the authority of a person designated as an attorney in fact under a durable power of attorney for health care relative to HIV-related testing.

Read first time and referred to committee on **human resources**.

EMPLOYEES OF THE HOUSE

Carroll of Poweshiek moved that the recommendations of the House committee on administration and rules, regarding employees of the House, be accepted and that those named employees be elected as employees of the House.

The motion prevailed and the following named persons were duly elected.

EMPLOYEES OF THE HOUSE

Elizabeth A. Isaacson – Chief Clerk
 Susan K. Jennings – Assistant Chief Clerk I
 Warren L. Fye – Senior Caucus Staff Director
 Paulee Lipsman – Senior Caucus Staff Director
 Daniel L. Fogleman – Administrative Assistant II to Speaker
 Jeffrey G. Mitchell – Administrative Assistant III to Speaker
 Mark W. Brandsgard – Senior Administrative Assistant to Leader
 Susan D. Severino – Administrative Assistant III to Leader
 Gentry T. Collins – Legislative Research Analyst
 Justin D. Hupfer – Legislative Research Analyst
 Patricia A. Schultz – Legislative Research Analyst I
 Bradley A. Trow – Legislative Research Analyst I
 Lon W. Anderson – Legislative Research Analyst II
 Lewis E. Olson – Legislative Research Analyst II
 Craig R. Schoenfeld – Legislative Research Analyst II
 Stacie S. Maass – Legislative Research Analyst III
 Margaret Ann Thomson – Senior Legislative Research Analyst
 Bruce G. Brandt – Senior Caucus Secretary
 Anna M. Hyatt-Crozier – Legislative Research Analyst
 Jenifer L. Parsons – Legislative Research Analyst III
 Mary C. Braun – Senior Legislative Research Analyst

Edward J. Conlow – Senior Legislative Research Analyst
Thomas R. Patterson – Senior Legislative Research Analyst
Joseph P. Romano – Senior Legislative Research Analyst
David L. Epley – Caucus Secretary
Becky L. Lorenz – Executive Secretary to Leader
Susan C. Bruckshaw – Confidential Secretary to Speaker
Carolyn McNeill Gaukel – Confidential Secretary II to Leader
Betty M. Soener – Confidential Secretary II to Chief Clerk
Kathryn M. Farrell – Clerk to Chief Clerk
Colleen Dillon – Supervisor of Secretaries I
Gayle A. Goble – Editor I
C. Elaine Schoonover – Assistant Editor
Trina L. Sterling – Assistant Editor
Judy K. Graesch – Text Processor II
Debra K. Rex – Senior Finance Officer
Kelly M. Wacht – Assistant Finance Officer
Alyce M. Elmitt – Recording Clerk II
E. Jane Fowler – Assistant Legal Counsel
Pauline E. Kephart – Engrossing and Enrolling Processor
Doreen R. Terrell – Assistant to the Legal Counsel
Juanita F. Swackhammer – Indexer II
Kristin L. Wentz – Indexer I
Howard S. Cowles – Switchboard Operator
Madeline E. James – Switchboard Operator
Dennis S. Ashby – Legislative Secretary
Norma L. Bakros – Legislative Secretary
Ann I. Bauer – Legislative Secretary
Michelle K. Bauer – Legislative Secretary
Kathy S. Beauchamp – Legislative Secretary
Kara J. Berg – Legislative Secretary
Sandra J. Blodgett – Legislative Secretary
Patricia A. Bradley – Legislative Secretary
Stacy K. Brenton – Legislative Secretary
Jenna S. Brownell – Legislative Secretary
Diane K. Burget – Legislative Secretary
Jeremy J. Carmichael – Legislative Secretary
Debra Collopy – Legislative Secretary
Marjorie I. Connors – Legislative Secretary
Mary Beth Danzer – Legislative Secretary
Lindsey R. Dohlman – Legislative Secretary
Shirley J. Drake – Legislative Secretary
Jennifer L. Dreibelbis – Legislative Secretary
A. Kathleen Eaton – Legislative Secretary
Joan R. Eggen – Legislative Secretary
Judith K. Elliott – Legislative Secretary
Michele A. Evermore – Legislative Secretary
Theresa M. Ferin – Legislative Secretary
LaVena M. Fries – Legislative Secretary
Audrey J. Gibson – Legislative Secretary
Shane D. Grady – Legislative Secretary
Doris E. Guess – Legislative Secretary
Carol F. Hansen – Legislative Secretary
Kellie L. Harryman – Legislative Secretary

David C. Harvey – Legislative Secretary
Lynn M. Hoffman – Legislative Secretary
Celeste J. Holmes – Legislative Secretary
Patrick R. James – Legislative Secretary
H. Kay Jenkins – Legislative Secretary
Julie Kaye Johnson – Legislative Secretary
Karen L. Jostes – Legislative Secretary
Kelli M. Kilgore – Legislative Secretary
Angela J. Langrehr – Legislative Secretary
Mary Belle Lawless – Legislative Secretary
Gay P. Leverich – Legislative Secretary
Cora A. Lubbert – Legislative Secretary
Catherine M. Mabry – Legislative Secretary
Ashley M. Marasco – Legislative Secretary
Misty M. McHugh – Legislative Secretary
Patricia J. McKee – Legislative Secretary
Betty C. Millen – Legislative Secretary
V. Faye Mundie – Legislative Secretary
Dolores G. Nesbitt – Legislative Secretary
Ronna G. O'Brien – Legislative Secretary
M. Anne O'Connell – Legislative Secretary
Ann D. Osterhaus – Legislative Secretary
Kathy A. Parmenter – Legislative Secretary
Rose Mary V. Pratt – Legislative Secretary
Carolyn J. Ramsay – Legislative Secretary
Janet R. Ramsay – Legislative Secretary
Linda C. Rosky – Legislative Secretary
Mary M. Sanders – Legislative Secretary
Michael A. Schrader – Legislative Secretary
Robertta J. Schrader – Legislative Secretary
Wilma R. Scieszinski – Legislative Secretary
Jacquelyn M. Seymour – Legislative Secretary
Mary Lee A. Stephens – Legislative Secretary
Jean Tannatt – Legislative Secretary
Jo Ann Thomas – Legislative Secretary
Eileen M. Tyler – Legislative Secretary
Darlene A. VanOort – Legislative Secretary
Barbara B. Wennerstrum – Legislative Secretary
Pearl I. White – Legislative Secretary
Donna M. Whitehead – Legislative Secretary
Mary Beth Williams – Legislative Secretary
DeAnn L. Wiltse – Legislative Secretary
Twyla J. Woodward – Legislative Secretary
Chad M. Barth – Legislative Committee Secretary
Jill J. Beni – Legislative Committee Secretary
Frank H. Boggess – Legislative Committee Secretary
Phyllis R. Cowles – Legislative Committee Secretary
Jane B. Fogg – Legislative Committee Secretary
Andrea K. Hall – Legislative Committee Secretary
Todd A. Henderson – Legislative Committee Secretary
Nancy J. Hendrickson – Legislative Committee Secretary
Paula M. Houser – Legislative Committee Secretary
Karen F. Klemme – Legislative Committee Secretary

Heidi C. Kotzian – Legislative Committee Secretary
 Ellen T. Larson – Legislative Committee Secretary
 Robert B. Martin – Legislative Committee Secretary
 Twyla L. Miller – Legislative Committee Secretary
 Melba K. Murken – Legislative Committee Secretary
 Diane E. Nandell – Legislative Committee Secretary
 Zachary M. Nunn – Legislative Committee Secretary
 Sean D. Parnell – Legislative Committee Secretary
 Stacie R. Peter – Legislative Committee Secretary
 Julie K. Pierce – Legislative Committee Secretary
 Dorothy E. Potthoff – Legislative Committee Secretary
 Vinita J. Smith – Legislative Committee Secretary
 Betty J. Sorenson – Legislative Committee Secretary
 Jackie L. Syverson – Legislative Committee Secretary
 Ruth A. Welter – Legislative Committee Secretary
 Mildred E. Stewart – Bill Clerk
 Marie A. Kirby – Assistant Bill Clerk
 William C. Walling – Postmaster
 Wilbur N. Rhoads – Sergeant-at-Arms
 Maynard L. Boatwright – Assistant Sergeant-at-Arms
 Marvin Hollingshead – Assistant Sergeant-at-Arms
 Paul W. Aardsma – Doorkeeper
 H. James Beyer – Doorkeeper
 Charles L. Fogelson – Doorkeeper
 Kathleen L. O'Leary – Doorkeeper
 Gerald V. Orman – Doorkeeper
 Richard R. Overholser – Doorkeeper
 Carl D. Parker – Doorkeeper

PAGES GROUP I

Kelly M. Gallagher – Speaker's Page
 Sarah M. Bartleson – Chief Clerk's Page
 Randi K. Needham – Chief Clerk's Page
 Laura E. Barclay
 Kara M. Berg
 Jessica A. Boddicker
 Joelle L. Cook
 Brian M. Dickerson
 Candace M. Harrell
 Brandon S. Kass
 Meredith G. Lorinser
 Sally R. Mann
 Nicole A. Mattingly
 Trisha M. McAllister

Kerri E. Moran
 Amy L. Noll
 Molly E. Reimer
 April M. Reineke
 Brandon J. Renz
 Rebecca M. Rottinghaus
 Robert W. Smith
 Sara M. Stephenson
 Stacie R. Verschuure
 Travis J. Weipert
 Jerome R. Wolff

PAGES GROUP II

Angela R. Blair
 Chaya A. Fox
 Bethany J. Hovda
 Carl J. Hurley
 Amanda M. Jones

Michael P. Lowry
 Meagan K. Norlin
 Jodi L. Scorpil
 Melissa R. Singer
 Philip J. Wiese

Erika A. Kuker
Andrea M. Love

Brandy S. Wilson

SPECIAL PRESENTATION

Miss Iowa, Lisa Dondlinger, formally of Des Moines and now residing in the Quad Cities, was introduced in the House Chamber. She was the guest of Representative Grundberg of Polk and Senator Tinsman of Scott. She spoke in regard to presenting a positive future for American youth and to encourage the arts in our communities.

The House rose and expressed its welcome.

REPORT OF ADMINISTRATION AND RULES COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 1, your committee on administration and rules submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Legislative Secretary	Roberta J. Schrader	16-3 to	S-O	05-07-98
Administrative Secretary to Leader		21-2	P-PT	
Caucus Secretary	David L. Epley	21-1 to	P-FT	05-15-98
		21-2		
AA II to Speaker	Daniel L. Fogleman	32-1 to	P-FT	05-15-98
		32-2		
Confidential Secretary to Speaker	Susan C. Bruckshaw	27-1 to	P-PT	05-29-98
		27-2		
Indexer I	Kristin L. Wentz	22-4 to	P-FT	06-12-98
		22-5		
Text Processor I	Judy K. Graesch	19-3 to	P-FT	06-26-98
Text Processor II		22-2		
Leg. Research Analyst II	Lewis E. Olson	32-3 to	P-FT	06-26-98
		32-4		
Leg. Research Analyst I	Patricia A. Schultz	29-2 to	P-FT	07-10-98
		29-3		
Leg. Research Analyst	Bradley A. Trow	27-2 to	P-FT	07-10-98
Leg. Research Analyst I		29-2		

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Leg. Research Analyst I	Craig R. Schoenfeld	29-3 to	P-FT	07-24-98
Leg. Research Analyst II		32-2		
Exec. Secretary to Leader	Becky L. Lorenz	24-1 to 24-2	P-FT	10-02-98
Sr. Leg. Research Analyst	Mary C. Braun	38-2 to 38-3	P-FT	12-25-98
Editor I	Gayle A. Goble	22-1 to 22-2	P-FT	12-25-98
Assistant Chief Clerk I	Susan K. Jennings	32-1 to 32-2	E-FT	12-25-98
Leg. Research Analyst III	Jenifer L. Parsons	35-2 to 35-3	P-FT	12-25-98
Sr. Leg. Research Analyst	Joseph P. Romano	38-3 to 38-4	P-FT	12-25-98
Assistant Editor	C. Elaine Schoonover	19-5 to 19-6	P-FT	12-25-98
Assistant Editor	Trina L. Sterling	19-2 to 19-3	P-FT	12-25-98
Doorkeeper	H. James Beyer	11-1	S-O	01-06-99
Doorkeeper	Charles L. Fogelson	11-1	S-O	01-06-99
Assistant Sergeant-at-Arms	Marvin Hollingshead	14-4	S-O	01-08-99
Assistant Bill Clerk	Marie A. Kirby	12-3 to 12-4	S-O	01-08-99
Leg. Research Analyst II	Stacie S. Maass	32-4 to 35-3	P-FT	01-08-99
Leg. Research Analyst III				
AA III to Speaker	Jeffrey G. Mitchell	35-3 to 35-4	P-FT	01-08-99
AA III to Leader	Susan D. Severino	35-4 to 35-5	P-FT	01-08-99
Sr. Leg. Research Analyst	Margaret Ann Thomson	38-5 to 38-6	P-FT	01-08-99
Leg. Research Analyst	Gentry T. Collins	27-1	P-FT	01-08-99
Legislative Secretary	Dennis S. Ashby	16-1	S-O	01-11-99
Legislative Committee Secretary	Chad M. Barth	17-1	S-O	01-11-99
Legislative Secretary	Ann I. Bauer	16-1	S-O	01-11-99
Legislative Secretary	Michelle K. Bauer	17-1	S-O	01-11-99
Legislative Committee Secretary	Jill J. Beni	17-1	S-O	01-11-99
Legislative Secretary	Kara J. Berg	16-1	S-O	01-11-99
Legislative Secretary	Frank H. Boggess	16-2 to 17-2	S-O	01-11-99
Legislative Committee Secretary				
Legislative Committee Secretary	Stacy K. Brenton	18-2 to	S-O	01-11-99
Legislative Secretary		18-2		

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Legislative Secretary	Jenna S. Brownell	16-1	S-O	01-11-99
Legislative Secretary	Diane K. Burget	15-1	S-O	01-11-99
Legislative Secretary	Mary Beth Danzer	16-1	S-O	01-11-99
Legislative Secretary	Lindsey R. Dohlman	16-1	S-O	01-11-99
Legislative Secretary	Jennifer L. Dreibelbis	16-1 to 15-1	S-O	01-11-99
Legislative Secretary	A. Kathleen Eaton	16-1	S-O	01-11-99
Legislative Secretary	Michele A. Evermore	15-1	S-O	01-11-99
Legislative Secretary	LaVena M. Fries	15-6+2	S-O	01-11-99
Legislative Committee Secretary	Carol F. Hansen	17-3 to	S-O	01-11-99
Legislative Secretary		17-3		
Legislative Secretary	David C. Harvey	15-1	S-O	01-11-99
Legislative Secretary	Todd A. Henderson	16-2 to	S-O	01-11-99
Legislative Committee Secretary		18-2		
Legislative Secretary	Nancy J. Hendrickson	18-2 to	S-O	01-11-99
Legislative Committee Secretary		18-2		
Legislative Secretary	Lynn M. Hoffman	16-1	S-O	01-11-99
Legislative Secretary	Patrick R. James	15-1	S-O	01-11-99
Legislative Secretary	Julie Kaye Johnson	16-1	S-O	01-11-99
Legislative Secretary	Karen L. Jostes	15-1	S-O	01-11-99
Legislative Committee Secretary	Karen F. Klemme	17-3 to 18-3	S-O	01-11-99
Legislative Committee Secretary	Heidi C. Kotzian	17-1	S-O	01-11-99
Legislative Secretary	Angela J. Langrehr	16-1	S-O	01-11-99
Legislative Secretary	Mary Belle Lawless	15-5+2 to 16-5+2	S-O	01-11-99
Legislative Secretary	Gay P. Leverich	16-6+2	S-O	01-11-99
Legislative Secretary	Cora A. Lubbert	16-1	S-O	01-11-99
Legislative Secretary	Misty M. McHugh	17-1	S-O	01-11-99
Legislative Secretary	Betty C. Millen	16-6 to 15-6	S-O	01-11-99
Legislative Secretary	V. Faye Mundie	16-3 to 15-3	S-O	01-11-99
Legislative Committee Secretary	Melba K. Murken	17-1	S-O	01-11-99
Legislative Secretary	Dolores G. Nesbitt	15-1	S-O	01-11-99
Legislative Committee Secretary	Zachary M. Nunn	17-1	S-O	01-11-99
Legislative Secretary	Ronna G. O'Brien	16-1	S-O	01-11-99
Legislative Secretary	Kathy A. Parmenter	15-1	S-O	01-11-99
Legislative Committee Secretary	Sean D. Parnell	17-2	S-O	01-11-99
Legislative Committee Secretary	Stacie R. Peter	17-1	S-O	01-11-99
Legislative Secretary	Michael A. Schrader	16-1	S-O	01-12-99

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Administrative Secretary to Leader	Roberta J. Schrader	21-2 to	P-PT	01-11-99
Legislative Secretary		18-3	S-O	
Legislative Secretary	Jacquelyn M. Seymour	17-1	S-O	01-11-99
Legislative Secretary	Mary Lee A. Stephens	16-1	S-O	01-11-99
Legislative Secretary	Jackie L. Syverson	16-1 to	S-O	01-11-99
Legislative Committee Secretary		17-1		
Legislative Secretary	Jo Ann Thomas	16-4+2	S-O	01-11-99
Legislative Secretary	Darlene A. VanOort	16-1	S-O	01-11-99
Legislative Secretary	Pearl I. White	15-1	S-O	01-11-99
Legislative Secretary	Mary Beth Williams	16-1	S-O	01-11-99
Legislative Secretary	DeAnn L. Wiltse	16-1	S-O	01-11-99
Legislative Secretary	Twyla J. Woodward	18-2 to 16-3	S-O	01-11-99

<u>Position</u>	<u>Name</u>	<u>Per Hr.</u>	<u>Class of Appointment</u>
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PAGES—GROUP I

Speaker's Page	Kelly M. Gallagher	Minimum Wage	S-O
Chief Clerk's Page	Sarah M. Bartleson	Minimum Wage	S-O
Chief Clerk's Page	Randi K. Needham	Minimum Wage	S-O
Page	Laura E. Barclay	Minimum Wage	S-O
Page	Kara M. Berg	Minimum Wage	S-O
Page	Jessica A. Boddicker	Minimum Wage	S-O
Page	Joelle L. Cook	Minimum Wage	S-O
Page	Brian M. Dickerson	Minimum Wage	S-O
Page	Candace M. Harrell	Minimum Wage	S-O
Page	Brandon S. Kass	Minimum Wage	S-O
Page	Meredith G. Lorinser	Minimum Wage	S-O
Page	Sally R. Mann	Minimum Wage	S-O
Page	Nicole A. Mattingly	Minimum Wage	S-O
Page	Trisha M. McAllister	Minimum Wage	S-O
Page	Kerri E. Moran	Minimum Wage	S-O
Page	Amy L. Noll	Minimum Wage	S-O
Page	Molly E. Reimer	Minimum Wage	S-O
Page	April M. Reineke	Minimum Wage	S-O
Page	Brandon J. Renz	Minimum Wage	S-O
Page	Rebecca M. Rottinghaus	Minimum Wage	S-O
Page	Robert W. Smith	Minimum Wage	S-O
Page	Sara M. Stephenson	Minimum Wage	S-O
Page	Stacie R. Verschuure	Minimum Wage	S-O
Page	Travis J. Weipert	Minimum Wage	S-O
Page	Jerome R. Wolff	Minimum Wage	S-O

Class of
Appoint-
ment

<u>Position</u>	<u>Name</u>	<u>Per Hr.</u>	
GROUP II			
Page	Angela R. Blair	Minimum Wage	S-O
Page	Chaya A. Fox	Minimum Wage	S-O
Page	Bethany J. Hovda	Minimum Wage	S-O
Page	Carl J. Hurley	Minimum Wage	S-O
Page	Amanda M. Jones	Minimum Wage	S-O
Page	Erika A. Kuker	Minimum Wage	S-O
Page	Andrea M. Love	Minimum Wage	S-O
Page	Michael P. Lowry	Minimum Wage	S-O
Page	Meagan K. Norlin	Minimum Wage	S-O
Page	Jodi L. Scorpil	Minimum Wage	S-O
Page	Melissa R. Singer	Minimum Wage	S-O
Page	Philip J. Wiese	Minimum Wage	S-O
Page	Brandy S. Wilson	Minimum Wage	S-O

The following are resignations from the officers and employees of the House:

Assistant Sergeant-at-Arms	Marvin Hollingshead	01-12-99
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CARROLL of Poweshiek, Chair

HOUSE FILE 13 REREFERRED

The Speaker announced that House File 13, previously referred to committee on **judiciary** was rereferred to committee on **appropriations**.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

A foreign exchange student from Fort Dodge, Francis Wesler, and his parents Franz and Mariana from Glensdorf, Germany, accompanied by Mr. and Mrs. Dennis Johnson. By Cormack of Webster and Mundie of Webster.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\33 Marlys and Erwin Schrader, Oelwein – For celebrating their 60th wedding anniversary.
- 1999\34 Helen and Harold Lewis, Carlisle – For celebrating their 50th wedding anniversary.
- 1999\35 Mr. and Mrs. Albert J. Harms, Sioux City – For celebrating their 70th wedding anniversary.
- 1999\36 Albert J. Harms, Sioux City – For celebrating his 93rd birthday.
- 1999\37 Rosalie and Merle Heim, Persia – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 28

Natural Resources: Rayhons, Chair; Brauns and Scherrman.

House File 43

Natural Resources: Tyrrell, Chair; Klemme and Scherrman.

House File 49

Natural Resources: Tyrrell, Chair; Klemme and Scherrman.

House File 50

Natural Resources: Baudler, Chair; Alons and Mundie.

House File 53

Natural Resources: Weidman, Chair; Kettering and Richardson.

House File 59

Natural Resources: Tyrrell, Chair; Klemme and Scherrman.

House File 63

Natural Resources: Weidman, Chair; Kettering and Richardson.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 2

Judiciary: Sunderbruch, Chair; Doderer and Thomson.

House Study Bill 3

Judiciary: Barry, Chair; Bell and Raecker.

House Study Bill 4

Judiciary: Boddicker, Chair; Parmenter and Raecker.

House Study Bill 5

Judiciary: Jager, Chair; Barry and Holveck.

House Study Bill 6

Judiciary: Millage, Chair; Jager and Shultz.

House Study Bill 7

Judiciary: Boddicker, Chair; Kettering and Kreiman.

House Study Bill 8

Judiciary: Thomson, Chair; Holveck and Jager.

House Study Bill 9

Judiciary: Davis, Chair; Boddicker and Kreiman.

On motion by Siegrist of Pottawattamie the House adjourned at 1:25 p.m., until 8:45 a.m., Wednesday, January 20, 1999.

JOURNAL OF THE HOUSE

Tenth Calendar Day - Seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 20, 1999

The House met pursuant to adjournment at 8:50 a.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Jerry Miller, pastor of Grimes United Methodist Church, Grimes.

The Journal of Tuesday, January 19, 1999 was approved.

INTRODUCTION OF BILLS

House File 102, by Alons, a bill for an act providing an exemption from the sales and use taxes for clothing, including certain footwear.

Read first time and referred to committee on **ways and means**.

House File 103, by Blodgett, a bill for an act relating to the operating location of licensed excursion gambling boats.

Read first time and referred to committee on **state government**.

House File 104, by Kreiman, a bill for an act relating to children in the custody of the department of human services who have been placed in the same licensed foster home for twelve months or more.

Read first time and referred to committee on **human resources**.

House File 105, by Rayhons, a bill for an act prohibiting the scheduling of extracurricular activities after a certain hour on Wednesday evenings and providing an applicability date.

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

House File 106, by Bukta, a bill for an act relating to the elements to be considered by the court in awarding child support and in awarding support to either party to a judgment of dissolution, annulment, or separate maintenance.

Read first time and referred to committee on **human resources**.

House File 107, by Carroll, a bill for an act relating to the exemption of special trucks from certain regulations.

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

House File 108, by Carroll, a bill for an act relating to service of notice of assessment in condemnation proceedings.

Read first time and referred to committee on **local government**.

House File 109, by Brunkhorst, a bill for an act relating to, and making appropriations for, early elementary education programs in public school districts, and providing an effective date.

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

House File 110, by Cormack, a bill for an act relating to the exemption of clothing and wearing apparel from the sales and use taxes.

Read first time and referred to committee on **ways and means**.

House File 111, by Myers, a bill for an act relating to the exemption from the sales, services, and use taxes of the gross receipts from the sale, furnishing, or service of gas, electricity, and heat, and of fuel used for heating of residential-type dwellings and including an applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 112, by Gipp, a bill for an act relating to the provision of municipal services to annexed territory and providing for the Act's applicability.

Read first time and referred to committee on **local government**.

House File 113, by Gipp, a bill for an act relating to mandatory disclosures in certain political telephone communications, and applying a penalty.

Read first time and referred to committee on **state government**.

House File 114, by Corbett, Rayhons, Greiner, Van Fossen, Welter, Johnson, Teig, Drake, Sunderbruch, Brauns, Boggess, Tyrrell, Holmes, Lord, Larson, Nelson, Barry, Bradley, Gipp, Hahn, Sukup, Thomson, Rants, and Metcalf, a bill for an act relating to civil actions by limiting the use of evidence regarding the failure to wear a safety belt; limiting damages; providing immunity due to misuse, failure to maintain, or alteration of a product; eliminating joint and several liability; limiting the admissibility of expert testimony; eliminating restrictions and requirements regarding the disclosure of psychological test material; and including an applicability provision.

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

House File 115, by Jacobs, a bill for an act relating to the award of a contract for a public improvement by a city or the governing body of a city utility.

Read first time and referred to committee on **local government**.

House File 116, by Tyrrell, a bill for an act relating to written summaries of proposed constitutional amendments or of certain other public measures and including effective date and applicability date provisions.

Read first time and referred to committee on **state government**.

House File 117, by Larson, a bill for an act relating to increasing the penalty for eluding or attempting to elude an official law enforcement vehicle.

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

House File 118, by Rants, Nelson, and Barry, a bill for an act relating to the manufacture or delivery of methamphetamine, placing restrictions on bail, and providing penalties.

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

HOUSE FILE 55 WITHDRAWN

Bukta of Clinton asked and received unanimous consent to withdraw House File 55 from further consideration by the House.

TEACHER OF THE DAY

Representative Lord of Dallas presented to the House, Deborah Petrak, teacher of Perry Community School District. She was accompanied by Representative Lord's son Daniel and her husband Bruce.

The House rose and expressed its welcome.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 5

Carroll of Poweshiek called up for consideration House Concurrent Resolution 5 as follows, and moved its adoption:

- 1 HOUSE CONCURRENT RESOLUTION 5
 2 BY COMMITTEE ON ADMINISTRATION AND RULES
 3 A concurrent resolution relating to joint rules of
 4 the Senate and House of Representatives for the
 5 Seventy-eighth General Assembly.
 6 *Be It Resolved By The House Of Representatives, The*
 7 *Senate Concurring,* That the joint rules of the Senate
 8 and House of Representatives for the ~~Seventy-seventh~~
 9 Seventy-eighth General Assembly shall be:
 10 JOINT RULES OF THE
 11 SENATE AND HOUSE
 12 Rule 1
 13 Suspension of Joint Rules
 14 The joint rules of the general assembly may be
 15 suspended by concurrent resolution, duly adopted by a
 16 constitutional majority of the senate and the house.
 17 Rule 2
 18 Designation of Sessions
 19 Each regular session of a general assembly shall be
 20 designated by the year in which such regular session
 21 commences.
 22 Rule 3
 23 Sessions of a General Assembly
 24 The election of officers, organization, hiring and
 25 compensation of employees, and standing committees in
 26 each house of the general assembly and action taken by
 27 each house shall carry over from the first to the
 28 second regular session and to any extraordinary
 29 session of the same general assembly. The status of
 30 each bill and resolution shall be the same at the

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1 beginning of each second session as it was immediately
2 before adjournment of the previous regular or
3 extraordinary session; however the rules of either
4 house may provide for re-referral of some or all bills
5 and resolutions to standing committees upon
6 adjournment of each session or at the beginning of a
7 subsequent regular or extraordinary session, except
8 those which have been adopted by both houses in
9 different forms.

10 Upon final adoption of a concurrent resolution at
11 any extraordinary session affecting that session, or
12 at a regular session affecting any extraordinary
13 session which may be held before the next regular
14 session, the creation of any calendar by either house
15 shall be suspended and the business of the session
16 shall consist solely of those bills or subject matters
17 stated in the resolution adopted. Bills named in the
18 resolution, or bills containing the subject matter
19 provided for in the resolution, may, at any time, be
20 called up for debate in either house by the majority
21 leader of that house.

22 Rule 4**23 Presentation of Messages**

24 All messages between the two houses shall be sent
25 by the secretary of the senate or the chief clerk of
26 the house of representatives, shall be communicated to
27 the presiding officer.

28 Rule 5**29 Printing and Form of Bills
30 and Other Documents****Page 3**

1 Bills and joint resolutions shall be introduced,
2 numbered, prepared, and printed as provided by law, or
3 in the absence of such law, in a manner determined by
4 the secretary of the senate and the chief clerk of the
5 house of representatives. Proposed bills and
6 resolutions which are not introduced but are referred
7 to committee shall be tracked in the legislative
8 computer system as are introduced bills and
9 resolutions. The referral of proposed bills and
10 resolutions to committee shall be entered in the
11 journal.

12 All bills and joint resolutions introduced shall be
13 in a form and number approved by the secretary of the
14 senate and chief clerk of the house.

15 The legal counsel's office of each house shall
16 approve all bills before introduction.

17 Rule 6**18 Companion Bills**

19 Identical bills introduced in each house shall be
 20 called companion bills. Each house shall designate
 21 the sponsor in the usual way followed in parentheses
 22 by the sponsor of the companion bill in the other
 23 house. The house where the bill is first introduced
 24 shall print the complete text.

25 Rule 7

26 Reprinting of Bills

27 Whenever any bill has been substantially amended by
 28 either house, the secretary of the senate or the chief
 29 clerk of the house shall order the bill reprinted on
 30 paper of a different color. All adopted amendments

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1 shall be distinguishable.

2 The secretary of the senate or the chief clerk of
 3 the house may order the printing of a reasonable
 4 number of additional copies of any bill, resolution,
 5 amendment, or journal.

6 Rule 8

7 Daily Clip Sheet

8 The secretary of the senate and the chief clerk of
 9 the house shall prepare a daily clip sheet covering
 10 all amendments filed.

11 Rule 9

12 Reintroduction of Bills and Other Measures

13 A bill or resolution which has passed one house and
 14 is rejected in the other shall not be introduced again
 15 during that general assembly.

16 Rule 10

17 Certification of Bills and Other Enrollments

18 When any bill or resolution which has passed one
 19 house is rejected or adopted in the other, notice of
 20 such action and the date thereof shall be given to the
 21 house of origin in writing signed by the secretary of
 22 the senate or the chief clerk of the house.

23 Rule 11

24 Code Editor's Correction Bill Bills

25 A bill recommended by the Code editor which is
 26 passed out of committee to the floor for debate by a
 27 committee of the house or senate within the first four
 28 weeks of convening of a legislative session and which
 29 contains Code corrections of a nonsubstantive nature
 30 shall not be amended on the floor of either house

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1 except pursuant to corrective or nonsubstantive
 2 amendments filed by the judiciary committee of the
 3 senate or the house. Such committee amendments,
 4 whether filed at the time of initial committee passage
 5 of the bill to the floor for debate or after
 6 rereferral to the committee, shall not be incorporated

7 into the bill in the originating house but shall be
8 filed separately. Amendments filed from the floor to
9 strike sections of the bill or the committee
10 amendments shall be in order. Following amendment and
11 passage by the second house, only amendments filed
12 from the floor which strike sections of the amendment
13 of the second house shall be in order.
14 A bill recommended by the Code editor which is
15 passed out of committee to the floor for debate by a
16 committee of the house or senate within the first four
17 weeks of convening of a legislative session and which
18 contains Code corrections beyond those of a
19 nonsubstantive nature shall not be amended on the
20 floor of either house except pursuant to amendments
21 filed by the judiciary committee of the senate or the
22 house. Such committee amendments, whether filed at
23 the time of initial committee passage of the bill to
24 the floor for debate or after rereferral to the
25 committee, shall not be incorporated into the bill in
26 the originating house but shall be filed separately.
27 Such a bill shall be limited to corrections which:
28 Adjust language to reflect current practices, insert
29 earlier omissions, delete redundancies and
30 inaccuracies, delete temporary language, resolve

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1 inconsistencies and conflicts, update ongoing
2 provisions, and remove ambiguities. Amendments filed
3 from the floor to strike sections of the bill or the
4 committee amendments shall be in order. Following
5 amendment and passage by the second house, only
6 amendments filed from the floor which strike sections
7 of the amendment of the second house shall be in
8 order.

9 Rule 12

10 Amendments by Other House

11 1. When a bill which originated in one house is
12 amended in the other house, the house originating the
13 bill may amend the amendment, concur in full in the
14 amendment, or refuse to concur in full in the
15 amendment. Precedence of motions shall be in that
16 order. The amendment of the other house shall not be
17 ruled out of order based on a question of germaneness.

18 A-a. If the house originating the bill concurs in
19 the amendment, the bill shall then be immediately
20 placed upon its final passage.

21 B b. If the house originating the bill refuses to
22 concur in the amendment, the bill shall be returned to
23 the amending house which shall either:

24 1. (1) Recede, after which the bill shall be read
25 for the last time and immediately placed upon its
26 final passage; or

27 2. (2) Insist, which will send the bill to a

28 conference committee.

29 C. If the house originating the bill amends the
30 amendment, that house shall concur in the amendment as

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1 amended and the bill shall be immediately placed on
2 final passage, and shall be returned to the other
3 house. The other house cannot further amend the bill.
4 1. If the amending house which gave second
5 consideration to the bill concurs in the amendment to
6 the amendment, the bill shall then be immediately
7 placed upon its final passage.

8 2. If the amending house refuses to concur in
9 the amendment to the amendment, the bill shall be
10 returned to the house originating the bill which shall
11 either:

12 a. Recede, after which the bill shall be read
13 for the last time as amended and immediately placed
14 upon its final passage; or

15 b. Insist, which will send the bill to a
16 conference committee.

17 H 2. A motion to recede has precedence over a
18 motion to insist. Failure to recede means to insist;
19 and failure to insist means to recede.

20 III 3. A motion to lay on the table or to
21 indefinitely postpone shall be out of order with
22 respect to motions to recede from or insist upon and
23 to amendments to bills which have passed both houses.

24 IV 4. A motion to concur, refuse to concur,
25 recede, insist, or adopt a conference committee report
26 is in order even though the subject matter has
27 previously been acted upon.

28 **Rule 13**

29 **Conference Committee**

30 1. Within one legislative day after either house

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1 insists upon an amendment to a bill, the presiding
2 officer of the house, after consultation with the
3 majority leader, shall appoint three majority party
4 members and, after consultation with the minority
5 leader, shall appoint two minority party members to a
6 conference committee. The majority leader of the
7 senate, after consultation with the president, shall
8 appoint three majority party members and, after
9 consultation with and approval by the minority leader,
10 shall appoint two minority party members to a
11 conference committee. The papers shall remain with
12 the house that originated the bill.

13 2. The conference committee shall meet before the
14 end of the next legislative day after their
15 appointment, shall select a chair and shall discuss

16 the controversy.

17 3. The authority of the first conference committee
18 shall cover only issues related to provisions of the
19 bill and amendments to the bill which were adopted by
20 either the senate or the house of representatives and
21 on which the senate and house of representatives
22 differed. If a conference committee report is not
23 acted upon because such action would violate this
24 subsection of this rule, the inaction on the report
25 shall constitute refusal to adopt the conference
26 committee report and shall have the same effect as if
27 the conference committee had disagreed.

28 4. An agreement on recommendations must be
29 approved by at least three members from each house.
30 The committee shall submit two originals of the report

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1 signed by at least three members of each house with
2 one signed original and three copies to be submitted
3 to each house. The report shall first be acted upon
4 in the house originating the bill. Such action,
5 including all papers, shall be immediately referred by
6 the secretary of the senate or the chief clerk of the
7 house of representatives to the other house.

8 5. The report of agreement is debatable, but
9 cannot be amended. If the report contains recommended
10 amendments to the bill, adoption of the report shall
11 automatically adopt all amendments contained therein.
12 After the report is adopted, there shall be no more
13 debate, and the bill shall immediately be placed upon
14 its final passage.

15 6. Refusal of either house to adopt the conference
16 committee report has the same effect as if the
17 committee had disagreed.

18 7. If the conference committee fails to reach
19 agreement, a report of such failure signed by at least
20 three members of each house shall be given promptly to
21 each house. The bill shall be returned to the house
22 that originated the bill, the members of the committee
23 shall be immediately discharged, and a new conference
24 committee appointed in the same manner as the first
25 conference committee.

26 8. The authority of a second or subsequent
27 conference committee shall cover free conference
28 during which the committee has authority to propose
29 amendments to any portion of a bill provided the
30 amendment is within the subject matter content of the

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1 bill as passed by the house of origin or as amended by
2 the second house.

3 Rule 14

4 Enrollment and Authentication of Bills

5 A bill or resolution which has passed both houses
6 shall be enrolled in the house of origin under the
7 direction of either the secretary or the chief clerk
8 and its house of origin shall be certified by the
9 endorsement of the secretary of the senate or the
10 chief clerk of the house.

11 After enrollment, each bill shall be signed by the
12 president of the senate and by the speaker of the
13 house.

14 Rule 15

15 Concerning other Enrollments

16 All resolutions and other matters which are to be
17 presented to the governor for approval shall be
18 enrolled, signed, and presented in the same manner as
19 bills.

20 All resolutions and other matters which are not to
21 be presented to the governor or the secretary of state
22 shall be enrolled, signed, and retained permanently by
23 the secretary of the senate or chief clerk of the
24 house.

25 Rule 16

26 Transmission of Bills to the Governor

27 After a bill has been signed in each house, it
28 shall be presented by the house of origin to the
29 governor by either the secretary of the senate or the
30 chief clerk of the house. The secretary or the chief

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1 clerk shall report the date of the presentation, which
2 shall be entered upon the journal of the house of
3 origin.

4 Rule 17

5 Fiscal Notes

6 A fiscal note shall be attached to any bill or
7 joint resolution which reasonably could have an annual
8 effect of at least one hundred thousand dollars or a
9 combined total effect within five years after
10 enactment of five hundred thousand dollars or more on
11 the aggregate revenues, expenditures, or fiscal
12 liability of the state or its subdivisions. This rule
13 does not apply to appropriation and ways and means
14 measures where the total effect is stated in dollar
15 amounts.

16 Each fiscal note shall state in dollars the
17 estimated effect of the bill on the revenues,
18 expenditures, and fiscal liability of the state or its
19 subdivisions during the first five years after
20 enactment. The information shall specifically note
21 the fiscal impact for the first two years following
22 enactment and the anticipated impact for the
23 succeeding three years. The fiscal note shall specify
24 the source of the information. Sources of funds for

25 expenditures under the bill shall be stated, including
26 federal funds. If the fiscal director cannot make an
27 accurate estimate, the director shall state the best
28 available estimate or shall state that no dollar
29 estimate can be made and state concisely the reason.
30 The preliminary determination of whether the bill

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1 appears to require a fiscal note shall be made by the
2 legislative service bureau which shall send a copy of
3 the request to the legislative fiscal bureau unless
4 the requestor specifies the request is to be
5 confidential. Upon completion of the bill draft, the
6 legislative service bureau shall immediately send a
7 copy to the legislative fiscal director for review.

8 When a committee reports a bill to the floor, the
9 committee shall state in the report whether a fiscal
10 note is or is not required.

11 The legislative fiscal director shall review all
12 bills placed on the senate or house calendars to
13 determine whether the bills are subject to this rule.

14 Additionally, a legislator may request the
15 preparation of a fiscal note by the legislative fiscal
16 bureau for any bill or joint resolution introduced
17 which reasonably could be subject to this rule.

18 The legislative fiscal director shall cause to be
19 prepared and shall approve a fiscal note within a
20 reasonable time after receiving a request or
21 determining that a bill is subject to this rule. All
22 fiscal notes approved by the legislative fiscal bureau
23 director shall be transmitted immediately to the
24 secretary of the senate or the chief clerk of the
25 house, after notifying the sponsor of the bill that a
26 fiscal note has been prepared, for publication in the
27 daily clip sheet. The secretary of the senate or
28 chief clerk of the house shall attach the fiscal note
29 to the bill as soon as it is available.

30 The legislative fiscal director may request the

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1 cooperation of any state department or agency in
2 preparing a fiscal note.

3 A revised fiscal note may be requested by a
4 legislator if the fiscal effect of the bill has been
5 changed by adoption of an amendment. However, a
6 request for a revised fiscal note shall not delay
7 action on a bill unless so ordered by the presiding
8 officer of the house in which the bill is under
9 consideration.

10 If a date for adjournment has been set, then a
11 constitutional majority of the house in which the bill
12 is under consideration may waive the fiscal note

13 requirement during the three days prior to the date
14 set for adjournment.

15 Rule 18

16 Legislative Interns

17 Legislators may arrange student internships during
18 the legislative session with Iowa college, university,
19 or law school students, for which the students may
20 receive college credit at the discretion of their
21 schools. Each legislator is allowed only one intern
22 at a time per legislative session, and all interns
23 must be registered with the offices of the secretary
24 of the senate and the chief clerk of the house.

25 The purpose of the legislative intern program shall
26 be: 1) to provide useful staff services to
27 legislators not otherwise provided by the general
28 assembly; 2) to give interested college, graduate, and
29 law school students practical experience in the
30 legislative process as well as providing a meaningful

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1 educational experience; and 3) to enrich the
2 curriculum of participating colleges and universities.
3 The secretary of the senate and the chief clerk of
4 the house or their designees shall have the following
5 responsibilities as regards the legislative intern
6 program:

7 1. Identify a supervising faculty member at each
8 participating institution who shall be responsible for
9 authorizing students to participate in the intern
10 program.

11 2. Provide legislators with a list of
12 participating institutions and the names of
13 supervising professors to contact if interested in
14 arranging for an intern.

15 3. Provide interns with name badges which will
16 allow them access to the floor of either house when
17 required to be present by the legislators for whom
18 they work.

19 4. Provide orientation materials to interns prior
20 to the convening of each session.

21 Rule 19

22 Administrative Rules Review Committee Bills
23 and Rule Referrals

24 A bill which relates to departmental rules and
25 which is approved by the administrative rules review
26 committee by a majority of the committee's members of
27 each house is eligible for introduction in either
28 house at any time and must be referred to a standing
29 committee, which must take action on the bill within
30 three weeks of referral, except bills referred to

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1 appropriations and ways and means committees.
2 If, on or after July 1, 1999, the administrative
3 rules review committee delays the effective date of a
4 rule until the adjournment of the next regular session
5 of the general assembly and the speaker of the house
6 or the president of the senate refers the rule to a
7 standing committee, the standing committee shall
8 review the rule within twenty-one days of the referral
9 and shall take formal committee action by sponsoring a
10 joint resolution to disapprove the rule, by proposing
11 legislation relating to the rule, or by refusing to
12 propose a joint resolution or legislation concerning
13 the rule. The standing committee shall inform the
14 administrative rules review committee of the committee
15 action taken concerning the rule.

Rule 20

16 Time of Committee Passage and Consideration of Bills
17 1. This rule does not apply to concurrent or
18 simple resolutions, joint resolutions nullifying
19 administrative rules, senate confirmations, or bills
20 passed by both houses in different forms. Subsection
21 2 of this rule does not apply to appropriations bills,
22 ways and means bills, legalizing acts, administrative
23 rules review committee bills, bills cosponsored by
24 majority and minority floor leaders of one house,
25 bills in conference committee, and companion bills
26 sponsored by the majority floor leaders of both houses
27 after consultation with the respective minority floor
28 leaders. For the purposes of this rule, a joint
29 resolution is considered as a bill. To be considered
30

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1 an appropriations or ways and means bill for the
2 purposes of this rule, the appropriations committee or
3 the ways and means committee must either be the
4 sponsor of the bill or the committee of first referral
5 in the originating house.
6 2. To be placed on the calendar in the house of
7 origin, a bill must be first reported out of the
8 committee of first referral by Friday of the 9th week
9 of the first session and the 7th week of the second
10 session. To be placed on the calendar in the other
11 house, a bill must be first reported out of the
12 committee of first referral by Friday of the 12th week
13 of the first session and the 10th week of the second
14 session.
15 3. During the 10th week of the first session and
16 the 8th week of the second session, each house shall
17 consider only bills originating in that house and
18 unfinished business. During the 13th week of the
19 first session and the 11th week of the second session,

20 each house shall consider only bills originating in
 21 the other house and unfinished business. Beginning
 22 with the 14th week of the first session and the 12th
 23 week of the second session, each house shall consider
 24 only bills passed by both houses, bills exempt from
 25 subsection 2, and unfinished business.

26 4. a motion to reconsider filed and not disposed
 27 of on an action taken on a bill or resolution which is
 28 subject to a deadline under this rule may be called up
 29 at any time before or after the day of the deadline by
 30 the person filing the motion or after the deadline by

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1 the majority floor leader, notwithstanding any other
 2 rule to the contrary.

3 Rule 21

4 Resolutions

5 1. A "concurrent resolution" is a resolution to be
 6 adopted by both houses of the general assembly which
 7 expresses the sentiment of the general assembly or
 8 deals with temporary legislative matters. It may
 9 authorize the expenditure, for any legislative
 10 purpose, of funds appropriated to the general
 11 assembly. a concurrent resolution is not limited to,
 12 but may provide for a joint convention of the general
 13 assembly, adjournment or recess of the general
 14 assembly, or requests to a state agency or to the
 15 general assembly or a committee. a concurrent
 16 resolution requires the affirmative vote of a majority
 17 of the senators or representatives present and voting
 18 unless otherwise specified by statute. a concurrent
 19 resolution does not require the governor's approval
 20 unless otherwise specified by statute. a concurrent
 21 resolution shall be filed with the secretary of the
 22 senate or the chief clerk of the house. a concurrent
 23 resolution shall be printed in the bound journal after
 24 its adoption.

25 2. A "joint resolution" is a resolution which
 26 requires for approval the affirmative vote of a
 27 constitutional majority of each house of the general
 28 assembly. A joint resolution which appropriates funds
 29 or enacts temporary laws must contain the clause "Be
 30 It Enacted by the General Assembly of the State of

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1 Iowa:", is equivalent to a bill, and must be
 2 transmitted to the governor for his approval. a joint
 3 resolution which proposes amendments to the
 4 Constitution of the State of Iowa, ratifies amendments
 5 to the Constitution of the United States, proposes a
 6 request to Congress or an agency of the government of
 7 the United States of America, proposes to Congress an

8 amendment to the Constitution of the United States of
9 America, nullifies an administrative rule, or creates
10 a special commission or committee must contain the
11 clause "Be It Resolved by the General Assembly of the
12 State of Iowa:" and shall not be transmitted to the
13 governor. a joint resolution shall not amend a
14 statute in the Code of Iowa.

15 Rule 22

16 Nullification Resolutions

17 A "nullification resolution" is a joint resolution
18 which nullifies all of an administrative rule, or a
19 severable item of an administrative rule adopted
20 pursuant to chapter 17a of the Code. a nullification
21 resolution shall not amend an administrative rule by
22 adding language or by inserting new language in lieu
23 of existing language.

24 A nullification resolution is debatable, but cannot
25 be amended on the floor of the house or senate. The
26 effective date of a nullification resolution shall be
27 stated in the resolution. Any motions filed to
28 reconsider adoption of a nullification resolution must
29 be disposed of within one legislative day of the
30 filing.

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1 Rule 23

2 Consideration of Vetoes

3 1. The senate and house calendar shall include a
4 list known as the "Veto Calendar." The veto calendar
5 shall consist of:
6 a. Bills returned to that house by the governor in
7 accordance with Article III, section 16 of the
8 Constitution of the State of Iowa.
9 b. Appropriations items returned to that house by
10 the governor in accordance with Article III, section
11 16 of the Constitution of the State of Iowa.
12 c. Bills and appropriations items received from
13 the other house after that house has voted to override
14 a veto of them by the governor.
15 2. Vetoed bills and appropriations items shall
16 automatically be placed on the veto calendar upon
17 receipt. Vetoed bills and appropriations items shall
18 not be referred to committee.
19 3. Upon first publication in the veto calendar,
20 the senate majority leader or the house majority
21 leader may call up a vetoed bill or appropriations
22 item at any time.
23 4. The affirmative vote of two-thirds of the
24 members of the body by record roll call is required on
25 a motion to override an executive veto or item veto.
26 5. A motion to override an executive veto or item
27 veto is debatable. a vetoed bill or appropriation
28 item cannot be amended in this case.

29 6. The vote by which a motion to override an
30 executive veto or item veto passes or fails to pass

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1 either house is not subject to reconsideration under
2 senate rule 24 or house rule 73.
3 7. The secretary of the senate or the chief clerk
4 of the house shall immediately notify the other house
5 of the adoption or rejection of a motion to override
6 an executive veto or item veto.
7 8. All bills and appropriations items on the veto
8 calendar shall be disposed of before adjournment sine
9 die, unless the house having a bill or appropriation
10 item before it declines to do so by unanimous consent.
11 9. Bills and appropriations items on the veto
12 calendar are exempt from deadlines imposed by joint
13 rule 20.

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 3

Carroll of Poweshiek called up for consideration House Resolution 3, a resolution relating to permanent rules of the House for the Seventy-eighth General Assembly, as follows:

1 HOUSE RESOLUTION 3
2 BY COMMITTEE ON ADMINISTRATION AND RULES
3 A resolution relating to permanent rules of the House
4 for the seventy-eighth general assembly.
5 *Be It Resolved By The House Of Representatives,*
6 That the permanent rules of the House for the ~~seventy-~~
7 ~~seventh~~ seventy-eighth general assembly be as follows:
8 DIVISION I – GENERAL RULES
9 Rule 1
10 Call to Order and Order of Business
11 The speaker shall take the chair at the hour to
12 which the house has adjourned, and shall immediately
13 call the members to order, correct the journal of the
14 previous day's proceedings, and proceed to other
15 business, including, but not limited to, introduction
16 of bills, reports, messages, communications, business
17 pending at adjournment, resolutions and bills on their
18 passage.
19 Rule 2
20 Quorum Call and Time of Convening
21 The house shall convene each Monday at 1:00 p.m.
22 and at 8:45 a.m. on all other legislative days, unless
23 otherwise ordered. The time of convening shall be
24 recorded in the journal. The house shall not convene
25 on Sunday during a regular or special session.

26 The speaker or a member may request a roll call to
27 determine if a quorum is present.
28 Rule 3
29 Absences from the House
30 No member shall be absent without leave while the

Page 2

1 house is in session unless the member is sick or
2 unable to attend.
3 Rule 4
4 Preservation of Order
5 The speaker shall preserve order and decorum and
6 speak to points of order in preference to other
7 members. Subject to an appeal to the house by any
8 member, the speaker shall decide questions of order
9 which shall not be debated.
10 The speaker may have the chamber of the house
11 cleared in case of any disturbance or disorderly
12 conduct.
13 Only past legislators, state officials, persons
14 whose presence is deemed by the speaker to be of
15 special significance to the house, and school classes
16 accompanied by teachers and seated in the galleries
17 shall be introduced in the house.
18 The public may take photographs from the galleries
19 at any time. However, the use of flash bulbs or any
20 other artificial lighting is prohibited. The press
21 may photograph from the press section, but may not use
22 artificial lighting except for live television crews
23 who receive permission in advance from the chief clerk
24 of the house or the sergeant-at-arms. Photographic
25 instruments shall not be used on the house floor at
26 any time when the members are voting on a question put
27 before the house. Photographic instruments may be
28 used on the house floor at other times with the
29 consent of the subject or subjects of the photography.
30 Rule 4A

Page 3

1 Use of Telephonic or Electronic Devices
2 in Chamber Restricted
3 1. In order to prevent the disruption of house
4 deliberations, a person shall not do any of the
5 following in the chamber while the house is in
6 session:
7 a. Allow any audible signal to be continued to be
8 transmitted to or from a telephonic or electronic
9 device under the person's control.
10 b. Disrupt house deliberations by using a
11 telephonic or electronic device to audibly transmit or
12 receive communications.
13 2. The speaker or other presiding officer may have

14 the chamber cleared of any person acting in violation
 15 of this rule.

16 Rule 5

17 Rules of Parliamentary Practice

18 The rules of parliamentary practice in Mason's
 19 Manual of Legislative Procedure shall govern the house
 20 in all cases where they are not inconsistent with the
 21 standing rules of the house or the joint rules of the
 22 senate and house.

23 Rule 5A

24 House Budget

25 The speaker of the house shall annually prepare a
 26 proposed budget for the house of representatives for
 27 the payment of expenses, salaries, per diems, and
 28 other items. The proposed budget shall be submitted
 29 on the fourteenth day of each legislative session to
 30 the house committee in charge of administration, which

Page 4

1 shall approve a proposed budget in house resolution
 2 form within thirty days of receiving the proposed
 3 budget from the speaker. The house shall adopt a
 4 budget within thirty days of the introduction of the
 5 house resolution.

6 Rule 6

7 The Speaker Pro Tempore

8 The house shall, at its pleasure, elect a speaker
 9 pro tempore. When the speaker shall for any cause be
 10 absent, the speaker pro tempore shall preside, except
 11 when the chair is filled by appointment by either the
 12 speaker or the speaker pro tempore. If a vacancy
 13 occurs in the office of speaker, the speaker pro
 14 tempore shall assume the duties and responsibilities
 15 of the speaker until such time as the house shall
 16 elect a new speaker. The speaker or the speaker pro
 17 tempore shall have the right to name any member to
 18 perform the duties of speaker, but such substitution
 19 shall not extend beyond the adjournment. The acts of
 20 the speaker pro tempore shall have the same validity
 21 as those of the speaker. In the absence of both the
 22 speaker and the speaker pro tempore, the house shall
 23 name a speaker who shall preside over it and perform
 24 all the duties of the speaker with the exception of
 25 signing bills, until such time as the speaker or
 26 speaker pro tempore shall be present, and the person's
 27 acts shall have the same force and validity as those
 28 of the regularly elected speaker.

29 Rule 7

30 Amendment and Suspension of Rules

Page 5

1 A motion to change or rescind a standing rule or

2 order of the house requires one day's notice. A
3 motion to suspend a rule, or to table or take from the
4 table a matter, requires an affirmative vote of a
5 constitutional majority. Postponing or changing the
6 order of business requires an affirmative vote of a
7 constitutional majority.

8 Rule 8

9 Violation of House Rules

10 The speaker shall, or any member may, call to order
11 a member who transgresses the rules of the house.
12 With leave of the house, the member called to order
13 may be permitted to explain. If the case requires it,
14 the member shall be subject to censure of the house.

15 Rule 9

16 Referral of Rule Violations

17 The speaker shall, upon complaint of a member, or
18 upon the speaker's own motion, refer any alleged
19 violation of house or joint rules by house members,
20 employees or staff to the house ethics committee upon
21 an initial finding that an investigation is warranted.
22 The ethics committee shall investigate such
23 allegations and report them back to the house with a
24 recommendation.

25 Rule 10

26 Recognition and Decorum in Debate

27 A member who wishes to speak in debate or deliver
28 any matter to the house shall be appropriately
29 attired, with male members wearing coat or tie, shall
30 raise the microphone and, after recognition by the

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1 chair, shall respectfully address the presiding
2 officer by saying "Mr. or Madam Speaker", shall
3 confine all remarks to the question under debate, and
4 shall avoid personalities.

5 Rule 11

6 Limit on Debate

7 No member shall speak more than once on the same
8 question, without leave of the speaker, nor more than
9 twice until every member choosing to speak has spoken,
10 except as provided in Rule 81. a member shall be
11 limited to ten minutes debate on a bill being
12 considered prior to its last reading, but may be
13 granted an extension of time by consent of the house.

14 Rule 12

15 Decorum During Debate

16 No member shall leave the house while the speaker
17 is putting a question. No one shall pass between the
18 speaker and a member who is speaking or two members
19 who have been recognized by the speaker.

20 Rule 13

21 Stating the Question

22 When a motion is made, it shall be stated by the

23 speaker. a motion made in writing shall be passed to
24 the desk before it is debated.

25 Rule 14

26 Putting the Question

27 Questions shall be distinctly put in this form:

28 "All those in favor of (the question) shall say

29 'aye';" and after the affirmative voice is expressed,

30 "All those opposed to (the question) shall say 'no'."

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1 If the speaker is in doubt or a member of the house
2 requests, a nonrecord roll call vote shall be taken.

3 DIVISION II – EMPLOYEES OF THE HOUSE

4 Rule 15

5 Chief Clerk of the House

6 The chief clerk of the house shall serve as
7 parliamentarian and chief administrative officer of
8 the house under the direction of the speaker of the
9 house. The chief clerk shall supervise the chief
10 clerk's office; be responsible for the custody and
11 safekeeping of all bills, resolutions, and amendments
12 filed, except when they are in the custody of a
13 committee; have charge of the daily journal; have
14 control of all rooms assigned for the use of the
15 house; attest to the accuracy and correctness of text
16 and action on bills and resolutions; process the
17 handling of amendments when filed and during the floor
18 consideration of bills; insert adopted amendments into
19 bills before transmittal to the senate and prior to
20 final enrollment; supervise legislative printing and
21 the distribution of printed material; and perform all
22 other duties pertaining to the office of the chief
23 clerk.

24 Rule 16

25 Reserved

26 Rule 17

27 Sergeant-At-Arms

28 The sergeant-at-arms shall execute all orders of
29 the house and the presiding officer; perform all
30 assigned duties related to the policing and good order

Page 8

1 of the house; supervise the entrance and exit of all
2 persons to and from the chamber; promptly execute all
3 messages, etc.; provide that the chamber is properly
4 ventilated and open for the use of the members; and
5 perform all other services pertaining to the office of
6 sergeant-at-arms.

7 Rule 18

8 Secretaries

9 All secretaries of the house shall be under the
10 general direction of the speaker and the chief clerk.

11 Secretaries shall be on duty at the house from 8:30
12 a.m. to 4:30 p.m. except when excused by the member
13 to whom the secretary is assigned. Secretaries shall
14 perform such additional duties as may be assigned to
15 them by the chief clerk.

16 Rule 19

17 Extra Compensation of Employees

18 No employee shall receive any extra compensation,
19 except as provided by the house, or tips for services
20 performed while on duty. Any violation of this rule
21 shall be grounds for removal.

22 DIVISION III – VISITORS AND LOBBYISTS

23 Rule 20

24 Admission to the House; Lobbying

25 The chamber of the house shall include the
26 vestibule, restrooms, cloak room, lounge, visitors'
27 galleries, and floor of the house.

28 The floor of the house shall consist of that area
29 between the press box, speaker's station, and the
30 south wall behind the last row of desks occupied by

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1 representatives, excluding the visitors' galleries.
2 During a legislative day while the house is in
3 session, and one-half hour before the house convenes
4 and one-half hour after the house recesses or
5 adjourns, no person shall be admitted to the floor of
6 the house except:

7 1. Members of the general assembly and authorized
8 house employees in the performance of their duties.

9 2. Former members of the general assembly who are
10 not registered lobbyists.

11 3. A general assembly member's family.

12 4. Representatives of the press, radio, and
13 television who shall go directly to and from the press
14 box.

15 5. Legislative interns approved by the chief clerk
16 who shall go directly to and from the seat of their
17 assigned representative or to be seated in the
18 perimeter seating area.

19 6. Chair, co-chair, and the executive secretary of
20 a political party having members serving in the
21 general assembly.

22 7. Personnel of the Code editor's office,
23 legislative service bureau, legislative fiscal bureau,
24 citizens' aide/ombudsman's office, computer support
25 bureau and administrative rules review committee
26 staff.

27 8. The governor's executive assistants and
28 administrative assistants, members of the state
29 executive council, the lieutenant governor, the
30 attorney general, and the administrative rules

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1 coordinator, all of whom shall be confined to the
2 perimeter area.
3 The current status of former members of the general
4 assembly shall govern their access to the floor under
5 these rules.
6 No other persons shall be allowed on the house
7 floor without permission of the presiding officer of
8 the house.
9 No person admitted to the floor of the house,
10 except members of the general assembly, shall, while
11 the house is in session, lobby or attempt to exercise
12 any influence with any member for or against any
13 matter then pending or that may thereafter be
14 considered by the house.
15 Notwithstanding the provisions of this rule
16 regarding admission to the floor of the house, a
17 registered lobbyist shall not be admitted to the floor
18 of the house on any day when the house is in session
19 or committees are scheduled to meet from one-half hour
20 before the house convenes or 8:45 a.m., whichever is
21 earlier, until one-half hour after the house adjourns
22 or until 4:30 p.m., whichever is later. a registered
23 lobbyist or other person may be admitted to the house
24 when the house is not in session to gain access to a
25 committee room.
26 Each lobbyist shall be given a copy of this rule
27 when the lobbyist registers.
28 Each member, employee of the house, and registered
29 lobbyist shall report violations of this rule
30 immediately to the sergeant-at-arms.

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1 Any person for cause may be summarily dismissed
2 from the chamber of the house, by action of the house,
3 and shall forfeit that person's right to admission
4 thereafter.

Rule 20A

6 Legislative Interns

7 Only one legislative intern per member of the house
8 is allowed on the floor of the house at any one time.

Rule 21

9 Distribution of Literature

11 No person except a member or employee of the house
12 of representatives shall generally distribute or cause
13 to be distributed any pamphlets, material, or other
14 printed literature to the members' desks in the house.
15 An employee of the house shall generally distribute or
16 cause to be distributed such literature only on behalf
17 of the employee's office or staff.
18 All copies of pamphlets, material, or printed
19 literature distributed by a member or employee of the

20 house of representatives shall bear the name of the
 21 member or employee's office or staff.
 22 Other distributions of pamphlets, material, or
 23 other printed literature shall bear their source of
 24 origin and be distributed through the legislative post
 25 office by completing a form containing a member's or
 26 the chief clerk's authorization, with the
 27 authorization form attached to one copy of the
 28 distribution. The copy with the attached
 29 authorization form shall be retained for a reasonable
 30 time period by the legislative post office.

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1 Rule 22
 2 Distribution of Materials
 3 Printed by the State
 4 A member of the house shall not distribute maps,
 5 books, and pamphlets such as, but not limited to, How
 6 a Bill Becomes Law, which have been printed by the
 7 state of Iowa and upon which the name of the member of
 8 the house has been affixed unless the member has
 9 purchased the materials or unless the member has
 10 affixed the words "Paid for by the citizens of Iowa
 11 and distributed by representative (member's name)."
 12 DIVISION IV – FORMS AND PROCEDURES
 13 FOR BILLS AND OTHER DOCUMENTS
 14 Rule 23
 15 Documents Signed by the Speaker
 16 All acts and joint resolutions shall be signed by
 17 the speaker, and all writs, warrants, and subpoenas
 18 issued by order of the house, shall be signed by the
 19 speaker and attested by the chief clerk. The speaker
 20 shall cause certificates of recognition or condolence
 21 to be issued by the house which shall be signed by the
 22 speaker and the chief clerk.
 23 Rule 24
 24 Presentation of Petitions
 25 All petitions, memorials and other papers addressed
 26 to the house shall be signed by the member and filed
 27 with the chief clerk or the chief clerk's staff.
 28 Rule 25
 29 Consideration of Resolutions
 30 Action on a resolution, except a memorial

Page 13

1 resolution, or a proposition requesting information
 2 from a state official shall not be taken until one day
 3 after the resolution has been placed on the members'
 4 desks. After the resolution is adopted, the chief
 5 clerk shall transmit certified copies and have the
 6 resolution printed in the bound journal. a resolution
 7 may be printed in the daily journal upon the approval

8 of the speaker after consultation with the minority
9 leader.

10 Rule 26

11 Unanimous Consent Calendar

12 The speaker may, upon the request of three members,
13 place on a unanimous consent calendar any house
14 resolution or concurrent resolution which does not
15 contain an appropriation and which has been laid over
16 under Rule 25.

17 If such resolution is placed on the unanimous
18 consent calendar, it may be removed only upon a
19 written request submitted to the speaker by a member
20 of the house.

21 If not removed after five legislative days, the
22 chief clerk shall call up the resolution and without
23 debate the speaker shall pronounce that it has passed
24 by unanimous consent.

25 If the resolution is removed from the unanimous
26 consent calendar, the speaker may again lay the
27 resolution over under Rule 25, place it on a different
28 calendar, or refer the resolution to any of the
29 standing committees of the house.

30 Rule 27

Page 14

1 Forms of Bills and Joint Resolutions

2 Every house bill shall be introduced by one or more
3 members or by any standing or specially authorized
4 committee of the house, the administrative rules
5 review committee or interim study committee. All
6 bills and joint resolutions introduced shall be
7 prepared by the legislative service bureau with title,
8 enacting clause, text and explanation as directed by
9 the chief clerk of the house. One copy of each bill
10 shall be presented in a bill cover with the number of
11 copies of the bill and the title as directed by the
12 chief clerk.

13 Rule 28

14 Joint and Nullification Resolutions

15 Joint resolutions shall be framed and treated as
16 bills.

17 A "nullification resolution" is a joint resolution
18 which nullifies all of an administrative rule, or a
19 severable item of an administrative rule adopted
20 pursuant to chapter 17a of the Code. a nullification
21 resolution shall not amend an administrative rule by
22 adding language or by inserting new language in lieu
23 of existing language.

24 A nullification resolution may be introduced by an
25 individual, a standing committee or the administrative
26 rules review committee, and may be referred to a
27 standing committee.

28 A nullification resolution is debatable, but cannot

29 be amended on the floor of the house.

30 Rule 29

Page 15

1 Time of Introduction of Bills

2 No bill or joint resolution under individual
3 sponsorship, other than a nullification resolution,
4 shall be read for the first time after 4:30 p.m. on
5 Friday of the 6th week of the first regular session of
6 the general assembly unless a written request for
7 drafting the bill has been filed with the legislative
8 service bureau before that time.

9 After adjournment of the first regular session,
10 bills may be prefiled at any time before the convening
11 of the second regular session. No bill or joint
12 resolution under individual sponsorship, other than a
13 nullification resolution, shall be read for the first
14 time after 4:30 p.m. on Friday of the 2nd week of the
15 second regular session of the general assembly unless
16 a written request for drafting the bill has been filed
17 with the legislative service bureau before that time.

18 However, bills or joint resolutions sponsored by
19 standing committees or the administrative rules review
20 committee, co-sponsored by the majority and minority
21 floor leaders, or companion bills sponsored by the
22 house majority leader and the senate majority leader
23 may be drafted and introduced at any time permissible
24 under Joint Rule 20. House, concurrent, and
25 nullification resolutions may be introduced at any
26 time.

27 Rule 30

28 Introduction and Reading of Bills

29 All bills and resolutions to be introduced in the
30 house shall be typed in proper form and filed with the

Page 16

1 chief clerk no later than 4:30 p.m. on the legislative
2 day preceding its introduction.

3 Every bill shall receive two readings but no bill
4 shall receive its first and last readings on the same
5 day.

6 A "reading of a bill" as required by these rules
7 shall consist of a reading of the title and enacting
8 clause unless otherwise demanded by a house member.

9 Rule 31

10 First Reading, Commitment, and Amendment

11 31.1. A bill is introduced into the house by an
12 initial or "first reading of the bill".

13 31.2. When the house is in session the first
14 reading shall consist of a "reading" as provided in
15 Rule 30.

16 31.3. Upon a first reading of the bill, the

17 speaker shall state that it is ready for commitment or
18 amendment; and the speaker shall commit it to the
19 standing or select committee, or to a committee of the
20 whole house. If to a committee of the whole house,
21 the house shall determine on what day.

22 31.4. On a day when the house is not in session,
23 the speaker shall cause a statement, which shall
24 consist of the title, enacting clause, bill number and
25 committee to which the bill is referred to be
26 published in the house journal. This publication
27 shall constitute a first reading and commitment and
28 shall contain the notation "read and committed under
29 Rule 31.4".

30 31.5. All amendments offered to bills on file or

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1 on the regular calendar shall be accompanied by such
2 copies as the chief clerk shall direct.

3 31.6. Such amendments shall give the number of the
4 bill sought to amend and the chief clerk shall
5 designate each such amendment thus: Amendment to
6 House File _____, or Senate File _____, by
7 _____.

8 31.7. A bill reported out by committee shall go to
9 the speaker who shall direct that the bill be placed
10 on the regular calendar unless it covers subject
11 matter more properly within the jurisdiction of some
12 other standing committee, in which case the speaker
13 shall refer the bill to the proper standing committee.
14 In order to expedite important business and set a
15 definite time for the bill's consideration, the
16 speaker may direct the bill to be placed on the
17 special order calendar.

18 31.8. No amendment to the rules of the house, to
19 any resolution or bill, except technical amendments
20 and amendments to bills substituted for by senate
21 files containing substantially identical title,
22 language, subject matter, purpose and intrasectional
23 arrangement, shall be considered by the membership of
24 the house without a copy of the amendment having been
25 filed with the chief clerk by 4:00 p.m. or within one-
26 half hour of adjournment, whichever is later, on the
27 day preceding floor debate on the amendment. If the
28 house adjourns prior to 2:00 p.m. on Friday, the final
29 deadline is two hours after adjournment. However,
30 committee amendments filed pursuant to the submission

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1 of the committee report may be accepted after this
2 deadline. This provision shall not apply to any
3 proposal debated on the floor of the house after the
4 thirteenth week of the first session and the eleventh

5 week of the second session. No amendment or amendment
6 to an amendment to a bill, rule of the house, or
7 resolution shall be considered by the membership of
8 the house without a copy of the amendment being on the
9 desks of the entire membership of the house prior to
10 consideration.

11 Rule 32

12 Commitment of Appropriation and Revenue Bills

13 All bills to appropriate money shall be referred to
14 the appropriations committee, and all bills pertaining
15 to the levy, assessment, or collection of taxes shall
16 be referred to the committee on ways and means.

17 Rule 33

18 Regular Calendar

19 Bills, nullification resolutions, and joint
20 resolutions reported out for passage, or amendment and
21 passage, or without recommendation, by a committee,
22 shall be arranged on a regular calendar by the chief
23 clerk each day at 4:30 p.m. in the order of the file
24 number of the bills and following the preceding
25 legislative day's regular calendar. Priority shall be
26 given to house over senate file numbers and to joint
27 resolutions over bills in the arrangement of the
28 regular calendar.

29 Rule 34

30 Debate and Special Order Calendars

Page 19

1 The majority floor leadership shall cause to be
2 prepared and distributed to the members at the opening
3 of each session day when floor action is scheduled, a
4 daily debate calendar consisting of bills,
5 nullification resolutions, and joint resolutions from
6 the regular calendar setting forth the number and
7 title of bills, nullification resolutions, and joint
8 resolutions for the next session day that floor action
9 is scheduled.

10 The majority floor leadership shall cause to be
11 prepared and distributed to the members at the opening
12 of each session day when floor action is scheduled, a
13 special order calendar setting forth the number and
14 title of bills, nullification resolutions, and joint
15 resolutions and the date upon which debate is
16 scheduled to begin on each of them, which can be no
17 sooner than five session days from the first date of
18 publication on the regular calendar.

19 This rule does not apply to bills which have passed
20 both houses in different forms, reconsiderations, or
21 veto reconsiderations.

22 Rule 35

23 Noncontroversial Calendar

24 The majority floor leadership may cause to be
25 prepared a noncontroversial calendar consisting of

26 bills and joint resolutions from the regular calendar.
27 The noncontroversial calendar shall appear under
28 separate heading on the regular calendar.
29 Notwithstanding Rule 34, a bill or joint resolution
30 on the noncontroversial calendar may be called up for

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1 debate at any time by the majority leader beginning
2 the third legislative day after it appears on the
3 noncontroversial calendar. a bill or joint resolution
4 shall be stricken from the noncontroversial calendar
5 if a written objection to the bill or joint resolution
6 is filed with the chief clerk prior to the time the
7 bill or joint resolution is called up by the majority
8 leader.

9 Debate on a bill or joint resolution from the
10 noncontroversial calendar shall be limited to ten
11 minutes. If debate exceeds ten minutes, the bill or
12 joint resolution shall be stricken from the
13 noncontroversial calendar.

14 **Rule 36**

15 **Consideration of Committee Amendments**

16 After a bill has been referred and reported back,
17 it shall be considered on its first reading after the
18 amendments of the committee have been read.

19 **Rule 37**

20 **Amendments to Special Order Bills**

21 All amendments to bills on the special order
22 calendar shall be filed at least three session days
23 prior to the date set for debate. Amendments to an
24 amendment shall be filed at least two session days
25 prior to the date set for debate. However, corrective
26 amendments and amendments sponsored by either the
27 majority floor leader or the minority floor leader may
28 be filed at any time. Rule 31.8 shall not apply to
29 these amendments.

30 A corrective amendment is an amendment which does

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1 not substantively change the amendment or the bill.

2 **Rule 38**

3 **Irrelevant Amendments**

4 No motion or proposition on a subject different
5 from that under consideration shall be admitted under
6 color of an amendment.

7 **Rule 39**

8 **Consideration of Bills**

9 Bills, including committee bills, and nullification
10 resolutions, reported out for passage, for indefinite
11 postponement, for amendment and passage, or without
12 recommendation by the committee, shall not be acted
13 upon until after the second legislative day following

14 the day the report was printed in the journal.
15 Prior to noon or adjournment, whichever is later,
16 on the last legislative day of the week, the majority
17 leader shall prepare a list of bills reported out of
18 committee that week which have not yet appeared on the
19 regular calendar.
20 The reports of the committees shall not be read
21 while the house is in session except as herein
22 provided. The reports shall be printed in the journal
23 immediately after they are filed with the chief clerk.
24 Reports recommending bills for passage, for amendment
25 and passage, or without recommendation shall stand
26 approved unless written objections are filed during
27 the first legislative day following their printing in
28 the journal. If objections are filed, they shall be
29 disposed of as soon as possible. Reports recommending
30 indefinite postponement shall be governed by Rule 44.

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1 Upon an affirmative vote of at least a
2 constitutional majority of the members, a report may
3 be read before it is printed in the journal and while
4 the house is in session, and acted upon at once.

5 **Rule 40**

6 **Consideration of Bills Upon Last Reading**
7 No amendment, unless by way of correcting an error
8 or omission, shall be received to any bill on its last
9 reading, and no debate shall be allowed on it.

10 **Rule 41**

11 **Printing of Bills and Joint Resolutions**
12 Bills and joint resolutions shall be printed in
13 form as provided by law and by rule. Each house may
14 direct the printing of an additional number of its own
15 bills.

16 Legalizing bills of a local or private nature shall
17 be printed in bill form and placed in the files of the
18 members, the same as other bills, in the order of
19 their introduction. The cost of printing shall be
20 deposited with the treasurer of state in advance at a
21 rate to be fixed, and the newspaper publication of the
22 bill shall be without cost to the state. No
23 legalizing act may be introduced until all provisions
24 of law have been complied with.

25 **Rule 42**

26 **Certification of Bills**

27 The chief clerk shall certify the passage of each
28 bill and note the date of its passage.

29 **Rule 43**

30 **Rereferral**

Page 23

1 A bill may be rereferred at any time before its

2 passage and after the report of its referral to
3 committee.

4 Rule 44

5 Effect of Indefinite Postponement

6 When a question is indefinitely postponed, it shall
7 not be acted upon again during that session. Any bill
8 which receives a committee recommendation of
9 indefinite postponement shall be disposed of within
10 three legislative days after the printed journal
11 containing the report has been placed upon the desks
12 of the members of the house, or the committee
13 recommendation will be considered adopted.

14 Rule 45

15 Status of Bills Following

16 First Regular Session

17 Except for those bills which have been adopted by
18 both houses in different forms, all bills which have
19 not been withdrawn, defeated or indefinitely
20 postponed, shall be rereferred to committee upon
21 adjournment of the first regular session. Within
22 seven days after the first committee meeting following
23 convening of the second regular session, the committee
24 chair shall submit the bill to the full committee for
25 action or the chair shall reassign the bill to a
26 subcommittee.

27 DIVISION V – COMMITTEE PROCEDURES

28 Rule 46

29 Appointment of Committees

30 All committees shall be appointed by the speaker,

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1 unless otherwise especially directed by the house.

2 Rule 47

3 Order on Question of Commitment

4 When a resolution is offered or a motion made to
5 refer any subject, and different committees are
6 proposed, the question shall be taken in the following
7 order: The committee of the whole house; a standing
8 committee; a select committee.

9 Rule 48

10 Study Bills

11 A study bill is any matter which a member of the
12 house wishes to have considered by a standing
13 committee, other than appropriations, and which has
14 not been included in a previously introduced bill.
15 Upon taking possession of a study bill, the committee
16 chair shall notify the speaker and then submit fifteen
17 copies of the bill to the legal counsel's office for
18 numbering.

19 A study bill shall bear the name of the member who
20 wishes to have the bill considered. a study bill
21 submitted by a state agency or board for consideration
22 shall bear the name of the state agency or board. A

23 committee chair may submit a study bill in the name of
 24 that committee.
 25 Final committee action on a study bill shall not be
 26 taken until one day following the notation of the
 27 study bill assignment in the house journal.
 28 A study bill not prepared by the legislative
 29 service bureau may be submitted to a standing
 30 committee, but shall not be considered by the full

Page 25

1 committee unless reviewed and typed in proper form by
 2 the legislative service bureau.

3 **Rule 49**

4 **Committee Meetings**

5 No committee, except a conference committee or the
 6 administrative rules review committee, shall meet
 7 while the house is in session without special leave.

8 **Rule 50**

9 **Smoking Prohibited**

10 Smoking shall not be permitted in the house or in
 11 any area of the capitol building controlled by the
 12 house or controlled jointly by the house and senate.

13 **Rule 50A**

14 **Nondegradable Polystyrene Cups**

15 The use of nondegradable polystyrene cups shall not
 16 be permitted on the floor of the house, at the
 17 speaker's station, or in the press boxes.

18 **Rule 51**

19 **Assignments to Subcommittee**

20 The chair of the committee shall report to the
 21 house the bill number of each bill assigned to
 22 subcommittee and the names of the subcommittee
 23 members. The report shall be printed in the journal.
 24 All bills, prior to consideration by the committee,
 25 shall be referred by the chair to a subcommittee,
 26 unless acted upon by a committee of the whole.
 27 The chair may assign bills to subcommittees without
 28 a meeting of the committee, but the membership of the
 29 subcommittee so appointed shall be reported at the
 30 next meeting of the committee.

Page 26

1 **Rule 52**

2 **Open Meetings**

3 Standing committee meetings shall be open, and
 4 voting by secret ballot is prohibited. The committee
 5 on administration and rules may close its meetings to
 6 evaluate the professional competency of an individual
 7 whose appointment, hiring, performance, or discharge
 8 is being considered when necessary to prevent needless
 9 and irreparable injury to that individual's reputation
 10 on the request of the affected individual.

11 Rule 53

12 Quorum and Vote Requirements

13 The committee roll shall be taken at the convening
14 of each meeting to determine the presence of a quorum.
15 A majority of the committee membership shall
16 constitute a quorum.

17 An affirmative vote of a majority of the committee
18 membership is required to report a bill out of
19 committee or to suspend a committee rule.

20 A motion to reconsider may be made only by a
21 committee member who voted on the prevailing side of
22 the question sought to be reconsidered. a motion to
23 reconsider may only be made provided the bill is still
24 in possession of the committee.

25 If a member, who is in the committee room when a
26 question to report a bill out of committee is put, has
27 not asked to be excused prior to commencing to take
28 the vote on the question, the member shall vote aye or
29 nay unless the committee has excused the member for
30 special reasons. However, a member may pass on the.

Page 27

1 first taking of the roll call on the question but
2 shall vote aye or nay when the member's name is called
3 for a second time.

4 Rule 54

5 Committee Attendance Record and Report
6 of Committee Form

7 1. A committee attendance record shall be filed
8 with the chief clerk no later than 10:00 a.m. or two
9 hours after the house convenes, whichever is later, of
10 the legislative day immediately following the day of
11 the committee meeting. The committee attendance
12 record is a public record and may be published in the
13 journal. The committee attendance record shall
14 include the following information:

- 15 a. The time the meeting convened.
- 16 b. The members present at the meeting.
- 17 c. The time the meeting adjourned.
- 18 d. a list of bills receiving final committee
19 disposition.

20 2. A report of committee form shall be filed with
21 the chief clerk no later than 10:00 a.m. or two hours
22 after the house convenes, whichever is later, of the
23 legislative day immediately following the day of the
24 committee meeting for each study bill, numbered bill
25 or resolution receiving final committee disposition.
26 The report of committee form is a public record and a
27 report of committee action shall be printed in the
28 journal. The report of committee form shall include
29 the following information:

- 30 a. The committee action taken.

Page 28

- 1 b. The committee amendment number, if any.
- 2 c. The roll call vote of the committee on final
- 3 disposition.
- 4 d. The minority recommendation, if any.
- 5 3. Upon final adjournment of the first session and
- 6 final adjournment of the second session of the general
- 7 assembly, the chair of each committee shall have
- 8 placed the committee's book of record containing
- 9 minutes, roll calls, rules, etc., with the chief clerk
- 10 for access of any interested person.

11

Rule 55

12

Minority Recommendation

13

14 The minority of the members of a committee may
15 present its recommendations on the final disposition
16 of a bill to the house by attaching its recommendation
17 to the committee report and the same shall be printed
18 in the journal with the committee report.

18

Rule 56

19

Committee Amendment

20

21 Whenever a committee amendment is proposed which
22 would amend another committee amendment, the amendment
23 shall be drafted in the form of a substitute amendment
24 and shall be considered as such.

24

Rule 57

25

Committee Notice and Agenda

26

27 Each committee shall prepare and publish a notice
28 and agenda of each committee meeting at least one
29 legislative day prior to the meeting.

29

30 The notice shall contain the committee name, the
31 date, time, and location of the meeting.

Page 29

- 1 The agenda shall contain the matters to be
- 2 discussed, including a list of bills, joint
- 3 resolutions, nullification resolutions, and study
- 4 bills by number. The agenda should contain the names
- 5 of individuals who are scheduled to appear before the
- 6 committee and the organization which they represent.
- 7 A bill, joint resolution, nullification resolution,
- 8 or study bill shall not be reported out of committee
- 9 if the bill was not included in the published notice
- 10 and agenda unless this rule is suspended by a majority
- 11 of the total membership of the committee.
- 12 A committee chair may call a meeting without
- 13 providing the required notice and agenda upon leave of
- 14 the house if a notice is placed on the desks of
- 15 committee members and on the bulletin board.

16

Rule 58

17

Clearing of Committee Room

18

19 The chair of a committee may clear the committee
20 room in case of any disturbance or disorderly conduct.

- 20 Rule 58A
 21 Use of Telephonic or Electronic Devices
 22 in Committee Rooms Restricted
 23 1. In order to prevent the disruption of committee
 24 deliberations, a person shall not do any of the
 25 following in any committee room while a standing
 26 committee is in session:
 27 a. Allow any audible signal to be continued to be
 28 transmitted to or from a telephonic or electronic
 29 device under the person's control.
 30 b. Use a telephonic or electronic device to

Page 30

- 1 audibly transmit or receive communications.
 2 2. The chair or acting chair of a standing
 3 committee may clear the committee room of any person
 4 acting in violation of this rule.

Rule 59

Committee Amendments

- 7 All amendments to a bill or resolution adopted in
 8 committee shall be incorporated in a single committee
 9 amendment or incorporated in a new committee bill.

Rule 60

Withdrawal of Bills

or Nullification Resolutions

From Committee

- 14 A bill or nullification resolution which has been
 15 in committee for eighteen legislative days following
 16 notation of such referral in the journal may be
 17 withdrawn from the committee and placed on the
 18 calendar by an affirmative vote of not less than
 19 fifty-one members of the house.

Rule 61

Committee Public Hearings

- 22 The chair of a committee may call a public hearing
 23 for the purpose of receiving public comment on any
 24 matter within the purview of the committee.
 25 The chair shall call a public hearing upon the
 26 written request of committee members according to
 27 committee rules, but no more than one-third of the
 28 committee members shall be required.
 29 A public hearing shall not be called or requested
 30 after final action on the bill has been taken by the

Page 31

- 1 committee. However, a public hearing called or
 2 requested before final action has been taken by the
 3 committee may be held after final action on the bill
 4 has been taken by the committee.
 5 The chair shall designate a time and place for a
 6 public hearing and provide public notice at least five
 7 days prior to a public hearing.

8 A bill for which a public hearing has been called
9 can be voted to the calendar but cannot be debated
10 until after the public hearing has been held.
11 However, public hearings which have been requested
12 during or after the ~~10th~~ 9th week of the first session
13 and during or after the ~~8th~~ 7th week of the second
14 session must be held within four legislative days of
15 the date of the request.

16 Rule 62

17 Limitation on Filing of Claims

18 A claim or claim bill, the subject matter of which
19 has been considered or filed for consideration in the
20 house or any of its committees, in two or more prior
21 sessions of the general assembly, shall not be
22 considered by any committee or by the house unless it
23 has been specifically referred to this session by a
24 prior general assembly. The committee on
25 appropriations is authorized to set a definite date
26 after which it will not receive claims or claim bills
27 for consideration.

28 DIVISION VI – COMMITTEE OF THE WHOLE

29 Rule 63

30 Organization of Committee of the Whole

Page 32

1 In forming the committee of the whole house, the
2 speaker shall appoint a member to preside in committee
3 and then leave the chair.

4 Rule 64

5 Rules in Committee of the Whole

6 The rules of the house shall be observed in
7 committee of the whole house, so far as they are
8 applicable.

9 Rule 65

10 Bills in Committee of the Whole

11 Bills committed to the committee of the whole house
12 shall first be read in their entirety by the chief
13 clerk or chair and then read again or debated by
14 section, leaving the preamble to be considered last.
15 After report, the bill shall again be subject to
16 debate and amendment before a vote is had on its last
17 reading and passage.

18 Rule 66

19 Amendments by Committee of the Whole

20 All amendments made to a report committed to a
21 committee of the whole house shall be noted and
22 reported as in the case of bills.

23 DIVISION VII – MOTIONS

24 Rule 67

25 Order and Precedence of Motions

26 The following order and precedence of motions shall
27 govern when a question is under debate:

28 11. Adjourn.

- 29 10. Recess.
30 9. Questions of privilege.

Page 33

- 1 8. Lay on the table.
2 7. Previous question.
3 6. Postpone definitely or to a certain time.
4 5. Refer or commit.
5 4. Defer.
6 3. Amend an amendment.
7 2. Amend.
8 1. Postpone indefinitely.
9 These motions are listed in descending order of
10 precedence.
11 A motion to postpone definitely or to a certain time, to
12 refer or commit, or to postpone indefinitely a particular
13 question shall not be considered more than once on the same day.
14 Adoption of a motion to strike the enacting words is equivalent
15 to rejection of the question.
16 **Rule 68**
17 **Order of Consideration of Amendments**
18 Amendments shall be considered by earliest position
19 in the bill. Amendments to the same place in the bill
20 shall be considered by the lowest amendment number.
21 An amendment which inserts language after a line and
22 an amendment which inserts language before the
23 succeeding line shall be considered amendments to the
24 same place in the bill.
25 However, an amendment to strike the enacting clause
26 shall always be considered first. An amendment filed
27 by a committee shall have the next highest order of
28 priority, followed by an amendment to strike
29 everything after the enacting clause and insert new
30 language. An amendment to strike language or to

Page 34

- 1 strike and insert new language, except an amendment to
2 strike everything after the enacting clause and insert
3 new language, shall not be considered before
4 amendments to perfect all or part of the same portion
5 of the bill.
6 **Rule 69**
7 **Motions Not Debatable**
8 The motions to lay on the table, to adjourn, to
9 adjourn to a time certain, for the previous question,
10 to defer, to rerefer, and appeals of a ruling of the
11 presiding officer shall be decided without debate.
12 **Rule 70**
13 **Motion to Adjourn**
14 A motion to adjourn shall always be in order,
15 except when a member is speaking or the house is
16 voting.

17

Rule 71

18

Withdrawal of Motions

19 After a motion is stated by the speaker, or read by
20 the chief clerk, it shall be deemed to be in
21 possession of the house, but may be withdrawn by leave
22 of the house.

23

Rule 72

24

Referral and Rereferral

25 Motions and reports may be referred and rereferred
26 at the pleasure of the house.

27

Rule 73

28

Reconsideration

29 a- 1. A motion to reconsider may be made only by a
30 member who voted on the prevailing side of the

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1 question sought to be reconsidered.

2 b- 2. A motion to reconsider may be made not later
3 than adjournment on the day following the day of the
4 action sought to be reconsidered. Where the floor
5 manager voted on the prevailing side, the floor
6 manager has the prior right to make the motion, until
7 adjournment on the day of the action sought to be
8 reconsidered. A motion to reconsider a nullification
9 resolution shall be acted upon not later than
10 adjournment on the legislative day following the day
11 of the action sought to be reconsidered.

12 c- 3. A motion to reconsider made following the
13 ninety-seventh calendar day of the first regular
14 session, or the eighty-seventh calendar day of the
15 second regular session, may be taken up when made. A
16 motion made at any other time may be taken up prior to
17 the third day succeeding the day of the action sought
18 to be reconsidered only if called up by the mover, and
19 after the second day succeeding the day of the action
20 sought to be reconsidered if called up by any member.

21 d- 4. The making of a motion to reconsider takes
22 precedence over all other questions.

23 e- 5. No motion to reconsider passage, adoption or
24 failure of any bill, nullification resolution or joint
25 resolution shall prevail unless it obtains a
26 constitutional majority. When passage, adoption or
27 failure is reconsidered, questions on amendments may
28 also be reconsidered and shall be disposed of
29 immediately.

30 f- 6. A motion that the motion to reconsider be

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1 laid on the table is in order. The effect of laying
2 the motion to reconsider on the table is to cause the
3 bill or joint resolution to proceed on its regular
4 course immediately.

5 ~~g.~~ 7. In the event that a motion to reconsider is
6 pending at the end of the first session or any
7 extraordinary session of any general assembly, or the
8 general assembly adjourns sine die, and the motion to
9 reconsider has not been voted upon by the house, the
10 motion shall be determined to have failed.

11 DIVISION VIII – VOTING

12 Rule 74

13 Manner of Voting

14 Members present may cast their votes, either by
15 operating the voting mechanism located at their
16 assigned desk or by signaling the speaker from the
17 floor of the house or from the south visitors' gallery
18 if they are unable to vote at their assigned desk.
19 The speaker shall enter the votes of members signaling
20 their votes. Upon direction of the speaker or upon
21 request of two members during the taking of the vote
22 of the house on any question, only those members at
23 their desks and voting shall be counted. Members who
24 are not present shall not cast their votes except:
25 ~~a.~~ 1. Members who have not voted may record their
26 votes on any record roll call vote except quorum calls
27 within ten minutes after the vote has been announced,
28 providing the vote does not change the outcome of the
29 vote on that question. a member may request
30 announcement of the names of members so recorded after

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1 the ten-minute period.

2 ~~b.~~ 2. Members meeting in a conference committee or
3 in administrative rules review committee at the time a
4 vote is taken on a question may have their vote
5 recorded within thirty minutes or adjournment,
6 whichever is first of that same legislative day,
7 providing the vote does not change the outcome of the
8 vote on that question.

9 Rule 75

10 Duty of Voting

11 Except as limited in Rule 74, every member who is
12 in the house when a question is put shall vote unless
13 the house has excused that member for special reasons;
14 however, such member must have asked to be excused
15 prior to commencing to take the vote on the main
16 question.

17 Rule 76

18 Limitation on Right to Vote

19 No member shall vote on any question in which that
20 person is financially interested.

21 Rule 77

22 Call of the House

23 Upon written request of five members, the presiding
24 officer shall compel attendance of absent and
25 unexcused members for the consideration of specified

26 bills or resolutions.

27 A call of the house shall specify the propositions
28 to which it is to apply, and must be put into effect
29 before roll call is taken on the proposition. The
30 request may be filed at any time before final action

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1 upon the propositions with the chief clerk, who shall
2 notify the house immediately.

3 Rule 78

4 Method of Calling the House

5 Upon a call of the house, the names of the members
6 shall be called by the chief clerk and the absentees
7 noted, after which the names of the absentees shall
8 again be called. The sergeant-at-arms shall be
9 directed by the speaker to compel the attendance of
10 absent members, unless they are previously excused.
11 Any member occupying the member's seat during a call
12 of the house shall be counted by the speaker and that
13 person's name entered in the journal as being present
14 for the purpose of making a quorum.

15 Rule 79

16 Method of Calling the Roll

17 The electrical voting machine shall be used for a
18 call of the house, a quorum call or a roll call vote
19 on any question. If the electrical voting machine is
20 not in operating order when it is necessary to take a
21 record roll call vote, the presiding officer shall
22 order the vote to be taken by calling the roll in
23 alphabetical order, except the name of the presiding
24 officer shall be called last.

25 During the casting of the vote with the voting
26 machine, the individual votes and the vote totals
27 shall be shown on the display boards. Before the
28 voting machine is closed, the presiding officer shall
29 inquire of the house, "Have you all voted?"

30 Rule 80

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1 Quorum and Record Roll Call Votes

2 A majority of the members shall constitute a
3 quorum.

4 A record roll call vote shall be ordered upon
5 request of any two members. The names of the members
6 requesting the record roll call shall be entered in
7 the journal.

8 Rule 81

9 Previous Question

10 When a member moves for a previous question, that
11 member shall state whether the motion will apply to
12 the main question, to all the amendments, or to
13 particular amendments. The motion requires an

14 affirmative vote of at least a constitutional majority
15 of the members. If the motion for a previous question
16 is not adopted, the house shall proceed in the same
17 manner as before the motion was made.

18 If the motion is adopted, all debate must end and
19 the house will vote upon the question except:

20 1. If the motion applies to the main question, the
21 member in charge of the measure will have ten minutes
22 to speak for the purpose of closing discussion before
23 the vote on the measure is taken.

24 2. If the motion applies to an amendment, the
25 member proposing the amendment will have five minutes,
26 to speak for the purpose of closing discussion before
27 the vote on the amendment is taken.

28 3. If a member has filed a written request with
29 the chief clerk of the house indicating the member's
30 desire to speak on a particular question. The request

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1 must be filed before the motion is made by the movant.
2 The request allows a member to speak on a particular
3 question before the closing discussion by the member
4 who is in charge of the measure or who is proposing
5 the amendment.

6 Rule 82

7 Division of the Question

8 Any member may call for a division of the question,
9 which shall be divided if it comprehends questions so
10 distinct that one being taken away, the remainder may
11 stand separately for discussion by the house. A
12 motion to strike out being lost shall not preclude
13 either an amendment or a motion to strike out and
14 insert. A motion to strike out and insert shall be
15 deemed indivisible.

Doderer of Johnson asked and received unanimous consent to suspend Rule 31.8, relating to the timely filing of amendments for consideration of amendment H-1001 filed by her from the floor.

Doderer of Johnson offered the following amendment H-1001 filed by her from the floor and moved its adoption:

H-1001

1 Amend House Resolution 3 as follows:

2 1. Page 3, by inserting after line 12 the
3 following:

4 "1A. A member shall not use a telephonic or
5 electronic device to audibly transmit or receive
6 communications while recognized by the presiding

7 officer to speak in debate."

8 2. By renumbering as necessary.

Rants of Woodbury in the chair at 9:15 a.m.

Amendment H-1001 was adopted.

Carroll of Poweshiek moved the adoption of House Resolution 3, as amended.

The motion prevailed and the resolution, as amended, was adopted.

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House Concurrent Resolution 5** be immediately messaged to the Senate.

SPONSORS ADDED

(House File 81)

Davis of Wapello requested to be added as a sponsor of House File 81.

(House File 91)

Davis of Wapello requested to be added as a sponsor of House File 91.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

DEPARTMENT OF PUBLIC HEALTH

A report on unintended pregnancy, pursuant to House Resolution 104.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\38 Derek Bloomquist, Fairfield – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\39 Illona and Stephen Nemeth, Clinton – For celebrating their 50th wedding anniversary.
- 1999\40 Marvel and Virgil Buntmeyer, Clinton – For celebrating their 50th wedding anniversary.
- 1999\41 Mildred and Howard Sargent, Indianola – For celebrating their 50th wedding anniversary.
- 1999\42 Edna Lufkin, Cedar Falls – For celebrating her 100th birthday.
- 1999\43 Paul Charter, Adair – For being named a 1998 Master Pork Producer.
- 1999\44 Kate Becker, Peosta – For her heroic acts in helping injured students at the scene of a school bus accident.
- 1999\45 Lindsay McQuillen, Peosta – For her heroic acts in helping injured students at the scene of a school bus accident.
- 1999\46 Megan Greenwood, Peosta – For her heroic acts in helping injured students at the scene of a school bus accident.
- 1999\47 Heather Greenwood, Peosta – For her heroic acts in helping injured students at the scene of a school bus accident.
- 1999\48 Ember Leonard, Holstein – For being named the 1998-1999 Iowa Limousin Queen.
- 1999\49 Reva and Herbie Riessen, Ida Grove – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 1

Education: Grundberg, Chair; Eddie and Wise.

House File 3

Commerce and Regulation: Bradley, Chair; Hoffman and Wise.

House File 4

Education: Lord, Chair; Boal and Foege.

House File 12

Ways and Means: Larson, Chair; Jager and Richardson.

House File 13

Appropriations: Garman, Chair; Bell and Heaton.

House File 14

Education: Grundberg, Chair; Eddie and Wise.

House File 17

Education: Thomson, Chair; Falck and Sunderbruch.

House File 23

Labor and Industrial Relations: Sukup, Chair; Barry and Taylor.

House File 34

Ways and Means: Jenkins, Chair; Chapman and Hoffman.

House File 56

Education: Brunkhorst, Chair; Rants and Stevens.

House File 62

Ways and Means: Van Fossen, Chair; Chapman and Drake.

House File 64

Commerce and Regulation: Bradley, Chair; Cataldo and Johnson.

House File 66

Ways and Means: Van Fossen, Chair; Drake and Richardson.

House File 67

Education: Nelson, Chair; Hansen and Wise.

House File 68

Ways and Means: Van Fossen, Chair; Chapman and Drake.

House File 71

Commerce and Regulation: Dix, Chair; Drees and Rants.

House File 81

Natural Resources: Drake, Chair; Alons and Dotzler.

House File 85

Transportation: Eddie, Chair; Warnstadt and Welter.

House File 86

Natural Resources: Klemme, Chair; Bell and Sunderbruch.

House File 87

Judiciary: Sukup, Chair; Kreiman and Larson.

House File 88

Judiciary: Sukup, Chair; Kettering and Parmenter.

House File 90

Natural Resources: Tyrrell, Chair; Klemme and Scherrman.

House File 92

Natural Resources: Kettering, Chair; Garman and May.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT**House Study Bill 1**

Ways and Means: Jenkins, Chair; Chapman and Holmes.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 10 Commerce and Regulation**

Relating to the classification of funding agreements issued by a life insurance company for purposes of the prioritization of claims against the assets of an insurer subject to supervision, rehabilitation, and liquidation, and including an effective date and a retroactive applicability provision.

H.S.B. 11 Commerce and Regulation

Relating to transfers of structured settlement payment rights for tort and workers' compensation claims and providing an effective date.

On motion by Gipp of Winneshiek the House adjourned at 9:34 a.m., until 8:45 a.m., Thursday, January 21, 1999.

JOURNAL OF THE HOUSE

Eleventh Calendar Day - Eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 21, 1999

The House met pursuant to adjournment at 8:50 a.m., Speaker pro tempore Rants in the chair.

Prayer was offered by Father Vorwald, pastor of St. John's Catholic Church, Independence.

The Journal of Wednesday, January 20, 1999 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Carroll of Poweshiek on request of Lord of Dallas.

INTRODUCTION OF BILLS

House Joint Resolution 5, by Cormack and Sukup, a joint resolution proposing an amendment to the Constitution of the State of Iowa to limit the number of terms for members of the Senate and the House of Representatives, and to limit the number of terms of Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of State, and Treasurer of State.

Read first time and referred to committee on **state government**.

House Joint Resolution 6, by Thomas, a joint resolution proposing an amendment to the Constitution of the State of Iowa to change the length of term of office for members of the Iowa House of Representatives.

Read first time and referred to committee on **state government**.

House File 119, by Boddicker, a bill for an act relating to the use of a check or other instrument in committing the crime of theft, and making a penalty applicable.

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

House File 120, by Cormack and Sukup, a bill for an act limiting the number of terms a person may serve as Iowa secretary of agriculture and providing applicability and effective date provisions.

Read first time and referred to committee on **state government**.

House File 121, by Garman, a bill for an act relating to the compensation of judicial magistrates.

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

House File 122, by Richardson, a bill for an act relating to the content on the face of commercial driver's licenses.

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

House File 123, by Garman, a bill for an act relating to the offense of operating a watercraft while intoxicated and providing penalties and other related matters.

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

House File 124, by Bradley, Bukta, and Sunderbruch, a bill for an act concerning employment rights of fire fighters under civil service who are elected as officers in certain professional fire fighter organizations, and providing an effective date.

Read first time and referred to committee on **labor and industrial relations**.

House File 125, by Siegrist, a bill for an act relating to straight party voting in elections.

Read first time and referred to committee on **state government**.

House File 126, by Jacobs, a bill for an act relating to the Iowa public employees' retirement system by permitting the purchase of service credit for employment in an eligible Canadian governmental entity.

Read first time and referred to committee on **state government**.

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 January 20, 1999, passed the following resolution in which the concurrence of the House is asked:

Senate Joint Resolution 1, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the state budget by limiting state general fund expenditures and restricting certain state tax revenue changes.

MICHAEL E. MARSHALL, Secretary

TEACHER OF THE DAY

Representative Garman of Story presented to the House the teacher of the day award in memory of Genevieve Powers. She was a teacher at Washington #4, a rural one room school.

SUPPLEMENTAL REPORT OF COMMITTEE ON MILEAGE

Mr. Speaker: Your committee appointed to determine the mileage for the members of the House submits the following supplemental report:

Name	Round Trip Miles
Galen M. Davis.....	172

Respectfully submitted,
RUSSELL J. EDDIE, Chair
PHILLIP E. TYRRELL
PATRICK J. MURPHY

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

DEPARTMENT OF ELDER AFFAIRS

The Annual Report of the Iowa Long Term Care Resident's, pursuant to Chapter 231.42(7), Code of Iowa.

DEPARTMENT OF HUMAN RIGHTS
Commission on the Status of Women

The 27th Annual Report, pursuant to Chapter 216A.60, Code of Iowa.

DEPARTMENT OF TRANSPORTATION

The Annual Report of Highway Research and Development, pursuant to Chapters 310.36 and 312.3a, Code of Iowa.

The Annual Report certifying the identified savings associated with the state agency's use of the Iowa Communications Network, pursuant to Chapter 8D.10, Code of Iowa.

GOVERNOR'S ALLIANCE ON SUBSTANCE ABUSE

The Iowa Drug and Violent Crime Control Strategy Update, pursuant to Chapter 80E, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\50 Frank and Eula Jeane Roberts, Dunlap – For celebrating their 50th wedding anniversary.
- 1999\51 Mary and Mark Wallin, Essex – For being named 1998 Master Pork Producers.
- 1999\52 Martha Timm, Charter Oak – For celebrating her 95th birthday.
- 1999\53 Ralph Henry, Indianola – For celebrating his 94th birthday.
- 1999\54 Frances Cage Woodyard, Lacona – For celebrating her 90th birthday.
- 1999\55 The 7th and 8th Grade Students of Southern Cal Middle School and their teacher Denise Wench, Lohrville – For receiving 2nd place in the 1998 National Project Citizen Competition.

SUBCOMMITTEE ASSIGNMENTS

House File 36

Environmental Protection: Bradley, Chair; Kettering and Stevens.

House File 37

Environmental Protection: Drake, Chair; Burnett and Gipp.

House File 94

Judiciary: Sukup, Chair; Baudler, Kreiman, Larson and Myers.

House File 107

Transportation: Welter, Chair; Arnold and Drees.

House File 117

Judiciary: Baudler, Chair; Davis and Parmenter.

House File 118

Judiciary: Sukup, Chair; Baudler, Kreiman, Larson and Myers.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 10**

Commerce and Regulation: Bradley, Chair; Hoffman and Wise.

House Study Bill 11

Commerce and Regulation: Jenkins, Chair; Hoffman and Weigel.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 12 Natural Resources**

Eliminating a report of land acquisitions and exchanges by a county conservation board.

H.S.B. 13 Judiciary

Eliminating the limitation on the reduction in damages awarded to plaintiffs who fail to wear a safety belt or safety harness.

H.S.B. 14 Judiciary

Establishing the crime of unlawful interference with visitation.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

House Joint Resolution 1, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the state budget by limiting state general fund expenditures and restricting certain state tax revenue changes.

Fiscal Note is not required.

Recommended **Do Pass** January 20, 1999.

RESOLUTION FILED

HR 4, by Davis, a resolution honoring the Indian Hills Community College Men's Basketball Team and Coach Mike Capaccio.

Laid over under **Rule 25**.

On motion by Siegrist of Pottawattamie the House adjourned at 9:10 a.m., until 1:00 p.m., Monday, January 25, 1999.

JOURNAL OF THE HOUSE

Fifteenth Calendar Day - Ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 25, 1999

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

Prayer was offered by Reverend Howard Chapman, pastor of the First Presbyterian Church, Marion.

The Journal of Thursday, January 21, 1999 was approved.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Reverend Howard Chapman, Marion.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Millage of Scott on request of Van Fossen of Scott.

INTRODUCTION OF BILLS

House File 127, by Jenkins, Houser, Carroll, and Witt, a bill for an act relating to reimbursement, payment, and coverage by the state for damages involving individuals providing foster home, guardian, or conservator services and providing an effective date.

Read first time and referred to committee on **human resources**.

House File 128, by Brauns, a bill for an act relating to an order of child support for the provision of a postsecondary education subsidy to a child who suffers from a learning disability or a physical or mental disability.

Read first time and referred to committee on **human resources**.

House File 129, by Nelson, a bill for an act providing a method for determination of a newly formed community school district's area education agency affiliation.

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

House File 130, by Brauns, a bill for an act relating to the retention of a consulting civil engineer to serve as a county engineer.

Read first time and referred to committee on **local government**.

House File 131, by Gipp, a bill for an act providing for the approval of applications for permits to construct animal feeding operation structures associated with confinement feeding operations.

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

House File 132, by Tyrrell, a bill for an act relating to carrying or transporting a rifle.

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

House File 133, by Brunkhorst, a bill for an act relating to use of a professional designation by an audiologist.

Read first time and referred to committee on **state government**.

House File 134, by Dotzler and Foege, a bill for an act relating to interest on rental deposits being held by landlords.

Read first time and referred to committee on **local government**.

House File 135, by Mundie, a bill for an act relating to the appropriation of franchise tax revenue to cities and counties.

Read first time and referred to committee on **local government**.

SENATE MESSAGE CONSIDERED

Senate Joint Resolution 1, by Iverson, Johnson, Boettger, Jensen, Drake, Maddox, McKibben, King, Rittmer, Rehberg, Redwine, Kramer, Freeman, Lamberti, Angelo, Veenstra, Hedge,

Zieman, McKean, Miller, Sexton, Behn, Gaskill, Bartz, Tinsman, McLaren, and Schuerer, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the state budget by limiting state general fund expenditures and restricting certain state tax revenue changes.

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

TEACHER OF THE DAY

Representative Siegrist of Pottawattamie presented to the House, Dr. Richard Jorgensen, teacher of Dana College, Blair, Nebraska.

ADOPTION OF SUPPLEMENTAL REPORT AND THE REPORT OF COMMITTEE ON MILEAGE

Eddie of Buena Vista called up for consideration the report of the committee on mileage, found on pages 67-69 of the House Journal, and the supplemental report of the committee on mileage, found on page 168 of the House Journal and moved their adoption.

The motion prevailed and the reports were adopted.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 6

Siegrist of Pottawattamie asked and received unanimous consent for the immediate consideration of the following resolution and moved its adoption:

1 HOUSE CONCURRENT RESOLUTION 6
2 By Siegrist and Schrader
3 *Be It Resolved By The House Of Representatives, The*
4 *Senate Concurring,* That a joint convention of the two
5 houses of the 1999 session of the Seventy-eighth
6 General Assembly be held on Thursday, January 28, 1999,
7 at 10:00 a.m.; and
8 *Be It Further Resolved,* That Governor Thomas J. Vilsack
9 be invited to deliver his budget message at this joint
10 convention of the two houses of the General Assembly, and
11 that the Speaker of the House of Representatives and the
12 President of the Senate be designated to extend the
13 invitation to him.

The motion prevailed and the resolution was adopted.

SPONSORS ADDED
(House File 121)

Davis of Wapello requested to be added as a sponsor of House File 121.

(House File 123)

Davis of Wapello requested to be added as a sponsor of House File 123.

(House File 124)

Davis of Wapello requested to be added as a sponsor of House File 124.

(House File 125)

Davis of Wapello requested to be added as a sponsor of House File 125.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

DEPARTMENT OF JUSTICE

A report on the savings associated with the use of the Iowa Communication Network, pursuant to Chapter 8D.10, Code of Iowa.

DEPARTMENT OF PUBLIC SAFETY

The 1997 Rate Comparisons, pursuant to Chapter 80, Code of Iowa.

SUPREME COURT

A report concerning receipts and expenditures from the Enhanced Court Collections Fund and the Court Technology Fund, pursuant to Chapter 1222.11, 1998 Acts of the Seventy-seventh General Assembly.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\56 Mable Fox, Oelwein – For celebrating her 90th birthday.
- 1999\57 Irene and Ralph Jipson, Oelwein – For celebrating their 60th wedding anniversary.
- 1999\58 Bernita and Forrest Reed, Independence – For celebrating their 60th wedding anniversary.
- 1999\59 Alta Doescher, Clinton – For celebrating her 80th birthday.
- 1999\60 Mr. and Mrs. Raymond Langenfeld, Ute – For celebrating their 60th wedding anniversary.
- 1999\61 Jean and Lewis Hadden, Castana – For celebrating their 50th wedding anniversary.
- 1999\62 Henrietta Mohr, Denison – For celebrating her 90th birthday.
- 1999\63 Margaret Nikolaisen, Mapleton – For celebrating her 90th birthday.
- 1999\64 Marina Thies, Mapleton – For celebrating her 85th birthday.
- 1999\65 Josephine and Levern Knight, Fayette – For celebrating their 55th wedding anniversary.
- 1999\66 Beverly and Jacob Friederich, Elgin – For celebrating their 50th wedding anniversary.
- 1999\67 Hulda Baade, Elkader – For celebrating her 88th birthday.
- 1999\68 Henrietta Winter, West Union – For celebrating her 90th birthday.
- 1999\69 Mardella and Eddie Wiedenmann, Farmersburg – For celebrating their 50th wedding anniversary.
- 1999\70 Homer Snelson, Carlisle – For celebrating his 95th birthday.
- 1999\71 Gladyce and Don Baber, Carlisle – For celebrating their 60th wedding anniversary.
- 1999\72 Glen Kolbe, Lake View – For celebrating his 89th birthday.
- 1999\73 Irene Smith, Hornick – For celebrating her 80th birthday.
- 1999\74 Jessie Carr, Hornick – For celebrating her 90th birthday.
- 1999\75 Margaret Rauch, Auburn – For celebrating her 90th birthday.
- 1999\76 Mae O'Connell, Anthon – For celebrating her 80th birthday.

- 1999\77 Midge and Bill Hawks, Sac City – For celebrating their 50th wedding anniversary.
- 1999\78 Helena Boeckman, Wall Lake – For celebrating her 90th birthday.
- 1999\79 Ankeny High School Debate Team and their Coach Scott Wunn, Ankeny – For winning the Iowa High School Debate Tournament.

SUBCOMMITTEE ASSIGNMENTS

House File 82

Agriculture: Greiner, Chair; Drees and Horbach.

House File 91

Judiciary: Boddicker, Chair; Raecker and Shoultz.

House File 93

Judiciary: Kettering, Chair; Davis and Parmenter.

House File 96

Human Resources: Brunkhorst, Chair; Kreiman and Lord.

House File 97

Judiciary: Sukup, Chair; Barry and Ford.

House File 99

Judiciary: Kettering, Chair; Holveck and Millage.

House File 101

Human Resources: Carroll, Chair; Kreiman and Lord.

House File 106

Human Resources: Boddicker, Chair; Boal and Reynolds.

House File 114

Judiciary: Sukup, Chair; Chapman and Millage.

House File 119

Judiciary: Boddicker, Chair; Millage and Parmenter.

House File 121

Judiciary: Sukup, Chair; Kreiman and Larson.

House File 123

Judiciary: Thomson, Chair; Jager and Kreiman.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 3), relating to the criminal offenses that require registration as provided in the sex offender registry law and providing an effective date.

Fiscal Note is required.

Recommended **Do Pass** January 21, 1999.

On motion by Siegrist of Pottawattamie the House adjourned at 1:14 p.m., until 8:45 a.m., Tuesday, January 26, 1999.

JOURNAL OF THE HOUSE

Sixteenth Calendar Day - Tenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, January 26, 1999

The House met pursuant to adjournment at 8:48 a.m., Speaker Corbett in the chair.

Prayer was offered by Dr. Gary Rosberg of Cross Trainers Ministries, West Des Moines.

The Journal of January 25, 1999 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Millage of Scott, until his arrival, on request of Van Fossen of Scott.

INTRODUCTION OF BILLS

House File 136, by committee on judiciary, a bill for an act relating to the criminal offenses that require registration as provided in the sex offender registry law and providing an effective date.

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

House File 137, by O'Brien, a bill for an act providing for the per diem compensation and necessary travel and actual expenses of members of boards, committees, commissions, and councils.

Read first time and referred to committee on **state government**.

House File 138, by Whitead, Warnstadt, Bukta, Scherrman, Taylor, Dotzler, Frevert, and Drees, a bill for an act establishing toll-free telephone service for the general assembly and providing funding.

Read first time and referred to committee on **state government**.

House File 139, by Burnett, a bill for an act increasing the membership of the advisory board to the Leopold center for sustainable agriculture.

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

House File 140, by Metcalf, a bill for an act relating to the operation of insurance companies in this state by providing for the management of certain types of insurer, and the rights and duties of insurance companies under certain policies issued in this state.

Read first time and referred to committee on **commerce and regulation**.

House File 141, by Rants, a bill for an act relating to payments from the remedial account of the Iowa comprehensive petroleum underground storage tank fund to governmental subdivisions for costs of corrective actions taken due to certain releases from underground storage tanks and allowing the Iowa comprehensive petroleum underground storage tank fund board to seek reimbursement from responsible parties for expenses incurred by governmental subdivisions for costs of corrective actions taken due to certain releases from underground storage tanks.

Read first time and referred to committee on **environmental protection**.

House File 142, by Whitead, Warnstadt, and Klemme, a bill for an act relating to tip-up fishing in the waters of the Missouri and Big Sioux rivers and subjecting violators to an existing penalty.

Read first time and referred to committee on **natural resources**.

House File 143, by Heaton and Brauns, a bill for an act relating to coaching endorsement and authorization requirements.

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

House File 144, by Heaton, a bill for an act relating to the distribution of moneys held in trust for a participant in the certified school to career program.

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

House File 145, by Richardson, a bill for an act requiring that the clerk of the district court, prior to the filing of a nonstatutory lien, confirm that notice has been given to required parties.

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House Concurrent Resolution 6** be immediately messaged to the Senate.

RULES SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend the rules for the consideration of three bills - relating to allowable growth, on-time funding and budget guarantee, by the committee on education upon recess.

On motion by Siegrist of Pottawattamie, the House was recessed at 8:58 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:08 p.m., Speaker Corbett in the chair.

QUORUM CALL

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

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 15 Education

Relating to the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly House Study Bill 15), relating to the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

Fiscal Note is not required.

Recommended **Do Pass** January 26, 1999.

INTRODUCTION OF BILL

House File 146, by committee on education, a bill for an act relating to the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

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

RULES SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend the rules for the immediate consideration of House File 146.

CONSIDERATION OF BILL

Regular Calendar

House File 146, a bill for an act relating to the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date, with report of committee recommending passage, was taken up for consideration.

Grundberg 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. 146)

The ayes were, 99:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, none.

Absent or not voting, 1:

Ford

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that House File 146 be immediately messaged to the Senate.

RULE 57 SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda for a meeting of the committee on education immediately following recess.

On motion by Siegrist of Pottawattamie, the House was recessed at 1:45 p.m., until 4:30 p.m.

LATE AFTERNOON SESSION

The House reconvened at 4:45 p.m., Speaker Corbett in the chair.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 17 Education

Providing additional funding for certain school districts that have either decreasing or increasing enrollments by extending the regular program district cost guarantee and by providing on-time funding, making an appropriation, and providing effective and applicability dates.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly House Study Bill 17), providing additional funding for certain school districts that have either decreasing or increasing enrollments by extending the regular program district cost guarantee and by providing on-time funding, making an appropriation, and providing effective and applicability dates.

Fiscal Note is not required.

Recommended **Do Pass** January 26, 1999.

INTRODUCTION OF BILL

House File 147, by committee on education, a bill for an act providing additional funding for certain school districts that have either decreasing or increasing enrollments by extending the regular program district cost guarantee and by providing on-time funding, making an appropriation, and providing effective and applicability dates.

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

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 January 26, 1999, passed the following concurrent resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 6, a concurrent resolution relating to a joint convention on Thursday, January 28, 1999 at 10:00 a.m. for Governor Vilsack to present his State of the Budget Message.

MICHAEL E. MARSHALL, Secretary

RULES SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend the rules for the immediate consideration of House File 147.

CONSIDERATION OF BILL

Regular Calendar

House File 147, a bill for an act providing additional funding for certain school districts that have either decreasing or increasing enrollments by extending the regular program district cost guarantee and by providing on-time funding, making an appropriation, and providing effective and applicability dates, with report of committee recommending passage, was taken up for consideration.

Millage of Scott rose on a point of order and invoked Rule 32, to refer House File 147 to the committee on appropriations.

The Speaker ruled the point well taken.

Siegrist of Pottawattamie moved to suspend the rules for the immediate consideration of House File 147.

A non-record roll call was requested.

The ayes were 68, nays 2.

The motion prevailed.

Grundberg 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. 147)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, 2:

Fallon

Millage

Absent or not voting, none.

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 147** be immediately messaged to the Senate.

COMMITTEE ASSIGNMENTS

The Speaker announced the following committee assignments:

COMMITTEE ON EDUCATION

Representative Mary Mascher Replaces Representative Cecelia Burnett

COMMITTEE ON LOCAL GOVERNMENT

Representative Cecelia Burnett Replaces Representative Mary Mascher

ASSIGNMENT OF SEAT IN PRESS GALLERY

The following named person is an accredited member of the press and is entitled to access to the press gallery:

Spirit of Osceola Nancy Seybert

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on January 26, 1999. Had I been present, I would have voted "aye" on House File 146.

FORD of Polk

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows..

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\80 Norma and Max Emerson, Fairfield – For celebrating their 50th wedding anniversary.
- 1999\81 Mr. and Mrs. Van Sedore, Agency – For celebrating their 66th wedding anniversary.
- 1999\82 Dorothy and Harvey Morgan, Sewal – For celebrating their 60th wedding anniversary.
- 1999\83 Harold J. Kelly, Clinton – For celebrating his 90th birthday.
- 1999\84 Flora Beth Rouse, Clinton – For celebrating her 90th birthday.
- 1999\85 Daniel Svoboda, Clutier – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\86 Verna and Leon Stamp, Garwin – For celebrating their 50th wedding anniversary.
- 1999\87 Mary Nutt, Luther – For celebrating her 98th birthday.
- 1999\88 Hermine and Rudy Vogel, Churdan – For celebrating their 60th wedding anniversary.
- 1999\89 Ruby and Ray Ferry, Manilla – For celebrating their 75th wedding anniversary.
- 1999\90 Robert Patrick Gaffey, Iowa City – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\91 James Telford Larew, Iowa City – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

SUBCOMMITTEE ASSIGNMENT

House File 122

Transportation: Rayhons, Chair; Blodgett and Larkin.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 16 Agriculture

Relating to liens arising out of contracts involving the care and feeding of livestock, and providing an effective date.

H.S.B. 18 Labor and Industrial Relations

Prohibiting payroll deductions from state employees for certain dues.

H.S.B. 19 Local Government

Establishing an age ceiling for hiring fire fighters and peace officers.

H.S.B. 20 Local Government

Relating to the surcharge on boat titles.

H.S.B. 21 Local Government

Increasing the marriage license application fee and providing for retention of the increased amount by the county registrar.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

House File 38, a bill for an act eliminating references to an obsolete federal requirement relating to the attachment of an adoption information form to an adoption petition and decree.

Fiscal Note is not required.

Recommended **Do Pass** January 26, 1999.

RESOLUTION FILED

HCR 7, by Warnstadt, Whitead, Rants, and Klemme, a concurrent resolution providing for the establishment of a committee by the Legislative Council to conduct a study of economic development issues related to the distribution of goods.

Referred to committee on **economic development**.

On motion by Siegrist of Pottawattamie the House adjourned at 5:12 p.m., until 8:45 a.m., Wednesday, January 27, 1999.

JOURNAL OF THE HOUSE

Seventeenth Calendar Day - Eleventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 27, 1999

The House met pursuant to adjournment at 8:53 a.m., Speaker pro tempore Rants in the chair.

Prayer was offered by Iman AKO Abdul-Samad, pastor of the Islamic Center of Des Moines.

The Journal of January 26, 1999 was approved.

INTRODUCTION OF BILLS

House File 148, by Weidman, Boddicker, Eddie, Dolecheck, Baudler, Hahn, Drake, Sunderbruch, Johnson, Davis, and Klemme, a bill for an act relating to taking or possession of certain migratory birds.

Read first time and referred to committee on **natural resources**.

House File 149, by Grundberg, a bill for an act relating to juror compensation.

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

House File 150, by Reynolds, Holveck, Dotzler, Mertz, Thomas, Kreiman, Falck, Warnstadt, Barry, Mundie, Fallon, Weigel, Jacobs, and Kettering, a bill for an act relating to creating a main street investments loan program for the preservation of historical buildings within central business districts and making an appropriation.

Read first time and referred to committee on **economic development**.

House File 151, by Whitead, a bill for an act relating to payments from the remedial account of the Iowa comprehensive petroleum underground storage tank fund to governmental subdivisions for

costs of corrective actions taken due to certain releases from underground storage tanks.

Read first time and referred to committee on **environmental protection.**

House File 152, by Taylor and Dotzler, a bill for an act relating to civil service coverage for police officers and fire fighters.

Read first time and referred to committee on **labor and industrial relations.**

House File 153, by Mundie and Kettering, a bill for an act relating to the operation, regulation, and equipment of watercraft, and subjecting violators to a penalty.

Read first time and referred to committee on **natural resources.**

House File 154, by Doderer, a bill for an act defining domestic abuse to include acts of harassment, and permitting the issuance of no-contact orders for acts of harassment in domestic abuse circumstances.

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

House File 155, by Bradley, a bill for an act relating to hospital clinical privileges of a physician assistant or advanced registered nurse practitioner.

Read first time and referred to committee on **state government.**

House File 156, by Murphy, a bill for an act relating to the development and implementation of a citizenship grade point average by the board of directors of a school district.

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

House File 157, by Houser, a bill for an act to change the penalty applicable to unlawful possession of methamphetamine.

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

House File 158, by Reynolds, a bill for an act relating to the definition of political party.

Read first time and referred to committee on **state government**.

House File 159, by Foege, Wise, Kreiman, Reynolds, Mertz, Frevert, Myers, Thomas, Cohoon, Larkin, and Bukta, a bill for an act providing supplementary weighting for determining enrollment in school districts involved in district to district, or district to community college, sharing programs, and providing an effective date.

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

House File 160, by Wise, a bill for an act relating to school corporation bond issuance elections and authorizing school corporations to impose an income surtax to partially fund certain bonds by providing a property tax credit, and providing for the Act's applicability.

Read first time and referred to committee on **ways and means**.

COMMITTEE ASSIGNMENT

The Speaker announced the following committee assignment:

ADMINISTRATIVE RULES REVIEW COMMITTEE

Representative Geri Huser..... Replaces Representative Keith Weigel
who has resigned

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

DEPARTMENT OF NATURAL RESOURCES

The State Preserves Biennial Report for 1997-1998, pursuant to Chapter 7A.11a, Code of Iowa.

The Toxic Cleanup Day Program, pursuant to Chapter 455F.8, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

1999\92 Madonna and Edwin Hankemeier, Maquoketa – For celebrating their 50th wedding anniversary.

1999\93 Anna Baughman, Cedar Falls – For celebrating her 100th birthday.

SUBCOMMITTEE ASSIGNMENTS**House Joint Resolution 3**

State Government: Holmes, Chair; Connors, Jager, Larkin and Martin.

House Joint Resolution 6

State Government: Holmes, Chair; Houser, Reynolds, Taylor and Van Engelenhoven.

House File 2

State Government: Houser, Chair; Bradley, Brauns, O'Brien and Whitead.

House File 32

State Government: Jacobs, Chair; Arnold, Cataldo, Davis, Holmes, Jochum and Reynolds.

House File 47

State Government: Jacobs, Chair; Arnold, Chiodo, Davis, Holmes, Jochum and Reynolds.

House File 52

State Government: Jacobs, Chair; Arnold, Cataldo, Davis, Holmes, Jochum and Reynolds.

House File 54

State Government: Bradley, Chair; Connors, Houser, Jager and Whitead.

House File 65

State Government: Jacobs, Chair; Arnold, Cataldo, Davis, Holmes, Jochum and Reynolds.

House File 77

State Government: Gipp, Chair; Arnold, Chiodo, Jager, Jochum, O'Brien and Van Engelenhoven.

House File 83

State Government: Gipp, Chair; Arnold, Chiodo, Jager, Jochum, O'Brien and Van Engelenhoven.

House File 100

State Government: Brauns, Chair; Bradley, Cataldo, Davis and O'Brien.

House File 113

State Government: Gipp, Chair; Arnold, Chiodo, Jager, Jochum, O'Brien and Van Engelenhoven.

House File 116

State Government: Jacobs, Chair; Arnold, Cataldo, Davis, Holmes, Jochum and Reynolds.

House File 120

State Government: Gipp, Chair; Connors, Jager, Taylor and Van Engelenhoven.

House File 125

State Government: Jacobs, Chair; Arnold, Cataldo, Davis, Holmes, Jochum and Reynolds.

House File 132

Judiciary: Boddicker, Chair; Davis and Myers.

House File 138

State Government: Arnold, Chair; Brauns, Metcalf, Taylor and Whitead.

House File 140

Commerce and Regulation: Hoffman, Chair; Holveck and Jenkins.

House File 142

Natural Resources: Brauns, Chair; Bell and Klemme.

House File 145

Judiciary: Millage, Chair; Chapman and Larson.

House File 149

Judiciary: Kettering, Chair; Jager and Shoultz.

House File 154

Judiciary: Boddicker, Chair; Doderer and Larson.

House File 157

Judiciary: Sukup, Chair; Baudler, Kreiman, Larson and Myers.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 14**

Judiciary: Boddicker, Chair; Chapman and Raecker.

House Study Bill 16

Agriculture: Teig, Chair; Klemme and Mundie.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 72), concerning the open meetings statute by permitting the awarding of appellate attorney fees for a successful action involving the statute.

Fiscal Note is required.

Recommended **Do Pass** January 26, 1999.

Committee Bill (Formerly House Study Bill 4), relating to adoption procedural requirements including those related to investigations, reports, and counseling.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 26, 1999.

Committee Bill (Formerly House Study Bill 9), including the preparation or compounding of a controlled substance for one's own use within the definition of manufacturing a controlled substance, and providing an effective date.

Fiscal Note is required.

Recommended **Do Pass** January 26, 1999.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House File 48), relating to the date of the annual sale of parcels with delinquent property taxes.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 26, 1999.

On motion by Siegrist of Pottawattamie the House adjourned at 9:00 a.m., until 8:45 a.m., Thursday, January 28, 1999.

JOURNAL OF THE HOUSE

Eighteenth Calendar Day - Twelfth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 28, 1999

The House met pursuant to adjournment at 9:02 a.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Paul Akin, pastor of the First United Methodist Church, Indianola.

The Journal of Wednesday, January 27, 1999 was approved.

PETITION FILED

The following petition was received and placed on file:

By, Dolecheck of Ringgold, from one hundred twenty-two constituents of District 88 favoring creating a dove hunting season in the State of Iowa.

INTRODUCTION OF BILLS

House File 161, by Ford, a bill for an act to extend the jurisdiction of the juvenile court to include adoption and termination of parental rights proceedings.

Read first time and referred to committee on **human resources**.

House File 162, by Dotzler, a bill for an act relating to the time of possession of deer venison and subjecting violators to an existing penalty.

Read first time and referred to committee on **natural resources**.

House File 163, by Wise, Heaton, Reynolds, Larkin, Greiner, and Cohoon, a bill for an act relating to counties included in the mid-America port commission.

Read first time and referred to committee on **local government**.

House File 164, by committee on judiciary, a bill for an act concerning the open meetings statute by permitting the awarding of appellate attorney fees for a successful action involving the statute.

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

House File 165, by committee on judiciary, a bill for an act including the preparation or compounding of a controlled substance for one's own use within the definition of manufacturing a controlled substance, and providing an effective date.

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

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 January 27, 1999, passed the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 5, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Seventy-eighth General Assembly.

Also: That the Senate has on January 27, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 146, a bill for an act relating to the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

Also: That the Senate has on January 27, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 147, a bill for an act providing additional funding for certain school districts that have either decreasing or increasing enrollments by extending the regular program district cost guarantee and by providing on-time funding, making an appropriation, and providing effective and applicability dates.

Also: That the Senate has on January 27, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 10, a bill for an act relating to the issuance of nonresident hunting licenses, to the maximum number of deer and wild turkey hunting licenses issued to nonresidents, and to certain allocations of nonresident licenses, and providing an effective date.

Also: That the Senate has on January 27, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 37, a bill for an act relating to the hunting of mourning doves and subjecting violators to a penalty.

Also: That the Senate has on January 27, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 47, a bill for an act relating to the classification of funding agreements issued by a life insurance company for purposes of the prioritization of claims against the assets of an insurer subject to supervision, rehabilitation, and liquidation, and including an effective date and a retroactive applicability provision.

Also: That the Senate has on January 27, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 51, a bill for an act authorizing a county conservation board to cooperate with private, not-for-profit organizations to carry out conservation and recreation programs.

Also: That the Senate has on January 27, 1999, passed the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 2, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-eighth general assembly.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 9:10 a.m., until the fall of the gavel.

The House resumed session at 9:35 a.m., Speaker Corbett in the chair.

COMMITTEE TO NOTIFY THE SENATE

Greiner of Washington moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed and the Speaker appointed as such committee: Greiner of Washington, Klemme of Plymouth and Taylor of Linn.

REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Greiner of Washington, chair of the committee appointed to notify the Senate that the House was ready to receive it in joint convention, reported that it had performed its duty. The report was accepted and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station, the Secretary of the Senate to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

In accordance with law and House Concurrent Resolution 6, duly adopted, the joint convention was called to order, President Kramer presiding.

Senator Iverson of Wright moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present.

The motion prevailed.

President Kramer announced a quorum present and the joint convention duly organized.

The Legislative Inaugural Committee, consisting of Senators Hedge of Mahaska, Boettger of Shelby, Rife of Cedar, Dearden of Polk, Dvorsky of Johnson and Fraise of Lee, on the part of the Senate and Representatives Lord of Dallas, Larson of Linn, Heaton of Henry, Foege of Linn, Ford of Polk and Mascher of Johnson, on the part of the House were appointed to notify Governor Thomas J. Vilsack that the joint convention was ready to receive him.

Secretary of State, Chester J. Culver; Treasurer of State, Michael Fitzgerald; Secretary of Agriculture and Land Stewardship, Patty Judge; State Auditor Dick Johnson and Attorney General Tom Miller were escorted into the House chamber.

The Supreme Court Justice, the Justices of the Supreme Court, the Chief Judge and Judges of the Appellate court were escorted into the House chamber.

Lieutenant Governor Sally Pederson was escorted into the House chamber.

The inaugural committee waited upon Governor Thomas J. Vilsack and escorted him to the Speaker's station.

President Kramer then presented Governor Thomas J. Vilsack who delivered the following address:

Madam President, Mr. Speaker, Honorable Members of the General Assembly, Chief Justice McGiverin and Distinguished Members of the Judiciary, Lieutenant Governor Pederson, Esteemed Statewide Elected Officials, Special Guests, My Fellow Citizens of Iowa.

Let me begin by reading a letter from a very important person in Iowa. She wrote to me:

"Dear Governor Vilsack,

What are you going to do about pollution? I would tell the people not to! I don't like pollution. Do you? So what are you going to do about schools? I really like my school. Can we have more time to read? So what are you going to do?"

No-one is more important to me than Iowa's children. So when Alexandra Swanson, a third-grader from Beaver Creek Elementary School in Johnston wrote to me I paid attention, and so should we all.

Let me rephrase her question for the benefit of the assembled body, "What are we going to do?"

I come here to the General Assembly for the first time. It is a time filled with excitement and a little concern. Concern that I do the right thing. I've never done this before. When you do something for the first time, you prepare as best you can to get the best information and advice that you can, you make our best judgments, then the moment comes. You do something for the first time.

I can't help but reflect today on the significance and importance of "firsts" in our lives. First steps. Our first day of school. Our first experience with faith. That first job. Our first love. The first time that we look into the eyes of a newborn child. They are memorable experiences. They open doorways to new worlds that we have never even dreamed of. And they all mark new beginnings.

Here in America and here in Iowa, first has another meaning to us as well. We have an innate drive to be the best we can be – to finish first in everything we attempt. We see it as a duty; as a responsibility. Finishing first marks the culmination of our

best efforts and of our dreams. In a sense it marks both an ending and at the same time a new beginning.

As I present my budget to you for the first time, I urge you to join me in a pursuit of a prairie full of firsts. What must we do together to ensure that Iowa will be first in education for our children; first in environmental quality; first in health care for our citizens; first in the fight against methamphetamine; first in workforce development and economic development, and first in the future?

The answer, it seems to me, is to begin by taking bold first steps into the future. We have a strong and proud educational heritage in Iowa, and we have identified ourselves, rightfully so, as the Education State. So I ask you, members of the General Assembly, isn't it time that we again assume our rightful position in this nation as first in education?

We are blessed with a core of committed educators, some of who are with us today. Let me introduce you to four of them. On sabbatical from her position as a teacher of Theatre at East High School, currently performing in the Des Moines Playhouse production of *Having Our Say*, we welcome and salute the 1998 Iowa Teacher of the Year, Ruth Ann Gaines. We are also proud to have the dedicated Moulton School mentor of inner city students who was chosen to represent our state at the 1997 President's Summit for America's Future, Aaron Smith. We welcome today to the Capitol the southern Iowa native who refused to allow his cerebral palsy to prevent him from doing hundreds of classroom presentations as the Energy Wizard, winning the Governor's Very Special Arts Service Award and the Iowa Energy Educator of the Year Award, Erik Anderson. And finally, we introduce the classroom teacher of Alexandra Swanson and her classmates from the Beaver Creek Elementary School, Ms. Shannon Smith. Join me in greeting these four uniquely excellent Iowa educators and in welcoming Alexandra and her classmates.

In the first years of life the responsibility for teaching properly belongs to the parents of each child. All parents must be their child's first and best teacher. But few of us know where to begin or how to start. We can help. By doubling our investment in newly-created empowerment communities, we can give these parents looking for help the information, the tools, and the assistance they need to prepare their children for school. By taking this first step today we will make sure that when our children take their first steps to school, they will be ready to learn.

When they start their first years in school, they must learn the basics well. That's why, ladies and gentlemen of the General Assembly... That's why teachers must be better prepared. Schools must monitor student achievement and be held accountable for results. So let us begin today by committing 10 million dollars in the first year and increasing that amount by 10 million dollars for each year in the next four years, so we can provide our schools with the resources necessary to reduce class sizes, to improve teacher skills, and to hold schools accountable. Our goal is simply stated - we must guarantee that every child in this state is reading well by the time he or she enters fourth grade.

But if we are to do our first job well... more is needed. For the first time, we should commit state aid to make sure our schools are safe and free from fire and safety hazards and to provide more classroom space. Over the next five years we propose building a fund of 50 million dollars to help local school districts meet their building needs, while at the same time providing relief for property taxpayers. Our goal, again simply stated... is adequate class space for each child and each educator in this state.

As we attempt to make our students first in the nation in education, we must continue our commitment to technology by making permanent our current investment of 30 million dollars per year, and enable its use not only for hardware and software purchases, but also staff development. Our goal is to keep Iowa students on the cutting edge of technology.

I applaud the members of the General Assembly in addressing the critical issue of school funding early in the session. Together we will improve our commitment to local schools by increasing allowable growth, by providing state-funded budget guarantees for those schools struggling with declining enrollments and by providing accelerated funding for schools that have to cope with rapidly rising student numbers. Our goal should always be to adequately fund schools with each student being treated fairly and equitably.

At the same time, we must support our educators in their fight to make Iowa schools drug and violence free. We will take the first steps of intervention at the first signs of trouble in junior high and middle schools. So we need to expand the successful program of juvenile court liaisons by adding 76 new schools to the 107 schools that currently exist to aid our at-risk student population and to return discipline to the classroom and to the hallways of each and every school in this state. Our goal is to provide a safer, better learning environment in which all of our students can learn well without fear or intimidation.

Lorenzo Luis Sandoval left college early in the 1970's. He served the Hispanic migrant workers of Iowa for over 20 years and earned the League of United Latin American Citizens Iowa Man of the Year award. With the aid of an Iowa Tuition Grant, he fulfilled his lifetime dream of graduating from Grand View College in 1992. He later received his Master of Fine Arts from the prestigious University of Iowa Playwrights Workshop last year. Dramatic Publishing calls Lorenzo "the exciting new Latino voice in America today." Ladies and gentlemen of the assembly, please say hello to another Iowan - Lorenzo Luis Sandoval.

I understand what it means to be close to your dream but to have concerns about whether there will be finances to make it become a reality. Twenty-five years ago this year, I spoke with my father for the last time on the phone. I called him to tell him that I had been admitted to law school. In a tired and weary voice he said to me, "That's great. I don't know where the money will come from but we'll find it some place." Several days after that call he passed away. The money came from a variety of government loans, programs, and my own work. I understand the struggle of many in this state today are going through to try to realize their educational dreams.

We need to make higher education more affordable and accessible. To do so, we need to look at a package of increased funding measures. We need to increase funding for the State of Iowa Scholarship program; we need to continue to increase funding for the Iowa Tuition Grant program; we need to support vocational and technical tuition grants; we need to send a message to those who serve in the National Guard that we care about them by extending educational opportunities to them as well. For those community college students who are here today, we need to keep the faith with their dream by fully funding the community college formula and continue our strong and traditional support for the Regents Universities. Our collective goal should be that no one wishing a higher education will ever be denied that opportunity in our state simply for lack of money.

Finally, as we approach a comprehensive look at education we should not and must not neglect the important role of libraries. Iowa is one of the few states that provides no direct assistance to libraries. Let us join the rest of the nation in improving the communication centers of many of our communities. Let us enrich ourselves by enriching Iowa. We should begin funding the Enrich Iowa initiative now.

Our goal is to be first in the nation in education. Let it be said that here in Iowa we put our money where our children are.

We have in Iowa a truly amazing array of natural grace. When Albert Lea first explored Iowa in 1835 he wrote: "The general appearance of the country is one of great beauty. . . one grand rolling prairie, along one side of which flows the mightiest river in the world. . . (For) water, fuel and timber; for richness of soil; for beauty of appearance . . . it surpasses any portion of the United States."

Too often today, there is a difficult playing field for Iowa farmers who want to protect our land and water. But it is our farmers who have the greatest immediate stake in the environment. It is their families who are first to drink the water, breathe the air, and eat the food raised in the soil. So David and Corrine Williams and their children Steve and Wendy operate a fifth-generation farm near the Montgomery and Page County line. They do so with respect and diligence. By using minimum and no-till technology, rotational grazing, alternative watering for their cattle, they were recently honored with the National Cattlemen's Association Environmental Stewardship Award for "protecting the environment while making their business more profitable." Join me in congratulating the Williams family for showing us that we can make sound environmental decisions that are also sound economic decisions.

It is our natural resources that hold the key to a stronger, more prosperous Iowa. But to be first in the nation in Environmental Quality and especially to have the cleanest water in America, we must take difficult first steps.

When a body of water with the name of Clear Lake had levels of E. coli which spiked over safe limits, when its beaches were closed, when its community lost thousands of dollars of much-needed tourist revenue, isn't it a signal that we need to be better stewards?

But it is not just our lakes that need care. Our Department of Natural Resources has not had the resources to conduct even baseline water quality analyses. As Dave Moeller, the DNR's Fisheries Supervisor for the Northeast District, said, "...We can't do anything about it until we see dead fish."

Members of the General Assembly, we can and we must do something about it! We must carefully assess the condition of our groundwater and surface water, and then we must create a comprehensive groundwater and surface water monitoring program.

The budget I propose provides resources to do just that and more. It provides funds to establish an Iowa watershed protection program, attend to our wetlands and enforce the Federal Safe Drinking Water Act.

Our environmental proposals, however, do not start or stop at the water's edge. We are committed to enhancing our soil and to protecting our air.

That's why we advocate a Fuel Quality Standard for Iowa supported by the Iowa Corn Growers Association which includes ethanol and which will provide both environmental and value-added economic benefits.

We propose more resources to better implement our current manure management program. And as we consider the interdependence of agriculture and the environment, we are asking the legislature to consider empowering the people of Iowa with some degree of local control operated within a statewide framework for livestock production.

We will protect our natural heritage for the present and future citizens of our state. We will be good stewards and rededicate ourselves to restoring and conserving the land, protecting our water and cleaning up the air. Let it be said that here in Iowa, we put our money where the environment is.

• To be first in the nation in health care, we have specific goals. We propose to expand HAWK-I, Iowa's child health care initiative, to cover all children in families with incomes of up to 200% of the poverty level. Imagine the frustration of parents working hard to support a family, struggling to lift themselves out of poverty, and beginning to succeed, only to discover that their efforts disqualify their children from access to basic health care. Is this a small problem? Hardly. Our initiative will offer basic health care for the first time to an additional 12,000 of Iowa's children!

Next, we cannot be first in health care and sit idly by and watch people hurt and neglected by the excesses of managed care. We've all seen and read about those excesses in the news. But in Iowa we believe that people are more important than the process! Let us working together ensure fairer access to medical services for all of Iowa's people. Let us guarantee that Iowans will receive coverage for pre-existing conditions by reducing the waiting period to six months. Let us stop insurance companies from "gagging" doctors so that they are prevented from telling us the information we need to know. Let us make sure that the information we receive about a health plan's record is accurate; that it promotes good medical practices and let us above all else require a fair and legitimate appeal process to resolve managed care disputes. Children in this state specifically are at risk and for that reason we will propose a specific and targeted set of proposals and protections designed to provide these opportunities for Iowa's children as well.

But we acknowledge the best way to be first in health is through good preventive care. We have therefore proposed initiatives for women over 50, addressing the increased risks of breast cancer, osteoporosis and heart disease; we will launch a public awareness campaign; strengthen local health systems and promote community health and public education.

Beyond that initiative it is our commitment to enhance child dental care and child nutrition programs and perhaps the boldest stroke of all – we are recommending over one million dollars of support to establish a new School of Public Health at the University of Iowa. We take these steps because we know prevention works. We know prevention saves money. And most important of all, we know prevention saves lives!

Finally, our health care program includes protection for Iowa's seniors. They are those who farmed our land, who taught our children, who worked in our factories and businesses – and as such they deserve to live their last years in quiet dignity. If we restructure Medicaid funding, we can increase direct care staff salaries and improve the quality of care in nursing homes. If we establish an annual "Governor's Award for Quality Care" we can recognize outstanding nursing facilities. If we create additional

long-term care ombudsman positions we can work together to correct nursing home deficiencies. And, if we stiffen fines for repeat violators and focus health facility inspections on those chronic violators we will enhance the good reputation of the vast majority of nursing homes and facilities in our state today.

Our goal is improved and fairer health care for all. Let it be said that here in Iowa, we put our money where our most vulnerable populations are.

The safety, security and well-being of Iowans is the responsibility of each of us. But nowhere, perhaps, is that responsibility accepted with more courage and more dedication than in the selfless service provided by our peace officers. Today, we, as a grateful people, salute and thank every peace officer who puts his or her life on the line every day for our families and ourselves. With us this morning are two men who are living proof of that dedication and courage.

When the time finally came, after four intense days in the middle of a hostage crisis, a distraught and dangerous father, charged with numerous crimes including attempted murder and kidnapping brought his two sons out into the Indianola sunlight. As he began to pull a loaded hand-gun from his pocket, Ken Haut rushed in and flung his body in harm's way, tackling and subduing the prisoner. Serving with him were his fellow troopers and other peace officers.

Without thinking of his personal safety, this humble Lamoni Chief of Police pursued two suspected murderers and bank robbers. In an instant his life changed forever. His sacrifice was great. He lost an eye and might have lost his life. But Dale Killpack acted without hesitation on our behalf, and today he and Ken are with us. These two gentlemen represent the daily Iowa heroes who are our peace officers.

There is a specific crossroads where public health, public education and public safety meet. And it is at that crossroads that we stand today. We will NOT, simply because we happen to be in a convenient location in the heartland of America, be first in the nation in the creation and delivery of methamphetamine. We WILL, however, make it one of our first priorities to eradicate this deadly threat.

To protect our people we must strangle the meth lifeline by controlling both supply and demand. To protect our people we will seek life sentences for the manufacture or sale of meth to minors. To protect our people we will hire more narcotics agents to increase interdiction efforts. To protect our people we will hire additional lab technicians to help in the timely prosecution of cases, and to protect our people we will hire more state troopers, DCI agents and fire marshals to aid in safely closing down these meth labs. At the same time, to help our people we will expand the number of drug courts. To help our people we will provide additional resources for treatment to lengthen the time that Iowans addicted to this powerful drug can receive treatment and also expand treatment opportunities at Eldora. And to educate our people we will support and create educational programs to prevent the use of meth before it starts.

Now I do not want to leave this subject without speaking directly to those who manufacture and sell this drug. Here is my message: Do not come here. Do not hurt our children. We will find you. We will prosecute you. We will imprison you. Our goal is to win this war against meth. Let it be said in Iowa, we put our money where the safety of each of our citizens is.

Let us today also invite the whole world to help make our state the Food Capital of the World. Not just first in the nation, but first in the world. It is part of our larger commitment to workforce development and economic development.

This administration intends to make Iowa-grown, Iowa-raised and Iowa-made a brand name known throughout the world for quality. We need to promote high tech agricultural research which is why we support funding the Center of Excellence in Plant Science at Iowa State University. We need to combine Iowa's strengths in agriculture and insurance and provide innovative products to protect Iowa's farmers that use advances in biotechnology. We need to encourage the expansion of value-added opportunities in every region of this state.

And at the same time, we will not abandon those Iowans whose economic fortunes have turned. We have and will continue to strongly advocate at the federal level and state level to take immediate proactive steps to help livestock and grain producers in economic crisis. We intend to stand together with those who farm the land, and together we will make Iowa the world's food capital.

Further, we will expand the skilled workforce to help us face the needs of a new and dawning technology and millenium. We need to make Iowa more attractive to business and industry. We need to strengthen our commitment to vocational and technical programs and school-to-career opportunities. That is why we are establishing the Governor's 21st Century Workforce Council which will be chaired by Lieutenant Governor, Sally Pederson. We need to identify work skill shortage areas. To start the process of increasing the skill levels of our people and to reduce shortages, we will create forgivable loan programs; we will offer incentives to promote skills enhancement; we will coordinate governmental efforts for skills enhancement; and we intend to increase worker safety by providing more resources for workplace inspections.

We will actively and forcefully work to attract and retain the quality of workers necessary for our mutual future. We must send a strong and unmistakable message to the children of this state, some of whom are here today - and let us start with those here today. We need you! We need your creativity, your energy and your intellect. But we must do our job if we are asking them to do their job. We must create and enhance the quality of life in this state so that it is second to none. That is why we are suggesting the creation of REACH initiative, which would provide additional resources for recreation, environment, culture and heritage - to send a strong and powerful message that something's going on in this state, and that we are responding to the needs and concerns of our young people.

Our goal is to develop our workforce, strengthen our economic growth, and keep our young people in our state. Let it be said that here in Iowa, we put our money where our tomorrow is.

And finally, we propose to be known as the first in the nation as we lead the way to the future. We will do this in two ways - through government efficiency, and by the foresight and power of a strategic plan for the next century.

We will make good on our promise of providing property tax relief by virtually eliminating property tax funding of mental health. Let us begin that process now.

We will build a more efficient administration, reduce our dependency on gaming revenues in the general fund and institute efficiency measures like offering early

retirement programs and spending reforms. We're listening to the people, and we're acting on what we hear.

We face a strong set of challenges and unbridled opportunities. We will not be daunted.

Let me read from one of my very first Executive Orders which will be issued in the near future: "Now, therefore, I, Thomas J. Vilsack, Governor of Iowa, do hereby order and proclaim that there shall be an organized commitment to develop a strategic plan outlining our goal to maximize the development of human and natural resources within the state, and this commitment shall be called THE GOVERNOR'S STRATEGIC PLANNING COUNCIL."

Together, in a bi-partisan effort that includes full participation of private citizens, all levels of governmental employees, all communities, with specific emphasis on people with disabilities – we will identify the way Iowans want their state to be in the year 2020. And from that we will develop policies, programs, and procedures to carry out their vision.

We are excited by the challenge of tomorrow, and we are ready to meet it face-to-face.

Our goal is an efficient government and a powerful plan for the new millennium. Let it be said that here in Iowa, we put our money where our future is.

There is no question that it is reasonable for us to aspire to be first. And so again I ask the question posed by an Iowa child. What are we going to do together to ensure that Iowa will be first in education; first in the environment; first in health care; first in the fight against methamphetamine; first in workforce development and economic growth; and first in the future?

The answer resounds across this beautiful public room, owned by the people of our great state, and we all hear it. We must work together. We must put Iowa first, before any personal or partisan agenda, before anything that might divide us. We must make every effort to make Iowa first, working as if it were our last chance to do so.

And so, I propose yet another first for us today – the one which can make all of the others possible. Let us strive to be first in the nation in the true spirit of bi-partisanship!

At a time when America is burdened by the ugliness of the Washington political scene – a scene divided by intense and sometimes angry partisanship which diverts our time, our resources, our good will, and especially the valuable work of our nation, let us learn a hard lesson: – the people must come first. How do we guarantee that when we leave here today we will walk away with a real commitment to work together?

I don't have the whole answer, but I can propose a healthy way for us to start – if you will, a healthy first step.

Soon after the end of this address today, Lieutenant Governor Sally Pederson and I will be embarking on separate visits across the state to meet with the people of this state face-to-face to talk to them about these important budget decisions. It would be easy for us to use this opportunity and the power and means of the Governor's office to

proclaim a partisan agenda from east to west and north to south. But that would be politics as usual. And it's time for a change.

Instead, I spoke yesterday with the leadership of both the House and the Senate – from both sides of the aisle – and I invited leaders from both parties and from both chambers to accompany me around Iowa. We are all Iowans. We all have the best interests of the people at heart. We can begin this process by working together in the bright light of a new day.

This is not our first day of school, but it may be our first step to tomorrow. It's not our first job, and although I hold you folks in high esteem, I can assure you that you are not my first love. But this is the first day of the remainder of our time together working for the people of Iowa. It is a memorable day, and the tasks are daunting. But the doorways can be opened to new worlds that none of us have ever dreamed of.

We all share that sense of anticipation, that sense of concern about the responsibilities we face together. But we are well-prepared. We are well committed. We love this great land and the people we represent.

"So what are we going to do?"

Let us mark a new beginning. Let us take these bold first steps into the future together. Let us lead Iowa to be first in everything we attempt as we reach the culmination of Today's Dreams and Tomorrow's Iowa.

Thank you, God bless you and God bless our Great State.

Governor Thomas J. Vilsack was escorted from the House chamber by the Legislative Inaugural Committee.

On motion by Siegrist of Pottawattamie, the joint convention was dissolved at 10:52 a.m.

The House resumed session at 10:52 a.m., Speaker Corbett in the chair.

The House stood at ease at 10:53 a.m., until the fall of the gavel.

The House resumed session at 11:08 a.m., Speaker pro tempore Rants of Woodbury in the chair.

On motion by Siegrist of Pottawattamie, the House was recessed at 11:09 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:00 p.m., Speaker pro tempore Rants in the chair.

INTRODUCTION OF BILLS

House File 166, by Grundberg, Martin, Heaton, Brauns, Davis, Sunderbruch, Cormack, Johnson, Houser, Myers, Witt, Chapman, Foegen, Holveck, and Barry, a bill for an act relating to third-party payment of health care coverage costs for mental health treatment services.

Read first time and referred to committee on **human resources**.

House File 167, by Alons, Jenkins, Hoffman, Barry, Witt, Weigel, Johnson, Eddie, Drees, Falck, Hahn, Mertz, Myers, Huseman, Rants, Whitehead, Kettering, Klemme, Richardson, Shoultz, and Doderer, a bill for an act relating to telecommunications services which may be provided by a city utility and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **local government**.

House File 168, by committee on local government, a bill for an act relating to the date of the annual sale of parcels with delinquent property taxes and providing an effective and applicability date.

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

House File 169, by Burnett, a bill for an act providing that a prevailing property owner or aggrieved taxpayer in a property tax challenge may recover reasonable attorney fees from the taxing bodies involved in the appeal.

Read first time and referred to committee on **ways and means**.

House File 170, by Doderer, Boddicker, Murphy, Myers, Reynolds, Witt, and Jochum, a bill for an act relating to the licensing of certified professional midwives, establishing the board of professional midwife examiners, and prohibiting the use of the title certified professional midwife without a license.

Read first time and referred to committee on **human resources**.

SENATE MESSAGES CONSIDERED

Senate File 10, by committee on natural resources and environment, a bill for an act relating to the issuance of nonresident hunting licenses, to the maximum number of deer and wild turkey hunting licenses issued to nonresidents, and to certain allocations of nonresident licenses, and providing an effective date.

Read first time and referred to committee on **natural resources**.

Senate File 37, by committee on natural resources and environment, a bill for an act relating to the hunting of mourning doves and subjecting violators to a penalty.

Read first time and referred to committee on **natural resources**.

Senate File 47, by committee on commerce, a bill for an act relating to the classification of funding agreements issued by a life insurance company for purposes of the prioritization of claims against the assets of an insurer subject to supervision, rehabilitation, and liquidation, and including an effective date and a retroactive applicability provision.

Read first time and referred to committee on **commerce-regulation**.

Senate File 51, by committee on natural resources and environment, a bill for an act authorizing a county conservation board to cooperate with private, not-for-profit organizations to carry out conservation and recreation programs.

Read first time and referred to committee on **natural resources**.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Seventeen students from Iowa Lakes Community College, Estherville, Iowa, accompanied by four advisors. By Frevert of Palo Alto and Stevens of Dickinson.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

CITIZENS' AIDE/OMBUDSMAN

A report on the Investigation of how the Des Moines Police Department handles complaints about its officers, pursuant to Chapter 2C.9(1), Code of Iowa.

DEPARTMENT OF COMMERCE

A report identifying each profession and specifically in accord with the statute, reports the adoption or nonadoption of rules relating to the duties of the board as specified in that section of the Code and the number of complaints opened, peer review committees and/or informal discussions, disciplinary actions taken, cases closed and appeals to the court, pursuant to Chapter 272C.4(2), Code of Iowa.

CERTIFICATE OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that a certificate of recognition has been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

1999\94 Janelle Hester, Davenport – For winning 1st place in the 1999 Iowa African American History Month Essay Contest.

SUBCOMMITTEE ASSIGNMENTS**House File 124**

Labor and Industrial Relations: Dolecheck, Chair; Connors and Horbach.

House File 152

Labor and Industrial Relations: Dolecheck, Chair; Falck and Horbach.

Senate File 47

Commerce and Regulation: Bradley, Chair; Hoffman and Wise.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT**House Study Bill 18**

Labor and Industrial Relations: Horbach, Chair; Dolecheck and Taylor.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 22 Ways and Means**

Exempting internet and other on-line services from the state sales, services, and use taxes.

H.S.B. 23 Ways and Means

Exempting the sale of argon gas used in the manufacturing process from the sales and use taxes.

H.S.B. 24 Ways and Means

Relating to the administration of the state individual income tax, corporate income tax, sales and use taxes, franchise tax, motor fuel taxes, inheritance and estate taxes, property taxes, collection of taxes and debts owed to or collected by the state, and including effective and retroactive applicability date provisions.

H.S.B. 25 Ways and Means

Updating the Iowa Code references to the Internal Revenue Code, extending the loss carryback period for farm net operating losses, providing certain tax credits to estates and trusts, and providing an effective date and a retroactive applicability date.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON COMMERCE-REGULATION

Senate File 47, a bill for an act relating to the classification of funding agreements issued by a life insurance company for purposes of the prioritization of claims against the assets of an insurer subject to supervision, rehabilitation, and liquidation, and including an effective date and a retroactive applicability provision.

Fiscal Note is not required.

Recommended **Do Pass** January 28, 1999.

RESOLUTION FILED

SCR 2, by committee on rules and administration, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-eighth general assembly.

Referred to committee on **administration and rules**.

On motion by Siegrist of Pottawattamie the House adjourned at 1:05 p.m., until 1:00 p.m., Monday, February 1, 1999.

JOURNAL OF THE HOUSE

Twenty-second Calendar Day - Thirteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 1, 1999

The House met pursuant to adjournment at 1:18 p.m., Speaker pro tempore Rants in the chair.

Prayer was offered by Rabbi Applebaum of Beth El Jacob Synagogue, Des Moines.

The Journal of Thursday, January 28, 1999 was approved.

THE PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by pages Kelly Gallagher, Jessica Boddicker and Meredith Lorinser.

INTRODUCTION OF BILLS

House File 171, by Burnett, Mascher, Shoultz, Fallon, Parmenter, Ford, Holveck, Doderer, Chapman, and Myers, a bill for an act prohibiting discriminatory practices based upon a person's sexual orientation.

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

House File 172, by committee on judiciary, a bill for an act relating to adoption procedural requirements including those related to investigations, reports, and counseling.

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

House File 173, by Kreiman, a bill for an act relating to the granting of visitation rights to a biological parent or grandparent in an adoption proceeding.

Read first time and referred to committee on **human resources**.

CONSIDERATION OF BILL
Regular Calendar

House File 136, a bill for an act relating to the criminal offenses that require registration as provided in the sex offender registry law and providing an effective date, was taken up for consideration.

Barry of Harrison 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. 136)

The ayes were, 78:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boggess
Bradley	Brauns	Bukta	Carroll
Cataldo	Chiodo	Cohoon	Connors
Corbett, Spkr.	Cormack	Davis	Dix
Dolecheck	Dotzler	Drees	Falck
Foege	Frevert	Gipp	Greiner
Hahn	Hansen	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Jacobs	Jager	Jenkins	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Mascher
May	Metcalf	Millage	Murphy
Myers	Nelson	Osterhaus	Raecker
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Van Engelenhoven	Van Fossen
Warnstadt	Weigel	Welter	Whitead
Wise	Rants, Presiding		

The nays were, 22:

Boddicker	Brunkhorst	Burnett	Chapman
Doderer	Drake	Eddie	Fallon
Ford	Garman	Grundberg	Heaton
Huser	Jochum	Martin	Mertz
Mundie	O'Brien	Parmenter	Tyrrell
Weidman	Witt		

Absent or not voting, none.

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

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 136** be immediately messaged to the Senate.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

DEPARTMENT FOR THE BLIND

A report to the General Assembly concerning the plastic and recycled content products as well as soy-based inks regularly purchased by the Department, pursuant to Chapter 216B.3(12)(d), Code of Iowa.

DEPARTMENT OF COMMERCE Alcohol Beverage Division

The Annual Report, pursuant to Chapter 123, Code of Iowa.

DEPARTMENT OF CORRECTIONAL SERVICES Third Judicial District

The Intermediate Criminal Sanctions Plan, the Intermediate Sanction Client Grievance Process, and, the Order Adopting Intermediate Criminal Sanctions Plan, pursuant to Chapter 901B.1, Code of Iowa.

IOWA FINANCE AUTHORITY

The Title Guaranty Report, pursuant to Chapter 16.7, Code of Iowa.

TREASURER OF STATE

The Linked Investments for Tomorrow Annual Report, pursuant to Chapter 12.38, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\95 Nola and Victor Meinert, Davenport – For celebrating their 60th wedding anniversary.
- 1999\96 John Gilbert, Davenport – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\97 Mary Woldruff, Clarinda – For celebrating her 100th birthday.
- 1999\98 Quilla and Hollis Dhone, Prescott – For celebrating their 65th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 79

Ways and Means: Larson, Chair; Lord and Weigel.

House File 80

Ways and Means: Larson, Chair; Boal and Doderer.

House File 102

Ways and Means: Jenkins, Chair; Doderer and Lord.

House File 110

Ways and Means: Jenkins, Chair; Doderer and Lord.

House File 111

Ways and Means: Van Fossen, Chair; Drake and Myers.

House File 141

Environmental Protection: Gipp, Chair; Alons and Witt.

House File 151

Environmental Protection: Gipp, Chair; Alons and Witt.

House File 155

State Government: Brauns, Chair; Bradley, Cataldo, Chiodo and Davis.

House File 158

State Government: Jacobs, Chair; Arnold, Cataldo, Davis, Holmes, Jochum and Reynolds.

House File 160

Ways and Means: Van Fossen, Chair; Drake and Richardson.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 22**

Ways and Means: Rants, Chair; Chapman and Raecker.

House Study Bill 23

Ways and Means: Jenkins, Chair; Boal and Chapman.

House Study Bill 24

Ways and Means: Jager, Chair; Lord and Shoultz.

House Study Bill 25

Ways and Means: Hoffman, Chair; Holmes and Weigel.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 26 State Government**

Relating to the office of secretary of state and the conduct of elections and voter registration in the state and relating to corrective and technical changes to Iowa's election laws.

H.S.B. 27 State Government

Relating to election misconduct and providing criminal penalties.

H.S.B. 28 State Government

Relating to absentee voting and to requirements and prohibitions related to receiving, handling, and delivering absentee ballots.

H.S.B. 29 State Government

Providing for the adoption of administrative rules related to the issuance of a license for bail enforcement agents, private investigators, and security agents who may not otherwise qualify for a license.

H.S.B. 30 State Government

Related to activities of bail enforcement agents that are exempt from state licensing requirements.

H.S.B. 31 State Government

Relating to the establishment of the Iowa propane education and research council, providing for the development of propane-related programs and projects, providing for the levy of an assessment on odorized propane, and providing penalties.

H.S.B. 32 State Government

Relating to the establishment of flammability standards for furniture and providing a penalty.

H.S.B. 33 State Government

Requiring the installation of automatic sprinkler systems in certain new public and nonpublic school building construction.

H.S.B. 34 State Government

Providing for a change in the composition requirement for nurses on the Iowa board of nursing examiners.

H.S.B. 35 Judiciary

Relating to crime victim rights.

H.S.B. 36 Judiciary

Relating to open containers in motor vehicles and providing a penalty.

H.S.B. 37 Judiciary

Establishing the crime of identity theft, providing for the recovery of civil damages, relating to the reporting of identity theft to a consumer reporting agency, and providing and applying penalties.

H.S.B. 38 Judiciary

Relating to the fingerprinting of persons or juveniles who have been arrested or taken into custody and changing the procedures for the collection of a criminal disposition report.

H.S.B. 39 Judiciary

To restrict the posting of bond for the offense of felony stalking.

H.S.B. 40 Judiciary

Establishing the offense of promoting or possessing contraband in prisons, jails, and juvenile facilities and establishing penalties.

H.S.B. 41 Human Resources

Relating to child welfare provisions involving foster home damages, voluntary foster care placements of children with mental retardation or other developmental disability, release of child abuse information, and annual group foster care and decategorization plans, and providing a contingent effective date.

H.S.B. 42 Appropriations

Relating to energy conservation including making appropriations of petroleum overcharge funds.

H.S.B. 43 Human Resources

Relating to health care facility violations and inspections, including increasing the amount of a penalty.

H.S.B. 44 Human Resources

Relating to violations of nursing home requirements and including penalties for such violations.

H.S.B. 45 Human Resources

Relating to acquired immune deficiency syndrome, providing penalties, and providing for a repeal.

H.S.B. 46 Appropriations

Relating to the administration of the state department of transportation by allowing the reversion of operating funds for training and technology, making a standing appropriation, revising road construction review procedures, and providing for the nonreversion of certain railroad funds.

H.S.B. 47 Appropriations

Appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

H.S.B. 48 Appropriations

Relating to and making supplemental and other appropriations for the fiscal year beginning July 1, 1998, and providing an effective date.

H.S.B. 49 Commerce and Regulation

Relating to the exclusion of certain real estate transactions involving a power of attorney from state licensure and regulation.

H.S.B. 50 Commerce and Regulation

Relating to the supervisory authority of the state banking division with regard to bank holding company acquisitions and the ability of state banks to make loans to any one person.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 75), expanding the criminal code definition of serious injury to include certain injuries to children.

Fiscal Note is required.

Recommended **Do Pass** January 28, 1999.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 1), relating to the taxation of certain sales of aircraft under the state sales, services, and use taxes and the local option sales and services taxes.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 1, 1999.

AMENDMENTS FILED

H—1002	H.F.	168	Carroll of Poweshiek
H—1003	H.F.	168	Huser of Polk Carroll of Poweshiek

On motion by Siegrist of Pottawattamie the House adjourned at 1:56 p.m., until 8:45 a.m., Tuesday, February 2, 1999.

JOURNAL OF THE HOUSE

Twenty-third Calendar Day - Fourteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 2, 1999

The House met pursuant to adjournment at 8:45 a.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Leif A. Pohl, pastor of Grace Lutheran Church, Muscatine.

The Journal of Monday, February 1, 1999 was approved.

PETITION FILED

The following petition was received and placed on file:

By Hahn of Muscatine, from fifty-seven constituents of the 48th district opposing Senate File 37, an act relating to the hunting of mourning doves and subjecting violators to a penalty.

INTRODUCTION OF BILLS

House File 174, by Greiner, a bill for an act prohibiting packers from executing contracts for the marketing of livestock after being found liable of a breach of contract, and providing a penalty.

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

House File 175, by Wise, Cohoon, Nelson, Larkin, Heaton, Stevens, Falck, Thomas, Foege, Warnstadt, and Bukta, a bill for an act relating to accountability for student achievement in employability skills, making appropriations, and providing an effective date.

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

House File 176, by Carroll, a bill for an act relating to the reimbursement of fees and expenses associated with the state medical

examiner's performance of certain duties relating to a death that affects the public interest.

Read first time and referred to committee on **state government**.

House File 177, by Larson, Connors, Jager, and Sunderbruch, a bill for an act relating to veterans' benefits, veterans preference, veterans' claims and providing a penalty.

Read first time and referred to committee on **state government**.

House File 178, by Wise and Mascher, a bill for an act relating to school district transportation of students participating in open enrollment.

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

House File 179, by Doderer, a bill for an act providing for a .08 blood alcohol concentration standard for operating while intoxicated offenses.

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

House File 180, by Fallon, a bill for an act establishing daylight saving time as the official time in this state throughout the year.

Read first time and referred to committee on **state government**.

House File 181, by Richardson and Larkin, a bill for an act to increase the penalty applicable to lascivious acts with a child.

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

House File 182, by committee on judiciary, a bill for an act expanding the criminal code definition of serious injury to include certain injuries to children.

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

House File 183, by Doderer, a bill for an act relating to special services provided to a foster child who is a candidate for adoption or who is adopted.

Read first time and referred to committee on **human resources**.

House File 184, by Brauns, a bill for an act relating to mileage reimbursement for county supervisors.

Read first time and referred to committee on **local government**.

House File 185, by Brauns and Klemme, a bill for an act relating to the operation of motorboats on artificial lakes and providing an effective date.

Read first time and referred to committee on **natural resources**.

House File 186, by Brauns, a bill for an act relating to school district plans for student access to school breakfast programs.

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

House File 187, by Kreiman, a bill for an act relating to third-party payment of health care coverage costs for substance abuse treatment services.

Read first time and referred to committee on **commerce and regulation**.

House File 188, by Dotzler, a bill for an act concerning employer payment to an injured employee for participation in a vocational rehabilitation or other training program.

Read first time and referred to committee on **labor and industrial relations**.

House File 189, by Larson, a bill for an act relating to the continuation of group health care coverage by retired governmental employees.

Read first time and referred to committee on **commerce and regulation.**

SPONSOR ADDED
(House File 163)

Davis of Wapello requested to be added as a sponsor of House File 163.

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 2nd day of February, 1999: House Files 146 and 147.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

REPORT OF ADMINISTRATION AND RULES COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 1, your committee on administration and rules submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Recording Clerk II	Alyce M. Elmitt	24-4 to 24-5	S-O	01-22-99
Legislative Secretary	Theresa M. Ferin	16-4 to 16-5	S-O	01-22-99
Confidential Secretary II to Leader	Carolyn McNeill Gaukel	32-2 to 32-3	P-PT	03-05-99

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Legislative Secretary	Jill E. Howard	15-1	S-O	01-11-99
Legislative Committee Secretary	Twyla L. Miller	17-4+2 to 17-5+2	S-O	02-05-99
Legislative Research Analyst	Justin D. Hupfer	27-2 to 29-2	P-FT	03-19-99
Legislative Research Analyst I				
Legislative Secretary	M. Anne O'Connell	16-4+2 to 16-5+2	S-O	03-05-99
Legislative Committee Secretary	Julie K. Pierce	17-4 to 17-5	S-O	01-22-99
Confidential Secretary II to Chief Clerk	Betty M. Soener	32-1 to 32-2	P-FT	01-22-99
Assistant to the Legal Counsel	Doreen R. Terrell	19-2 to 19-3	S-O	03-19-99

CARROLL of Poweshiek, Chair

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

CITIZENS' AIDE/OMBUDSMAN

A report reviewing fairness and due process in Iowa's child protection system, pursuant to Chapter 1191, 1998 Acts of the Seventy-seventh General Assembly.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

1999\99 Doyle Anderson, Sioux Rapids – For being named a 1998 Iowa Master Pork Producer.

- 1999\100 Loren Anderson, Marathon – For being named a 1998 Iowa Master Pork Producer.
- 1999\101 Betty and Raymond Cooper, Indianola – For celebrating their 50th wedding anniversary.
- 1999\102 Emma Sutherland, Indianola – For celebrating her 80th birthday.
- 1999\103 Malinda Reyerson, Guttenberg – For celebrating her 90th birthday.
- 1999\104 Shirley and Reynold Kann, McGregor – For celebrating their 50th wedding anniversary.
- 1999\105 Cora Stickels, Vinton – For celebrating her 90th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 104

Human Resources: Carroll, Chair; Boddicker and Burnett.

House File 127

Human Resources: Carroll, Chair; Kreiman and Lord.

House File 148

Natural Resources: Weidman, Chair; Dotzler and Sunderbruch.

House File 153

Natural Resources: Kettering, Chair; Klemme and Mundie.

House Concurrent Resolution 7

Economic Development: Hoffman, Chair; Dolecheck and Stevens.

Senate File 10

Natural Resources: Rayhons, Chair; Brauns and Scherrman.

Senate File 37

Natural Resources: Weidman, Chair; Dotzler and Sunderbruch.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 26

State Government: Jacobs, Chair; Arnold, Cataldo, Davis, Holmes, Jochum and Reynolds.

House Study Bill 29

State Government: Metcalf, Chair; Connors, Davis, Houser and Taylor.

House Study Bill 30

State Government: Davis, Chair; Arnold, Brauns, O'Brien and Whitead.

House Study Bill 31

State Government: Holmes, Chair; Arnold, Chiodo, Connors and Van Engelenhoven.

House Study Bill 32

State Government: Bradley, Chair; Brauns, Connors, Metcalf and Whitead.

House Study Bill 33

State Government: Bradley, Chair; Brauns, Connors, Metcalf and Whitead.

House Study Bill 34

State Government: Bradley, Chair; Arnold, Jager, O'Brien and Whitead.

House Study Bill 35

Judiciary: Davis, Chair; Doderer and Thomson.

House Study Bill 36

Judiciary: Baudler, Chair; Kettering and Parmenter.

House Study Bill 37

Judiciary: Sunderbruch, Chair; Chapman and Millage.

House Study Bill 38

Judiciary: Raecker, Chair; Davis and Shultz.

House Study Bill 39

Judiciary: Thomson, Chair; Baudler and Holveck.

House Study Bill 40

Judiciary: Kettering, Chair; Boddicker and Parmenter.

House Study Bill 41

Human Resources: Lord, Chair; Carroll and Witt.

House Study Bill 43

Human Resources: Martin, Chair; Blodgett and Bukta.

House Study Bill 44

Human Resources: Martin, Chair; Lord and Witt.

House Study Bill 45

Human Resources: Blodgett, Chair; Boal and Murphy.

House Study Bill 49

Commerce and Regulation: Jacobs, Chair; Holveck and Raecker.

House Study Bill 50

Commerce and Regulation: Dix, Chair; Jacobs and Wise.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 51 Economic Development**

Relating to the workforce development fund account and fees paid by community colleges and generated by the funding of new jobs training programs.

H.S.B. 52 Judiciary

Creating the new criminal offense of disarming a peace officer of a dangerous weapon.

H.S.B. 53 Judiciary

Relating to the maximum duration of a support order under a judgment of annulment, dissolution, or separate maintenance.

H.S.B. 54 Commerce and Regulation

Concerning unemployment insurance by providing for the distribution of certain moneys in the unemployment trust fund and the transfer of experience for unemployment insurance tax purposes.

H.S.B. 55 Commerce and Regulation

Relating to the use of net metering systems by certain facilities producing electrical energy and providing an effective date.

H.S.B. 56 Commerce and Regulation

Relating to retail sales permits, including fees, for certain tobacco products.

H.S.B. 57 Judiciary

Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities and providing effective dates and for retroactive applicability.

H.S.B. 58 Judiciary

Relating to confidentiality for certain taxpayer communications.

H.S.B. 59 Judiciary

Relating to notification of forfeited and cancelled mechanic's liens, challenging a mechanic's lien, and providing a remedy.

H.S.B. 60 Judiciary

Relating to operating watercraft while intoxicated, and providing penalties.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

JOURNAL OF THE HOUSE

Twenty-fourth Calendar Day - Fifteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 3, 1999

The House met pursuant to adjournment at 8:48 a.m., Speaker pro tempore Rants in the chair.

Prayer was offered by Reverend David Ruhe, pastor of Plymouth Congregational United Church of Christ, Des Moines.

The Journal of Tuesday, February 2, 1999 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Dix of Butler on request of Siegrist of Pottawattamie; Myers of Johnson, until his arrival, on request of Schrader of Marion.

INTRODUCTION OF BILLS

House File 190, by Davis, a bill for an act restricting the awarding of child visitation rights to a parent convicted of murder in the first degree of the other parent.

Read first time and referred to committee on **human resources**.

House File 191, by Garman, a bill for an act relating to the time period for continuation of insurance coverage under a group policy after the date such coverage would have ended because of termination of employment or membership.

Read first time and referred to committee on **commerce and regulation**.

House File 192, by Garman, a bill for an act relating to the age of personal watercraft operators, subjecting violators to a penalty, and providing an effective date.

Read first time and referred to committee on **natural resources**.

House File 193, by Garman, a bill for an act relating to the operational control of the state medical examiner.

Read first time and referred to committee on **state government**.

House File 194, by Brauns, Bell, Bradley, and Rayhons, a bill for an act relating to coverage under a policy or contract providing for third-party payment or prepayment of health or medical expenses by providing coverage for costs associated with equipment, supplies, and education for the treatment of diabetes.

Read first time and referred to committee on **commerce and regulation**.

House File 195, by Witt, a bill for an act relating to award eligibility based upon employment for national board for professional teaching standards registration and certification, and including an effective date and an applicability provision.

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

House File 196, by Witt, a bill for an act relating to tax exemption requirements for pollution-control property.

Read first time and referred to committee on **environmental protection**.

House File 197, by Witt, a bill for an act relating to the preservation of the Iowa state capitol.

Read first time and referred to committee on **state government**.

House File 198, by Taylor, a bill for an act relating to minimum wage requirements.

Read first time and referred to committee on **labor and industrial relations**.

House File 199, by committee on ways and means, a bill for an act relating to the taxation of certain sales of aircraft under the state sales, services, and use taxes.

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

House File 200, by Rayhons, a bill for an act relating to motorcycle rider education plates for motor vehicles.

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

House File 201, by Heaton, a bill for an act relating to prohibiting certain acts involving changes to a residential consumer's telecommunications services or telecommunications provider and providing penalties.

Read first time and referred to committee on **commerce and regulation**.

House File 202, by Heaton, a bill for an act relating to child day care provider education.

Read first time and referred to committee on **human resources**.

House File 203, by Bradley, Connors, and Sunderbruch, a bill for an act relating to the licensure or regulation of alarm system, bail enforcement, private investigative, or private security businesses, and providing a penalty.

Read first time and referred to committee on **state government**.

TEACHER OF THE DAY

Representative Thomson of Linn presented to the House, Dr. Clifford Ehlinger, executive director of Learning Support Services at Grant Wood Area Education Agency in Cedar Rapids.

CONSIDERATION OF BILLS

Regular Calendar

House File 165, a bill for an act including the preparation or compounding of a controlled substance for one's own use within the

definition of manufacturing a controlled substance, and providing an effective date, was taken up for consideration.

Davis of Wapello 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. 165)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cormack	Davis
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Hoffman	Holmes	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Rants, Presiding

The nays were, none.

Absent or not voting, 8:

Cohoon	Connors	Corbett, Spkr.	Dix
Ford	Heaton	Holveck	Myers

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 165** be immediately messaged to the Senate.

Senate File 47, a bill for an act relating to the classification of funding agreements issued by a life insurance company for purposes of the prioritization of claims against the assets of an insurer subject to supervision, rehabilitation, and liquidation, and including an effective date and a retroactive applicability provision, with report of committee recommending passage, was taken up for consideration.

Bradley of Clinton 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?" (S.F. 47)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cormack	Davis
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Hoffman	Holmes	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Rants, Presiding

The nays were, none.

Absent or not voting, 8:

Cohoon	Connors	Corbett, Spkr.	Dix
Ford	Heaton	Holveck	Myers

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 47** be immediately messaged to the Senate.

On motion by Siegrist of Pottawattamie, the House was recessed at 9:06 a.m., until 10:30 a.m.

LATE MORNING SESSION

The House reconvened at 10:40 a.m., Speaker pro tempore Rants in the chair.

INTRODUCTION OF BILL

House File 204, by Martin, Chiodo, Myers, Sukup, Brunkhorst, Ford, Kreiman, Jochum, Doderer, Dix, Thomson, Shoultz, Warnstadt, Foege, Schrader, Witt, Garman, Nelson, Gipp, Chapman, Klemme, Holmes, Grundberg, Boggess, Falck, Murphy, Richardson, Thomas, Cataldo, Holveck, Mascher, O'Brien, Fallon, Metcalf, Raecker, Houser, Parmenter, Kuhn, Weigél, Drees, and Osterhaus, a bill for an act relating to cigarettes and tobacco products by prohibiting that such products be given away and by prohibiting giving of other items as part of a sale of such cigarettes and tobacco products and making penalties applicable.

Read first time and referred to committee on **state government**.

CONSIDERATION OF BILL Ways and Means Calendar

House Joint Resolution 1, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the state budget by limiting state general fund expenditures and restricting certain state tax revenue changes, was taken up for consideration.

**SENATE JOINT RESOLUTION 1 SUBSTITUTED
FOR HOUSE JOINT RESOLUTION 1**

Larson of Linn asked and received unanimous consent to substitute Senate Joint Resolution 1 for House Joint Resolution 1.

Senate Joint Resolution 1, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the state budget by limiting state general fund expenditures and restricting certain state tax revenue changes, was taken up for consideration.

Shoultz of Black Hawk offered the following amendment H-1005 filed by Shoultz, et al., and moved its adoption:

H-1005

- 1 Amend Senate Joint Resolution 1, as passed by the
- 2 Senate, as follows:
- 3 1. Page 4, by striking lines 18 and 19, and
- 4 inserting the following: "Iowa at the general
- 5 election to be held on Tuesday, the 7th of November of
- 6 the year 2000, in the manner".

Roll call was requested by Shoultz of Black Hawk and Schrader of Marion.

On the question "Shall amendment H-1005 be adopted?" (S.J.R. 1)

The ayes were, 41:

Bell	Bukta	Burnett	Cataldo
Chapman	Chiodo	Cohoon	Connors
Doderer	Dotzler	Drees	Falck
Fallon	Foege	Ford	Frevert
Holveck	Huser	Jochum	Kreiman
Kuhn	Larkin	Mascher	May
Murphy	O'Brien	Osterhaus	Parmenter
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Stevens	Taylor	Thomas
Warnstadt	Weigel	Whitead	Wise
Witt			

The nays were, 56:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges

Bradley	Brauns	Brunkhorst	Carroll
Cormack	Davis	Dolecheck	Drake
Eddie	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Houser
Huseman	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Larson
Lord	Martin	Mertz	Metcalf
Millage	Mundie	Nelson	Raecker
Rayhons	Siegrist	Sukup	Sunderbruch
Teig	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Welter	Rants, Presiding

Absent or not voting, 3:

Corbett, Spkr. Dix Myers

Amendment H-1005 lost.

Jochum of Dubuque offered the following amendment H-1004 filed by her and moved its adoption:

H-1004

- 1 Amend Senate Joint Resolution 1, as passed by the
- 2 Senate, as follows:
- 3 1. Page 4, line 21, by inserting after the word
- 4 "Iowa." the following:
- 5 "To ensure that the special election is conducted
- 6 in a manner that is most economically and
- 7 administratively feasible, the special election shall
- 8 be conducted by mail ballot only in every county of
- 9 the state pursuant to a mail ballot election plan for
- 10 conduct of the special election prepared by the
- 11 Secretary of State in that officer's capacity as state
- 12 commissioner of elections. The mail ballot election
- 13 on this matter shall be conducted in such a way that
- 14 will ensure the secrecy of voters' ballots and will
- 15 prevent any voter's ballot from being distinguished
- 16 from the ballots of other voters. To the extent
- 17 applicable, all statutes which generally apply to
- 18 elections shall apply to the special mail ballot
- 19 election conducted to submit to the people the
- 20 amendments contained in this resolution."

Amendment H-1004 lost.

On motion by Siegrist of Pottawattamie, the House was recessed at 12:36 p.m., until 1:10 p.m. (Senate Joint Resolution 1 pending at recess.)

AFTERNOON SESSION

The House reconvened and resumed consideration of Senate Joint Resolution 1, at 1:18 p.m., Speaker pro tempore Rants in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-four members present, thirty-six absent.

SPECIAL PRESENTATION

Jochum of Dubuque presented to the House the honorable Bill Bradley, former United States Senator from New Jersey.

The House stood at ease at 2:20 p.m., until the fall of the gavel.

The House resumed session at 3:00 p.m., Speaker pro tempore Rants in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Schrader of Marion on request of Myers of Johnson.

Larson of Linn moved that the joint resolution be read a last time now and placed upon its adoption which motion prevailed and the joint resolution was read a last time.

Senate Joint Resolution 1, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the state budget by limiting state general fund expenditures and restricting certain state tax revenue changes.

Be It Resolved By The General Assembly Of The State Of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

The Constitution of the State of Iowa is amended by adding the following new section to new Article XIII:

ARTICLE XIII.
EXPENDITURE LIMITATION.

GENERAL FUND EXPENDITURE LIMITATION. Section 1.

1. For the purposes of this section:

a. "Adjusted revenue estimate" means the most recent revenue estimate determined before January 1, or a later and lesser revenue estimate determined before adjournment of the regular session of the General Assembly, for the general fund for the following fiscal year as determined by a revenue estimating conference which shall be established by the General Assembly by law, adjusted by subtracting estimated refunds payable from that estimated revenue and adding any available surplus in accordance with subsection 5.

b. "General fund" means the principal operating fund of the state which shall be established by the General Assembly by law.

c. "New revenues" means moneys which are received by the state due to increased tax rates or fees or newly created taxes or fees over and above those moneys which are received due to state taxes or fees which are in effect as of January 1 following the most recent state revenue estimating conference. "New revenues" also includes moneys received by the general fund due to new transfers over and above those moneys received by the general fund due to transfers which are in effect as of January 1 following the most recent state revenue estimating conference. The state revenue estimating conference shall determine the eligibility of transfers to the general fund which are to be considered as new revenue in determining the state general fund expenditure limitation.

2. A state general fund expenditure limitation is created and calculated in subsection 3, for each fiscal year beginning on or after July 1 following the effective date of this section.

3. Except as otherwise provided in this section, the state general fund expenditure limitation for a fiscal year shall be ninety-nine percent of the adjusted revenue estimate.

4. The state general fund expenditure limitation shall be used by the Governor in the preparation of the budget and by the General Assembly in the budget process. If a new revenue source is proposed, the budget revenue projection used for that new revenue source for the period beginning on the effective date of the new revenue source and ending in the fiscal year in which the source is included in the adjusted revenue estimate shall be ninety-five percent of the amount remaining after subtracting estimated refunds payable from the projected revenue from that source. If a new revenue source is established and implemented, the original state general fund expenditure limitation amount provided for in subsection 3 shall be readjusted to include ninety-five percent of the estimated revenue from that source.

5. Any surplus existing at the end of a fiscal year which exceeds ten percent of the adjusted revenue estimate of that fiscal year shall be included in the adjusted revenue estimate for the following fiscal year. Any surplus equal to ten percent or less of the adjusted revenue estimate of the fiscal year may be included in the adjusted revenue estimate for the following fiscal year if approved in a bill receiving the affirmative votes of at least three-fifths of the whole membership of each house of the General Assembly. For purposes of this section, "surplus" means the cumulative excess of revenues and other financing sources over expenditures and other financing uses for the general fund at the end of a fiscal year.

6. The scope of the expenditure limitation under subsection 3 shall not include federal funds, donations, constitutionally dedicated moneys, and moneys in expenditures from a state retirement system.

7. The Governor shall submit and the General Assembly shall pass a budget which does not exceed the state general fund expenditure limitation.

8. The Governor shall not submit and the General Assembly shall not pass a budget which in order to balance assumes reversion of any part of the total of the appropriations included in the budget.

9. The state shall use consistent standards, in accordance with generally accepted accounting principles, for all state budgeting and accounting purposes.

10. The General Assembly shall enact laws to implement this section.

Sec. 2. The following amendment to the Constitution of the State of Iowa is proposed:

The Constitution of the State of Iowa is amended by adding the following new sections to new Article XIII:

**ARTICLE XIII.
THREE-FIFTHS MAJORITY FOR TAX LAW CHANGES.**

THREE-FIFTHS MAJORITY TO INCREASE TAXES. Section 1. A bill containing provisions enacting, amending, or repealing the state income tax or enacting, amending, or repealing the state sales and use taxes, in which the aggregate fiscal impact of those provisions relating to those taxes results in a net increase in state tax revenues, as determined by the General Assembly, shall require the affirmative votes of at least three-fifths of the whole membership of each house of the General Assembly for passage. This section does not apply to income tax or sales and use taxes imposed at the option of a local government.

THREE-FIFTHS MAJORITY TO ENACT NEW STATE TAX. Sec. 2. A bill that establishes a new state tax to be imposed by the state shall require the affirmative votes of at least three-fifths of the whole membership of each house of the General Assembly for passage.

ENFORCEMENT OF THREE-FIFTHS MAJORITY REQUIREMENT. Sec. 3. A lawsuit challenging the proper enactment of a bill pursuant to section 1 or 2 shall be filed no later than one year following the enactment. Failure to file such a lawsuit within the one-year time limit shall negate the three-fifths majority requirement as it applies to the bill. Each bill to which section 1 or 2 applies shall include a separate provision describing the requirements for enactment prescribed by section 1 or 2.

IMPLEMENTATION. Sec. 4. The General Assembly shall enact laws to implement sections 1 through 3.

Sec. 3. The foregoing proposed amendments to the Constitution of the State of Iowa, having been adopted and agreed to by the Seventy-seventh General Assembly, 1998 Session, thereafter duly published, and now adopted and agreed to by the Seventy-eighth General Assembly in this joint resolution, shall be submitted to the people of the State of Iowa at a special election called for that purpose to be held on Tuesday, the 29th of June of the year 1999, in the manner required by the Constitution of the State of Iowa and the laws of the State of Iowa.

Rule 75 was invoked.

On the question "Shall the joint resolution be adopted and agreed to?" (S.J.R. 1)

The yeas were, 57:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Carroll
Corbett, Spkr.	Cormack	Davis	Dolecheck
Drake	Eddie	Garman	Gipp
Greiner	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Houser
Huseman	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Larson
Lord	Martin	Mertz	Metcalf
Millage	Mundie	Nelson	Raecker
Rayhons	Siegrist	Sukup	Sunderbruch
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Welter
Rants, Presiding			

The nays were, 40:

Bell	Bukta	Burnett	Cataldo
Chiodo	Cohoon	Connors	Doderer
Dotzler	Drees	Falk	Fallon
Foege	Ford	Frevert	Grundberg
Holveck	Huser	Jochum	Kreiman
Kuhn	Larkin	Mascher	May
Murphy	Myers	O'Brien	Osterhaus
Parmenter	Reynolds	Richardson	Scherrman

Shoultz
Weigel

Stevens
Whitead

Taylor
Wise

Warnstadt
Witt

Absent or not voting, 3:

Chapman

Dix

Schrader

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate Joint Resolution 1** be immediately messaged to the Senate.

HOUSE JOINT RESOLUTION 1 WITHDRAWN

Larson of Linn asked and received unanimous consent to withdraw House Joint Resolution 1 from further consideration by the House.

RULES SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend the rules for an education standing committee meeting Thursday, February 4, 1999 at 12:45 p.m.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on February 3, 1999. Had I been present, I would have voted "aye" on House File 165, Senate Joint Resolution 1 and Senate File 47.

DIX of Butler

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

DEPARTMENT OF HUMAN SERVICES

The "Study of State Institution - Cost Recovery Report," pursuant to Chapter 1155, 1998 Acts of the Seventy-seventh General Assembly.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\106 Alma and Bart Leavens, Newton – For celebrating their 65th wedding anniversary.
- 1999\107 Helen Johannsen, Denison – For celebrating her 80th birthday.
- 1999\108 Esther Jochimsen, Charter Oak – For celebrating her 86th birthday.
- 1999\109 Leona Pautsch, Charter Oak – For celebrating her 93rd birthday.
- 1999\110 Edna Kragel, Charter Oak – For celebrating her 84th birthday.
- 1999\111 Margaret “Maggie” Remmes, Charter Oak – For celebrating her 82nd birthday.
- 1999\112 Lois and Richard Butler, Charter Oak – For celebrating their 50th wedding anniversary.
- 1999\113 Willis Dake, Vinton – For celebrating his 90th birthday.
- 1999\114 Ruth Albers, Keystone – For celebrating her 80th birthday.
- 1999\115 Ruby Schwarting, Vinton – For celebrating her 80th birthday.
- 1999\116 Nadine and Robert Hanneman, Vinton – For celebrating their 50th wedding anniversary.
- 1999\117 Georgina Horstman, Elkader – For celebrating her 80th birthday.
- 1999\118 Clara and Edmond Olson, Madrid – For celebrating their 68th wedding anniversary.
- 1999\119 Mary and Jim Mahoney, Nashua – For celebrating their 50th wedding anniversary.
- 1999\120 Gladys Ruble, Indianola – For celebrating her 90th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 79 Reassigned

Ways and Means: Lord, Chair; Raecker and Weigel.

House File 166

Human Resources: Grundberg, Chair; Foege and Martin.

House File 170

Human Resources: Boddicker, Chair; Carroll and Reynolds.

House File 173

Human Resources: Carroll, Chair; Lord and Murphy.

House File 183

Human Resources: Boal, Chair; Bukta and Lord.

House File 193

State Government: Holmes, Chair; Jager, Metcalf, O'Brien and Whitead.

House File 197

State Government: Gipp, Chair; Brauns, Chiodo, Connors and Jager.

House File 200

Transportation: Rayhons, Chair; Huser and Van Engelenhoven.

House File 203

State Government: Bradley, Chair; Cataldo, Connors, Davis and Van Engelenhoven.

House File 204

State Government: Martin, Chair; Brauns, Chiodo, Connors and Houser.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 51**

Economic Development: Nelson, Chair; Cormack and Dotzler.

House Study Bill 52

Judiciary: Raecker, Chair; Baudler and Bell.

House Study Bill 53

Judiciary: Boddicker, Chair; Chapman and Raecker.

House Study Bill 54

Commerce and Regulation: Holmes, Chair; Doderer and Jenkins.

House Study Bill 55

Commerce and Regulation: Jenkins, Chair; Bradley and Osterhaus.

House Study Bill 56

Commerce and Regulation: Raecker, Chair; Jenkins and Osterhaus.

House Study Bill 57

Judiciary: Larson, Chair; Kreiman and Sunderbruch.

House Study Bill 58

Judiciary: Millage, Chair; Parmenter and Sukup.

House Study Bill 59

Judiciary: Sukup, Chair; Kreiman and Millage.

House Study Bill 60

Judiciary: Thomson, Chair; Kreiman and Raecker.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 61 State Government**

Relating to veterans' benefits, veterans preference, veterans' claims, reimbursement for military service tax exemption, and providing a penalty, effective date, and applicability date.

H.S.B. 62 State Government

Concerning nonsubstantive gender-related provisions in the Code.

H.S.B. 63 Natural Resources

Relating to the operation, regulation, and equipment of watercraft, establishing watercraft safety courses, and subjecting violators to a penalty.

H.S.B. 64 State Government

Eliminating requirements for a pollution hotline.

H.S.B. 65 State Government

Relating to the notice provisions for transfer of assets which create a medical assistance debt.

H.S.B. 66 State Government

Increasing the minimum daily pay for members of the Iowa national guard while in state active service.

H.S.B. 67 State Government

To permit the public inspection and copying of certain information containing personnel and payroll records pertaining to government officers, officials, and employees.

H.S.B. 68 State Government

Relating to confidentiality of voter registration information.

H.S.B. 69 Natural Resources

Relating to the assessment of civil damages for the illegal taking of a swan or a crane.

H.S.B. 70 Natural Resources

Relating to the designation of endangered and threatened species of fish, plants, or wildlife and providing civil and criminal penalties for illegal acts affecting endangered or threatened species of fish, plants, or wildlife.

H.S.B. 71 Labor and Industrial Relations

Relating to employer liability for unemployment compensation benefits paid as a result of a disaster.

H.S.B. 72 Agriculture

Relating to livestock marketing contracts and providing penalties.

H.S.B. 73 Economic Development

Relating to the new investment tax credit under the new jobs and income program.

H.S.B. 74 Economic Development

Relating to the creation of a recruiting our own targeted students loan repayment program and fund under the control of the college student aid commission.

H.S.B. 75 Economic Development

Establishing the community attraction and tourism development program and fund, making an appropriation, and providing an effective date.

H.S.B. 76 Ways and Means

Providing an exemption from the state sales and use taxes for certain equipment used in transporting telecommunications services.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON ETHICS

Committee Resolution, a resolution relating to the House code of ethics.

Fiscal Note is not required.

Recommended Amend and Do Pass February 3, 1999.

Committee Resolution, a resolution relating to the rules governing lobbyists in the House of Representatives.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 3, 1999.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 117), relating to increasing the penalty for eluding or attempting to elude an official law enforcement vehicle.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 2, 1999.

Committee Bill (Formerly House Study Bill 5), relating to the exclusion of certain transactions under the business opportunities law and providing effective and retroactive applicability dates.

Fiscal Note is not required.

Recommended **Do Pass** February 2, 1999.

Committee Bill (Formerly House Study Bill 35), relating to crime victim rights.

Fiscal Note is not required.

Recommended **Do Pass** February 2, 1999.

RESOLUTIONS FILED

HR 5, by committee on ethics, a resolution relating to the House code of ethics.

Laid over under **Rule 25**.

HR 6, by committee on ethics, a resolution relating to the rules governing lobbyists in the House of Representatives.

Laid over under **Rule 25**.

On motion by Siegrist of Pottawattamie the House adjourned at 3:53 p.m., until 8:45 a.m., Thursday, February 4, 1999.

JOURNAL OF THE HOUSE

Twenty-fifth Calendar Day - Sixteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 4, 1999

The House met pursuant to adjournment at 8:48 a.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Doug Helton, pastor of Calvary Baptist Church, St. Charles.

The Journal of Wednesday, February 3, 1999 was approved.

INTRODUCTION OF BILLS

House File 205, by Carroll, a bill for an act concerning persons serving as locally elected governmental officials and the removal of certain retirement disincentives to such service.

Read first time and referred to committee on **local government**.

House File 206, by Dix, a bill for an act prohibiting reading while driving a vehicle and providing a penalty.

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

House File 207, by Carroll, a bill for an act relating to the exclusion of certain transfers from real estate disclosure requirements.

Read first time and referred to committee on **commerce and regulation**.

House File 208, by Arnold, Dolecheck, Reynolds, Kreiman, and Davis, a bill for an act establishing a southern Iowa development and conservation authority, specifying membership, powers, and duties, creating a southern Iowa development and conservation fund, and providing for other properly related matters.

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

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

DEPARTMENT OF EDUCATION

The Iowa Communication Network usage reports for the Department of Education including separate reports for Iowa Public Television and the Division of Vocational Rehabilitation Services, pursuant to Chapters 256.84 and 259.5, Code of Iowa.

DEPARTMENT OF TRANSPORTATION
Planning and Programming Division

The 1998 Annual Report of the Iowa Railway Finance Authority, pursuant to Chapter 327I.8(6), Code of Iowa.

MUNICIPAL FIRE & POLICE RETIREMENT SYSTEM OF IOWA

The Annual Report, pursuant to Chapter 411.5, Code of Iowa.

UNIVERSITY OF IOWA

The Annual Report, pursuant to Chapter 262.93, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\121 Daisy Hunter, Boone – For celebrating her 100th birthday.
- 1999\122 Ada and Arnold Sprecher, Ogden – For celebrating their 60th wedding anniversary.
- 1999\123 Leona and Lester Freeman, Boxholm – For celebrating their 66th wedding anniversary.
- 1999\124 Anya Jepson, Glidden – For receiving a Prudential Spirit of Community Award.
- 1999\125 Veva and Forrest Hodgson, Mason City – For celebrating their 67th wedding anniversary.
- 1999\126 Stephanie Vinton, Glenwood – For receiving a Prudential Spirit of Community Award.

1999\127 Shirley and Don Larson, Ottumwa – For celebrating their 50th wedding anniversary.

1999\128 Marilyn and Robert Overturf, Ottumwa – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 169

Ways and Means: Van Fossen, Chair; Drake and Osterhaus.

House File 176

State Government: Jager, Chair; Arnold and Taylor.

House File 177

State Government: Gipp, Chair; Connors, Houser, Jacobs and O'Brien.

House File 187

Commerce and Regulation: Metcalf, Chair; Doderer and Hoffman.

House File 188

Labor and Industrial Relations: Horbach, Chair; Dotzler and Hoffman.

House File 189

Commerce and Regulation: Hoffman, Chair; Chiodo and Jacobs.

House File 190

Human Resources: Davis, Chair; Hahn and Kreiman.

House File 191

Commerce and Regulation: Hoffman, Chair; Chiodo and Jacobs.

House File 194

Commerce and Regulation: Bradley, Chair; Doderer and Metcalf.

House File 198

Labor and Industrial Relations: Horbach, Chair; Falck and Hoffman.

House File 201

Commerce and Regulation: Raecker, Chair; Chapman and Johnson.

House File 202

Human Resources: Boal, Chair; Barry and Foegel.

House File 206

Transportation: Weidman, Chair; Brauns and Thomas.

House File 207

Commerce and Regulation: Jacobs, Chair; Holmes and Weigel.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 27**

State Government: Jacobs, Chair; Arnold, Cataldo, Davis, Holmes, Jochum and Reynolds.

House Study Bill 28

State Government: Jacobs, Chair; Arnold, Chiodo, Davis, Holmes, Jochum and Reynolds.

House Study Bill 61

State Government: Gipp, Chair; Connors, Houser, Jacobs and O'Brien.

House Study Bill 62

State Government: Metcalf, Chair; Brauns, Connors, Jager and Taylor.

House Study Bill 64

State Government: Arnold, Chair; Brauns, Metcalf, Taylor and Whitead.

House Study Bill 65

State Government: Houser, Chair; Chiodo, Jager, Taylor and Van Engelenhoven.

House Study Bill 66

State Government: Gipp, Chair; Connors, Houser, Jacobs and O'Brien.

House Study Bill 67

State Government: Brauns, Chair; Davis, Houser, O'Brien and Whitead.

House Study Bill 68

State Government: Jacobs, Chair; Arnold, Cataldo, Davis, Holmes, Jochum and Reynolds.

House Study Bill 71

Labor and Industrial Relations: Raecker, Chair; Dotzler and Horbach.

House Study Bill 72

Agriculture: Klemme, Chair; Horbach and May.

House Study Bill 73

Economic Development: Hoffman, Chair; O'Brien and Van Fossen.

House Study Bill 74

Economic Development: Heaton, Chair; Boggess, Cohoon, Dolecheck and May.

House Study Bill 75

Economic Development: Cormack, Chair; Horbach, Stevens, Teig and Witt.

House Study Bill 76

Ways and Means: Raecker, Chair; Drake and Shoultz.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 77 Education**

Relating to the establishment of an Iowa early intervention program, and making appropriations.

H.S.B. 78 Agriculture

Providing for an emergency assistance linked deposit program for swine producers, and providing an effective date.

H.S.B. 79 Commerce and Regulation

Relating to telecommunications systems or services which may be provided by a city utility, establishing certain requirements on such city, and including effective date and retroactive applicability provisions.

H.S.B. 80 Local Government

Relating to the classification of county bridges on secondary roads as an essential corporate purpose for bonding purposes.

On motion by Siegrist of Pottawattamie the House adjourned at 8:55 a.m., until 9:00 a.m., Friday, February 5, 1999.

JOURNAL OF THE HOUSE

Twenty-sixth Calendar Day - Seventeenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 5, 1999

The House met pursuant to adjournment at 9:00 a.m., Heaton of Henry in the chair.

Prayer was offered by Jill Beni, clerk of the honorable State Representative Dave Heaton of Henry County.

The Journal of Thursday, February 4, 1999 was approved.

INTRODUCTION OF BILLS

House File 209, by committee on judiciary, a bill for an act relating to increasing the penalty for eluding or attempting to elude an official law enforcement vehicle.

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

House File 210, by committee on judiciary, a bill for an act relating to the exclusion of certain transactions under the business opportunities law and providing effective and retroactive applicability dates.

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

House File 211, by Carroll, a bill for an act relating to notification requirements associated with the perfection of mechanics' liens by a person furnishing labor or materials to a subcontractor, and providing an effective date.

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

House File 212, by Huser, Gipp, Thomas, Falck, Sunderbruch, Teig, and Jager, a bill for an act relating to townships and township officers and the powers and duties of township trustees relating to budgets and finances.

Read first time and referred to committee on **local government**.

House File 213, by Richardson, a bill for an act specifying lighting equipment for snowplows, regulating snowplow operations, and making penalties applicable.

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

House File 214, by O'Brien, a bill for an act relating to making technology adopted and purchased by a school district under the school improvement technology program available to students of accredited nonpublic schools.

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

House File 215, by Larson, Osterhaus, Thomson, Tyrrell, Dolecheck, Sunderbruch, Lord, Boal, Thomas, Davis, Brunkhorst, Welter, Baudler, Bell, and Mundie, a bill for an act relating to drug and alcohol testing of students by schools.

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

House File 216, by Weigel, a bill for an act delaying the required dates for certification of manure applicators, and providing an effective date.

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

House File 217, by Kreiman, a bill for an act relating to the maximum fine for knowingly trespassing on the property of another person.

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

House File 218, by Barry, a bill for an act creating a loess hills preservation and development alliance, providing for its powers and duties, and providing for other properly related matters.

Read first time and referred to committee on **natural resources**.

House File 219, by Scherrman and Frevert, a bill for an act relating to confinement feeding operations by providing for the siting of certain operations, imposing requirements relating to construction permits, and making penalties applicable.

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

House File 220, by Scherrman, a bill for an act suspending the assessment imposed on the sale of porcine animals based on market prices.

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

House File 221, by Thomas, a bill for an act providing for the equalization of the regular physical plant and equipment levy, and making an appropriation.

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

House File 222, by committee on judiciary, a bill for an act relating to crime victim rights.

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

House File 223, by Brunkhorst and Dix, a bill for an act relating to pipelines, interstate natural gas pipelines, and hazardous liquid pipelines, and the restoration of agricultural lands, making penalties applicable, and providing an effective date.

Read first time and referred to committee on **natural resources**.

House File 224, by Dix, a bill for an act relating to qualifications of commissioners for a city, county, or joint memorial hospital.

Read first time and referred to committee on **local government**.

House File 225, by Dix, a bill for an act relating to regulations adopted by local authorities regulating the turning of vehicles at and between intersections.

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

House File 226, by Dolecheck and Richardson, a bill for an act establishing an on-site sewage disposal system assistance program and revolving fund and making an appropriation.

Read first time and referred to committee on **environmental protection**.

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 February 4, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 53, a bill for an act relating to the date of the annual sale of parcels with delinquent property taxes and providing an effective and applicability date.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 53, by committee on local government, a bill for an act relating to the date of the annual sale of parcels with delinquent property taxes and providing an effective and applicability date.

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

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 4, 1999, he approved and transmitted to the Secretary of State the following bills:

House File 146, an act relating to the establishment of the state percent of growth for purposes of the state school foundation program, and providing an applicability date.

House File 147, an act providing additional funding for certain school districts that have either decreasing or increasing enrollments by extending the regular program district cost guarantee and by providing on-time funding, making an appropriation, and providing effective and applicability dates.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

CENTER FOR AGRICULTURAL SAFETY AND HEALTH

The 1998 Annual Report, pursuant to Chapter 262.78(6), Code of Iowa.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 77

Education: Grundberg, Chair; Carroll, Eddie, Mascher and Wise.

On motion by Gipp of Winneshiek the House adjourned at 9:10 a.m., until 1:00 p.m., Monday, February 8, 1999.

JOURNAL OF THE HOUSE

Twenty-ninth Calendar Day - Eighteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 8, 1999

The House met pursuant to adjournment at 1:10 p.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Larry Prosser, pastor of Russell Methodist Church, Russell.

The Journal of Friday, February 5, 1999 was approved.

THE PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Linn-Mar SODA Group (Students O.K. Without Drugs and Alcohol) from Linn-Mar High School, Marion.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Larson of Linn, Sukup of Franklin, Blodgett of Cerro Gordo, Barry of Harrison and Raecker of Polk, until their arrival, and Grundberg of Polk for the day, on request of Siegrist of Pottawattamie; Myers of Johnson on request of Schrader of Marion.

INTRODUCTION OF BILLS

House File 227, by Scherrman, a bill for an act relating to the retention of identification cards of persons while in premises licensed for the sale and consumption of alcoholic beverages.

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

House File 228, by Wise, Nelson, Foege, Warnstadt, Mascher, Thomas, Falck, and Stevens, a bill for an act relating to the calculation of a member's average covered wage for purposes of determining retirement benefits under the Iowa public employees' retirement system.

Read first time and referred to committee on **state government**.

House File 229, by Witt, a bill for an act exempting the seller of a portable water device or assembly from the requirements and the penalties of the consumer fraud law.

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

House File 230, by Witt and Boddicker, a bill for an act relating to certain alleged violations of no-contact orders in domestic abuse cases.

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

House File 231, by Kreiman, a bill for an act relating to directory assistance for state government telephone numbers.

Read first time and referred to committee on **state government**.

CONSIDERATION OF BILLS Regular Calendar

House File 38, a bill for an act eliminating references to an obsolete federal requirement relating to the attachment of an adoption information form to an adoption petition and decree, with report of committee recommending passage, was taken up for consideration.

Lord of Dallas 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. 38)

The ayes were, 88:

Alons	Arnold	Baudler	Bell
Boal	Boddicker	Bogges	Bradley
Brauns	Brunkhorst	Bukta	Burnett
Carroll	Cataldo	Chapman	Chiodo
Cohoon	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon

Foege	Frevert	Garman	Gipp
Greiner	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Lord	Martin	May	Mertz
Metcalf	Millage	Mundie	Murphy
Nelson	O'Brien	Osterhaus	Parmenter
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Whitead	Wise	Witt	Mr. Speaker Corbett

The nays were, none.

Absent or not voting, 12:

Barry	Blodgett	Connors	Ford
Grundberg	Houser	Larson	Mascher
Myers	Raecker	Sukup	Welter

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

ADOPTION OF SENATE CONCURRENT RESOLUTION 2

Carroll of Poweshiek called up for consideration Senate Concurrent Resolution 2, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-eighth general assembly and moved its adoption as follows:

- 1 Senate Concurrent Resolution 2
- 2 By Committee On Rules And Administration
- 3 A Concurrent Resolution relating to the compensation
- 4 of chaplains, officers and employees of the ~~seventy-seventh~~
- 5 ~~seventy-eighth~~ general assembly.
- 6 *Whereas*, section 2.11 of the Code provides that
- 7 "The compensation of the chaplains, officers, and
- 8 employees of the general assembly shall be fixed by
- 9 joint action of the house and senate by resolution at
- 10 the opening of each session, or as soon thereafter as
- 11 conveniently can be done.", *Now Therefore*,
- 12 *Be It Resolved By The Senate, The House Concurring*,
- 13 That the compensation for the following officers for
- 14 the period commencing ~~January 13, 1997~~ January 11,

15 ~~1999~~ and ending ~~January 11, 1999~~ January 8, 2001,
 16 shall be within the following ranges:
 17 Secretary of the Senate and Chief
 18 Clerk of the House. \$46,847 to \$80,849
 19 \$49,700 to \$85,772
 20 Within the indicated ranges the exact compensation
 21 shall be set or adjusted for the senate officers by
 22 the senate rules and administration committee and for
 23 the house officers by the house administration and
 24 rules committee. The committees shall report the
 25 exact compensation assigned to each position on the
 26 next legislative day, or, if such action is during the
 27 interim, on the first day the senate or house shall
 28 convene. Any action by the senate or house to
 29 disapprove or amend the report shall be effective the
 30 day after the action.

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1 *Be It Further Resolved*, That the compensation of
 2 the employees of the ~~seventy-seventh~~ seventy-eighth
 3 general assembly is set, effective from January 13,
 4 1997 ~~January 11, 1999~~, until ~~January 11, 1999~~ January
 5 8, 2001, in accordance with the following salary
 6 schedule:

7	#8	#9	#10	#11	#12
8	\$12,688.00	\$13,332.80	\$13,998.40	\$14,705.60	\$15,454.40
9	6.10	6.41	6.73	7.07	7.43
10					
11	#13	#14	#15	#16	#17
12	\$16,203.20	\$17,056.00	\$17,971.20	\$18,865.60	\$19,718.40
13	7.79	8.20	8.64	9.07	9.48
14					
15	#18	#19	#20	#21	#22
16	\$20,654.40	\$21,632.00	\$22,734.40	\$23,774.40	\$24,939.20
17	9.93	10.40	10.93	11.43	11.99
18					
19	#23	#24	#25	#26	#27
20	\$26,166.40	\$27,352.00	\$28,724.80	\$30,056.00	\$31,512.00
21	12.58	13.15	13.81	14.45	15.15
22					
23	#28	#29	#30	#31	#32
24	\$33,051.20	\$34,632.00	\$36,296.00	\$38,064.00	\$39,832.00
25	15.89	16.65	17.45	18.30	19.15
26					
27	#33	#34	#35	#36	#37
28	\$41,808.00	\$43,763.20	\$45,864.00	\$48,068.80	\$50,398.40
29	20.10	21.04	22.05	23.11	24.23
30					

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1	#38	#39	#40	#41	#42
2	\$52,700.40	\$55,348.80	\$58,032.00	\$60,798.40	\$63,752.00
3	25.38	26.61	27.90	29.23	30.65
4					
5	#43	#44	#45	#46	#47
6	\$66,747.20	\$70,012.80	\$73,361.60	\$76,856.00	\$80,537.60
7	32.09	33.66	35.27	36.95	38.72
8					
9	#10	#11	#12	#13	#14
10	\$14,851.20	\$15,600.00	\$16,390.40	\$17,180.80	\$18,096.00
11	7.14	7.50	7.88	8.26	8.70
12					
13	#15	#16	#17	#18	#19
14	\$19,073.60	\$20,009.60	\$20,904.00	\$21,923.20	\$22,942.40
15	9.17	9.62	10.05	10.54	11.03
16					
17	#20	#21	#22	#23	#24
18	\$24,128.00	\$25,209.60	\$26,457.60	\$27,768.00	\$29,016.00
19	11.60	12.12	12.72	13.35	13.95
20					
21	#25	#26	#27	#28	#29
22	\$30,472.00	\$31,886.40	\$33,425.60	\$35,068.80	\$36,732.80
23	14.65	15.33	16.07	16.86	17.66
24					
25	#30	#31	#32	#33	#34
26	\$38,500.80	\$40,393.60	\$42,244.80	\$44,345.60	\$46,425.60
27	18.51	19.42	20.31	21.32	22.32
28					
29	#35	#36	#37	#38	#39
30	\$48,651.20	\$50,980.80	\$53,476.80	\$55,993.60	\$58,718.40

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1	23.39	24.51	25.71	26.92	28.23
2					
3	#40	#41	#42	#43	#44
4	\$61,568.00	\$64,500.80	\$67,641.60	\$70,803.20	\$74,276.80
5	29.60	31.01	32.52	34.04	35.71
6					
7	#45	#46	#47	#48	#49
8	\$77,833.60	\$81,536.00	\$85,446.40	\$91,395.20	\$95,950.40
9	37.42	39.20	41.08	43.94	46.13

10 In this schedule, each numbered block shall be the
11 yearly and hourly compensation for the pay grade of
12 the number heading the block. Within each grade there
13 shall be six steps numbered "1" through "6". In the
14 above schedule the steps for all grades are determined
15 in the following manner. Each numbered block is
16 counted as the "1" step for that grade. The next
17 higher block is counted as the "2" step; the next

18 higher block is the "3" step; the next higher block is
19 the "4" step; the next higher block is the "5" step;
20 the next higher block is the "6" step.

21 All employees shall be available to work daily
22 until completion of the senate's and house of
23 representatives' business. The employee's division
24 supervisor shall schedule all employees' working hours
25 to, as far as possible, maintain regular working
26 hours.

27 All employees, other than those designated "part-
28 time" shall be compensated for 40 hours of work in a
29 one-week pay period. Secretaries to senators and
30 representatives are presumed to have 40 hours of work

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1 each week the legislature is in session and shall be
2 paid only on that basis. Except for the personnel
3 designated to the contrary in this resolution,
4 employees who are required to work in excess of 40
5 hours in a one-week pay period shall either be
6 compensated at a rate of pay equal to one and one-half
7 times the hourly pay provided in this resolution or
8 allowed compensatory time off at a rate of one and
9 one-half hours for each hour of overtime.

10 The following personnel shall not be paid an
11 overtime premium:

12 Secretary of the Senate
13 Chief Clerk of the House
14 Assistant Secretary of the Senate
15 Assistant Chief Clerk of the House
16 Senate Legal Counsel
17 House Legal Counsel
18 Finance Officer
19 Senior Finance Officer
20 Senior Journal Editor
21 All Administrative Assistants
22 All Research Analysts
23 All Research Assistants
24 All Secretaries to Senators and Representatives
25 All Caucus Staff Directors
26 All Caucus Secretaries
27 Administrative, Executive, and Confidential
28 Secretaries to President, Speaker, Leader or
29 Secretary of Senate or Chief Clerk of House
30 This list may be modified pursuant to the annual

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1 review authorized in this resolution.
2 *Be It Further Resolved*, That part-time employees
3 shall be compensated at the scheduled hourly rate for

4 their pay grade and step.

5 *Be It Further Resolved*, That compensatory time off
6 shall be granted to employees not eligible for the
7 overtime premium in a uniform manner for all
8 legislative employees as determined by the legislative
9 council.

10 *Be It Further Resolved*, That in the event the
11 salary schedule for employees of the State of Iowa as
12 promulgated by the personnel commission pursuant to
13 section 19A.9, subsection 2, Code ~~1997~~ 1999, is
14 revised upward at any time during the ~~seventy-seventh~~
15 seventy-eighth general assembly, such revised schedule
16 shall simultaneously be adopted for the compensation
17 of the employees of the ~~seventy-seventh~~ seventy-eighth
18 general assembly assigned a grade by this resolution.
19 The pay ranges of those positions specifically listed
20 on page one of this resolution shall be automatically
21 adjusted to reflect any cost of living increases
22 granted to those employees not included in the
23 collective bargaining agreements made final under
24 chapter 20 of the Code and increases provided by the
25 legislative council for agency directors.

26 *Be It Further Resolved*, That adjustments in the
27 positions and compensation listed in this resolution
28 may be made through an annual interim review of all
29 legislative employees for internal equity and to
30 assure compliance with appropriate legal standards for

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1 granting of overtime and compensatory time off. Such
2 review shall be conducted by a legislative committee
3 made up of members of the service committee of
4 legislative council and the appropriate salary
5 subcommittees of the senate and house. Only one such
6 review may be done in any fiscal year and adjustments
7 suggested must be approved by the appropriate hiring
8 body.

9 *Be It Further Resolved*, That the employees of the
10 ~~seventy-seventh~~ seventy-eighth general assembly be
11 placed in the following pay grades:

12	Employees Of The House	
13	Sr. Assistant Chief Clerk of the House	Grade 41
14	Assistant Chief Clerk of the House III.....	Grade 38
15	Assistant Chief Clerk of the House II.....	Grade 35
16	Assistant Chief Clerk of the House I	Grade 32
17	Legal Counsel II	Grade 35
18	Legal Counsel I.....	Grade 32
19	Legal Counsel.....	Grade 30
20	Sr. Caucus Staff Director	Grade 41
21	Caucus Staff Director.....	Grade 38
22	Administrative Assistant to Leader	

23	or Speaker	Grade 27
24	Administrative Assistant I to Leader	
25	or Speaker	Grade 29
26	Administrative Assistant II to Leader	
27	or Speaker	Grade 32
28	Administrative Assistant III to Leader	
29	or Speaker	Grade 35
30	Sr. Administrative Assistant to	

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1	Leader or Speaker	Grade 38
2	Research Assistant	Grade 24
3	Legislative Research Analyst	Grade 27
4	Legislative Research Analyst I	Grade 29
5	Legislative Research Analyst II	Grade 32
6	Legislative Research Analyst III	Grade 35
7	Sr. Legislative Research Analyst	Grade 38
8	Secretary to Leader or Speaker	Grade 19
9	Caucus Secretary	Grade 21
10	Senior Caucus Secretary	Grade 24
11	Administrative Secretary to Leader,	
12	Speaker, or Chief Clerk	Grade 21
13	Executive Secretary to Leader,	
14	Speaker or Chief Clerk	Grade 24
15	Confidential Secretary to Leader,	
16	Speaker, or Chief Clerk	Grade 27
17	Confidential Secretary II to Leader, Speaker	
18	or Chief Clerk	Grade 32
19	Clerk to Chief Clerk	Grade 16
20	Supervisor of Secretaries	Grade 21
21	Supervisor of Secretaries I	Grade 24
22	Supervisor of Secretaries II	Grade 27
23	Senior Editor	Grade 30
24	Editor II	Grade 25
25	Editor I	Grade 22
26	Assistant Editor	Grade 19
27	Compositor/Desk Top Specialist	Grade 17
28	Sr. Text Processor	Grade 25
29	Text Processor II	Grade 22
30	Text Processor I	Grade 19

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1	Senior Finance Officer	Grade 31
2	Finance Officer II	Grade 27
3	Finance Officer I	Grade 24
4	Assistant Finance Officer	Grade 21
5	Recording Clerk II	Grade 24
6	Recording Clerk I	Grade 21
7	Assistant Legal Counsel	Grade 27
8	Engrossing & Enrolling Processor	Grade 27

9 Assistant to the Legal Counsel	Grade 19
10 Indexer II.....	Grade 25
11 Indexer I.....	Grade 22
12 Indexing Assistant	Grade 19
13 Supply Clerk.....	Grade 16
14 Switchboard Operator	Grade 14
15 Legislative Secretary	Grade 15
16 Legislative Committee Secretary	Grade 17
17 Bill Clerk	Grade 14
18 Assistant Bill Clerk	Grade 12
19 Postmaster.....	Grade 12
20 Sergeant-at-Arms.....	Grade 17
21 Assistant Sergeant-at-Arms.....	Grade 14
22 Chief Doorkeeper.....	Grade 12
23 Doorkeepers.....	Grade 11
24 Pages.....	Minimum Wage
25 Employees Of The Senate	
26 Sr. Assistant Secretary of the Senate	Grade 41
27 Assistant Secretary of the Senate III.....	Grade 38
28 Assistant Secretary of the Senate II.....	Grade 35
29 Assistant Secretary of the Senate I.....	Grade 32
30 Legal Counsel II	Grade 35

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1 Legal Counsel I.....	Grade 32
2 Legal Counsel.....	Grade 30
3 Sr. Caucus Staff Director	Grade 41
4 Caucus Staff Director.....	Grade 38
5 Administrative Assistant to Leader	
6 or President	Grade 27
7 Administrative Assistant I to Leader	
8 or President	Grade 29
9 Administrative Assistant II to Leader	
10 or President	Grade 32
11 Administrative Assistant III to Leader	
12 or President	Grade 35
13 Sr. Administrative Assistant to	
14 Leader or President.....	Grade 38
15 Research Assistant.....	Grade 24
16 Legislative Research Analyst.....	Grade 27
17 Legislative Research Analyst I	Grade 29
18 Legislative Research Analyst II.....	Grade 32
19 Legislative Research Analyst III.....	Grade 35
20 Sr. Legislative Research Analyst.....	Grade 38
21 Caucus Secretary.....	Grade 21
22 Senior Caucus Secretary	Grade 24
23 Secretary to Leader or President.....	Grade 19
24 Administrative Secretary to Leader, President,	
25 or Secretary of the Senate	Grade 21
26 Executive Secretary to Leader, President,	
27 or Secretary of the Senate	Grade 24

28 Confidential Secretary to Leader, President,
 29 or Secretary of the Senate Grade 27
 30 Confidential Secretary II to Leader, President,

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1 or Secretary of the Senate Grade 32
 2 Supervisor of Secretaries Grade 21
 3 Supervisor of Secretaries I Grade 24
 4 Supervisor of Secretaries II Grade 27
 5 Senior Editor Grade 30
 6 Editor II Grade 25
 7 Editor I Grade 22
 8 Assistant Editor Grade 19
 9 Compositor/Desk Top Specialist Grade 17
 10 Assistant Legal Counsel Grade 27
 11 Assistant to the Legal Counsel Grade 19
 12 Proofreader Grade 16
 13 Senior Finance Officer Grade 31
 14 Finance Officer II Grade 27
 15 Finance Officer I Grade 24
 16 Assistant Finance Officer Grade 21
 17 Recording Clerk II Grade 24
 18 Recording Clerk I Grade 21
 19 Indexer II Grade 25
 20 Indexer I Grade 22
 21 Indexing Assistant Grade 19
 22 Records and Supply Clerk Grade 18
 23 Switchboard Operator Grade 14
 24 Legislative Secretary Grade 15
 25 Legislative Committee Secretary Grade 17
 26 Bill Clerk Grade 14
 27 Assistant Bill Clerk Grade 12
 28 Postmaster Grade 12
 29 Sergeant-at-Arms Grade 17
 30 Assistant Sergeant-at-Arms Grade 14

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1 Chief Doorkeeper Grade 12
 2 Doorkeepers Grade 11
 3 Pages Minimum Wage
 4 JOINT SENATE/HOUSE EMPLOYEES
 5 Facilities Manager I Grade 35
 6 Facilities Manager II Grade 38
 7 Sr. Facilities Manager Grade 41
 8 *Be It Further Resolved*, That there shall be four
 9 classes of appointments as employees of the general
 10 assembly:
 11 A "permanent full-time" or "permanent part-time"
 12 employee is one who is employed the year around and
 13 eligible to receive state benefits.

14 An "exempt full-time" employee is one who is
15 employed for the period of the sessions with
16 extensions post-session and pre-session as scheduled.
17 This class is eligible to receive state benefits with
18 the cost of benefits to the state to be paid by the
19 employee when not on the payroll.
20 A "session-only" employee is one who is employed
21 for only a portion of the year, usually the
22 legislative session. This class is not eligible for
23 state benefits, except IPERS, and insurance as
24 provided in section 2.40.
25 A "part-time" employee is one who is employed to
26 work less than 40 hours per week. This class is not
27 eligible for state benefits, except IPERS if eligible.
28 *Be It Further Resolved*, That the exact
29 classification for individuals in a job series created
30 by this resolution shall be set or changed for senate

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1 employees by the senate rules and administration
2 committee and for the house employees by the house
3 administration and rules committee. The committees
4 shall base the classification upon the following
5 factors:
6 1. The extent of formal education required of the
7 position; and,
8 2. The extent of the responsibilities to be
9 assigned to the position; and,
10 3. The amount of supervision placed over the
11 position; and,
12 4. The number of persons the position is assigned
13 to supervise and skill and responsibilities of those
14 positions supervised.
15 The committees shall report the exact
16 classifications assigned to each individual on the
17 next legislative day, or, if such action is during the
18 interim, on the first day the senate or house shall
19 convene. Any action by the senate or house to
20 disapprove a report or a portion of a report shall be
21 effective the day after the action.
22 Recommendations for a pay grade for a new position
23 shall be developed in accordance with the factor
24 scores in the comparable worth report. Beginning in
25 1999, every four years the senate rules and
26 administration committee, the house administration and
27 rules committee, and the legislative council shall
28 review all positions in the legislative branch to
29 assure conformity to comparable worth.
30 *Be It Further Resolved*, That a senator or

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1 representative may employ a secretary who in the
2 judgment of the senator or representative employing
3 such person, possesses the necessary skills to perform
4 the duties such senator or representative shall
5 designate, under the administrative direction, as
6 appropriate, of the secretary of the senate or the
7 chief clerk of the house.

8 Each standing committee chairperson, ethics
9 committee chairperson, and each appropriations
10 subcommittee chairperson shall designate a secretary
11 who is competent to perform the following duties:
12 prepare committee minutes, committee reports, type
13 committee correspondence, maintain committee records,
14 and otherwise assist the committee. Such duties shall
15 be performed in accordance with standards which shall
16 be provided by the secretary of the senate and chief
17 clerk of the house. In making the designation,
18 chairpersons shall consider persons for possible
19 designation as the secretary to the committee in the
20 following order:

21 First: The secretary to the chairperson.

22 Second: The secretary to the committee's vice-
23 chairperson.

24 Third: The secretary to any other member of the
25 committee.

26 Fourth: The secretary to any other member in the
27 same house as the committee.

28 *Be It Further Resolved*, That a Legal Counsel II
29 shall be a person who has graduated from an accredited
30 school of law and is admitted to practice in Iowa as

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1 an Attorney and Counselor at Law and possesses either
2 a Masters of Law degree or has at least two years of
3 legal experience after admission to practice.

4 A Legal Counsel I shall be a person who has
5 graduated from an accredited school of law and is
6 admitted to practice in Iowa as an Attorney and
7 Counselor at Law.

8 *Be It Further Resolved*, That employees of the
9 general assembly may be eligible for either:

10 a) increases in salary grade or step based on
11 evaluation of their job performance and
12 recommendations of their administrative officers,
13 subject to approval of the senate committee on rules
14 and administration or the house committee on
15 administration and rules, as appropriate, provided,
16 however, that for promotions between classes with a
17 three or more pay grade difference, the employee shall

18 be given a two-step increase in pay or the employee's
 19 salary shall be adjusted to the entry level in the
 20 grade of the new position, whichever is greater; or
 21 b) mobility within a pay grade at the discretion
 22 of the chief clerk of the house upon recommendation by
 23 the employee's division supervisor on the part of the
 24 house, and the discretion of the employee's division
 25 supervisor on the part of the senate, subject to the
 26 approval of the house committee on administration and
 27 rules or the senate committee on rules and
 28 administration, as appropriate – in accord with the
 29 following schedule:
 30 (1) Progression from step "1" to "2" for a newly

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1 hired employee – six months of actual employment.
 2 (2) Progression from step "1" to "2" following
 3 promotion within a job series – twelve months of
 4 actual employment in that position.
 5 (3) Progression from step "2" to "3", and step "3"
 6 to "4", and step "4" to "5", and step "5" to "6" –
 7 twelve months of actual employment.
 8 *Be It Further Resolved*, that in addition to the
 9 steps provided in the preceding paragraph, that
 10 secretaries to senators and representatives who were
 11 employees of the senate or house of representatives
 12 during any general assembly prior to January 9, 1989,
 13 and who have received certification for passing a
 14 typing and shorthand performance examination shall be
 15 eligible for two additional steps.
 16 *Be It Further Resolved*, That in addition to the
 17 steps provided in the preceding paragraph, that
 18 secretaries to senators and representatives shall be
 19 eligible for a maximum of three additional grades
 20 beyond grade 15, in any combination, as provided in
 21 this paragraph:
 22 1. One additional grade for a secretary to a
 23 standing committee chair, ethics committee chair or
 24 appropriations subcommittee chair who is not the
 25 designated committee secretary.
 26 2. One additional grade for a secretary to a vice-
 27 chairperson or ranking member of a standing committee,
 28 ethics committee or appropriations subcommittee.
 29 3. One additional grade for a secretary to the
 30 chairperson of the chaplain's committee.

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1 4. Two additional grades for a secretary to an
 2 assistant floor leader or speaker pro tempore or
 3 president pro tempore.

4 5. One additional grade for a designated committee
5 secretary who is also the designated committee
6 secretary for an additional standing committee, ethics
7 committee, or appropriations subcommittee.
8 *Be It Further Resolved*, That in the event the
9 secretary to the chairperson of the chaplain's
10 committee is the secretary to the president, president
11 pro tempore, speaker, speaker pro tempore, or the
12 majority or minority leader, such secretary shall
13 receive one additional step.
14 *Be It Further Resolved*, That the entrance salary
15 for employees of the general assembly shall be at step
16 1 in the grade of the position held. Such employee
17 may be hired above the entrance step if possessing
18 outstanding and unusual experience for the position,
19 provided that the entrance is not beyond step 3. Such
20 employee who is hired above the entrance step shall be
21 mobile above that step in the same period of time as
22 other employees in that same step. An officer or
23 employee who is moved to another position may be
24 considered for partial or full credit for their
25 experience in the former position in determining the
26 step in the new grade.
27 The entry level for the position of research
28 analyst shall be Legislative Research Analyst, unless
29 extraordinary conditions justify increasing that entry
30 level; however, that entry level may not be increased

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1 beyond Legislative Research Analyst I. A research
2 analyst must have shown knowledge of legislative rules
3 and procedures as well as the Code of Iowa to be
4 considered at any level above a Legislative Research
5 Analyst.
6 *Be It Further Resolved*, That a pay increase for
7 employees of one step within the pay grade for the
8 position may be made for exceptionally meritorious
9 service in addition to step increases provided for in
10 this resolution, at the discretion of the chief clerk
11 upon recommendation by the employee's division
12 supervisor on the part of the house, and upon
13 recommendation by the employee's division supervisor
14 on the part of the senate, and the approval of the
15 senate committee on rules and administration or the
16 house committee on administration and rules.
17 Exceptionally meritorious service pay increases shall
18 be governed by the following:
19 a. The employee must have served in the position
20 for at least twelve months;
21 b. Written justification, setting forth in detail
22 the nature of the exceptionally meritorious service

23 rendered, must be submitted to the senate rules and
24 administration committee or house administration and
25 rules committee and approved in advance of granting
26 the pay increase;

27 c. No more than one exceptionally meritorious
28 service pay increase may be granted in any twelve-
29 month period.

30 d. Such meritorious service pay increase shall not

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1 be granted beyond the six-step maximum for that
2 position.

3 *Be It Further Resolved*, That the senate rules and
4 administration committee and the house administration
5 and rules committee shall both hire officers and
6 employees for their respective bodies and fill any
7 vacancies which may occur, to be effective at such
8 time as they shall set. The committee shall report
9 the names of those it has hired for the positions
10 specified in this resolution or the filling of any
11 vacancies on the next legislative day or, if such
12 action is during the interim, on the first day the
13 senate or house shall convene. Any action by the
14 senate or house to amend or disapprove a report or a
15 portion of a report shall be effective the day after
16 the action.

17 The chief clerk of the house shall submit to the
18 house committee on administration and rules and the
19 secretary of the senate shall submit to the senate
20 committee on rules and administration the list of
21 names, or amendments thereto, of employee
22 classifications and recommended pay step for each
23 officer and employee. Such list shall include
24 recommendations for the pay step for all employees.
25 Each respective committee shall approve or amend the
26 list of recommended classifications and pay steps and
27 publish said list in the journal.

28 *Be It Further Resolved*, That permanent employees of
29 the general assembly shall receive vacation
30 allowances, sick leave, health and accident insurance,

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1 life insurance, and disability income insurance as are
2 provided for full-time permanent state employees. The
3 computations shall be maintained by the finance
4 officers in each house and coordinated with the
5 department of revenue and finance.

6 *Be It Further Resolved*, That should any employee
7 have a grievance, the grievance shall be resolved as
8 provided by procedures determined by the senate rules

9 and administration committee for senate employees or
10 the house administration and rules committee for house
11 employees.

12 *Be It Further Resolved*, That the general assembly
13 adopt a resolution similar to this resolution which
14 provides for the compensation and benefits of all
15 legislative central staff agency employees for the
16 ~~seventy-seventh~~ seventy-eighth general assembly. The
17 resolution shall be adopted as soon as practicable
18 after the convening of the ~~seventy-seventh~~ seventy-
19 eighth general assembly, and published in the journals
20 of the senate and house.

21 *Be It Further Resolved*, That the compensation of
22 chaplains officiating at the opening of the daily
23 sessions of the house of representatives and the
24 senate of the ~~seventy-seventh~~ seventy-eighth general
25 assembly be fixed at ten dollars for each house of the
26 general assembly, and that mileage for chaplains be
27 fixed at the rate of twenty-four cents per mile to and
28 from the State Capitol.

The motion prevailed and the resolution was adopted.

House File 168, a bill for an act relating to the date of the annual sale of parcels with delinquent property taxes and providing an effective and applicability date, was taken up for consideration.

Huser of Polk asked and received unanimous consent to withdraw amendment H-1003 filed by her and Carroll of Poweshiek on February 1, 1999.

Carroll of Poweshiek asked and received unanimous consent to withdraw amendment H-1002 filed by him on February 1, 1999.

SENATE FILE 53 SUBSTITUTED FOR HOUSE FILE 168

Huser of Polk asked and received unanimous consent to substitute Senate File 53 for House File 168.

Senate File 53, a bill for an act relating to the date of the annual sale of parcels with delinquent property taxes and providing an effective and applicability date, was taken up for consideration.

Huser 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?" (S.F. 53)

The ayes were, 88:

Alons	Arnold	Baudler	Bell
Boal	Boddicker	Bogges	Bradley
Brauns	Bukta	Burnett	Carroll
Cataldo	Chapman	Chiodo	Cohoon
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foega
Frevert	Garman	Gipp	Greiner
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Lord
Martin	May	Mertz	Metcalf
Millage	Mundie	Murphy	Nelson
O'Brien	Osterhaus	Parmenter	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Mr. Speaker Corbett

The nays were, none.

Absent or not voting, 12:

Barry	Blodgett	Brunkhorst	Connors
Ford	Grundberg	Houser	Larson
Mascher	Myers	Raecker	Sukup

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

HOUSE FILE 168 WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw House File 168 from further consideration by the House.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 38, Senate Concurrent Resolution 2 and Senate File 53.**

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on February 8, 1999. Had I been present, I would have voted "aye" on House File 38 and Senate File 53.

BLODGETT of Cerro Gordo

I was necessarily absent from the House chamber on February 8, 1999. Had I been present, I would have voted "aye" on House File 38 and Senate File 53.

LARSON of Linn

I was necessarily absent from the House chamber on February 8, 1999. Had I been present, I would have voted "aye" on House File 38 and Senate File 53.

RAECKER of Polk

REPORT OF ADMINISTRATION AND RULES COMMITTEE

MR. SPEAKER: Pursuant to Senate Concurrent Resolution 2, your committee on administration and rules submits the following to be employed in the indicated positions, and at the indicated classification, grades and steps, and the changes in the classification of the indicated officers and employees to be effective on the date indicated:

Chief Clerk	Elizabeth A. Isaacson	\$78,228.80	Annual Salary
		Grade and Step	Class of Appointment
<u>Position</u>	<u>Name</u>	<u>Step</u>	<u>Appointment</u>
Assistant Chief Clerk I	Susan K. Jennings	32-2	E-FT

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>
Sr. Caucus Staff Director	Warren L. Fye	41-6	P-FT
Sr. Caucus Staff Director	Paulee Lipsman	41-6	P-FT
Administrative Assistant II to Speaker	Daniel L. Fogleman	32-2	P-FT
Administrative Assistant III to Speaker	Jeffrey G. Mitchell	35-4	P-FT
Administrative Assistant III to Leader	Susan D. Severino	35-5	P-FT
Senior Administrative Assistant to Leader	Mark W. Brandsgard	38-6	P-FT
Legislative Research Analyst	Gentry T. Collins	27-1	P-FT
Legislative Research Analyst	Justin D. Hupfer	27-2	P-FT
Legislative Research Analyst I	Patricia A. Schultz	29-3	P-FT
Legislative Research Analyst I	Bradley A. Trow	29-2	P-FT
Legislative Research Analyst II	Lon W. Anderson	32-3	P-FT
Legislative Research Analyst II	Lewis E. Olson	32-4	P-FT
Legislative Research Analyst II	Craig R. Schoenfeld	32-2	P-FT
Legislative Research Analyst III	Stacie S. Maass	35-3	P-FT
Senior Legislative Research Analyst	Margaret Ann Thomson	38-6	P-FT
Senior Caucus Secretary	Bruce G. Brandt	24-6	P-FT
Legislative Research Analyst	Anna M. Hyatt-Crozier	27-2	P-FT
Legislative Research Analyst III	Jenifer L. Parsons	35-3	P-FT
Senior Legislative Research Analyst	Mary C. Braun	38-3	P-FT
Senior Legislative Research Analyst	Edward J. Conlow	38-6	P-FT
Senior Legislative Research Analyst	Thomas R. Patterson	38-6	P-FT
Senior Legislative Research Analyst	Joseph P. Romano	38-4	P-FT
Caucus Secretary	David L. Epley	21-2	P-FT

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>
Executive Secretary to Leader	Becky L. Lorenz	24-2	P-FT
Confidential Secretary to Speaker	Susan C. Bruckshaw	27-2	P-PT
Confidential Secretary II to Leader	Carolyn McNeill Gaukel	32-2	P-PT
Confidential Secretary II to Chief Clerk	Betty M. Soener	32-2	P-FT
Clerk to Chief Clerk	Kathryn M. Farrell	16-2	S-O
Supervisor of Secretaries I	Colleen Dillon	24-6	P-FT
Editor I	Gayle A. Goble	22-2	P-FT
Assistant Editor	C. Elaine Schoonover	19-6	P-FT
Assistant Editor	Trina L. Sterling	19-3	P-FT
Text Processor II	Judy K. Graesch	22-2	P-FT
Senior Finance Officer	Debra K. Rex	31-6	P-FT
Assistant Finance Officer	Kelly M. Wacht	21-2	P-FT
Recording Clerk II	Alyce M. Elmitt	24-5	S-O
Assistant Legal Counsel	E. Jane Fowler	27-6	P-FT
Engrossing & Enrolling Processor	Pauline E. Kephart	27-6	S-O
Assistant to the Legal Counsel	Doreen R. Terrell	19-2	S-O
Indexer II	Juanita F. Swackhammer	25-6	P-FT
Indexer I	Kristin L. Wentz	22-5	P-FT
Switchboard Operator	Howard S. Cowles	14-2	S-O
Switchboard Operator	Madeline E. James	14-6	S-O
Legislative Secretary	Dennis S. Ashby	16-1	S-O
Legislative Secretary	Norma L. Bakros	17-6+2	S-O
Legislative Secretary	Ann I. Bauer	16-1	S-O
Legislative Secretary	Michelle K. Bauer	17-1	S-O
Legislative Secretary	Kathy S. Beauchamp	16-1	S-O
Legislative Secretary	Kara J. Berg	16-1	S-O
Legislative Secretary	Sandra J. Blodgett	17-3	S-O
Legislative Secretary	Patricia A. Bradley	16-2	S-O
Legislative Secretary	Stacy K. Brenton	18-2	S-O
Legislative Secretary	Jenna S. Brownell	16-1	S-O
Legislative Secretary	Diane K. Burget	15-1	S-O
Legislative Secretary	Jeremy J. Carmichael	16-2	S-O
Legislative Secretary	Debra Collopy	16-1	S-O
Legislative Secretary	Marjorie I. Connors	18-3	S-O
Legislative Secretary	Mary Beth Danzer	16-1	S-O
Legislative Secretary	Lindsey R. Dohlman	16-1	S-O
Legislative Secretary	Shirley J. Drake	16-3	S-O
Legislative Secretary	Jennifer L. Dreibelbis	15-1	S-O
Legislative Secretary	A. Kathleen Eaton	16-1	S-O
Legislative Secretary	Joan R. Eggen	18-6+2	S-O
Legislative Secretary	Judith K. Elliott	16-1	S-O

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>
Legislative Secretary	Michele A. Evermore	15-1	S-O
Legislative Secretary	Theresa M. Ferin	16-5	S-O
Legislative Secretary	LaVena M. Fries	15-6+2	S-O
Legislative Secretary	Audrey J. Gibson	16-6+2	S-O
Legislative Secretary	Shane D. Grady	15-2	S-O
Legislative Secretary	Doris E. Guess	16-4	S-O
Legislative Secretary	Carol F. Hansen	17-3	S-O
Legislative Secretary	Kellie L. Harryman	16-1	S-O
Legislative Secretary	David C. Harvey	15-1	S-O
Legislative Secretary	Lynn M. Hoffman	16-1	S-O
Legislative Secretary	Celeste J. Holmes	16-2	S-O
Legislative Secretary	Jill E. Howard	15-1	S-O
Legislative Secretary	Patrick R. James	15-1	S-O
Legislative Secretary	H. Kay Jenkins	16-2	S-O
Legislative Secretary	Julie Kaye Johnson	16-1	S-O
Legislative Secretary	Karen L. Jostes	15-1	S-O
Legislative Secretary	Kelli M. Kilgore	16-1	S-O
Legislative Secretary	Angela J. Langrehr	16-1	S-O
Legislative Secretary	Mary Belle Lawless	16-5+2	S-O
Legislative Secretary	Gay P. Leverich	16-6+2	S-O
Legislative Secretary	Cora A. Lubbert	16-1	S-O
Legislative Secretary	Catherine M. Mabry	16-2	S-O
Legislative Secretary	Ashley M. Marasco	15-2	S-O
Legislative Secretary	Misty M. McHugh	17-1	S-O
Legislative Secretary	Patricia J. McKee	17-2	S-O
Legislative Secretary	Betty C. Millen	15-6	S-O
Legislative Secretary	V. Faye Mundie	15-3	S-O
Legislative Secretary	Dolores G. Nesbitt	15-1	S-O
Legislative Secretary	Ronna G. O'Brien	16-1	S-O
Legislative Secretary	M. Anne O'Connell	16-4+2	S-O
Legislative Secretary	Ann D. Osterhaus	16-2	S-O
Legislative Secretary	Kathy A. Parmenter	15-1	S-O
Legislative Secretary	Carolyn J. Ramsay	15-4+2	S-O
Legislative Secretary	Janet R. Ramsay	16-2	S-O
Legislative Secretary	Linda C. Rosky	16-2	S-O
Legislative Secretary	Mary M. Sanders	16-2	S-O
Legislative Secretary	Michael A. Schrader	16-1	S-O
Legislative Secretary	Robertta J. Schrader	18-3	S-O
Legislative Secretary	Wilma R. Scieszinski	16-4	S-O
Legislative Secretary	Jacquelyn M. Seymour	17-1	S-O
Legislative Secretary	Mary Lee A. Stephens	16-1	S-O
Legislative Secretary	Jean Tannatt	16-3	S-O
Legislative Secretary	Jo Ann Thomas	16-4+2	S-O
Legislative Secretary	Eileen M. Tyler	15-4	S-O
Legislative Secretary	Darlene A. VanOort	16-1	S-O
Legislative Secretary	Barbara B. Wennerstrum	16-6+2	S-O
Legislative Secretary	Pearl I. White	15-1	S-O
Legislative Secretary	Donna M. Whitead	15-2	S-O

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>
Legislative Secretary	Mary Beth Williams	16-1	S-O
Legislative Secretary	DeAnn L. Wiltse	16-1	S-O
Legislative Secretary	Twyla J. Woodward	16-3	S-O
Legislative Committee Secretary	Chad M. Barth	17-1	S-O
Legislative Committee Secretary	Jill J. Beni	17-1	S-O
Legislative Committee Secretary	Frank H. Boggess	17-2	S-O
Legislative Committee Secretary	Phyllis R. Cowles	17-6+2	S-O
Legislative Committee Secretary	Jane B. Fogg	17-1	S-O
Legislative Committee Secretary	Andrea K. Hall	17-1	S-O
Legislative Committee Secretary	Todd A. Henderson	18-2	S-O
Legislative Committee Secretary	Nancy J. Hendrickson	18-2	S-O
Legislative Committee Secretary	Paula M. Houser	17-2	S-O
Legislative Committee Secretary	Karen F. Klemme	18-3	S-O
Legislative Committee Secretary	Heidi C. Kotzian	17-1	S-O
Legislative Committee Secretary	Ellen T. Larson	17-2	S-O
Legislative Committee Secretary	Robert B. Martin	17-3	S-O
Legislative Committee Secretary	Twyla L. Miller	17-5+2	S-O
Legislative Committee Secretary	Melba K. Murken	17-1	S-O
Legislative Committee Secretary	Diane E. Nandell	17-1	S-O
Legislative Committee Secretary	Zachary M. Nunn	17-1	S-O
Legislative Committee Secretary	Sean D. Parnell	17-2	S-O
Legislative Committee Secretary	Stacie R. Peter	17-1	S-O
Legislative Committee Secretary	Julie K. Pierce	17-5	S-O
Legislative Committee Secretary	Dorothy E. Potthoff	17-6+2	S-O
Legislative Committee Secretary	Vinita J. Smith	17-3	S-O

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>
Legislative Committee Secretary	Betty J. Sorenson	17-2	S-O
Legislative Committee Secretary	Jackie L. Syverson	17-1	S-O
Legislative Committee Secretary	Ruth A. Welter	17-3	S-O
Bill Clerk	Mildred E. Stewart	14-6	S-O
Assistant Bill Clerk	Marie A. Kirby	12-4	S-O
Postmaster	William C. Walling	12-3	S-O
Sergeant-at-Arms	Wilbur N. Rhoads	17-1	S-O
Assistant Sergeant-at-Arms	Maynard L. Boatwright	14-2	S-O
Doorkeeper	Paul W. Aardsma	11-2	S-O
Doorkeeper	H. James Beyer	11-1	S-O
Doorkeeper	Charles L. Fogelson	11-1	S-O
Doorkeeper	Kathleen L. O'Leary	11-4	S-O
Doorkeeper	Gerald V. Orman	11-2	S-O
Doorkeeper	Richard R. Overholser	11-3	S-O
Doorkeeper	Carl D. Parker	11-1	S-O

GROUP I

Speaker's Page	Kelly M. Gallagher	Minimum Wage	S-O
Chief Clerk's Page	Sarah M. Bartleson	Minimum Wage	S-O
Chief Clerk's Page	Randi K. Needham	Minimum Wage	S-O
Page	Laura E. Barclay	Minimum Wage	S-O
Page	Kara M. Berg	Minimum Wage	S-O
Page	Jessica A. Boddicker	Minimum Wage	S-O
Page	Joelle L. Cook	Minimum Wage	S-O
Page	Brian M. Dickerson	Minimum Wage	S-O
Page	Candace M. Harrell	Minimum Wage	S-O
Page	Brandon S. Kass	Minimum Wage	S-O
Page	Meredith G. Lorinser	Minimum Wage	S-O
Page	Sally R. Mann	Minimum Wage	S-O
Page	Nicole A. Mattingly	Minimum Wage	S-O
Page	Trisha M. McAllister	Minimum Wage	S-O
Page	Kerri E. Moran	Minimum Wage	S-O
Page	Amy L. Noll	Minimum Wage	S-O
Page	Molly E. Reimer	Minimum Wage	S-O
Page	April M. Reineke	Minimum Wage	S-O
Page	Brandon J. Renz	Minimum Wage	S-O
Page	Rebecca M. Rottinghaus	Minimum Wage	S-O
Page	Robert W. Smith	Minimum Wage	S-O
Page	Sara M. Stephenson	Minimum Wage	S-O
Page	Stacie R. Verschuure	Minimum Wage	S-O
Page	Travis J. Weipert	Minimum Wage	S-O
Page	Jerome R. Wolff	Minimum Wage	S-O

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>
GROUP II			
Page	Angela R. Blair	Minimum Wage	S-O
Page	Chaya A. Fox	Minimum Wage	S-O
Page	Bethany J. Hovda	Minimum Wage	S-O
Page	Carl J. Hurley	Minimum Wage	S-O
Page	Amanda M. Jones	Minimum Wage	S-O
Page	Erika A. Kuker	Minimum Wage	S-O
Page	Andrea M. Love	Minimum Wage	S-O
Page	Michael P. Lowry	Minimum Wage	S-O
Page	Meagan K. Norlin	Minimum Wage	S-O
Page	Jodi L. Scorpil	Minimum Wage	S-O
Page	Melissa R. Singer	Minimum Wage	S-O
Page	Philip J. Wiese	Minimum Wage	S-O
Page	Brandy S. Wilson	Minimum Wage	S-O

CARROLL of Poweshiek, Chair

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Ten students from Emmetsburg High School, Emmetsburg, accompanied by Joel and Maureen Horsley, and Peg McNally. By Frevert of Palo Alto.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

DEPARTMENT OF INSPECTIONS AND APPEALS

The Fiscal Year 1998 Annual Report, pursuant to Chapter 10A, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\129 Estel Sisco, Ottumwa – For celebrating his 95th birthday.
- 1999\130 William R. Davis, Ottumwa – For celebrating his 90th birthday.
- 1999\131 Lena Meyer, Anthon – For celebrating her 90th birthday.
- 1999\132 Patty Olson, Lansing – For attaining The Girl Scout Gold Award, the highest award in Girl Scouting.
- 1999\133 Dana Isaacson, Lansing – For attaining The Girl Scout Gold Award, the highest award in Girl Scouting.
- 1999\134 Matt Grennan, Maynard – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\135 Mr. and Mrs. Warren Loban, Oelwein – For celebrating their 55th wedding anniversary.
- 1999\136 Mr. and Mrs. Fay Dibble, Oelwein – For celebrating their 55th wedding anniversary.
- 1999\137 Ivan Sutton, Oelwein – For celebrating his 90th birthday.
- 1999\138 Helen Henderson, Independence – For celebrating her 90th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 181

Judiciary: Raecker, Chair; Chapman and Thomson.

House File 185

Natural Resources: Brauns, Chair; Klemme and Richardson.

House File 192

Natural Resources: Kettering, Chair; Klemme and Mundie.

House File 208

Agriculture: Teig, Chair; Baudler and Parmenter.

House File 213

Transportation: Arnold, Chair; Bukta and Garman.

House File 225

Transportation: Cohoon, Chair; Heaton and Van Engelenhoven.

House File 231

State Government: Arnold, Chair; Brauns, Metcalf, Taylor and Whitead.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT**House Study Bill 78**

Agriculture: Greiner, Chair; Drake, Frevert, Klemme and Mertz.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 81 Judiciary**

Relating to estate issues by modifying the warranty by a trustee, exemptions from execution and beneficiary designations and transfer-upon-death provisions related to pension and retirement accounts, jurisdiction of the probate court, fees payable on certain trusts, claims against estates for medical assistance payments, notice provisions relating to claims against estates, and disclaimers made by beneficiaries.

H.S.B. 82 State Government

Relating to campaign finance and ethics law and providing penalties.

H.S.B. 83 Appropriations

Relating to the establishment of an Iowa early intervention program, and making appropriations.

H.S.B. 84 Appropriations

Relating to and making appropriations to the property tax relief fund for county mental health, mental retardation, and developmental disability expenditures and including an effective date and applicability provision.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 57), relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities and providing effective dates and for retroactive applicability.

Fiscal Note is not required.

Recommended **Do Pass** February 4, 1999.

RESOLUTION FILED

HR 7, by Siegrist, Corbett, Myers, Mascher, Rants, Brauns, Boal, Hoffman, Eddie, Greiner, Johnson, Alons, Holmes, Hansen, Van Engelenhoven, Blodgett, Grundberg, Lord, Davis, Gipp, Sunderbruch, Baudler, Weidman, Arnold, Martin, Klemme, Metcalf, Horbach, Millage, Sukup, Nelson, Drake, Kettering, Huseman, Dolecheck, Barry, Thomson, Shoultz, Scherrman, Foege, Richardson, Bukta, Frevert, Dotzler, Falck, Thomas, Stevens, Drees, Weigel, Bell, Welter, Chapman, Raecker, Mertz, Jacobs, Bradley, Rayhons, Boddicker, Cormack, May, Jenkins, Osterhaus, Doderer, Jochum, Hahn, and Holveck, a resolution honoring University of Iowa Football Coach Hayden Fry.

Laid over under **Rule 25**.

On motion by Siegrist of Pottawattamie the House adjourned at 1:30 p.m., until 8:45 a.m., Tuesday, February 9, 1999.

JOURNAL OF THE HOUSE

Thirtieth Calendar Day - Nineteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 9, 1999

The House met pursuant to adjournment at 8:48 a.m., Speaker Corbett in the chair.

Prayer was offered by Father Paul A. Monahan, pastor of Holy Rosary Church, Glenwood.

The Journal of Monday, February 8, 1999 was approved.

PETITION FILED

The following petition was received and placed on file:

By Hahn of Muscatine, from seven constituents of the 48th district favoring Senate File 37, an act relating to the hunting of mourning doves and subjecting violators to a penalty.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Doderer of Johnson and Mascher of Johnson, until their arrival, on request of Myers of Johnson.

INTRODUCTION OF BILLS

House File 232, by Doderer, a bill for an act relating to refunds of unexpired vehicle registration fees.

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

House File 233, by Frevert and Brunkhorst, a bill for an act providing for accessibility requirements for church elevators and providing an effective date.

Read first time and referred to committee on **state government**.

House File 234, by Jacobs and Huser, a bill for an act limiting the liability of the state and political subdivisions of the state for certain losses caused by the failure of computer software or a device containing a computer processor.

Read first time and referred to committee on **state government**.

House File 235, by Shoultz, a bill for an act authorizing the juvenile court, when specified conditions are met, to enter an ex parte order to perform a medically relevant test to determine whether an illegal drug is present in a child's body.

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

House File 236, by Rants, a bill for an act providing a credit to retailers for timely filing state sales tax returns and depositing state sales tax collected.

Read first time and referred to committee on **ways and means**.

House File 237, by Kreiman, a bill for an act relating to the recording of trials before a magistrate.

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

House File 238, by Scherrman, a bill for an act concerning bid submission requirements for state purchases made through competitive bidding.

Read first time and referred to committee on **state government**.

House File 239, by Eddie, a bill for an act providing supplementary weighting for whole grade sharing agreements between school districts, and providing an effective date.

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

House File 240, by Kreiman, a bill for an act relating to veterans of the United States armed forces, by changing eligibility for veteran property tax exemptions.

Read first time and referred to committee on **ways and means**.

House File 241, by Burnett, Bell, Jochum, Myers, May, Larkin, Chapman, Taylor, O'Brien, Máscher, Richardson, Parmenter, Kuhn, Reynolds, Dotzler, Holveck, Connors, Warnstadt, Witt, Kreiman, Murphy, Whitead, Shoultz, Scherrman, Falck, Bukta, Foege, Chiodo, Mundie, Ford, Stevens, and Osterhaus, a bill for an act relating to third-party payment of health care coverage costs for mental health and substance abuse treatment services.

Read first time and referred to committee on **commerce and regulation**.

House File 242, by committee on judiciary, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities and providing effective dates and for retroactive applicability.

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

House File 243, by Welter, a bill for an act increasing the speed limit on interstate highways.

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

House File 244, by O'Brien, a bill for an act relating to the deduction under state income taxes of interest on bonds or notes issued for the construction, expansion, or renovation of jails or prisons and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 245, by Scherrman, a bill for an act providing for the identification of swine for purposes of providing payment to sellers by packers and making a penalty applicable.

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

TEACHER OF THE DAY

Representative Carroll of Poweshiek presented to the House Bridget Brandt, teacher of Grinnell-Newburg school.

ADOPTION OF HOUSE RESOLUTION 4

Davis of Wapello called up for consideration House Resolution 4, a resolution honoring the Indian Hills Community College Men's Basketball Team and Coach Mike Capaccio, and moved its adoption.

The motion prevailed and the resolution was adopted.

Siegrist of Pottawattamie asked and received unanimous consent for the immediate consideration of House Resolutions 5 and 6.

ADOPTION OF HOUSE RESOLUTION 5

Cormack of Webster called up for consideration House Resolution 5 as follows and moved its adoption:

1 HOUSE RESOLUTION 5

2 BY COMMITTEE ON ETHICS

3 A Resolution relating to the House code of ethics.

4 *Be It Resolved By The House Of Representatives,*

5 That the House code of ethics be amended to read as
6 follows:

7 HOUSE CODE OF ETHICS

8 PREAMBLE. Every legislator and legislative
9 employee has a duty to uphold the integrity and honor
10 of the general assembly, to encourage respect for the
11 law and for the general assembly, and to observe the
12 house code of ethics. The members and employees of
13 the house have a responsibility to conduct themselves
14 so as to reflect credit on the general assembly, and
15 to inspire the confidence, respect, and trust of the
16 public. The following rules are adopted pursuant to
17 chapter 68B of the Code, to assist the members and
18 employees in the conduct of their activities:

19 1. DEFINITIONS. The definitions of terms provided
20 in chapter 68B of the Code apply to the use of those
21 terms in these rules.

22 2. ECONOMIC INTEREST OF MEMBER OR EMPLOYEE OF
23 HOUSE.

24 a. Economic or investment opportunity. A member
25 or employee of the house shall not solicit or accept
26 economic or investment opportunity under circumstances

27 where the member or employee knows, or should know,
28 that the opportunity is being afforded with the intent
29 to influence the member's or employee's conduct in the
30 performance of official duties. If a member or

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1 employee of the house learns that an economic or
2 investment opportunity previously accepted was offered
3 with the intent of influencing the member's or
4 employee's conduct in the performance of the official
5 duties, the member or employee shall take steps to
6 divest that member or employee of that investment or
7 economic opportunity, and shall report the matter in
8 writing to the chairperson of the house ethics
9 committee.

10 b. Excessive charges for services, goods, or
11 property interests. A member or employee of the house
12 shall not charge to or accept from a person known to
13 have a legislative interest, a price, fee,
14 compensation, or other consideration for the sale or
15 lease of any property or the furnishing of services
16 which is in excess of that which the member or
17 employee would ordinarily charge another person.

18 c. Use of confidential information. A member or
19 employee of the house, in order to further the
20 member's or employee's own economic interests, or
21 those of any other person, shall not disclose or use
22 confidential information acquired in the course of the
23 member's or employee's official duties. For the
24 purpose of this rule, information disclosed in open
25 session at a public meeting under chapter 21 of the
26 Code and information that is a public record under
27 chapter 22 of the Code is not confidential
28 information.

29 d. Employment. A member or employee of the house
30 shall not accept employment, either directly or

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1 indirectly, from a political action committee. A
2 member of the house shall not act as a paid lobbyist
3 for any organization. However, this paragraph shall
4 not prohibit a member or employee of the house from
5 working for a candidate's committee, a political
6 party's action committee, or a political action
7 committee which does not support or oppose a candidate
8 for public office in this state or a ballot issue in
9 this state and which is not interested in issues
10 before the general assembly.

11 For the purpose of this rule, a political action
12 committee means a committee, but not a candidate's

13 committee, which accepts contributions, makes
14 expenditures, or incurs indebtedness in the aggregate
15 of more than five hundred dollars in any one calendar
16 year for the purpose of supporting or opposing a
17 candidate for public office or a ballot issue or for
18 the purpose of influencing legislative action.

19 e. A member or employee of the house shall not
20 solicit employment on behalf of the member or
21 employee, or on behalf of another legislator or
22 employee, as a lobbyist while the general assembly is
23 in session.

24 f. Certain goods or services. A member or
25 employee of the house shall not solicit or obtain
26 goods or services from another person under
27 circumstances where the member or employee knows or
28 should know that the goods or services are being
29 offered or sold with the intent to influence the
30 member's or employee's conduct in the performance of

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1 official duties. If a member or employee of the house
2 is afforded goods or services by another person at a
3 price that is not available to other members or
4 classes of members of the general public or is
5 afforded goods or services that are not available to
6 other members or classes of members of the general
7 public by another person where the member or employee
8 knows or should know that the other person intends to
9 influence the member's or employee's official conduct,
10 the member or employee shall not take or purchase the
11 goods or services.

12 3. APPEARANCE BEFORE STATE AGENCY. A member or
13 employee of the house may appear before a state agency
14 in any representation case but shall not act as a
15 lobbyist with respect to the passage, defeat,
16 approval, veto, or modification of any legislation,
17 rule, or executive order. Whenever a member or
18 employee of the house appears before a state agency,
19 the member or employee shall carefully avoid all
20 conduct which might in any way lead members of the
21 general public to conclude that the member or employee
22 is using the member's or employee's official position
23 to further the member's or employee's professional
24 success or personal financial interest.

25 4. CONFLICTS OF INTEREST. In order for the
26 general assembly to function effectively, members of
27 the house may be required to vote on bills and
28 participate in committee work which will affect their
29 employment and other areas in which they may have a
30 monetary interest. Action on bills and committee work

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1 which furthers a member's specific employment,
2 specific investment, or other specific interest, as
3 opposed to the interests of the public in general or
4 the interests of a profession, trade, business, or
5 other class of persons, shall be avoided. In making a
6 decision relative to a member's activity on particular
7 bills or in committee work, the following factors
8 should be considered:

9 a. Whether a substantial threat to the member's
10 independence of judgment has been created by the
11 conflict situation.

12 b. The effect of the member's participation on
13 public confidence in the integrity of the general
14 assembly.

15 c. Whether the member's participation is likely to
16 have any significant effect on the disposition of the
17 matter.

18 d. The need for the member's particular
19 contribution, such as special knowledge of the subject
20 matter, to the effective functioning of the general
21 assembly.

22 If a member decides not to participate in committee
23 work or to abstain from voting because of a possible
24 conflict of interest, the member should disclose this
25 fact to the legislative body. The member shall not
26 vote on any question in which the member has an
27 economic interest that is distinguishable from the
28 interests of the general public or a substantial class
29 of persons.

30 5. STATUTORY REQUIREMENTS. Members and employees

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1 of the house shall comply with the requirements
2 contained in chapters 68B (Conflicts of Interest of
3 Public Officers and Employees), 721 (Official
4 Misconduct), and 722 (Bribery and Corruption), and
5 sections 2.18 (Contempt) and 711.4 (Extortion) of the
6 Code.

7 6. CHARGE ACCOUNTS. Members and employees of the
8 house shall not charge any amount or item to a charge
9 account to be paid for by a lobbyist or any client of
10 a lobbyist.

11 7. TRAVEL EXPENSES. A member or employee of the
12 house shall not charge to the state of Iowa amounts
13 for travel and expenses unless the member or employee
14 actually has incurred those mileage and expense costs.
15 Members or employees shall not file the vouchers for
16 weekly mileage reimbursement required by section 2.10,
17 subsection 1 of the Code, unless the travel expense

18 was actually incurred.

19 A member or employee of the house shall not file a
20 claim for per diem compensation for a meeting of an
21 interim study committee or a visitation committee
22 unless the member or employee attended the meeting.
23 However, the speaker may waive this provision and
24 allow a claim to be filed if the member or employee
25 attempted to attend the meeting but was unable to do
26 so because of circumstances beyond the member's or
27 employee's control.

28 8. GIFTS ACCEPTED OR RECEIVED. Members and
29 employees of the house shall comply with the
30 restrictions relating to the receipt or acceptance of

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1 gifts contained in section 68B.22 of the Code.

2 9. HONORARIA RESTRICTIONS. Members and employees
3 of the house shall comply with the restrictions
4 relating to the receipt of honoraria contained in
5 section 68B.23 of the Code.

6 10. DISCLOSURE REQUIRED. Each member of the house
7 and the chief clerk of the house shall file the
8 personal financial disclosure statements required
9 under section 68B.35 of the Code by February 15 of
10 each year for the prior calendar year.

11 11. SEXUAL HARASSMENT. Members and employees of
12 the house shall not engage in conduct which
13 constitutes sexual harassment as defined in section
14 19B.12 of the Code or pursuant to the sexual
15 harassment policy adopted by the house committee on
16 administration and rules.

17 12. COMPLAINTS.

18 a. Filing of complaint. Complaints may be filed
19 by any person believing that a member or employee of
20 the house, a lobbyist, or a client of a lobbyist is
21 guilty of a violation of the house code of ethics, the
22 house rules governing lobbyists, or chapter 68B of the
23 Code.

24 b. Complaints by committee. The ethics committee
25 may initiate a complaint on its own motion. Committee
26 complaints may be initiated by the committee as a
27 result of a committee investigation or as a result of
28 receipt of any complaint or other information that
29 does not meet the requirements of these rules
30 regarding the form of a complaint but that contains

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1 allegations that would form the basis for a valid
2 complaint.

3 c. Form and contents of complaint. A complaint

4 shall be in writing.

5 Complaint forms shall be available from the chief
6 clerk of the house, but a complaint shall not be
7 rejected for failure to use the approved form if it
8 complies with the requirements of these rules. The
9 complaint shall contain a certification made by the
10 complainant, under penalty of perjury, that the facts
11 stated in the complaint are true to the best of the
12 complainant's knowledge.

13 To be valid, a complaint shall allege all of the
14 following:

15 (1) Facts, including the approximate date and
16 location of any event, incident, or transaction that,
17 if true, establish a violation of a provision of
18 chapter 68B of the Code, the house code of ethics, or
19 house rules governing lobbyists for which penalties or
20 other remedies are provided.

21 (2) That the conduct providing the basis for the
22 complaint occurred within three years of the filing of
23 the complaint.

24 (3) That the party charged with a violation is a
25 member or employee of the house, a lobbyist, or a
26 client of a lobbyist.

27 d. Confidentiality of complaint. The filing of
28 the complaint and the contents of the complaint shall
29 be confidential until the time that the committee
30 meets to determine whether the complaint is valid,

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1 unless either the complainant or the party charged in
2 the complaint makes the existence of, or the
3 information contained in, the complaint public.
4 However, if either the complainant or party alleged to
5 have committed the violation requests that the meeting
6 to determine whether the complaint is valid be a
7 closed meeting and the filing of the complaint or the
8 contents of the complaint have not been disclosed, the
9 meeting shall be closed.

10 e. Notice of complaint. Upon receipt of the
11 complaint, the chief clerk of the house shall promptly
12 notify the chairperson and ranking member of the
13 ethics committee that a complaint has been filed and
14 provide both the chairperson and the ranking member
15 with copies of the complaint and any supporting
16 information. Within two working days, the chief clerk
17 shall send notice, either by personal delivery or by
18 certified mail, return receipt requested, to the
19 person or persons alleged to have committed the
20 violation, along with a copy of the complaint and any
21 supporting information. The notice to the accused
22 person shall contain a request that the person submit

23 a written response to the complaint within ten working
24 days of the date that the notice was sent by the chief
25 clerk. At the request of the accused person, the
26 committee may extend the time for the response, not to
27 exceed ten additional calendar days.

28 f. Hearing regarding validity of complaint. The
29 committee chairperson and the ranking member shall
30 review the complaint and supporting information to

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1 determine whether the complaint meets the requirements
2 as to form. If the complaint is deficient as to form,
3 the complaint shall be returned to the complainant
4 with instructions indicating the deficiency unless the
5 committee decides to proceed on its own motion. If
6 the complaint is in writing and contains the
7 appropriate certification, as soon as practicable, the
8 chairperson shall call a meeting of the committee to
9 review the complaint to determine whether the
10 complaint meets the requirements for validity and
11 whether the committee should request that the chief
12 justice of the supreme court appoint an independent
13 special counsel to conduct an investigation to
14 determine whether probable cause exists to believe
15 that a violation of the house code of ethics, house
16 rules governing lobbyists, or chapter 68B of the Code,
17 has occurred.

18 If the committee finds that a complaint does not
19 meet the content requirements for a valid complaint,
20 the committee shall dismiss the complaint and notify
21 both the complainant and the party alleged to have
22 committed the violation of the dismissal and the
23 reasons for dismissal. A dismissal for failure to
24 meet the formal requirements for the filing of a
25 complaint shall be without prejudice and the
26 complainant may refile the complaint at any time
27 within three years of the date that the alleged
28 violation took place. If the dismissal is based upon
29 a failure to allege facts and circumstances necessary
30 for a valid complaint, the dismissal shall be with

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1 prejudice and the party shall not be permitted to file
2 a complaint based upon the same facts and
3 circumstances.
4 g. Request for appointment of independent special
5 counsel. If, after review of the complaint and any
6 response made by the party alleged to have committed
7 the violation, the committee determines that the
8 complaint meets the requirements for form and content,

9 the committee shall request that the chief justice of
10 the supreme court appoint independent special counsel
11 to investigate the matter and determine whether
12 probable cause exists to believe that a violation of
13 chapter 68B of the Code, the house code of ethics, or
14 the house rules governing lobbyists has occurred.
15 h. Receipt of report of independent special
16 counsel. The report from independent special counsel
17 regarding probable cause to proceed on a complaint
18 shall be filed with the chief clerk of the house.
19 Upon receipt of the report of the independent special
20 counsel, the chief clerk shall notify the chairperson
21 of the filing of the report and shall send copies of
22 the report to the members of the ethics committee. As
23 soon as practicable after the filing of the report,
24 the chairperson shall schedule a public meeting for
25 review of the report. The purpose of the public
26 meeting shall be to determine whether the complaint
27 should be dismissed, whether a formal hearing should
28 be held on the complaint, or whether other committee
29 action is appropriate. The complainant and the person
30 alleged to have committed the violation shall be given

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1 notice of the public meeting, shall have the right to
2 be present at the public meeting, and may, at the
3 discretion of the committee, present testimony in
4 support of or against the recommendations contained in
5 the report.
6 If the committee determines that the matter should
7 be dismissed, the committee shall cause an order to be
8 entered dismissing the matter and notice of the
9 dismissal shall be given to the complainant and the
10 party alleged to have committed the violation. If the
11 committee determines that the complaint should be
12 scheduled for formal hearing, the committee shall
13 issue a charging statement which contains the charges
14 and supporting facts that are to be set for formal
15 hearing and notice shall be sent to the complainant
16 and the accused person.
17 The notice shall include a statement of the nature
18 of the charge or charges, a statement of the time and
19 place of hearing, a short and plain statement of the
20 facts asserted, and a statement of the rights of the
21 accused person at the hearing.
22 i. Formal hearing. Formal hearings shall be
23 public and conducted in the manner provided in section
24 68B.31, subsection 8 of the Code. At a formal hearing
25 the accused shall have the right to be present and to
26 be heard in person and by counsel, to cross-examine
27 witnesses, and to present evidence. Members of the

28 committee shall also have the right to question
29 witnesses.
30 Evidence at the formal hearing shall be received in

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1 accordance with rules and procedures applicable to
2 contested cases under chapter 17A of the Code.
3 The committee chairperson, or the vice chairperson
4 or ranking member in the absence of the chairperson,
5 shall preside at the formal hearing and shall rule on
6 the admissibility of any evidence received. The
7 ruling of the chairperson may be overturned by a
8 majority vote of the committee. Independent special
9 counsel shall present the evidence in support of the
10 charge or charges. The burden shall be on the
11 independent special counsel to prove the charge or
12 charges by a preponderance of clear and convincing
13 evidence. Upon completion of the formal hearing, the
14 committee shall adopt written findings of fact and
15 conclusions concerning the merits of the charges and
16 make its report and recommendation to the house.
17 j. Recommendations by the committee. The
18 committee shall recommend to the house that the
19 complaint be dismissed, or that one or more of the
20 following be imposed:
21 (1) That the member or employee of the house or
22 lobbyist or client of a lobbyist be censured or
23 reprimanded, and the recommended appropriate form of
24 censure or reprimand be used.
25 (2) That the member of the house be suspended or
26 expelled from membership in the house and required to
27 forfeit the member's salary for that period, the
28 employee of the house be suspended or dismissed from
29 employment, or that the lobbyist's or lobbyist's
30 client's lobbying privileges be suspended.

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1 13. COMMUNICATIONS WITH ETHICS COMMITTEE. After a
2 complaint has been filed or an investigation has been
3 initiated, a party to the complaint or investigation
4 shall not communicate, or cause another to
5 communicate, as to the merits of the complaint or
6 investigation with a member of the committee, except
7 under the following circumstances:
8 a. During the course of any meetings or other
9 official proceedings of the committee regarding the
10 complaint or investigation.
11 b. In writing, if a copy of the writing is
12 delivered to the adverse party or the designated
13 representative for the adverse party.

14 c. Orally, if adequate prior notice of the
15 communication is given to the adverse party or the
16 designated representative for the adverse party.

17 d. As otherwise authorized by statute, the house
18 code of ethics, house rules governing lobbyists, or
19 vote of the committee.

20 14. PERMANENT RECORD. The chief clerk of the
21 house shall maintain a permanent record of all
22 complaints filed and any corresponding committee
23 action. The permanent record shall be prepared by the
24 ethics committee and shall contain the date the
25 complaint was filed, name and address of the
26 complainant, name and address of the accused person, a
27 brief statement of the charges made, any evidence
28 received by the committee, any transcripts or
29 recordings of committee action, and ultimate
30 disposition of the complaint. The chief clerk shall

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1 keep each complaint confidential until public
2 disclosure is made by the ethics committee.

3 15. MEETING AUTHORIZATION. The house ethics
4 committee is authorized to meet at the discretion of
5 the committee chairperson in order to conduct hearings
6 and other business that properly may come before it.
7 If the committee submits a report seeking house action
8 against a member or employee of the house or lobbyist
9 after the second regular session of a general assembly
10 has adjourned sine die, the report shall be submitted
11 to and considered by the subsequent general assembly.

12 16. ADVISORY OPINIONS.

13 a. Requests for formal opinions. A request for a
14 formal advisory opinion may be filed by any person who
15 is subject to the authority of the ethics committee.
16 The ethics committee may also issue a formal advisory
17 opinion on its own motion, without having previously
18 received a formal request for an opinion, on any issue
19 that is within the jurisdiction of the committee.

20 Requests shall be filed with either the chief clerk of
21 the house or the chairperson of the ethics committee.

22 b. Form and contents of requests. A request for a
23 formal advisory opinion shall be in writing and may
24 pertain to any subject matter that is related to
25 application of the house code of ethics, the house
26 rules governing lobbyists, or chapter 68B of the Code
27 to any person who is subject to the authority of the
28 ethics committee. Requests shall contain one or more
29 specific questions and shall relate either to future
30 conduct or be stated in the hypothetical. A request

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1 for an advisory opinion shall not specifically name
 2 any individual or contain any other specific
 3 identifying information, unless the request relates to
 4 the requester's own conduct. However, any request may
 5 contain information which identifies the kind of
 6 individual who may be affected by the subject matter
 7 of the request. Examples of this latter kind of
 8 identifying information may include references to
 9 conduct of a category of individuals, such as but not
 10 limited to conduct of legislators, legislative staff,
 11 or lobbyists.

12 c. Confidentiality of formal requests and
 13 opinions. Requests for formal opinions are not
 14 confidential and any deliberations of the committee
 15 regarding a request for a formal opinion shall be pub-
 16 lic. Opinions issued in response to requests for
 17 formal opinions are not confidential, shall be in
 18 writing, and shall be placed on file in the office of
 19 the chief clerk of the house. Persons requesting
 20 formal opinions shall personally receive a copy of the
 21 written formal opinion that is issued in response to
 22 the request.

23 17. PERSONAL FINANCIAL DISCLOSURE FORM. The
 24 following form shall be used for disclosure of
 25 economic interests under these rules and section
 26 68B.35 of the Code:

STATEMENT OF ECONOMIC INTERESTS

27 Name: _____
 28 _____
 29 (Last) (First) (Middle Initial)
 30 Address: _____

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1 (Street Address, Apt.#/P.O. Box)
 2 _____
 3 (City) (State) . (Zip)
 4 Phone:(Home) ____/____-(Business) ____/____-_____
 5 *****

6 This form is due each year on or before February
 7 15. The reporting period is the most recently
 8 completed calendar year.
 9 In completing Division III of this form, if your
 10 percentage of ownership of an asset is less than 100
 11 percent, multiply your percentage of ownership by the
 12 total revenue produced to determine if you have
 13 reached the \$1,000 threshold.
 14 Do not report income received by your spouse or
 15 other family members.
 16 In completing this form, if insufficient space is
 17 provided for your answer, you may attach additional

- 18 information/answers on full-size sheets of paper.
- 19 Division I. Business, Occupation, Profession.
- 20 List each business, occupation, or profession in
- 21 which you are engaged, the nature of the business if
- 22 not evident, and your position or job title. No
- 23 income threshold or time requirement applies.
- 24 Examples:
- 25 If you are employed by an individual, state the
- 26 name of the individual employer, the nature of the
- 27 business, and your position.
- 28 If you are self-employed and are not incorporated
- 29 or are not doing business under a particular business
- 30 name, state that you are self-employed, the nature of

Page 18

- 1 the business, and your position.
- 2 If you own your own corporation, are employed by a
- 3 corporation, or are doing business under a particular
- 4 business name, state the name and nature of the
- 5 business or corporation and your position.
- 6 1 _____
- 7 2 _____
- 8 3 _____
- 9 4 _____
- 10 5 _____
- 11 6 _____

12 Division II. Commissions from Sales of Goods or
 13 Services to Political Subdivisions.

- 14 This part is to be completed only by Legislators.
- 15 If you received income in the form of a commission
- 16 from the sale of goods or services to a political
- 17 subdivision, state the name of the purchasing
- 18 political subdivision. The amount of commission
- 19 earned is not required to be listed.
- 20 1 _____
- 21 2 _____
- 22 3 _____
- 23 4 _____
- 24 5 _____
- 25 6 _____

26 Division III. Sources of Gross Income.

- 27 In each one of the following categories list each
- 28 source which produces more than \$1,000 in annual gross
- 29 income, if the revenue produced by the source was
- 30 subject to federal or state income taxes last year.

Page 19

- 1 List the nature or type of each company, business,
- 2 financial institution, corporation, partnership, or
- 3 other entity which produces more than \$1,000 of annual

4 gross income. Neither the amount of income produced
5 nor value of the holding is required to be listed in
6 any of the items.

7 A. Securities: State the nature of the business of
8 any company in which you hold stock, bonds, or other
9 pecuniary interests that generate more than \$1,000 in
10 annual gross income. Income generated by multiple
11 holdings in a single company are deemed received from
12 a single source.

13 _____
14 _____
15 _____
16 _____
17 _____
18 _____

19 B. Instruments of Financial Institutions: State the
20 types of institutions in which you hold financial
21 instruments, such as certificates of deposit, savings
22 accounts, etc., that produce annual gross income in
23 excess of \$1,000, e.g., banks, savings and loans, or
24 credit unions.

25 _____
26 _____
27 _____
28 _____
29 _____
30 _____

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1 C. Trusts: State the nature or type of any trust
2 from which you receive more than \$1,000 of gross
3 income annually.

4 _____
5 _____
6 _____
7 _____
8 _____
9 _____

10 D. Real Estate: State the general nature of real
11 estate interests that generate more than \$1,000 of
12 gross income annually, e.g., residential leasehold
13 interest or farm leasehold interest. The size or
14 location of the property interest is not required to
15 be listed.

16 _____
17 _____
18 _____
19 _____
20 _____
21 _____

22 E. Retirement Systems: State the name of each

23 pension plan or other corporation or company that pays
24 you more than \$1,000 annually in retirement benefits.

25 _____
26 _____
27 _____
28 _____
29 _____
30 _____

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1 F. Other Income Categories Specified in State and
2 Federal Income Tax Regulations.

3 _____
4 _____
5 _____
6 _____
7 _____
8 _____
9 _____

10 (Signature of Filer) _____ (Date) _____

The motion prevailed and the resolution was adopted.

ADOPTION OF HOUSE RESOLUTION 6

Cormack of Webster called up for consideration House Resolution 6
as follows and moved its adoption:

1 HOUSE RESOLUTION 6
2 BY COMMITTEE ON ETHICS
3 A Resolution relating to the rules governing lobbyists in the
4 House of Representatives.
5 *Be It Resolved By The House Of Representatives,*
6 That the house rules governing lobbyists be amended to
7 read as follows:

8 HOUSE RULES GOVERNING LOBBYISTS
9 1. DEFINITIONS OF TERMS. As used in these rules,
10 "client", "gift", "~~immediate family member~~",
11 "~~lobbyist~~", ~~and~~ "person", ~~and immediate family~~
12 ~~members~~" have the meanings provided in section 68B.2
13 of the Code, except that the terms "lobbyist" and
14 "client" shall only refer to persons who are lobbyists
15 or clients of lobbyists of the house of
16 representatives. Except as otherwise provided,
17 "employee of the house" means a full-time permanent
18 paid employee of the house of representatives.

19 2. REGISTRATION REQUIRED.
20 a. All lobbyists shall, on or before the day their
21 lobbying activity begins, register in the manner

22 provided under section 68B.36 of the Code. Lobbyist
23 registration forms shall be available in the office of
24 the chief clerk of the house.

25 b. In addition each registered lobbyist shall file
26 with the chief clerk of the house a statement of the
27 general subjects of legislation in which the lobbyist
28 is or may be interested, the file number of the bills
29 and resolutions and the bill number of study bills, if
30 known, which will be lobbied, whether the lobbyist

Page 2

1 intends to lobby for or against each bill, resolution,
2 or study bill, if known, and on whose behalf the
3 lobbyist is lobbying the bill, resolution, or study
4 bill.

5 Any change in or addition to the information re-
6 quired by this rule shall be registered with the chief
7 clerk of the house within ten days from the time the
8 change or addition is known to the lobbyist.

9 3. CANCELLATION OF REGISTRATION. If a lobbyist's
10 service on behalf of a particular employer, client, or
11 cause is concluded after the lobbyist registers but
12 before the first day of the next legislative session,
13 the lobbyist shall cancel the registration in the
14 manner required under section 68B.36 of the Code.
15 Upon cancellation of registration, a person is
16 prohibited from engaging in any lobbying activity on
17 behalf of that particular employer, client, or cause
18 until reregistering and complying with the
19 requirements of section 68B.36 of the Code.

20 3A. AMENDMENT OF REGISTRATION. If a registered
21 lobbyist represents more than one employer, client, or
22 cause and the lobbyist's services is are concluded on
23 behalf of a particular employer, client, or cause
24 after the lobbyist registers but before the first day
25 of the next legislative session, the lobbyist shall
26 file an amendment to the lobbyist's registration
27 indicating which employer, client, or cause is no
28 longer represented by the lobbyist and the date upon
29 which the representation concluded.

30 If a lobbyist is retained by one or more additional

Page 3

1 employers, clients, or causes after the lobbyist
2 registers but before the first day of the next
3 legislative session, the lobbyist shall file an
4 amendment to the lobbyist's registration indicating
5 the employer, client, or cause to be added and the
6 date upon which the representation begins.
7 Amendments to a lobbyist's registration regarding

8 changes which occur during the time that the general
9 assembly is in session shall be filed within one
10 working day after the date upon which the change in
11 the lobbyist's representation becomes effective.
12 Amendments regarding changes which occur when the
13 general assembly is not in session shall be filed
14 within ten days after the date upon which the change
15 in the lobbyist's representation becomes effective.

16 4. PUBLIC ACCESS. All information filed by a
17 lobbyist or a client of a lobbyist under chapter 68B
18 of the Code is a public record and open to public
19 inspection at any reasonable time.

20 5. CHARGE ACCOUNTS. Lobbyists and the clients
21 they represent shall not allow members of the house to
22 charge any amounts or items to a charge account to be
23 paid for by those lobbyists or by the clients they
24 represent.

25 6. ACCESS TO HOUSE FLOOR. Lobbyists shall only be
26 permitted on the floor of the house pursuant to rule
27 20 of the rules of the house.

28 7. FEE OR BONUS PROHIBITED. A fee or bonus shall
29 not be paid to any lobbyist with reference to any
30 legislative action that is conditioned wholly or in

Page 4

1 part upon the results attained by the lobbyist.

2 8. OFFERS OF ECONOMIC OR INVESTMENT OPPORTUNITY.

3 A lobbyist, employer, or client of a lobbyist shall
4 not offer economic or investment opportunity or
5 promise of employment to any member of the house with
6 intent to influence conduct in the performance of
7 official duties.

8 9. PERSONAL OR FINANCIAL OBLIGATION. A lobbyist
9 shall not do anything with the purpose of placing a
10 member of the house under personal or financial
11 obligation to a lobbyist or a lobbyist's principal or
12 agent.

13 10. ATTEMPTS TO CREATE ADDITIONAL EMPLOYMENT. A
14 lobbyist shall not cause or influence the introduction
15 of any bill or amendment for the purpose of being
16 employed to secure its passage or defeat.

17 11. CAMPAIGN SUPPORT. A lobbyist shall not
18 influence or attempt to influence a member's actions
19 by the promise of financial support for the member's
20 candidacy or threat of financial support for an
21 opposition candidate. A lobbyist shall not make a
22 campaign contribution to a member or to a member's
23 candidate's committee during the time that the general
24 assembly is in session.

25 12. COMMUNICATION WITH MEMBER'S EMPLOYER
26 PROHIBITED. A lobbyist shall not communicate with a

27 member's employer for the purpose of influencing a
28 vote of the member.
29 13. EXCESS PAYMENTS. A lobbyist shall not pay or
30 agree to pay to a member a price, fee, compensation,

Page 5

1 or other consideration for the sale or lease of any
2 property or the furnishing of services which is
3 substantially in excess of that which other persons in
4 the same business or profession would charge in the
5 ordinary course of business.
6 14. PROHIBITION AGAINST GIFTS. A lobbyist or
7 client of a lobbyist shall not, directly or
8 indirectly, offer or make a gift or series of gifts to
9 any member or full-time permanent employee of the
10 house or the immediate family members of a member or
11 full-time permanent employee of the house except as
12 otherwise provided in section 68B.22 of the Code. A
13 lobbyist or client of a lobbyist who intends or plans
14 to give a nonmonetary item, other than food or drink
15 consumed in the presence of the donor, which does not
16 have a readily ascertainable value, to a member or
17 full-time permanent employee of the house, prior to
18 giving or sending the item to the member or employee,
19 shall seek approval of the item from the chief clerk
20 of the house. A lobbyist or client of a lobbyist who
21 seeks approval of an item from the chief clerk shall
22 submit the item and evidence of the value of the item
23 at the time that approval is requested.
24 A lobbyist shall inform each of the lobbyist's
25 clients of the requirements of section 68B.22 of the
26 Code and of the responsibility to seek approval prior
27 to giving or sending a nonmonetary item which does not
28 have a readily ascertainable value to a member or a
29 full-time permanent employee of the house.
30 15. FINANCIAL TRANSACTIONS. A lobbyist shall not,

Page 6

1 directly or indirectly, make a loan to a member of the
2 house or to an employee of the house.
3 A loan prohibited under this section does not
4 include a loan made in the ordinary course of business
5 of a lobbyist if the primary business of the lobbyist
6 is something other than lobbying, if consideration of
7 equal or greater value is received by the lobbyist,
8 and if fair market value is given or received for the
9 benefit conferred.
10 16. HONORARIA – RESTRICTIONS. A lobbyist or
11 client of a lobbyist shall not pay an honorarium to a
12 member or employee of the house for a speaking

13 engagement or other formal public appearance in the
 14 official capacity of the member or employee except as
 15 otherwise provided in section 68B.23 of the Code.
 16 17. COMPLAINTS. The procedures for complaints and
 17 enforcement of these rules shall be the same as those
 18 provided in the house code of ethics.
 19 18. PROCEDURES AND FORMS. The chief clerk of the
 20 house, subject to the approval of the house ethics
 21 committee, shall prescribe procedures for compliance
 22 with these rules, and shall prepare forms for the
 23 filing of complaints and make them available to any
 24 person.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILL Regular Calendar

House File 172, a bill for an act relating to adoption procedural requirements including those related to investigations, reports, and counseling, was taken up for consideration.

Boddicker 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. 172)

The ayes were, 94:

Alons	Arnold	Barry	Bell
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chapman
Chiodo	Cphoon	Cormack	Davis
Dix	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson

Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, none.

Absent or not voting, 6:

Baudler	Connors	Doderer	Ford
Houser	Mascher		

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 172** be immediately messaged to the Senate.

On motion by Siegrist of Pottawattamie, the House was recessed at 9:10 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:03 p.m., Speaker Corbett in the chair.

INTRODUCTION OF BILLS

House File 246, by Larson, a bill for an act defining certain acts as fraudulent and making penalties applicable.

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

House File 247, by Witt, a bill for an act relating to the use of certain property owned by the department of transportation for green space purposes.

Read first time and referred to committee on **environmental protection**.

House File 248, by Doderer and Jochum, a bill for an act providing a sales and use tax exemption for hospices.

Read first time and referred to committee on **ways and means**.

House File 249, by Arnold, a bill for an act relating to the hunting area for persons with free deer and wild turkey hunting licenses.

Read first time and referred to committee on **natural resources**.

House File 250, by Larkin, Burnett, Huser, Dotzler, May, Mertz, O'Brien, and Jager, a bill for an act relating to county sheriffs' patrol vehicles.

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

House File 251, by Larkin, a bill for an act relating to eligibility for United States armed forces retired special motor vehicle license plates.

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

House File 252, by Shoultz, Jochum, Osterhaus, Richardson, and Frevert, a bill for an act eliminating the deduction for federal income taxes paid and decreasing the tax rates under the individual income tax and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 253, by Jacobs, a bill for an act relating to the preservation of records held by financial institutions.

Read first time and referred to committee on **commerce and regulation**.

SPECIAL PRESENTATION

Myers of Johnson introduced to the House, football coach Hayden Fry of the University of Iowa.

The House rose and expressed its welcome.

ADOPTION OF HOUSE RESOLUTION 7

Millage of Scott asked and received unanimous consent for the immediate consideration of House Resolution 7, a resolution honoring University of Iowa Football Coach Hayden Fry.

Siegrist of Pottawattamie moved the adoption of House Resolution 7.

The motion prevailed and the resolution was adopted.

APPOINTMENTS

The following individuals are appointed to the Legislative Council and Committees of the Council:

1999-2000 LEGISLATIVE COUNCIL (Chapter 2.41, Code of Iowa)

Representative Ron Corbett
Representative Christopher Rants
Representative Brent Siegrist
Representative David Schrader
Representative David Millage
Representative Pat Murphy
Representative Chuck Gipp
Representative Libby Jacobs
Representative Betty Grundberg
Representative Pam Jochum
Representative John Connors
Representative Dolores Mertz

ADMINISTRATIVE COMMITTEE

Representative Libby Jacobs
Representative Ron Corbett
Representative Pam Jochum

CAPITAL PROJECTS

Representative David Millage
Representative Chuck Gipp
Representative Betty Grundberg
Representative Pam Jochum
Representative Pat Murphy

FISCAL COMMITTEE

Representative David Millage
Representative James Van Fossen
Representative Libby Jacobs
Representative Pat Murphy
Representative Don Shoultz

INTERNATIONAL RELATIONS

Representative Betty Grundberg
Representative Ron Corbett
Representative Christopher Rants
Representative Brent Siegrist
Representative Libby Jacobs
Representative Kay Chapman
Representative Paul Scherrman
Representative Minnette Doderer
Representative Paul Bell

SERVICE

Representative Christopher Rants
Representative Brent Siegrist
Representative John Connors

STUDIES

Representative Chuck Gipp
Representative Ron Corbett
Representative Christopher Rants
Representative David Schrader
Representative Dolores Mertz

HOUSE FILE 218 REREFERRED

The Speaker announced that House File 218, previously referred to committee on **natural resources** was rereferred to committee on **local government**.

HOUSE FILE 223 REREFERRED

The Speaker announced that House File 223, previously referred to committee on **natural resources** was rereferred to committee on **commerce and regulation**.

SPONSOR ADDED
(House File 62)

Davis of Wapello requested to be added as a sponsor of House File 62.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

DEPARTMENT OF PUBLIC HEALTH

The Anatomical Gift 1998 Annual Donation and Compliance Report, pursuant to Chapter 142C.17, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\139 Mary Kos, Cedar Rapids – For celebrating her 90th birthday.
- 1999\140 Viola and Bennie Pospisil, Mt. Vernon – For celebrating their 50th wedding anniversary.
- 1999\141 Frank G. Koutny, Ely – For celebrating his 90th birthday.
- 1999\142 Randy Hinkel, Madrid – For being named the 1998 Class A Football Coach of the Year.
- 1999\143 Agnes Bras, Sibley – For celebrating her 100th birthday.
- 1999\144 Reba and Walter Lamb, Osceola – For celebrating their 60th wedding anniversary.
- 1999\145 Alice Van Egdome, Traer – For celebrating her 90th birthday.
- 1999\146 Jessine M. Duuck, Clinton – For celebrating her 90th birthday.
- 1999\147 Marilyn and Tim Mullen, Clinton – For celebrating their 50th wedding anniversary.

- 1999\148 Mr. and Mrs. Benjamin Greve, Bryant – For celebrating their 50th wedding anniversary.
- 1999\149 Mr. and Mrs. Arnold Block, DeWitt – For celebrating their 63rd wedding anniversary.
- 1999\150 Laura and Vern Hoepfner, Waterloo – For celebrating their 50th wedding anniversary.
- 1999\151 Hertha Lebuhn, Davenport – For celebrating her 100th birthday.
- 1999\152 Mary Wandschneider, Mount Auburn – For celebrating her 90th birthday.
- 1999\153 Estal and Eva Nelson Edmonds, Little Sioux – For celebrating their 50th wedding anniversary.
- 1999\154 Doris Dungan, Logan – For celebrating her 80th birthday.
- 1999\155 Donna Foje, Logan – For celebrating her 80th birthday.
- 1999\156 Margaret Osborn, Missouri Valley – For celebrating her 80th birthday.
- 1999\157 Betty and Dean Grimm, Vinton – For celebrating their 55th wedding anniversary.
- 1999\158 Darlene Struve, Dysart – For celebrating her 80th birthday.
- 1999\159 Luella Dahms, Marion – For celebrating her 90th birthday.
- 1999\160 Scott Sargent, Jewell – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\161 Irene and Celtus Thome, Gilbertville – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 171

Judiciary: Boddicker, Chair; Chapman and Jager.

House File 179

Judiciary: Thomson, Chair; Doderer and Raecker.

House File 211

Judiciary: Sukup, Chair; Kreiman and Larson.

House File 215

Judiciary: Thomson, Chair; Davis, Kreiman, Larson and Myers.

House File 217

Judiciary: Sunderbruch, Chair; Baudler and Holveck.

House File 223

Commerce and Regulation: Dix, Chair; Jenkins and Weigel.

House File 227

Judiciary: Thomson, Chair; Ford and Raecker.

House File 229

Judiciary: Kettering, Chair; Jager and Shoultz.

House File 230

Judiciary: Boddicker, Chair; Doderer and Millage.

House File 233

State Government: Bradley, Chair; O'Brien and Van Engelenhoven.

House File 234

State Government: Jacobs, Chair; Houser and Taylor.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 29 Reassigned**

State Government: Davis, Chair; Brauns, Metcalf, O'Brien and Whitead.

House Study Bill 42

Appropriations: Dix, Chair; Murphy and Sukup.

House Study Bill 46

Appropriations: Sukup, Chair; Cormack and Huser.

House Study Bill 47

Appropriations: Heaton, Chair; Nelson and Parmenter.

House Study Bill 48

Appropriations: Millage, Chair; Dix and Falck.

House Study Bill 79

Commerce and Regulation: Metcalf, Chair; Chapman and Van Fossen.

House Study Bill 82

State Government: Gipp, Chair; Arnold, Chiodo, Jager, Jochum, O'Brien and Van Engelenhoven.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 85 Local Government

Relating to the exercise of the power of eminent domain and to condemnation proceedings and providing for the Act's applicability.

H.S.B. 86 Judiciary

Allowing the suspension or revocation of a juvenile's driver's license for certain delinquent acts.

H.S.B. 87 Judiciary

Changing the maximum fine for a simple misdemeanor.

H.S.B. 88 Judiciary

Relating to increasing the penalties for an assault on a jailer.

H.S.B. 89 Judiciary

Relating to the liability for unpaid rates or charges of a city utility or enterprise service for water, sewage, and solid waste services.

H.S.B. 90 Judiciary

Providing that defendants convicted of vehicular manslaughter are not bailable on appeal.

H.S.B. 91 Local Government

Relating to the powers and duties of county treasurers by amending Code sections pertaining to special assessments on certain motor vehicle ownership transfers, tax statement addresses, city utility liens, taxation of buildings or improvements, tax redemption, and tax clearance statements for mobile homes, and providing effective date and applicability date provisions.

H.S.B. 92 Local Government

Proposing an amendment to the Constitution of the State of Iowa to change the length of term of office for members of the Iowa House of Representatives to four years.

H.S.B. 93 Local Government

Relating to the authority of counties and cities to require storm shelters in mobile home parks, providing a property tax exemption, and providing a retroactive applicability date.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 69), relating to visitation provisions between siblings under a custody order.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 9, 1999.

AMENDMENTS FILED

H—1006	H.F.	209	Parmenter of Story
H—1007	H.F.	209	Shoultz of Black Hawk

H—1008	H.F.	209	Shoultz of Black Hawk
H—1009	H.F.	209	Shoultz of Black Hawk

On motion by Siegrist of Pottawattamie the House adjourned at 1:15 p.m., until 8:45 a.m., Wednesday, February 10, 1999.

JOURNAL OF THE HOUSE

Thirty-first Calendar Day - Twentieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 10, 1999

The House met pursuant to adjournment at 8:55 a.m., Speaker Corbett in the chair.

Prayer was offered by Father Jerry Kopacek, pastor of St. Mary's Church, Marshalltown.

The Journal of Tuesday, February 9, 1999 was approved.

SPECIAL PRESENTATION

The Valley Singers from Valley High School, West Des Moines, directed by James Cacciatore, performed in the House chamber. They are the National Grammy Signature for Music Education award winners for 1999.

The House rose and expressed its appreciation.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Gipp of Winneshiek on request of Rants of Woodbury.

INTRODUCTION OF BILL

House File 254, by Larson, a bill for an act relating to the allocation of income of S corporations, partnerships, limited liability companies, sole proprietorships, and other business entities for the purpose of the state individual income tax and including a retroactive applicability date provision.

Read first time and referred to committee on ways and means.

SPECIAL PRESENTATION

Representative Huseman of Cherokee introduced to the House the Honorable Richard Vande Hoef, former state representative from Osceola and his wife Harriet.

The House rose and expressed its welcome.

CONSIDERATION OF BILLS

Regular Calendar

House File 164, a bill for an act concerning the open meetings statute by permitting the awarding of appellate attorney fees for a successful action involving the statute, was taken up for consideration.

Sunderbruch of Scott 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. 164)

The ayes were, 93:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Cohoon	Connors	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Foege	Frevert	Garman
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Scherrman	Schrader	Shultz
Siegrist	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman

Weigel
Mr. Speaker
Corbett

Welter

Whitead

Wise

The nays were, 3:

Fallon

Stevens

Witt

Absent or not voting, 4:

Chiodo

Ford

Gipp

Richardson

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

HOUSE FILE 72 WITHDRAWN

Sunderbruch of Scott asked and received unanimous consent to withdraw House File 72 from further consideration by the House.

House File 210, a bill for an act relating to the exclusion of certain transactions under the business opportunities law and providing effective and retroactive applicability dates, was taken up for consideration.

Rants of Woodbury in the chair at 9:16 a.m.

Weigel of Chickasaw asked for unanimous consent to have House File 210 rereferred to the committee on judiciary.

Objection was raised.

Weigel of Chickasaw asked for unanimous consent to have House File 210 referred to the committee on commerce and regulation.

Objection was raised.

Weigel of Chickasaw moved to refer House File 210 to the committee on commerce and regulation.

A non-record roll call was requested.

The ayes were 37, nays 50.

The motion lost.

Jager of Black Hawk 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. 210)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Cohoon	Connors	Corbett, Spkr.
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Frevert	Garman	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rayhons	Reynolds	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Rants, Presiding

The nays were, none.

Absent or not voting, 4:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 164** be immediately messaged to the Senate.

HOUSE FILE 48 WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw House File 48 from further consideration by the House.

MOTION TO RECONSIDER
(House File 210)

I move to reconsider the vote by which House File 210 passed the House on February 10, 1999.

WEIGEL of Chickasaw

SPONSOR ADDED
(House File 250)

Davis of Wapello requested to be added as a sponsor of House File 250.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Monday, February 8, 1999. Had I been present, I would have voted "aye" on House File 38, Senate File 53 and Senate Concurrent Resolution 2.

FORD of Polk

I was necessarily absent from the House chamber on February 10, 1999. Had I been present, I would have voted "aye" on House Files 164 and 210.

RICHARDSON of Warren

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports

that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\162 Kathleen and Donald Streuber, Jewell – For receiving a Century Farm Award.
- 1999\163 Florence Kent, Climbing Hill – For celebrating her 80th birthday.
- 1999\164 Vera Fisher, Indianola – For celebrating her 90th birthday.
- 1999\165 Ola Sleister, Manilla – For celebrating her 87th birthday.
- 1999\166 Muriel Uhl, Mapleton – For celebrating her 85th birthday.
- 1999\167 Ethlyn Kolbe, Lake View – For celebrating her 80th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 226

Environmental Protection: Klemme, Chair; Alons and Richardson.

House File 232

Transportation: Eddie, Chair; Huser and Weidman.

House File 243

Transportation: Blodgett, Chair; Larkin and Welter.

House File 249

Natural Resources: Tyrrell, Chair; Klemme and Scherrman.

House File 251

Transportation: Eddie, Chair; Johnson and Warnstadt.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 12

Natural Resources: Alons, Chair; Drake and Frevert.

House Study Bill 63

Natural Resources: Kettering, Chair; Klemme and Mundie.

House Study Bill 69

Natural Resources: Baudler, Chair; Alons and Mundie.

House Study Bill 70

Natural Resources: Baudler, Chair; Alons and Mundie.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 94 Environmental Protection**

Relating to rulemaking duties of the department of natural resources regarding baled solid waste.

H.S.B. 95 Environmental Protection

Eliminating requirements for pesticide-contaminated and fertilizer-contaminated sites classification.

H.S.B. 96 Environmental Protection

Eliminating requirements relating to the department of natural resources adopting rules requiring public water systems to test source water.

H.S.B. 97 Judiciary

Relating to the imposition of mandatory minimum fines upon conviction of a felony.

H.S.B. 98 Agriculture

Providing for the demonstration of best management practices to assist livestock producers in storing, transporting, and applying manure.

H.S.B. 99 Judiciary

Concerning judicial administration.

H.S.B. 100 Environmental Protection

Eliminating certain requirements relating to the regulation of infectious waste.

H.S.B. 101 Judiciary

Relating to judges, concerning associate juvenile judges, associate probate judges, and retired judges.

H.S.B. 102 Judiciary

Relating to the duties of a guardian ad litem appointed to represent a child in juvenile court proceedings.

H.S.B. 103 Judiciary

Relating to the credit to be applied for time served for inmates charged with a new offense.

H.S.B. 104 Judiciary

Relating to the type and size of knives concealed or used in connection with a crime and providing penalties.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON STATE GOVERNMENT

House File 100, a bill for an act relating to the revocation or suspension of a law enforcement officer's certification.

Fiscal Note is not required.

Recommended **Do Pass** February 10, 1999.

Committee Bill (Formerly House Study Bill 30), related to activities of bail enforcement agents that are exempt from state licensing requirements.

Fiscal Note is not required.

Recommended **Do Pass** February 10, 1999.

Committee Bill (Formerly House Study Bill 34), providing for a change in the composition requirement for nurses on the Iowa board of nursing examiners.

Fiscal Note is not required.

Recommended **Do Pass** February 10, 1999.

On motion by Siegrist of Pottawattamie the House adjourned at 9:35 a.m., until 8:45 a.m., Thursday, February 11, 1999.

JOURNAL OF THE HOUSE

Thirty-second Calendar Day – Twenty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 11, 1999

The House met pursuant to adjournment at 8:50 a.m., Carroll of Poweshiek in the chair.

Prayer was offered by Reverend Mark Sherwood, pastor of Berean Baptist Church, Perry.

The Journal of Wednesday, February 10, 1999 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Gipp of Winneshiek and Van Fossen of Scott on request of Siegrist of Pottawattamie.

INTRODUCTION OF BILLS

House File 255, by committee on human resources, a bill for an act relating to visitation provisions between siblings under a custody order.

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

House File 256, by Bradley, Van Fossen, and Witt, a bill for an act providing an individual and corporate tax credit for the acquisition of assistive technology or the modification of the workplace in order to assist persons with a disability in the workplace and including an effective and applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 257, by Grundberg, Heaton, Johnson, Martin, and Holveck, a bill for an act relating to coverage for mental health services provided to state employees and including an applicability provision.

Read first time and referred to committee on **commerce and regulation**.

House File 258, by Kreiman, a bill for an act relating to the performance of community service work by criminal offenders, by providing for penalties for the falsification of records relating to community service work performed by certain offenders, and providing for the performance of a minimum number of hours of community service work by certain offenders.

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

House File 259, by Richardson, a bill for an act relating to the sharing of state sales tax revenues with school districts, cities, and counties and providing for property tax relief and technology and infrastructure funding and including an effective date provision.

Read first time and referred to committee on **ways and means**.

House File 260, by Bradley, a bill for an act relating to the substitution of steel shot for lead shot for hunting purposes.

Read first time and referred to committee on **natural resources**.

House File 261, by Gipp, a bill for an act establishing a drunk driving victim memorial sign program.

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

House File 262, by Lord and Larson, a bill for an act establishing a tax credit against individual and corporate income tax liability for small business guaranty fees paid and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 263, by Holveck, Dotzler, and Foege, a bill for an act relating to the termination of a rental agreement of a residential or a mobile home tenant.

Read first time and referred to committee on **local government**.

House File 264, by Blodgett, a bill for an act relating to third-party payment of health care coverage costs for treatment of bones or joints of the skeletal structure.

Read first time and referred to committee on **commerce and regulation**.

House File 265, by Burnett, a bill for an act relating to local goals and regulations for outdoor light fixture efficiency.

Read first time and referred to committee on **environmental protection**.

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 February 10, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 28, a bill for an act eliminating a report of land acquisitions and exchanges by a county conservation board.

Also: That the Senate has on February 10, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 41, a bill for an act relating to the duties and meetings of the county agricultural extension councils.

Also: That the Senate has on February 10, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 55, a bill for an act to legalize the transfer of certain property by the joint county system of Black Hawk and Buchanan counties to the Independence community school district, and providing an effective date.

Also: That the Senate has on February 10, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 67, a bill for an act relating to the assessment of civil damages for the illegal taking of a swan or a crane.

Also: That the Senate has on February 10, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 70, a bill for an act concerning unemployment insurance by providing for the distribution of certain moneys in the unemployment trust fund and the transfer of experience for unemployment insurance tax purposes.

Also: That the Senate has on February 10, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 92, a bill for an act relating to the notice provisions for transfer of assets which create a medical assistance debt.

Also: That the Senate has on February 10, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 95, a bill for an act relating to mandatory motor vehicle proof of financial responsibility by requiring such proof when a motor vehicle subject to registration in this state is operated on a parking lot.

Also: That the Senate has on February 10, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 102, a bill for an act relating to nonsubstantive Code corrections.

Also: That the Senate has on February 10, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 106, a bill for an act providing for accessibility requirements for elevators and providing an effective date.

Also: That the Senate has on February 10, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 115, a bill for an act relating to alcohol testing of private sector employees and prospective employees and providing an effective date.

MICHAEL E. MARSHALL, Secretary

MOTION TO RECONSIDER WITHDRAWN (House File 210)

Weigel of Chickasaw asked and received unanimous consent to withdraw the motion to reconsider House File 210, a bill for an act relating to the exclusion of certain transactions under the business opportunities law and providing effective and retroactive applicability dates, filed by him on February 10, 1999.

CONSIDERATION OF BILL

Regular Calendar

House File 222, a bill for an act relating to crime victim rights, was taken up for consideration.

Davis of Wapello 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. 222)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Brauns	Brunkhorst	Bukta
Burnett	Chapman	Chiodo	Cohoon
Connors	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Carroll,		
	Presiding		

The nays were, none.

Absent or not voting, 6:

Bradley	Cataldo	Corbett, Spkr.	Gipp
Millage	Van Fossen		

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 222** be immediately messaged to the Senate.

PROOF OF PUBLICATION (Senate File 55)

Published copy of Senate File 55 and verified proof of publication of said bill in the Independence Bulletin Journal, a bi-weekly newspaper printed and published in Buchanan County, Iowa on December 9th, 1998, was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

IOWA LOTTERY

The Fiscal Year 1998 Annual Report, pursuant to Chapter 99E, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- | | |
|----------|--|
| 1999\168 | Ruth and John Wegner, Strawberry Point – For celebrating their 60 th wedding anniversary. |
| 1999\169 | Grace Kuehl, Elkport – For celebrating her 90 th birthday. |
| 1999\170 | Bernice Johansen, West Union – For celebrating her 80 th birthday. |
| 1999\171 | Bill Yungclas, Webster City – For celebrating his 100 th birthday. |

1999\172 Justin Hegland, McCallsburg – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

1999\173 Brad Clark, Pella – For being selected as a Distinguished Finalist for the 1999 Prudential Spirit of Community Awards.

SUBCOMMITTEE ASSIGNMENTS

House File 196

Environmental Protection: Cormack, Chair; Brunkhorst and Witt.

House File 235

Judiciary: Millage, Chair; Shoultz and Thomson.

House File 236

Ways and Means: Rants, Chair; Chapman and Hoffman.

House File 237

Judiciary: Millage, Chair; Kreiman and Sukup.

House File 244

Ways and Means: Van Fossen, Chair; Drake and Kuhn.

House File 246

Judiciary: Raecker, Chair; Doderer and Larson.

House File 247

Environmental Protection: Greiner, Chair; Klemme and Witt.

House File 248

Ways and Means: Blodgett, Chair; Doderer and Hoffman.

House File 250

Transportation: Jager, Chair; Cohoon and Weidman.

House File 252

Ways and Means: Van Fossen, Chair; Drake and Jochum.

House File 253

Commerce and Regulation: Cataldo, Chair; Jacobs and Johnson.

House File 254

Ways and Means: Larson, Chair; Raecker and Weigel.

Senate File 51

Natural Resources: Alons, Chair; Drake and Frevert.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 94**

Environmental Protection: Kettering, Chair; Brunkhorst and Burnett.

House Study Bill 95

Environmental Protection: Huseman, Chair; Kettering and Richardson.

House Study Bill 96

Environmental Protection: Brunkhorst, Chair; Alons and Burnett.

House Study Bill 98

Agriculture: Klemme, Chair; Drees and Horbach.

House Study Bill 100

Environmental Protection: Boggess, Chair; Fallon and Kettering.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 105 Ways and Means**

Relating to a sales tax exemption for the inputs purchased for use in a car wash and wax facility.

H.S.B. 106 Ways and Means

Relating to the exemption of unassisted coin-operated motor vehicle wash, wax, and vacuum services from the state sales, services, and use taxes.

H.S.B. 107 Ways and Means

Relating to the elimination of investment counseling as a taxable service under the state sales and use taxes.

H.S.B. 108 Ways and Means

Providing for a hepatitis A vaccine tax credit under the individual and corporate income taxes for the cost of immunizing employees and workers at licensed food establishments and including an effective and retroactive applicability date provision:

H.S.B. 109 Ways and Means

Exempting the sales of aircraft from local option sales and services taxes.

H.S.B. 110 Ways and Means

Relating to the administration of the tax and related laws by the department of revenue and finance, including administration of state individual income, corporate income, franchise, sales and use, motor fuel, cigarette and tobacco, local option, inheritance and estate, and property taxes, and the livestock production credit; providing penalties; and including effective and retroactive applicability date provisions.

H.S.B. 111 Commerce and Regulation

Relating to permissible fees to be charged by state and national banks for maintaining a demand deposit account with a line of credit.

H.S.B. 112 Commerce and Regulation

Relating to delinquency charges on certain consumer credit transactions.

H.S.B. 113 Transportation

Allowing certain utility employees to operate all-terrain vehicles and snowmobiles on railroad rights of way.

H.S.B. 114 Transportation

Establishing a time limit for disallowance or reduction of motor vehicle warranty claims, relating to establishment of motor vehicle franchises, and making a penalty applicable.

H.S.B. 115 State Government

Relating to gambling, by imposing a moratorium on increasing the number of games and machines, authorizing the transfer of a gambling game license to another pari-mutuel licensee, providing for the transfer of collective bargaining agreements, prohibiting the dispensing of cash or credit on certain gambling premises and providing a civil penalty, imposing a scheduled fine for gambling by persons under twenty-one years of age, limiting civil penalties related to violations of legal age for gambling, providing for the disposition of charitable contributions, and providing for other properly related matters.

H.S.B. 116 Commerce and Regulation

Increasing the maximum income eligibility requirement for participation in the healthy and well kids in Iowa program.

H.S.B. 117 Agriculture

Urging the President of the United States and the United States Congress to support the export of agricultural commodities by working to remove or restrict impediments to the free trade of agricultural commodities and expanding the federal export enhancement program.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly House Study Bill 77), relating to the establishment of an Iowa early intervention program, and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 10, 1999.

On motion by Siegrist of Pottawattamie the House adjourned at 9:12 a.m., until 1:00 p.m., Monday, February 15, 1999.

JOURNAL OF THE HOUSE

Thirty-sixth Calendar Day - Twenty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 15, 1999

The House met pursuant to adjournment at 1:08 p.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Steven Teske, pastor of Trinity Lutheran Church, Shenandoah.

The Journal of Thursday, February 11, 1999 was approved.

THE PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Reverend Steven Teske, Shenandoah.

INTRODUCTION OF BILLS

House Joint Resolution 7, by Osterhaus, a joint resolution to designate the Tiger Swallowtail butterfly as the official state insect for the State of Iowa.

Read first time and referred to committee on **state government**.

House File 266, by committee on state government, a bill for an act providing for a change in the composition requirement for nurses on the Iowa board of nursing examiners.

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

House File 267, by Cormack, a bill for an act relating to televising proceedings of the Iowa general assembly and providing funding.

Read first time and referred to committee on **state government**.

House File 268, by Shoultz, a bill for an act relating to, and making an appropriation to, the department of education for allocation to low-performing schools.

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

House File 269, by Greiner, a bill for an act establishing an agricultural seed resolution board and procedures for resolving disputes regarding the performance of seeds, and providing for fees.

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

House File 270, by committee on education, a bill for an act relating to the establishment of an Iowa early intervention program, and making appropriations.

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

House File 271, by Heaton, a bill for an act providing for accessibility requirements for elevators and providing an effective date.

Read first time and referred to committee on **state government**.

House File 272, by Foege, a bill for an act making an appropriation to the state board of regents to support an initiative for the health and independence of elderly Iowans in the Iowa center on aging at the state university of Iowa.

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

House File 273, by Drake, Barry, and O'Brien, a bill for an act relating to the exemption of the sales of ski lift passes from the state sales and use taxes and including an effective date.

Read first time and referred to committee on **ways and means**.

House File 274, by Garman, a bill for an act relating to the medical care deduction when itemizing deductions under the state individual income tax and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 275, by Thomas and Falck, a bill for an act establishing a local corrections infrastructure revolving fund program.

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

House File 276, by Carroll, a bill for an act relating to landlords' and tenants' relations, by providing notice requirements, establishing a tenant's duty to properly maintain utility facilities, and providing for other properly related matters.

Read first time and referred to committee on **local government**.

House File 277, by Larkin, a bill for an act abolishing the county compensation board.

Read first time and referred to committee on **local government**.

House File 278, by Martin, a bill for an act changing the name of care review committee to resident advocate committee.

Read first time and referred to committee on **human resources**.

House File 279, by Doderer, a bill for an act relating to the disposition of certain lost property.

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

House File 280, by Ford, a bill for an act relating to the allocation of forfeited property and establishing a fund for grants to law enforcement agencies.

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

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 February 11, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 99, a bill for an act providing for a change in the composition requirement for nurses on the Iowa board of nursing examiners.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

Senate File 28, by committee on natural resources and environment, a bill for an act eliminating a report of land acquisitions and exchanges by a county conservation board.

Read first time and referred to committee on **natural resources**.

Senate File 41, by committee on local government, a bill for an act relating to the duties and meetings of the county agricultural extension councils.

Read first time and referred to committee on **local government**.

Senate File 55, by Rehberg, a bill for an act to legalize the transfer of certain property by the joint county system of Black Hawk and Buchanan counties to the Independence community school district, and providing an effective date.

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

Senate File 67, by committee on natural resources and environment, a bill for an act relating to the assessment of civil damages for the illegal taking of a swan or a crane.

Read first time and referred to committee on **natural resources**.

Senate File 70, by committee on business and labor relations, a bill for an act concerning unemployment insurance by providing for the distribution of certain moneys in the unemployment trust fund and the transfer of experience for unemployment insurance tax purposes.

Read first time and referred to committee on **commerce and regulation**.

Senate File 92, by committee on human resources, a bill for an act relating to the notice provisions for transfer of assets which create a medical assistance debt.

Read first time and referred to committee on **human resources**.

Senate File 95, by committee on transportation, a bill for an act relating to mandatory motor vehicle proof of financial responsibility by requiring such proof when a motor vehicle subject to registration in this state is operated on a parking lot.

Read first time and referred to committee on **commerce and regulation**.

Senate File 99, by committee on state government, a bill for an act providing for a change in the composition requirement for nurses on the Iowa board of nursing examiners.

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

Senate File 102, by committee on judiciary, a bill for an act relating to nonsubstantive Code corrections.

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

Senate File 115, by committee on business and labor relations, a bill for an act relating to alcohol testing of private sector employees and prospective employees and providing an effective date.

Read first time and referred to committee on **labor and industrial relations**.

SPONSORS ADDED
(House File 193)

Davis of Wapello requested to be added as a sponsor of House File 193.

(House File 204)

Davis of Wapello requested to be added as a sponsor of House File 204.

(House File 230)

Davis of Wapello requested to be added as a sponsor of House File 230.

(House File 248)

Davis of Wapello requested to be added as a sponsor of House File 248.

(House File 248)

Murphy of Dubuque requested to be added as a sponsor of House File 248.

(House File 248)

Myers of Johnson requested to be added as a sponsor of House File 248.

(House File 258)

Davis of Wapello requested to be added as a sponsor of House File 258.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Thursday morning, February 11, 1999. Had I been present, I would have voted "aye" on House File 222.

CATALDO of Polk

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 11, 1999, he approved and transmitted to the Secretary of State the following bill:

Senate File 47, an act relating to the classification of funding agreements issued by a life insurance company for purposes of the prioritization of claims against the assets of an insurer subject to supervision, rehabilitation, and liquidation, and including an effective date and a retroactive applicability provision.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

DEPARTMENT OF PUBLIC HEALTH

A report to the Governor and General Assembly from the Iowa Child Death Review Team, pursuant to Chapter 135.43, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\174 Samuel Bond, Davenport – For celebrating his 85th birthday.
- 1999\175 Effie Wilkinson, Corning – For celebrating her 96th birthday.
- 1999\176 Leola Forsythe, Independence – For celebrating her 80th birthday.
- 1999\177 Virginia and Lorenz Schellhorn, Oran – For celebrating their 50th wedding anniversary.
- 1999\178 Shane Evans, Rockwell City – For being appointed to the United States Air Force Academy.
- 1999\179 Helen Dahm, Early – For celebrating her 90th birthday.
- 1999\180 Lydia Hopp, Denison – For celebrating her 80th birthday.
- 1999\181 Virgil Winey, Manilla – For celebrating her 95th birthday.
- 1999\182 Ann Holmes, Manilla – For celebrating her 88th birthday.
- 1999\183 Joe Bollig, Mapleton – For celebrating his 95th birthday.
- 1999\184 Charlotte and Don Busch, Lake View – For celebrating their 50th wedding anniversary.
- 1999\185 Jean and Charles Hogue, Schaller – For celebrating their 60th wedding anniversary.
- 1999\186 Hattie Bergmann, Holstein – For celebrating her 90th birthday.
- 1999\187 Luella Bunge, Wall Lake – For celebrating her 90th birthday.

- 1999\188 Art Frandsen, Battle Creek – For celebrating his 80th birthday.
- 1999\189 Frances Auen, Lake View – For celebrating her 87th birthday.
- 1999\190 Dustin Duane Eiffler, Lime Springs – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\191 Margaret and Arthur Haleen, Boone – For celebrating their 66th wedding anniversary.
- 1999\192 Mary N. DeCarlo Loffredo, Des Moines – For celebrating her 80th birthday.
- 1999\193 Wilma Clement, Dunlap – For celebrating her 85th birthday.
- 1999\194 Threasiea and Tom O'Daniels, Missouri Valley – For celebrating their 50th wedding anniversary.
- 1999\195 Anna and Raymond Kuennen, Lawler – For celebrating their 60th wedding anniversary.
- 1999\196 Lillian and Jerome Tupy, New Hampton – For celebrating their 60th wedding anniversary.
- 1999\197 Millie and Leo Kolbet, Elma – For celebrating their 50th wedding anniversary.
- 1999\198 Louise and Darrell Steenhoek, Prairie City – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 139

Agriculture: Johnson, Chair; Huseman and Scherrman.

House File 253 (Reassigned)

Commerce and Regulation: Jacobs, Chair; Cataldo and Johnson.

House File 271

State Government: Bradley, Chair; Cataldo, Connors, Davis and Van Engelenhoven.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 105

Ways and Means: Rants, Chair; Doderer and Lord.

House Study Bill 106

Ways and Means: Rants, Chair; Lord and Osterhaus.

House Study Bill 107

Ways and Means: Boal, Chair; Hoffman and Osterhaus.

House Study Bill 108

Ways and Means: Teig, Chair; Doderer and Houser.

House Study Bill 109

Ways and Means: Holmes, Chair; Chapman and Jenkins.

House Study Bill 110

Ways and Means: Holmes, Chair; Chapman and Jager.

House Study Bill 111

Commerce and Regulation: Rants, Chair; Dix and Holveck.

House Study Bill 112

Commerce and Regulation: Rants, Chair; Dix and Holveck.

House Study Bill 116

Commerce and Regulation: Hansen, Chair; Chapman and Raecker.

House Study Bill 117

Agriculture: Klemme, Chair; Alons and Parmenter.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 118 State Government**

Providing registration requirements for dental assistants and providing an effective date.

H.S.B. 119 State Government

Providing registration requirements and establishing a scope of authority for dental assistants.

H.S.B. 120 Judiciary

Relating to the commitment of sexually violent predators, by changing the deadline for filing a petition by the attorney general; providing for waiver or continuance of the probable cause hearing; granting greater enforcement power to the prosecuting attorney; extending the time to hold a trial; establishing supervised release for sexually violent persons who have been rehabilitated; providing for the preservation of certain child abuse reports; and providing the department of justice with access to such reports.

H.S.B. 121 Judiciary

Substituting the word "victim" for other terms used to describe persons against whom the crime of sexual abuse has been committed.

H.S.B. 122 Judiciary

Relating to the rescision of an administrative license revocation for an operating while intoxicated offense by the department of transportation, and providing an effective date.

H.S.B. 123 Transportation

Relating to transportation, including regulation of school buses and special trucks, motor vehicle titling and registration, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, and administrative procedures of the state department of transportation, and providing for fees and penalties.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON NATURAL RESOURCES

Senate File 37, a bill for an act relating to the hunting of mourning doves and subjecting violators to a penalty.

Fiscal Note is not required.

Recommended **Do Pass** February 11, 1999.

RESOLUTION FILED

HCR 8, by Doderer, a concurrent resolution requesting the President of the United States to endorse and sign the International Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Landmines and on Their Destruction.

Laid over under **Rule 25**.

On motion by Siegrist of Pottawattamie the House adjourned at 1:17 p.m., until 8:45 a.m., Tuesday, February 16, 1999.

JOURNAL OF THE HOUSE

Thirty-seventh Calendar Day – Twenty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 16, 1999

The House met pursuant to adjournment at 8:47 a.m., Carroll of Poweshiek in the chair.

Prayer was offered by Reverend Mark Gerken, pastor of Faith Lutheran Church, Adel.

The Journal of Monday, February 15, 1999 was approved.

PETITION FILED

The following petition was received and placed on file:

By Barry of Harrison, from twenty constituents of the 82nd district opposing the bill to legalize the hunting of mourning doves.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sunderbruch of Scott on request of Siegrist of Pottawattamie.

TEACHER OF THE DAY

Representative Dix of Butler presented to the House, Robert Gifford, teacher of Janesville High School.

INTRODUCTION OF BILLS

House File 281, by committee on state government, a bill for an act related to activities of bail enforcement agents that are exempt from state licensing requirements.

Read first time and placed on the calendar.

House File 282, by Wise, a bill for an act relating to the rights of a dissenting shareholder of a state bank.

Read first time and referred to committee on **commerce and regulation**.

House File 283, by Garman, a bill for an act relating to exemptions from vehicle registration requirements for travel trailers placed in storage.

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

House File 284, by Garman, a bill for an act relating to the time limit when a taxpayer may receive a refund for erroneous property taxes paid and including an effective and applicability date provision.

Read first time and referred to committee on **local government**.

House File 285, by Richardson, a bill for an act exempting the sale of children's clothing and footwear from the sales and use taxes.

Read first time and referred to committee on **ways and means**.

House File 286, by Martin, a bill for an act providing for conditional employment pending the outcome of background checks for health care facility employees.

Read first time and referred to committee on **human resources**.

House File 287, by Frevert, a bill for an act relating to the use of cellular telephones by certain law enforcement officers.

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

House File 288, by Ford, a bill for an act relating to foster care provisions involving placement orders, appellate review, and parental liability.

Read first time and referred to committee on **human resources**.

House File 289, by Frevert, a bill for an act relating to practices involving the marketing of livestock by packers, by prohibiting price discrimination, requiring reporting, and providing criminal penalties and civil remedies.

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

House File 290, by Greiner, Mundie, Drees, Alons, Boggess, Hahn, Schrader, Johnson, Falck, Dotzler, Mertz, May, Boddicker, Myers, Huseman, Houser, Thomas, and Murphy, a bill for an act relating to motor vehicle fuels, by providing for standards regulated by the department of agriculture and land stewardship, providing for the transportation, sale, and dispensing of oxygenated fuel, providing for tax revenues, and making penalties applicable.

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

House File 291, by Eddie, a bill for an act relating to permit fees for certain advertising devices.

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

House File 292, by Foege, a bill for an act relating to coverage under a policy or contract providing for third-party payment or prepayment of health or medical expenses by requiring coverage for costs associated with the treatment of diabetes.

Read first time and referred to committee on **commerce and regulation**.

House File 293, by Boggess, a bill for an act providing for the administration of assessments collected by the Iowa sheep and wool promotion board.

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

House File 294, by Foege, a bill for an act repealing the existing healthy and well kids in Iowa program, providing health care coverage for children under an expanded medical assistance program, providing transition provisions, and providing an effective date.

Read first time and referred to committee on **commerce and regulation**.

House File 295, by Davis, a bill for an act relating to limitation of liability for services performed by critical incident stress management teams.

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

CONSIDERATION OF BILLS Regular Calendar

House File 242, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities and providing effective dates and for retroactive applicability, was taken up for consideration.

Kreiman of Davis 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. 242)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Cataldo	Chapman
Chiodo	Cohoon	Corbett, Spkr.	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Frevert
Garman	Gipp	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz

Siegrist	Stevens	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Carroll, Presiding

The nays were, none.

Absent or not voting, 8:

Connors	Ford	Greiner	Lord
Rants	Sukup	Sunderbruch	Van Fossen

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 242** be immediately messaged to the Senate.

House File 182, a bill for an act expanding the criminal code definition of serious injury to include certain injuries to children, was taken up for consideration.

Raecker 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. 182)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Cataldo	Chapman
Chiodo	Cohoon	Corbett, Spkr.	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson

Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Carroll, Presiding		

The nays were, none.

Absent or not voting, 6:

Connors	Greiner	Grundberg	Rants
Sunderbruch	Van Fossen		

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 182** be immediately messaged to the Senate.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

1999\199 Ethel Peahl, DeWitt – For celebrating her 90th birthday.

1999\200 Mr. and Mrs. Robert Waack, DeWitt – For celebrating their 60th wedding anniversary.

1999\201 Opal Loucks, Indianola – For celebrating her 95th birthday.

1999\202 Ival Hooper, Indianola – For celebrating his 80th birthday.

1999\203 Ina and Lester Dittmer, Milo – For celebrating their 60th wedding anniversary.

1999\204 LaVonne and Harold Schneider, Manchester – For celebrating their 60th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 60

Education: Boal, Chair; Bukta and Lord.

House File 144

Education: Sunderbruch, Chair; Cohoon and Nelson.

House File 259

Ways and Means: Van Fossen, Chair; Drake and Richardson.

House File 261

Transportation: Brauns, Chair; Huser and Johnson.

House File 278

Human Resources: Martin, Chair; Grundberg and Witt.

Senate File 28

Natural Resources: Alons, Chair; Drake and Frevert.

Senate File 67

Natural Resources: Baudler, Chair; Alons and Mundie.

Senate File 92

Human Resources: Boal, Chair; Kreiman and Lord.

Senate File 115

Labor and Industrial Relations: Sukup, Chair; Barry and Taylor.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 81

Judiciary: Millage, Chair; Jager and Shoultz.

House Study Bill 86

Judiciary: Jager, Chair; Chapman and Davis.

House Study Bill 87

Judiciary: Kettering, Chair; Jager and Kreiman.

House Study Bill 88

Judiciary: Sunderbruch, Chair; Chapman and Millage.

House Study Bill 89

Judiciary: Sukup, Chair; Chapman and Larson.

House Study Bill 90

Judiciary: Thomson, Chair; Holveck and Larson.

House Study Bill 97

Judiciary: Davis, Chair; Larson and Parmenter.

House Study Bill 99

Judiciary: Jager, Chair; Holveck and Millage.

House Study Bill 101

Judiciary: Millage, Chair; Chapman and Larson.

House Study Bill 102

Judiciary: Boddicker, Chair; Kreiman and Raecker.

House Study Bill 103

Judiciary: Kettering, Chair; Larson and Shoultz.

House Study Bill 104

Judiciary: Davis, Chair; Baudler and Ford.

House Study Bill 113

Transportation: Welter, Chair; Johnson and May.

House Study Bill 114

Transportation: Huser, Chair; Jager and Weidman.

House Study Bill 115

State Government: Martin, Chair; Bradley, Chiodo, Larkin and Metcalf.

House Study Bill 118

State Government: Holmes, Chair; Chiodo, Davis, Houser and Jochum.

House Study Bill 119

State Government: Holmes, Chair; Chiodo, Davis, Houser and Jochum.

House Study Bill 120

Judiciary: Larson, Chair; Boddicker and Kreiman.

House Study Bill 121

Judiciary: Barry, Chair; Chapman and Jager.

House Study Bill 122

Judiciary: Baudler, Chair; Bell and Jager.

House Study Bill 123

Transportation: Johnson, Chair; Drees, May, Rayhons and Welter.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 124 Ways and Means

Exempting the sale of industrial gases like argon, oxygen, and acetylene used in the manufacturing process from the sales and use taxes, providing limited refunds, and including effective and retroactive applicability date provisions.

H.S.B. 125 Education

Relating to the duration and amount of additional weighting provided for limited English proficient students.

H.S.B. 126 Commerce and Regulation

Providing for access to a safe deposit box on the death of the owner or lessee of such box, and exempting state banks from liability associated with such access.

H.S.B. 127 Agriculture

Relating to linked investment deposits by providing a low-interest loan program to assist persons involved in value-added agricultural processing.

H.S.B. 128 Human Resources

Relating to certain programs and public health issues under the purview of the Iowa department of public health.

H.S.B. 129 Human Resources

Relating to child care provisions administered by the department of human services and to the terminology used to describe child care, making an appropriation of civil penalties, and including an effective date and applicability provisions.

H.S.B. 130 Commerce and Regulation

Relating to the deposit of public funds and the conditions which must be met by a savings and loan association or savings bank to be eligible to receive such deposits.

H.S.B. 131 Judiciary

Providing for the operational location of the drug enforcement and abuse prevention coordinator and the governor's alliance on substance abuse.

H.S.B. 132 Judiciary

Relating to notification regarding mechanics' liens by persons furnishing only materials to subcontractors who are also furnishing only materials to contractors.

H.S.B. 133 Judiciary

Defining sexual abuse in the third degree to include certain acts related to incapacitated victims, providing related definitions, and applying a penalty.

H.S.B. 134 Judiciary

Relating to certain elements of the crime of sexual assault in the third degree involving controlled substances, and applying a penalty.

H.S.B. 135 State Government

Relating to the reporting periods and dates of filing annual reports of the state racing and gaming commission.

H.S.B. 136 State Government

Relating to release of certain information on claimants of the extraordinary property tax credit or rent reimbursement to the department of inspections and appeals.

H.S.B. 137 Human Resources

Relating to clinical privileges in a hospital of a physician assistant or advanced registered nurse practitioner.

H.S.B. 138 Human Resources

Relating to reimbursement of podiatric physicians under the medical assistance program.

H.S.B. 139 Appropriations

Establishing the enrich Iowa program for eligible public libraries, making an appropriation, and providing an effective date.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly House File 82), relating to regulation of the grain industry and providing for civil penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 1999.

Committee Bill (Formerly House Study Bill 16), relating to liens arising out of contracts involving the care and feeding of livestock, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 1999.

COMMITTEE ON COMMERCE AND REGULATION

Committee Bill (Formerly House Study Bill 11), relating to transfers of structured settlement payment rights for tort and workers' compensation claims and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 1999.

Committee Bill (Formerly House Study Bill 50), relating to the supervisory authority of the state banking division with regard to bank holding company acquisitions and the ability of state banks to make loans to any one person.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 1999.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 127), relating to reimbursement, payment, and coverage by the state for damages involving individuals providing foster home, guardian, or conservator services and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 1999.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 87), relating to peace officer status for investigators of the department of inspections and appeals.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 11, 1999.

Committee Bill (Formerly House Study Bill 39), to restrict the posting of bond for the offense of felony stalking.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 11, 1999.

Committee Bill (Formerly House Study Bill 52), creating the new criminal offense of disarming a peace officer of a dangerous weapon.

Fiscal Note is required.

Recommended **Do Pass** February 16, 1999.

COMMITTEE ON STATE GOVERNMENT

House File 125, a bill for an act relating to straight party voting in elections.

Fiscal Note is not required.

Recommended **Do Pass** February 15, 1999.

Committee Bill (Formerly House File 203), relating to the licensure or regulation of alarm system, bail enforcement, private investigative, or private security businesses, and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 1999.

AMENDMENTS FILED

H—1010	H.F.	209	Weigel of Chickasaw
H—1011	H.F.	209	Weigel of Chickasaw
H—1012	H.F.	209	Weigel of Chickasaw

On motion by Siegrist of Pottawattamie the House adjourned at 9:17 a.m., until 8:45 a.m., Wednesday, February 17, 1999.

JOURNAL OF THE HOUSE

Thirty-eighth Calendar Day - Twenty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 17, 1999

The House met pursuant to adjournment at 9:05 a.m., Speaker pro tempore Rants in the chair.

Prayer was offered by Sarai Schnucker Beck, Executive Director of the Ecumenical Ministries of Iowa.

The Journal of Tuesday, February 16, 1999 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Van Fossen of Scott on request of Siegrist of Pottawattamie; Tyrrell of Iowa, until his arrival, on request of Barry of Harrison.

INTRODUCTION OF BILLS

House File 296, by committee on judiciary, a bill for an act to restrict the posting of bond for the offense of felony stalking.

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

House File 297, by Boddicker, Tyrrell, Klemme, Alons, Gipp, Siegrist, Johnson, Boal, Davis, Jager, Barry, Larson, Cormack, Weidman, Sunderbruch, Carroll, Eddie, Raecker, and Van Fossen, a bill for an act relating to mediation services related to custody, visitation, and support of a child.

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

House File 298, by Bradley, Van Fossen, and Witt, a bill for an act making an appropriation for grants for independent living centers for persons with disabilities.

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

House File 299, by Rayhons, a bill for an act relating to applications for motor vehicle registration and issuance of certificate of title.

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

House File 300, by Cormack, a bill for an act relating to residency requirements for county, city, and school district elective offices.

Read first time and referred to committee on **local government**.

House File 301, by Jenkins, a bill for an act relating to driver's license reciprocity with other countries and providing an effective date.

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

House File 302, by Boggess, a bill for an act providing that a county enterprise includes housing for persons who are elderly or persons with physical disabilities.

Read first time and referred to committee on **local government**.

House File 303, by Grundberg, a bill for an act relating to overdue charges owed by a tenant for city utility or enterprise service.

Read first time and referred to committee on **commerce and regulation**.

House File 304, by Doderer and Millage, a bill for an act relating to motor vehicle drivers' compliance with orders or directions given by peace officers.

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

House File 305, by Burnett, Whitead, Jochum, and Doderer, a bill for an act relating to protective orders for domestic abuse.

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

House File 306, by Myers, a bill for an act prohibiting the state department of transportation from selling certain information maintained by the department.

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

House File 307, by Eddie, a bill for an act relating to placement of political material on school property when the school is a polling place and making a penalty applicable.

Read first time and referred to committee on **state government**.

House File 308, by committee on judiciary, a bill for an act relating to peace officer status for investigators of the department of inspections and appeals.

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

House File 309, by Heaton, a bill for an act relating to the allocation of profits from the sale of alcoholic liquors.

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

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 February 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 9, a bill for an act relating to the exemption of the sales and use tax on building materials, supplies, or equipment of certain rural water districts, and providing retroactive applicability and effective dates.

Also: That the Senate has on February 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 114, a bill for an act allowing certain utility employees to operate all-terrain vehicles and snowmobiles on railroad rights of way.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILL
Regular Calendar

House File 255, a bill for an act relating to visitation provisions between siblings under a custody order, was taken up for consideration.

Carroll of Poweshiek 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. 255)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Chiodo	Cphoon
Corbett, Spkr.	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Raecker	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Van Engelenhoven
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Rants, Presiding

The nays were, none.

Absent or not voting, 8:

Bell	Cataldo	Chapman	Connors
Lord	Parmenter	Tyrrell	Van Fossen

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

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 255** be immediately messaged to the Senate.

SPONSORS ADDED

(House File 248)

Scherrman of Dubuque requested to be added as a sponsor of House File 248.

(House File 305)

Davis of Wapello requested to be added as a sponsor of House File 305.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on Wednesday morning, February 17, 1999. Had I been present, I would have voted "aye" on House File 255.

CATALDO of Polk

APPOINTMENT

The Speaker announced the following appointment:

Iowa Sentencing Commission
(Senate Concurrent Resolution 119)

Galen Davis Replaces Senator Jeff Lamberti
Serves at the pleasure of the Speaker

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\205 Edward and Elizabeth Stone, Douds – For celebrating their 50th wedding anniversary.
- 1999\206 David and Sara King – For celebrating their 50th wedding anniversary.
- 1999\207 Marvin and Doris Benson, Polk City – For celebrating their 50th wedding anniversary.
- 1999\208 Beverly J. Bartos, Iowa City – For 50 years as a pharmacist.
- 1999\209 Mr. and Mrs. Ivan Gibbs, Promise City – For celebrating their 67th wedding anniversary.
- 1999\210 Mr. and Mrs. Milan Welker, Murray – For celebrating their 65th wedding anniversary.
- 1999\211 Mr. and Mrs. LeRoy Johnston, Murray – For celebrating their 65th wedding anniversary.
- 1999\212 Mr. and Mrs. Chester Cartwright, Osceola – For celebrating their 64th wedding anniversary.
- 1999\213 Mr. and Mrs. Earl Kleins, Murray – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 221

Appropriations: Millage, Chair; Dix and Wise.

House File 270

Appropriations: Brunkhorst, Chair; Garman and Wise.

House File 272

Appropriations: Hansen, Chair; Heaton and Mascher.

House File 275

Appropriations: Dix, Chair; Barry and Falck.

House File 282

Commerce and Regulation: Rants, Chair; Dix and Wise.

House File 283

Transportation: Garman, Chair; Heaton and Thomas.

House File 286

Human Resources: Martin, Chair; Davis and Witt.

House File 288

Human Resources: Carroll, Chair; Foegen and Lord.

House File 291

Transportation: Eddie, Chair; Brauns and Chiodo.

House File 293

Agriculture: Boggess, Chair; Kuhn and Welter.

House File 299

Transportation: Rayhons, Chair; Arnold and Warnstadt.

House File 301

Transportation: Van Engelenhoven, Chair; Rayhons and Warnstadt.

House File 304

Transportation: Larkin, Chair; Blodgett and Chiodo.

House File 306

Transportation: Jager, Chair; Bukta and Welter.

House File 307

State Government: Jacobs, Chair; Arnold, Cataldo, Davis, Holmes, Jochum and Reynolds.

Senate File 95

Commerce and Regulation: Bradley, Chair; Cataldo and Hoffman.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 90 (Reassigned)

Judiciary: Sukup, Chair; Holveck and Larson.

House Study Bill 114 (Reassigned)

Transportation: Jager, Chair; Huser and Weidman.

House Study Bill 123 (Reassigned)

Transportation: Huser, Chair; Jager and Weidman.

House Study Bill 124

Ways and Means: Jenkins, Chair; Boal and Doderer.

House Study Bill 125

Education: Eddie, Chair; Rants and Thomas.

House Study Bill 126

Commerce and Regulation: Johnson, Chair; Chiodo and Holmes.

House Study Bill 127

Agriculture: Greiner, Chair; Drake, Frevert, Klemme and Mertz.

House Study Bill 128

Human Resources: Blodgett, Chair; Burnett and Grundberg.

House Study Bill 129

Human Resources: Barry, Chair; Boal and Bukta.

House Study Bill 130

Commerce and Regulation: Chapman, Chair; Dix and Johnson.

House Study Bill 131

Judiciary: Millage, Chair; Holveck and Sukup.

House Study Bill 132

Judiciary: Sukup, Chair; Larson and Parmenter.

House Study Bill 133

Judiciary: Barry, Chair; Larson and Parmenter.

House Study Bill 134

Judiciary: Davis, Chair; Chapman and Sukup.

House Study Bill 135

State Government: Van Engelenhoven, Chair; Holmes and Taylor.

House Study Bill 136

State Government: Holmes, Chair; Houser, O'Brien, Taylor and Van Engelenhoven.

House Study Bill 137

Human Resources: Lord, Chair; Boddicker and Reynolds.

House Study Bill 138

Human Resources: Blodgett, Chair; Lord and Murphy.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 140 Agriculture**

Relating to the Iowa turkey marketing council, by providing procedures for the administration of the council, a producer assessment, refunds, and for the expenditure of moneys by the council, and providing an effective date.

H.S.B. 141 Agriculture

Relating to the Iowa egg council by providing for its administration and membership.

H.S.B. 142 State Government

Relating to practices and procedures of the department of general services, regulating state purchasing of recycled paper, modifying an appropriation to the department, and providing an effective date.

H.S.B. 143 State Government

Adopting the nurse licensure compact, and providing an effective date.

H.S.B. 144 Labor and Industrial Relations

Concerning the workforce development department, by providing for the establishment of a workforce development corporation, expenses for members of the regional advisory board to the workforce development board, authority to charge fees for certain services of the department, and Iowa conservation corps employee rights.

H.S.B. 145 Labor and Industrial Relations

Relating to worker and public safety and protection laws administered by the labor services division of Iowa workforce development.

H.S.B. 146 Transportation

Relating to implements of husbandry and restrictions on the movement of such implements, and other vehicles, upon the highways of this state.

H.S.B. 147 Human Resources

Relating to child support enforcement, including child support recovery in instances of guardianships, income withholding, interest on child support collected, and payments to financial institutions for record matters, and providing for retroactive applicability.

H.S.B. 148 Education

Relating to the description of disabilities of individuals receiving vocational rehabilitation services.

H.S.B. 149 Commerce and Regulation

Relating to entities and subject matter under the regulatory authority of the insurance division, including securities, business oppor-

tunities, cemetery merchandise and residential service contracts, providing for fees, and establishing penalties.

H.S.B. 150 Local Government

Relating to the payment and allocation of the real estate transfer tax.

H.S.B. 151 Human Resources

Relating to the reimbursement rate for federally qualified health centers and rural health clinics under the medical assistance program.

H.S.B. 152 Human Resources

Relating to welfare reform provisions involving the family investment program and individual development accounts.

H.S.B. 153 Human Resources

Providing for the establishment of a scope of practice review committee regarding the proposed licensure of certified professional midwives.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON COMMERCE AND REGULATION

Senate File 70, a bill for an act concerning unemployment insurance by providing for the distribution of certain moneys in the unemployment trust fund and the transfer of experience for unemployment insurance tax purposes.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 1999.

COMMITTEE ON ECONOMIC DEVELOPMENT

House Concurrent Resolution 7, a concurrent resolution providing for the establishment of a committee by the Legislative Council to conduct a study of economic development issues related to the distribution of goods.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-1013 and laid over under Rule 25 February 16, 1999.

COMMITTEE ON LOCAL GOVERNMENT

House File 205, a bill for an act concerning persons serving as locally elected governmental officials and the removal of certain retirement disincentives to such service.

Fiscal Note is not required.

Recommended Do Pass February 16, 1999.

Pursuant to Rule 31.7, House File 205 was referred to the committee on state government.

COMMITTEE ON TRANSPORTATION

House File 200, a bill for an act relating to motorcycle rider education plates for motor vehicles.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-1014 February 16, 1999.

AMENDMENTS FILED

H—1013	H.C.R.	7	Committee on Economic Development
H—1014	H.F.	200	Committee on Transportation

On motion by Siegrist of Pottawattamie the House adjourned at 9:30 a.m., until 8:45 a.m., Thursday, February 18, 1999.

JOURNAL OF THE HOUSE

Thirty-ninth Calendar Day – Twenty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 18, 1999

The House met pursuant to adjournment at 8:50 a.m., Speaker Corbett in the chair.

Prayer was sung by Alison Petty of Adair Casey High School, Adair.

The Journal of Wednesday, February 17, 1999 was approved.

INTRODUCTION OF BILLS

House File 310, by committee on state government, a bill for an act relating to the licensure or regulation of alarm system, bail enforcement, private investigative, or private security businesses, and providing a penalty and an effective date.

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

House File 311, by committee on human resources, a bill for an act relating to reimbursement, payment, and coverage by the state for damages involving individuals providing foster home, guardian, or conservator services and providing an effective date.

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

House File 312, by committee on agriculture, a bill for an act relating to regulation of the grain industry and providing for civil penalties.

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

House File 313, by committee on judiciary, a bill for an act creating the new criminal offense of disarming a peace officer of a dangerous weapon.

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

House File 314, by Drake, a bill for an act relating to the sale of timber by a county conservation board.

Read first time and referred to committee on **natural resources**.

House File 315, by Doderer, a bill for an act relating to the accrual of good conduct time by inmates sentenced to prison on certain felony offenses.

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

House File 316, by Dix, Grundberg, Drake, Thomson, Houser, Boddicker, Heaton, Lord, Jacobs, Witt, Foege, Burnett, Mascher, Myers, and Jochum, a bill for an act relating to eligibility of certain disabled persons under the optional services coverage category of medical assistance.

Read first time and referred to committee on **human resources**.

House File 317, by Cormack, a bill for an act relating to the abolition of county compensation boards.

Read first time and referred to committee on **local government**.

House File 318, by Osterhaus and Kreiman, a bill for an act relating to the provision and consumption of alcohol and drugs by drivers of motor vehicles who are under the age of twenty-one by requiring investigations regarding the source of the alcohol and drugs, and providing a penalty when the driver is involved in an accident resulting in serious injury or death.

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

House File 319, by Arnold, a bill for an act relating to the hunting seasons for persons with free wild turkey hunting licenses.

Read first time and referred to committee on **natural resources**.

House File 320, by Burnett, a bill for an act providing for research regarding the production and marketing of industrial hemp.

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

House File 321, by Kreiman, a bill for an act requiring persons convicted of operating a motor vehicle while intoxicated to perform community service.

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

House File 322, by committee on agriculture, a bill for an act relating to liens arising out of contracts involving the care and feeding of livestock, and providing an effective date.

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

House File 323, by Thomas, a bill for an act providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and providing effective and retroactive applicability dates.

Read first time and referred to committee on **ways and means**.

House File 324, by Rants, a bill for an act prohibiting the transmission of electronic mail which includes advertisements in certain circumstances and providing for monetary damages, criminal penalties, and other remedies.

Read first time and referred to committee on **commerce and regulation**.

House File 325, by Kreiman, a bill for an act relating to review of and liability for certain health care treatment decisions.

Read first time and referred to committee on **commerce and regulation**.

House File 326, by Foege, a bill for an act regulating rent increases in mobile home parks.

Read first time and referred to committee on **local government**.

House File 327, by Thomson and Connors, a bill for an act relating to the establishment of an Iowa battle flag commission, and making an appropriation.

Read first time and referred to committee on **state government**.

House File 328, by Osterhaus, a bill for an act establishing a pharmaceutical assistance and case management by pharmacists program for the elderly, providing for an appropriation, and providing a penalty.

Read first time and referred to committee on **human resources**.

SENATE MESSAGES CONSIDERED

Senate File 9, by McKibben and Black, a bill for an act relating to the exemption of the sales and use tax on building materials, supplies, or equipment of certain rural water districts, and providing retroactive applicability and effective dates.

Read first time and referred to committee on **ways and means**.

Senate File 106, by Jensen and Kibbie, a bill for an act providing for accessibility requirements for elevators and providing an effective date.

Read first time and referred to committee on **state government**.

Senate File 114, by committee on transportation, a bill for an act allowing certain utility employees to operate all-terrain vehicles and snowmobiles on railroad rights of way.

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

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 17, 1999, he approved and transmitted to the Secretary of State the following bill:

Senate File 53, an act relating to the date of the annual sale of parcels with delinquent property taxes and providing an effective and applicability date.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

DEPARTMENT OF EDUCATION

The Reading Recovery Report, pursuant to Chapter 1215, 1998 Acts of the Seventy-seventh General Assembly.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\214 Jeff Clement, Grinnell – For being a Two-time NCAA Scoring Champion and All-time NCAA 3-point Scoring Title.
- 1999\215 Helen and Eldo Johnson, Elkader – For celebrating their 60th wedding anniversary.
- 1999\216 June and Junior Rozendaal, Lynnville – For celebrating their 50th wedding anniversary.
- 1999\217 Doris and Tom Lowry, Grinnell – For celebrating their 50th wedding anniversary.
- 1999\218 Opal and Ernest Zesch, Des Moines – For celebrating their 68th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS**House File 258**

Judiciary: Sukup, Chair; Davis and Kreiman.

House File 265

Environmental Protection: Brunkhorst, Chair; Alons and Burnett.

House File 279

Judiciary: Kettering, Chair; Doderer and Thomson.

House File 280

Judiciary: Davis, Chair; Ford and Kettering.

House File 287

Judiciary: Sunderbruch, Chair; Bell and Thomson.

House File 297

Judiciary: Boddicker, Chair; Chapman and Sukup.

House File 303

Commerce and Regulation: Jacobs, Chair; Holveck and Raecker.

House File 305

Judiciary: Barry, Chair; Kreiman and Millage.

House File 324

Commerce and Regulation: Rants, Chair; Jacobs and Weigel.

Senate File 55

Judiciary: Kettering, Chair; Holveck and Millage.

Senate File 102

Judiciary: Bell, Chair; Barry and Kettering.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 140

Agriculture: Boggess, Chair; Baudler and Fallon.

House Study Bill 141

Agriculture: Boggess, Chair; Kuhn and Welter.

House Study Bill 142

State Government: Jager, Chair; Arnold, Gipp, O'Brien and Whitead.

House Study Bill 143

State Government: Bradley, Chair; Brauns, Cataldo, Metcalf and O'Brien.

House Study Bill 144

Labor and Industrial Relations: Hoffman, Chair; Dotzler and Metcalf.

House Study Bill 145

Labor and Industrial Relations: Raecker, Chair; Dolecheck and Parmenter.

House Study Bill 146

Transportation: Johnson, Chair; Drees, May, Rayhons and Welter.

House Study Bill 147

Human Resources: Boddicker, Chair; Brunkhorst and Burnett.

House Study Bill 148

Education: Lord, Chair; Boddicker and Thomas.

House Study Bill 149

Commerce and Regulation: Hoffman, Chair; Bradley and Drees.

House Study Bill 151

Human Resources: Lord, Chair; Boddicker and Burnett.

House Study Bill 152

Human Resources: Boal, Chair; Davis and Ford.

House Study Bill 153

Human Resources: Boddicker, Chair; Carroll and Reynolds.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 154 Education**

Relating to assessments prior to admission to practitioner preparation programs and prior to initial Iowa licensure.

H.S.B. 155 Education

Relating to teacher shortage areas, establishing a teacher shortage area forgivable loan and fund, and providing for teacher recruitment and preparation, professional development and planning time for teachers, content area requirements for teacher licensure, and a task

force to study the use of retired professionals as mentors and teacher aides.

H.S.B. 156 Education

Relating to a beginning teacher induction program.

H.S.B. 157 Commerce and Regulation

Relating to the applicability of the professional engineers and land surveyors practice law.

H.S.B. 158 Judiciary

Relating to the establishment of an Iowa trust code, and providing an effective date.

H.S.B. 159 Agriculture

Providing for the certification of manure applicators by delaying dates required for certification, and providing an effective date.

H.S.B. 160 Agriculture

Providing for the membership of the advisory board to the Leopold center for sustainable agriculture.

H.S.B. 161 Judiciary

Relating to dependent adult abuse.

H.S.B. 162 Judiciary

Permitting a court to waive part of a fine resulting from an operating while intoxicated offense only if no personal or property injury resulted, and only if the defendant obtains a temporary restricted license.

H.S.B. 163 Judiciary

Providing that sexual gratification does not need to be proven as an element of intent of the offender in crimes of sexual abuse.

H.S.B. 164 Labor and Industrial Relations

Relating to the review by administrative law judges of certain unemployment compensation determinations.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 208, a bill for an act establishing a southern Iowa development and conservation authority, specifying membership, powers, and duties, creating a southern Iowa development and conservation fund, and providing for other properly related matters.

Fiscal Note is not required.

Recommended **Do Pass** February 17, 1999.

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House Study Bill 42), relating to energy conservation including making appropriations of petroleum overcharge funds.

Fiscal Note is not required.

Recommended **Do Pass** February 17, 1999.

COMMITTEE ON ECONOMIC DEVELOPMENT

Committee Bill (Formerly House Study Bill 51), relating to the workforce development fund account and fees paid by community colleges and generated by the funding of new jobs training programs.

Fiscal Note is not required.

Recommended **Do Pass** February 18, 1999.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House Study Bill 114), establishing a time limit for disallowance or reduction of motor vehicle warranty claims, relating to establishment of motor vehicle franchises, and making a penalty applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 18, 1999.

AMENDMENT FILED

H—1015	H.F.	100	Taylor of Linn Larkin of Lee Connors of Polk
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On motion by Gipp of Winneshiek the House adjourned at 8:56 a.m., until 1:00 p.m., Monday, February 22, 1999.

JOURNAL OF THE HOUSE

Forty-third Calendar Day - Twenty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 22, 1999

The House met pursuant to adjournment at 1:08 p.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Michael Van Rees, pastor of Prairie Ridge Church, Ankeny.

The Journal of Thursday, February 18, 1999 was approved.

THE PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Christopher Skoog from Schleswig High School in Denison, a guest of the Honorable Clarence Hoffman, state representative from Crawford County.

PETITIONS FILED

The following petitions were received and placed on file:

By Doderer of Johnson from ninety-eight constituents from the 45th district opposing hunting mourning doves in Iowa.

By Frevert of Palo Alto from sixty-two constituents of the 8th district favoring a fuel quality standard, and one hundred fifty-nine constituents opposing the ethanol mandate.

By Hahn of Muscatine from one hundred fifty-two constituents of the 48th district favoring Senate File 37, an act relating to the hunting of mourning doves.

By Horbach of Tama from twenty-five constituents of the 60th district favoring House File 290, an act relating to motor vehicle fuels.

By Sunderbruch of Scott from eighty-eight constituents of the 44th district favoring Senate File 37, an act relating to the hunting of mourning doves.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lord of Dallas for Monday, February 22, and Tuesday, February 23, 1999 and Jacobs of Polk, until her arrival, on request of Siegrist of Pottawattamie; Weigel of Chickasaw on request of Myers of Johnson; Cataldo of Polk on request of Kreiman of Davis.

INTRODUCTION OF BILLS

House File 329, by Burnett, Whitead, Jochum, and Doderer, a bill for an act prohibiting the denial of a claim for insurance coverage solely on the basis that such claim arises out of an act of domestic abuse.

Read first time and referred to committee on **commerce and regulation**.

House File 330, by committee on commerce and regulation, a bill for an act relating to the supervisory authority of the state banking division with regard to bank holding company acquisitions and the ability of state banks to make loans to any one person.

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

House File 331, by committee on commerce and regulation, a bill for an act relating to transfers of structured settlement payment rights for tort and workers' compensation claims, providing civil remedies, and an applicability date.

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

House File 332, by committee on appropriations, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds.

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

House File 333, by Warnstadt, a bill for an act authorizing the use of automated enforcement systems to enforce certain traffic regulations, authorizing a surcharge, and making penalties applicable.

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

House File 334, by Cohoon and Larkin, a bill for an act requesting the governor to issue annually a proclamation designating a "Bill of Rights Day".

Read first time and referred to committee on **state government**.

House File 335, by Eddie, a bill for an act relating to disposition and other requirements involving child in need of assistance adjudications in which the parent or guardian's drug or alcohol abuse is a material element.

Read first time and referred to committee on **human resources**.

House File 336, by Blodgett and Raecker, a bill for an act relating to individual and group accident and sickness insurance, nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating coverage for anesthesia and certain hospital charges associated with the provision of dental care services.

Read first time and referred to committee on **human resources**.

House File 337, by committee on economic development, a bill for an act relating to the workforce development fund account and fees paid by community colleges and generated by the funding of new jobs training programs.

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

House File 338, by Rants, a bill for an act relating to the amount of the fee for an amendment to a certificate of limited partnership and an amendment to an application for registration of a foreign limited partnership.

Read first time and referred to committee on **commerce and regulation**.

House File 339, by Mertz and Klemme, a bill for an act extending the deadline for closing agricultural drainage wells and making penalties applicable.

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

House File 340, by Fallon, a bill for an act relating to farmland protection, city development and annexation, city and county land use planning, and state land use planning and providing an effective date.

Read first time and referred to committee on **local government**.

House File 341, by Burnett, a bill for an act relating to the release of confidential juvenile court records to schools regarding the possession, delivery, purchase, or attempt to purchase alcohol.

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

House File 342, by Mertz and Klemme, a bill for an act relating to the drainage of land by constructing or reconstructing open or covered drains.

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

House File 343, by Mertz and Klemme, a bill for an act providing for the collection of moneys by a county board of supervisors arising out of the construction of a drainage improvement within a railroad right-of-way.

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

CONSIDERATION OF BILL

Regular Calendar

House File 209, a bill for an act relating to increasing the penalty for eluding or attempting to elude an official law enforcement vehicle, was taken up for consideration.

Shoultz of Black Hawk offered the following amendment H-1009 filed by him and moved its adoption:

H-1009

- 1 Amend House File 209 as follows:
- 2 1. Page 1, line 5, by striking the word "serious"
- 3 and inserting the following: "~~serious~~ simple".
- 4 2. Page 1, by striking lines 10 and 11 and
- 5 inserting the following: "stop and in doing so
- 6 exceeds the speed limit by ~~twenty-five~~ fifteen miles
- 7 per hour or more. The signal given by the peace
- 8 officer".
- 9 3. Page 1, line 16, by striking the words "an
- 10 aggravated" and inserting the following: "a serious".
- 11 4. Page 1, lines 23 and 24, by striking the words
- 12 "~~an aggravated misdemeanor~~ a class "D" felony" and
- 13 inserting the following: "an aggravated misdemeanor".
- 14 5. By renumbering as necessary.

Amendment H-1009 lost.

Shoultz of Black Hawk offered the following amendment H-1012 filed by Weigel of Chickasaw and moved its adoption:

H-1012

- 1 Amend House File 209 as follows:
- 2 1. Page 1, line 9, by striking the word "or" and
- 3 inserting the following: "~~or~~ and".
- 4 2. Page 1, line 12, by striking the word "or" and
- 5 inserting the following: "~~or~~ and".
- 6 3. Page 1, line 20, by striking the word "or" and
- 7 inserting the following: "and".
- 8 4. Page 1, line 29, by striking the word "or" and
- 9 inserting the following: "~~or~~ and".

Amendment H-1012 was adopted.

Shoultz of Black Hawk offered the following amendment H-1007 filed by him and moved its adoption:

H-1007

- 1 Amend House File 209 as follows:
- 2 1. Page 1, by striking lines 10 and 11 and
- 3 inserting the following: "stop and in doing so
- 4 exceeds the speed limit by ~~twenty-five~~ fifteen miles
- 5 per hour or more. The signal given by the peace

6 officer".

7 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 38, nays 44.

Amendment H-1007 lost.

Shoultz of Black Hawk asked and received unanimous consent to withdraw amendment H-1008 filed by him on February 9, 1999.

Parmenter of Story offered the following amendment H-1006 filed by him and moved its adoption:

H-1006

1 Amend House File 209 as follows:

2 1. Page 2, by striking lines 7 and 8.

Rants of Woodbury in the chair at 2:05 p.m.

A non-record roll call was requested.

The ayes were 43, nays 46.

Amendment H-1006 lost.

Shoultz of Black Hawk offered amendment H-1010 filed by Weigel of Chickasaw as follows:

H-1010

1 Amend House File 209 as follows:

2 1. Page 2, by inserting after line 8 the

3 following:

4 "Sec. ____ NEW SECTION. 321.279A PROMOTION OF

5 UNIFORM WARNING SIGNALS AND SIRENS - RULEMAKING.

6 The department of public safety shall adopt rules

7 under chapter 17A promoting the implementation of

8 uniform flashing red lights, warning signals, and

9 siren equipment on all law enforcement vehicles."

Shoultz of Black Hawk offered the following amendment H-1019, to amendment H-1010, filed by him from the floor and moved its adoption:

H-1019

1 Amend the amendment, H-1010, to House File 209 as
2 follows:

3 1. Page 1, by striking lines 4 through 9 and
4 inserting the following::

5 "Sec. ____ STUDY. The department of public safety
6 shall conduct a feasibility study that would require
7 that all law enforcement vehicles be equipped with
8 stop sticks and uniform flashing lights, warning
9 signals, and sirens. The factors to be considered in
10 the study shall include but are not limited to the
11 following:

12 1. The safety of law enforcement officers,
13 citizens, and the alleged offenders.

14 2. The enhancement of law enforcement
15 effectiveness when using stop sticks and uniform
16 lights and sirens.

17 3. The cost effectiveness when considering public
18 safety and a law enforcement agency budget."

19 2. By renumbering as necessary.

Amendment H-1019 was adopted.

Shoultz of Black Hawk moved the adoption of amendment H-1010, as amended.

A non-record roll call was requested.

The ayes were 39, nays 47.

Amendment H-1010, as amended, lost.

Shoultz of Black Hawk asked and received unanimous consent to withdraw amendment H-1011 filed by Weigel of Chickasaw on February 16, 1999.

Baudler of Adair 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. 209)

The ayes were, 78:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Carroll
Chiodo	Cohoon	Connors	Corbett, Spkr.
Cormack	Davis	Dix	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Foege	Frevert	Garman
Gipp	Greiner	Hahn	Hansen
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Huser	Jager
Jenkins	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Martin	May	Mertz	Metcalf
Millage	Mundie	Myers	O'Brien
Raecker	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Siegrist	Stevens
Sukup	Sunderbruch	Teig	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Welter	Whitead	Wise
Witt	Rants, Presiding		

The nays were, 16:

Bukta	Burnett	Chapman	Doderer
Fallon	Ford	Grundberg	Holveck
Jochum	Mascher	Murphy	Osterhaus
Parmenter	Shoultz	Taylor	Thomas

Absent or not voting, 6:

Bell	Cataldo	Jacobs	Lord
Nelson	Weigel		

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

HOUSE FILE 117 WITHDRAWN

Baudler of Adair asked and received unanimous consent to withdraw House File 117 from further consideration by the House.

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 209** be immediately messaged to the Senate.

SPONSOR ADDED
(House File 323)

Davis of Wapello requested to be added as a sponsor of House File 323

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Nine students from Davis County High School, Bloomfield, accompanied by Ms. Debb Kent. By Kreiman of Davis.

Ten students from Anson Middle School, Marshalltown. By Nelson of Marshall.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- | | |
|----------|---|
| 1999\219 | Levi J. Vroom, Mount Pleasant – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 1999\220 | Rose Schwickerath, New Hampton – For celebrating her 90 th birthday. |
| 1999\221 | Frances and Grant Putnam, Independence – For celebrating their 60 th wedding anniversary. |
| 1999\222 | Theresa and Walt Manchester, Oelwein – For celebrating their 50 th wedding anniversary. |
| 1999\223 | Michael Stark, Aurora – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 1999\224 | Aaron Schlumbohm, Oelwein – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 1999\225 | Matthew Opitz, Aurora – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |

- 1999\226 Matthew Oliver, Aurora – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\227 Rosella and Louis Piazzon, Independence – For celebrating their 50th wedding anniversary.
- 1999\228 Ruth Follmer, Stanley – For celebrating her 89th birthday.
- 1999\229 Frank Wilke, Oelwein – For celebrating his 90th birthday.
- 1999\230 Shirley and Jack Tabor, Baldwin – For celebrating their 50th wedding anniversary.
- 1999\231 Pearl Brown, Missouri Valley – For celebrating her 96th birthday.
- 1999\232 Jennifer Jepson, Manson-Northwest Webster High School – For receiving the Wayne Cooley Scholarship Award.

SUBCOMMITTEE ASSIGNMENTS

House File 269

Agriculture: Horbach, Chair; Greiner and Mertz.

House File 295

Judiciary: Davis, Chair; Holveck and Thomson.

House File 339

Agriculture: Mertz, Chair; Klemme and Teig.

House File 342

Agriculture: Mertz, Chair; Klemme and Teig.

House File 343

Agriculture: Mertz, Chair; Klemme and Teig.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 154

Education: Thomson, Chair; Brunkhorst and Wise.

House Study Bill 155

Education: Rants, Chair; Boal and Wise.

House Study Bill 156

Education: Dolecheck, Chair; Boddicker and Falck.

House Study Bill 157

Commerce and Regulation: Jenkins, Chair; Bradley and Drees.

House Study Bill 158

Judiciary: Millage, Chair; Holveck and Kettering.

House Study Bill 159

Agriculture: Drake, Chair; Baudler and Mundie.

House Study Bill 160

Agriculture: Rayhons, Chair; Alons and Scherrman.

House Study Bill 162

Judiciary: Baudler, Chair; Chapman and Millage.

House Study Bill 163

Judiciary: Barry, Chair; Chapman and Millage.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 165 Local Government**

Concerning membership in the municipal fire and police retirement system upon reemployment as a police officer or fire fighter.

H.S.B. 166 Commerce and Regulation

Relating to health care service and treatment coverage by providing for continuity of care, discussion and advocacy of treatment options, coverage of emergency room services, utilization review requirements, and an external review process.

H.S.B. 167 Commerce and Regulation

Relating to access privileges to certain buildings and structures by certified local exchange carriers and franchised cable television providers.

H.S.B. 168 Commerce and Regulation

Relating to the transfer of real estate, the filing of a release of mortgage, and providing a remedy.

H.S.B. 169 Commerce and Regulation

Relating to health care service and treatment coverage by providing for continuity of care, experimental treatment review, and an external review process.

H.S.B. 170 Commerce and Regulation

Relating to proceedings before the utilities board and the provision of competitive utility services by allocating costs incurred by the utilities board and the office of consumer advocate to certain persons in certain proceedings related to providing competitive utility services, and by providing for the certification of competitive natural gas providers and aggregators, and providing an effective date.

H.S.B. 171 Commerce and Regulation

Prohibiting unauthorized changes in telecommunications service, prohibiting certain acts in the advertisement or solicitation of changes in telecommunications service, and providing remedies and penalties.

H.S.B. 172 Commerce and Regulation

Relating to the operation and regulation of insurance companies, including the treatment of certain confidential information by the commissioner, the operation of certain types of insurance companies, and the rights and duties of insurance companies under certain policies issued in this state.

H.S.B. 173 Local Government

Concerning the payment of health and medical insurance coverage costs by cities to retired employees.

H.S.B. 174 Judiciary

Relating to the uniform principal and interest Act and providing for its applicability.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON COMMERCE AND REGULATION

Committee Bill (Formerly House Study Bill 111), relating to permissible fees to be charged by state and national banks for maintaining a demand deposit account with a line of credit.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 18, 1999.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House Study Bill 94), relating to rulemaking duties of the department of natural resources regarding baled solid waste.

Fiscal Note is not required.

Recommended **Do Pass** February 18, 1999.

Committee Bill (Formerly House Study Bill 96), eliminating requirements relating to the department of natural resources adopting rules requiring public water systems to test source water.

Fiscal Note is not required.

Recommended **Do Pass** February 18, 1999.

COMMITTEE ON LOCAL GOVERNMENT

House File 115, a bill for an act relating to the award of a contract for a public improvement by a city or the governing body of a city utility.

Fiscal Note is not required.

Recommended **Do Pass** February 18, 1999.

House File 224, a bill for an act relating to qualifications of commissioners for a city, county, or joint memorial hospital.

Fiscal Note is not required.

Recommended **Do Pass** February 18, 1999.

Committee Bill (Formerly House File 276), relating to landlords' and tenants' relations, by providing notice requirements, establishing a tenant's duty to properly maintain utility facilities, and providing for other properly related matters.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 18, 1999.

Committee Bill (Formerly House Study Bill 20), relating to the surcharge on boat titles.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 18, 1999.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 110), relating to the administration of the tax and related laws by the department of revenue and finance, including administration of state individual income, corporate income, franchise, sales and use, motor fuel, cigarette and tobacco, local option, inheritance and estate, and property taxes, and the livestock production credit; providing penalties; and including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 17, 1999.

AMENDMENTS FILED

H—1016	S.F.	37	Reynolds of Van Buren Fallon of Polk
H—1017	S.F.	37	Wise of Lee
H—1018	S.F.	37	Wise of Lee
H—1020	S.F.	37	Dotzler of Black Hawk
H—1021	S.F.	37	Dotzler of Black Hawk
H—1022	S.F.	37	Dotzler of Black Hawk
H—1023	S.F.	37	Dotzler of Black Hawk
H—1024	S.F.	37	Witt of Black Hawk
H—1025	S.F.	37	Witt of Black Hawk
H—1026	S.F.	37	Wise of Lee

On motion by Gipp of Winneshiek the House adjourned at 2:52 p.m., until 8:45 a.m., Tuesday, February 23, 1999.

JOURNAL OF THE HOUSE

Forty-fourth Calendar Day – Twenty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, February 23, 1999

The House met pursuant to adjournment at 8:46 a.m., Speaker pro tempore Rants in the chair.

Prayer was offered by Reverend Cathy F. Young, pastor of Cedar Heights Community Presbyterian Church, Cedar Falls.

The Journal of Monday, February 22, 1999 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Foegen of Linn, until his arrival, Bell of Jasper and Weigel of Chickasaw on request of Schrader of Marion; Chiodo of Polk and Ford of Polk, until their arrival, on request of Huser of Polk.

INTRODUCTION OF BILLS

House Joint Resolution 8, by Mascher, a joint resolution recognizing the fossil crinoid as the state fossil.

Read first time and referred to committee on **state government**.

House File 344, by committee on transportation, a bill for an act establishing a time limit for disallowance or reduction of motor vehicle warranty claims, relating to establishment of motor vehicle service or warranty facilities, and making a penalty applicable.

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

House File 345, by committee on commerce and regulation, a bill for an act relating to permissible fees to be charged for maintaining a demand deposit account with a line of credit.

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

House File 346, by committee on local government, a bill for an act relating to landlords' and tenants' relations, by providing notice requirements, establishing a tenant's duty to properly maintain utility facilities, and providing for other properly related matters.

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

House File 347, by committee on environmental protection, a bill for an act relating to rulemaking duties of the department of natural resources regarding baled solid waste.

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

House File 348, by committee on local government, a bill for an act relating to filing fees, by providing for fees charged by county recorders, and eliminating a surcharge fee.

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

House File 349, by committee on environmental protection, a bill for an act eliminating requirements relating to the department of natural resources adopting rules requiring public water systems to test source water.

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

House File 350, by committee on ways and means, a bill for an act relating to the administration of the tax and related laws by the department of revenue and finance, including administration of state individual income, corporate income, franchise, sales and use, motor fuel, cigarette and tobacco, local option, inheritance and estate, and property taxes, and the livestock production credit; providing penalties; and including effective and retroactive applicability date provisions.

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

House File 351, by Garman, a bill for an act relating to required conditions applying to agreements to provide private industry employment for inmates of correctional institutions.

Read first time and referred to committee on **labor and industrial relations**.

House File 352, by Horbach, a bill for an act providing for the use of wheelchair parking cones and providing for penalties.

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

House File 353, by Shoultz, a bill for an act prohibiting the land disposal of corrugated cardboard.

Read first time and referred to committee on **environmental protection**.

House File 354, by Mascher, a bill for an act relating to confidentiality of certain voter registration information.

Read first time and referred to committee on **state government**.

House File 355, by Boal, a bill for an act relating to the educational requirements for licensure of professional engineers.

Read first time and referred to committee on **state government**.

House File 356, by Fallon, a bill for an act relating to immunity from civil lawsuits for persons who participate in good faith in matters of public concern, and a right to damages and related matters.

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

House File 357, by Fallon, a bill for an act repealing the authority of counties to create and fund urban renewal areas and urban revitalization areas and including effective date and applicability date provisions.

Read first time and referred to committee on **local government**.

House File 358, by Burnett, a bill for an act permitting the use of campaign funds for certain meal expenses.

Read first time and referred to committee on **state government**.

House File 359, by Osterhaus, Drees, Houser, Sunderbruch, Weigel, Warnstadt, Jochum, Doderer, Bukta, Scherrman, Foege, Shoultz, Dix, and Connors, a bill for an act relating to the fire safety provisions applicable to a bed and breakfast inn.

Read first time and referred to committee on **state government**.

CONSIDERATION OF BILL
Regular Calendar

House File 281, a bill for an act related to activities of bail enforcement agents that are exempt from state licensing requirements, was taken up for consideration.

Davis of Wapello 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. 281)

The ayes were, 82:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Bogges	Bradley
Brauns	Bukta	Burnett	Carroll
Cataldo	Chapman	Corbett, Spkr.	Cormack
Davis	Dix	Dolecheck	Dotzler
Drake	Eddie	Falck	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Parmenter	Raecker
Rayhons	Reynolds	Richardson	Scherrman
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Welter	Whitead
Witt	Rants,		
	Presiding		

The nays were, 2:

Doderer Schrader

Absent or not voting, 16:

Bell	Boddicker	Brunkhorst	Chiodo
Cohoon	Connors	Drees	Fallon
Foege	Ford	Heaton	Jenkins
Lord	Osterhaus	Weigel	Wise

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

RULE 57 SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the justice systems appropriations subcommittee at 9:30 a.m. today.

MOTION TO RECONSIDER (House File 281)

I move to reconsider the vote by which House File 281 passed the House on February 23, 1999.

SHOULTZ of Black Hawk

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on the afternoon of February 22, 1999. Had I been present, I would have voted "aye" on House File 209.

CATALDO of Polk

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

1999\233 Lillian and Robert Harban, Indianola - For celebrating their 60th wedding anniversary.

- 1999\234 Orlea and Marvin Kester, Indianola – For celebrating their 50th wedding anniversary.
- 1999\235 Florence and Gerald Lee, Indianola – For celebrating their 50th wedding anniversary.
- 1999\236 Fred Weeks, Indianola – For celebrating his 85th birthday.
- 1999\237 Luella Thede, Reinbeck – For celebrating her 90th birthday.
- 1999\238 Darlene and Keith Peters, Dysart – For celebrating their 50th wedding anniversary.
- 1999\239 Irene and Merle Clough, Dysart – For celebrating their 60th wedding anniversary.
- 1999\240 Marie and George Swenka, North Liberty – For celebrating their 57th wedding anniversary.
- 1999\241 Margaret and Frank Novak, Oxford – For celebrating their 60th wedding anniversary.
- 1999\242 Verna M. Bahr, Wall Lake – For celebrating her 80th birthday.
- 1999\243 Mabel Pierce, Correctionville – For celebrating her 93rd birthday.
- 1999\244 Loween and George Lansink, Odebolt – For celebrating their 50th wedding anniversary.
- 1999\245 Delores and Kenneth Lucht, Lake View – For celebrating their 50th wedding anniversary.
- 1999\246 Lois and Dick Meyer, Lake View – For celebrating their 50th wedding anniversary.
- 1999\247 Harold Stahnke, Reinbeck – For celebrating his 90th birthday.
- 1999\248 Johanna Anna Shoultz, Muscatine – For celebrating her 92nd birthday.
- 1999\249 Betty and Gene Powell, Osceola – For celebrating their 50th wedding anniversary.
- 1999\250 Leah and Maurice Keeler, Weldon – For celebrating their 68th wedding anniversary.
- 1999\251 Maxine and Marion Siglin, Lucas – For celebrating their 65th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 240

Ways and Means: Houser, Chair; Larson and Myers.

House File 256

Ways and Means: Lord, Chair; Boal and Jochum.

House File 262

Ways and Means: Lord, Chair; Larson and Weigel.

House File 273

Ways and Means: Drake, Chair; Chapman and Hoffman.

House File 274

Ways and Means: Van Fossen, Chair; Drake and Kuhn.

House File 285

Ways and Means: Van Fossen, Chair; Drake and Richardson.

House File 315

Judiciary: Kettering, Chair; Doderer and Sunderbruch.

House File 316

Human Resources: Witt, Chair; Grundberg and Lord.

House File 318

Judiciary: Thomson, Chair; Kreiman and Raecker.

House File 321

Judiciary: Thomson, Chair; Kreiman and Millage.

House File 323

Ways and Means: Van Fossen, Chair; Drake and Jochum.

House File 328

Human Resources: Blodgett, Chair; Boal and Mertz.

House File 335

Human Resources: Boddicker, Chair; Boal and Kreiman.

House File 336

Human Resources: Blodgett, Chair; Hahn and Mertz.

House File 338

Commerce and Regulation: Rants, Chair; Dix and Doderer.

House File 354

State Government: Jacobs, Chair; Arnold, Cataldo, Davis, Holmes, Jochum and Reynolds.

House File 355

State Government: Bradley, Chair; Davis and O'Brien.

House File 358

State Government: Gipp, Chair; Arnold, Chiodo, Jager, Jochum, O'Brien and Van Engelenhoven.

Senate File 9

Ways and Means: Teig, Chair; Doderer and Houser.

Senate File 114

Transportation: Welter, Chair; Johnson and May.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 20**

Local Government: Brauns, Chair; Dix and Huser.

House Study Bill 161

Judiciary: Kettering, Chair; Boddicker and Shultz.

House Study Bill 164

Labor and Industrial Relations: Larson, Chair; Dolecheck and Taylor.

House Study Bill 166

Commerce and Regulation: Hansen, Chair; Bradley, Chapman, Metcalf and Osterhaus.

House Study Bill 167

Commerce and Regulation: Raecker, Chair; Cataldo and Rants.

House Study Bill 168

Commerce and Regulation: Bradley, Chair; Holveck and Jacobs.

House Study Bill 169

Commerce and Regulation: Hansen, Chair; Bradley, Chapman, Metcalf and Osterhaus.

House Study Bill 170

Commerce and Regulation: Dix, Chair; Drees and Jenkins.

House Study Bill 171

Commerce and Regulation: Raecker, Chair; Chapman and Johnson.

House Study Bill 172

Commerce and Regulation: Hoffman, Chair; Bradley and Weigel.

House Study Bill 174

Judiciary: Millage, Chair; Larson and Parmenter.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 175 Local Government**

Concerning the penalties for hiring an unauthorized alien.

H.S.B 176 Transportation

Relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, and administrative procedures of the state department of transportation, and providing for fees and penalties.

H.S.B. 177 Local Government

Allowing certain school district bond issues to be issued jointly by two or more school districts.

H.S.B. 178 State Government

Relating to gambling by imposing a moratorium on the issuance or transfer of certain gambling licenses and on increasing the numbers of games and machines, providing for the transfer of collective bargaining agreements, limiting the location of excursion gambling boats and pari-mutuel racetracks, regulating the dispensing of moneys by credit card or other electronic means for gambling purposes, limiting civil penalties for violations of gambling under legal age, providing for the disposition of charitable contributions, imposing a scheduled fine for gambling by persons under twenty-one years of age, and providing an effective date.

H.S.B. 179 State Government

Relating to the emergency management division of the department of public defense by authorizing fees for radiological detection equipment maintenance services, by providing for the appointment of county emergency management officers, by authorizing financial assistance to local governments for emergency management purposes, and by providing an effective date.

H.S.B. 180 Human Resources

Relating to acquired immune deficiency syndrome, providing penalties, and providing for a repeal.

H.S.B. 181 Human Resources

Relating to child welfare provisions involving voluntary foster care placements of children with mental retardation or other developmental disability, release of child abuse information, and annual group foster care and decategorization plans, and providing a contingent effective date.

H.S.B. 182 Education

Providing for the designation of investigative information possessed by the board of educational examiners as privileged and confidential.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly House Study Bill 125), relating to the duration and amount of additional weighting provided for limited English proficient students,

Fiscal Note is not required.

Recommended **Do Pass** February 22, 1999.

COMMITTEE ON STATE GOVERNMENT

House File 233, a bill for an act providing for accessibility requirements for church elevators and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1027** February 22, 1999.

Committee Bill (Formerly House Study Bill 29), providing for the adoption of administrative rules related to the issuance of a license for bail enforcement agents, private investigators, and security agents who may not otherwise qualify for a license.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 1999.

AMENDMENTS FILED

H—1027	H.F.	233	Committee on State Government
H—1028	H.F.	100	Davis of Wapello Taylor of Linn

H—1029	H.F.	199	Drake of Pottawattamie Kuhn of Floyd
H—1030	H.F.	199	Drake of Pottawattamie Kuhn of Floyd

On motion by Siegrist of Pottawattamie the House adjourned at 9:03 a.m., until 8:45 a.m., Wednesday, February 24, 1999.

JOURNAL OF THE HOUSE

Forty-fifth Calendar Day - Twenty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 24, 1999

The House met pursuant to adjournment at 8:47 a.m., Speaker pro tempore Rants in the chair.

Prayer was offered by Reverend Scott J. Meador, pastor of Epworth United Methodist Church, Epworth.

The Journal of Tuesday, February 23, 1999 was approved.

PETITION FILED

The following petition was received and placed on file:

By Corbett of Linn, from two hundred fifty-seven constituents opposing Senate File 37, an act relating to the hunting of mourning doves.

TEACHER OF THE DAY

Representative Nelson of Marshall presented to the House Sally Hansen, teacher of Marshalltown Elementary Community School.

INTRODUCTION OF BILLS

House File 360, by Dolecheck, a bill for an act relating to the authorization requirements for psychiatric medical institutions for children and providing an effective date.

Read first time and referred to committee on **human resources**.

House File 361, by Jochum, a bill for an act forming a bipartisan commission to recommend reforms in the laws relating to the financing of political campaigns.

Read first time and referred to committee on **state government**.

House File 362, by Osterhaus, Foege, Schrader, Jochum, Myers, Dotzler, and Mundie, a bill for an act relating to review of and liability for certain health care services treatment decisions.

Read first time and referred to committee on **commerce and regulation**.

House File 363, by Foege, a bill for an act providing authorization for school districts and nonpublic schools to request the performance of criminal and abuse record checks.

Read first time and referred to committee on **human resources**.

House File 364, by Dolecheck, Arnold, Boggess, Greiner, Hoffman, Jager, Klemme, Kreiman, Mertz, Rayhons, Scherrman, Thomas, Tyrrell, and Weigel, a bill for an act making a standing appropriation to the school budget review committee to grant transportation assistance aid to certain school districts.

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

House File 365, by Burnett, a bill for an act relating to the buyback of membership credit under the Iowa public employees' retirement system and providing an effective date.

Read first time and referred to committee on **state government**.

House File 366, by Richardson, a bill for an act requiring ninth through twelfth grade students attending accredited public and nonpublic schools to complete a half unit of credit in Iowa history.

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

House File 367, by Richardson, a bill for an act relating to reimbursement for certain functions of the department of human services assumed by counties.

Read first time and referred to committee on **human resources**.

House File 368, by Mertz, a bill for an act providing that a parent who has abandoned a child cannot inherit from the child's intestate estate.

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

House File 369, by Ford, a bill for an act relating to the process for restoring for certain persons the right to register to vote and to vote.

Read first time and referred to committee on **state government**.

House File 370, by Chiodo, a bill for an act relating to enforcement of smoking prohibitions.

Read first time and referred to committee on **state government**.

House File 371, by committee on education, a bill for an act relating to the duration and amount of additional weighting provided for limited English proficient students.

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

House File 372, by Taylor, a bill for an act relating to railroad safety by providing for a minimum number of persons on a train crew and providing a penalty.

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

House File 373, by Kreiman, a bill for an act relating to the appointment of district associate judges in lieu of associate juvenile judges.

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

House File 374, by Thomas, a bill for an act relating to the establishment of a science education clearinghouse, and making an appropriation.

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

House File 375, by Alons, a bill for an act eliminating the requirement that information relating to open-end credit accounts and credit cards be filed with the treasurer of state.

Read first time and referred to committee on **commerce and regulation**.

House File 376, by Richardson, a bill for an act relating to speed limits on highways which may be regulated by local authorities.

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

House File 377, by Rants, a bill for an act relating to the number of monthly state aid payments received by school districts.

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

CONSIDERATION OF BILLS Regular Calendar

House File 208, a bill for an act establishing a southern Iowa development and conservation authority, specifying membership, powers, and duties, creating a southern Iowa development and conservation fund, and providing for other properly related matters, with report of committee recommending passage, was taken up for consideration.

Teig of Hamilton 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. 208)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Chapman	Chiodo
Cohoon	Connors	Corbett, Spkr.	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner

Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Raecker	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Welter	Whitead
Wise	Witt	Rants, Presiding	

The nays were, none.

Absent or not voting, 5:

Bell	Cataldo	Grundberg	Nelson
Weigel			

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 208** be immediately messaged to the Senate.

House File 100, a bill for an act relating to the revocation or suspension of a law enforcement officer's certification, was taken up for consideration.

Taylor of Linn asked and received unanimous consent to withdraw amendment H-1015 filed by Taylor of Linn, et al., on February 18, 1999.

Davis of Wapello offered the following amendment H-1028 filed by him and Taylor of Linn, and moved its adoption:

H-1028

- 1 Amend House File 100 as follows:
- 2 1. Page 1, line 14, by inserting after the word

3 "employee." the following: "If a law enforcement
 4 officer resigns, the employing agency shall notify the
 5 council that an officer has resigned and state the
 6 reasons for the resignation."

Amendment H-1028 was adopted.

Brauns of Muscatine 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. 100)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chapman
Chiodo	Cohoon	Connors	Corbett, Spkr.
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Welter	Whitead	Wise	Witt
Rants, Presiding			

The nays were, none.

Absent or not voting, 3:

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

IMMEDIATE MESSAGE

Barry of Harrison asked and received unanimous consent that **House File 100** be immediately messaged to the Senate.

On motion by Barry of Harrison, the House was recessed at 9:22 a.m., until 3:30 p.m.

AFTERNOON SESSION

The House reconvened at 3:32 p.m., Speaker Corbett in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Kettering of Sac on request of Rants of Woodbury.

INTRODUCTION OF BILLS

House File 378, by committee on state government, a bill for an act providing for the adoption of administrative rules related to the issuance of a license for bail enforcement agents, private investigators, and security agents who may not otherwise qualify for a license.

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

House File 379, by committee on human resources, a bill for an act changing the name of care review committee to resident advocate committee.

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

House File 380, by Holveck, a bill for an act providing for the display of flashing emergency signal lamps by motor vehicles in funeral processions.

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

House File 381, by Jacobs, a bill for an act relating to electronic access to public information, creating an IowaAccess board, and authorizing fees.

Read first time and referred to committee on **commerce and regulation**.

House File 382, by Frevert, a bill for an act relating to the issuance of legion of merit motor vehicle registration plates and establishing a fee.

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

House File 383, by Reynolds, a bill for an act relating to the issuance of United States armed forces combat motor vehicle registration plates and establishing a fee.

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

House File 384, by Reynolds, Mascher, Kreiman, Martin, Witt, Taylor, Hoffman, Kettering, Nelson, Ford, Dotzler, Carroll, Whitead, Murphy, Warnstadt, Mundie, Jochum, Metcalf, Parmenter, Connors, Kuhn, Stevens, Mertz, Fallon, Raecker, Falck, Chapman, Davis, Bukta, Scherrman, Schrader, May, Bradley, and Myers, a bill for an act providing for the designation of a state poet laureate.

Read first time and referred to committee on **state government**.

House File 385, by Richardson, a bill for an act providing special service members of the Iowa public employees' retirement system with disability benefits.

Read first time and referred to committee on **state government**.

House File 386, by committee on judiciary, a bill for an act relating to increasing the penalties for an assault on a jailer.

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

House File 387, by committee on judiciary, a bill for an act relating to confidentiality for certain taxpayer communications.

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

House File 388, by Grundberg and Heaton, a bill for an act relating to area education agencies and school districts by modifying the time guidelines concerning bargaining by certain employees, and changing dates relating to budget certification and notice of teacher termination for school districts.

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

House File 389, by Larson and Rants, a bill for an act relating to an insurer recovering restitution from a criminal offender.

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

House File 390, by May, a bill for an act relating to the recruitment of North American free trade agreement representatives and providing an appropriation.

Read first time and referred to committee on **economic development**.

House File 391, by Frevert, a bill for an act relating to vehicles regulated as school buses.

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

House File 392, by Thomas, a bill for an act relating to authorization to provide emergency and nonemergency medical care services.

Read first time and referred to committee on **state government**.

House File 393, by Welter, a bill for an act relating to railroad rights of way acquired by persons other than a railroad and providing for assessment of costs.

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

House File 394, by Hoffman, a bill for an act relating to an urban revitalization tax exemption for assisted living properties.

Read first time and referred to committee on **ways and means**.

House File 395, by committee on judiciary, a bill for an act providing that defendants convicted of class "C" vehicular manslaughter are not bailable on appeal.

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

House File 396, by Ford, a bill for an act relating to the appointment of boards, commissions, committees, or other multimember appointive bodies in certain cities and counties.

Read first time and referred to committee on **local government**.

House File 397, by Ford, a bill for an act requiring a clerk of the district court, prior to the filing of a nonstatutory lien, to confirm that notice has been given to required parties.

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

House File 398, by O'Brien, a bill for an act relating to the required wearing of reflective clothing by a pedestrian participating in a physical training activity, and providing a penalty.

Read first time and referred to committee on **state government**.

House File 399, by Dix, a bill for an act relating to security interests and liens or in agricultural products, providing for penalties, and providing an effective date.

Read first time and referred to committee on **commerce and regulation**.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-eight members present, thirty-two absent.

MOTION TO RECONSIDER WITHDRAWN
(House File 281)

Shoultz of Black Hawk asked and received unanimous consent to withdraw the motion to reconsider **House File 281**, a bill for an act related to activities of bail enforcement agents that are exempt from state licensing requirements, filed by him on February 23, 1999.

CONSIDERATION OF BILLS
Regular Calendar

House File 296, a bill for an act to restrict the posting of bond for the offense of felony stalking, was taken up for consideration.

Thomson of Linn 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. 296)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chapman
Chiodo	Cohoon	Connors	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Mr. Speaker
			Corbett

The nays were, none.

Absent or not voting, 4:

Bell

Ford

Holveck

Kettering

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

Ways and Means Calendar

House File 199, a bill for an act relating to the taxation of certain sales of aircraft under the state sales, services, and use taxes, was taken up for consideration.

Drake of Pottawattamie asked and received unanimous consent to withdraw amendment H-1029 filed by him and Kuhn of Floyd on February 23, 1999.

Drake of Pottawattamie offered amendment H-1030 filed by him and Kuhn of Floyd as follows:

H-1030

1 Amend House File 199 as follows:

2 1. Page 1, by inserting after line 10 the
3 following:

4 "Sec. ____ Section 422.45, Code 1999, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 55. The gross receipts from the
7 sale of aircraft as defined in section 328.1.

8 Sec. ____ Section 423.4, subsection 4, Code 1999,
9 is amended to read as follows:

10 4. Tangible personal property, the gross receipts
11 from the sale of which are exempted from the retail
12 sales tax by the terms of section 422.45, except
13 subsection 4 and subsection 6 of section 422.45 as it
14 relates to the sale of vehicles subject to
15 registration or subject only to the issuance of a
16 certificate of title and except subsection 55 of
17 section 422.45 as it relates to the sale of aircraft.

18 Sec. ____ Section 423.4, Code 1999, is amended by
19 adding the following new subsection:

20 NEW SUBSECTION. 4A. Aircraft and tangible
21 personal property permanently affixed or attached to
22 aircraft, the gross receipts from the sale or rental
23 of which are exempted from the retail sales tax by the

24 terms of subsections 38A, 38B, 38C, and 38D of section
25 422.45."

Amendment H-1030 was adopted.

Jenkins of Black Hawk asked and received unanimous consent that House File 199 be deferred and that the bill retain its place on the calendar.

Regular Calendar

House File 200, a bill for an act relating to motorcycle rider education plates for motor vehicles, was taken up for consideration.

Rayhons of Hancock offered amendment H-1014 filed by the committee on transportation as follows:

H-1014

1 Amend House File 200 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Section 1. Section 321.34, subsection 3, Code
5 1999, is amended to read as follows:
6 3. RADIO OPERATORS PLATES. The owner of an
7 automobile, light delivery truck, panel delivery
8 truck, motorcycle, trailer, or pickup who holds an
9 amateur radio license issued by the federal
10 communications commission may, upon written
11 application to the county treasurer accompanied by a
12 fee of five dollars, order special registration plates
13 bearing the call letters authorized the radio station
14 covered by the person's amateur radio license. When
15 received by the county treasurer, such special
16 registration plates shall be issued to the applicant
17 in exchange for the registration plates previously
18 issued to the person. Not more than one set of
19 special registration plates may be issued to an
20 applicant. Said fee shall be in addition to and not
21 in lieu of the fee for regular registration plates.
22 Special registration plates must be surrendered upon
23 expiration of the owner's amateur radio license and
24 the owner shall thereupon be entitled to the owner's
25 regular registration plates. The county treasurer
26 shall validate special plates in the same manner as
27 regular registration plates, upon payment of five
28 dollars in addition to the regular annual registration
29 fee.

30 Sec. 2. Section 321.34, subsection 8, unnumbered
31 paragraph 1, Code 1999, is amended to read as follows:
32 The owner of a motor vehicle subject to
33 registration under section 321.109, subsection 1,
34 light delivery truck, panel delivery truck,
35 motorcycle, trailer, or pickup who has been awarded
36 the congressional medal of honor may, upon written
37 application to the department, order special
38 registration plates which shall be red, white, and
39 blue in color and shall bear an emblem of the
40 congressional medal of honor and an identifying
41 number. Each applicant applying for special
42 registration plates under this subsection may purchase
43 only one set of registration plates under this
44 subsection. The application is subject to approval by
45 the department and the special registration plates
46 shall be issued to the applicant in exchange for the
47 registration plates previously issued to the person.
48 The special plates are subject to an annual
49 registration fee of fifteen dollars. The department
50 shall validate the special plates in the same manner

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1 as regular registration plates are validated under
2 this section. The department shall not issue special
3 registration plates until service organizations in the
4 state have furnished the department either the special
5 dies or the cost of the special dies necessary for the
6 manufacture of the special registration plate.
7 Sec. 3. Section 321.34, subsection 8A, unnumbered
8 paragraph 1, Code 1999, is amended to read as follows:
9 The owner of a motor vehicle subject to
10 registration under section 321.109, subsection 1,
11 light delivery truck, panel delivery truck,
12 motorcycle, trailer, or pickup who was a prisoner of
13 war during the Second World War at any time between
14 December 7, 1941, and December 31, 1946, the Korean
15 Conflict at any time between June 25, 1950, and
16 January 31, 1955, or the Vietnam Conflict at any time
17 between August 5, 1964, and June 30, 1973, all dates
18 inclusive, may, upon written application to the
19 department, order only one set of special registration
20 plates with an ex-prisoner of war processed emblem.
21 The emblem shall be designed by the department in
22 cooperation with the adjutant general and shall
23 signify that the owner was a prisoner of war as
24 described in this subsection. The application is
25 subject to approval by the department, in consultation
26 with the adjutant general. The special plates shall
27 be issued at no charge and are subject to an annual
28 registration fee of fifteen dollars. The county

29 treasurer shall validate the special plates in the
30 same manner as regular registration plates are
31 validated under this section.

32 Sec. 4. Section 321.34, subsections 10 and 10A,
33 Code 1999, are amended to read as follows:

34 10. FIRE FIGHTER PLATES. The owner of a motor
35 vehicle subject to registration pursuant to section
36 321.109, subsection 1, light delivery truck, panel
37 delivery truck, pickup, motor home, multipurpose
38 vehicle, motorcycle, trailer, or travel trailer who is
39 a current or former member of a paid or volunteer fire
40 department, may upon written application to the
41 department, order special registration plates,
42 designed by the department in cooperation with
43 representatives designated by the Iowa fire fighters'
44 associations, which plates signify that the applicant
45 is a current or former member of a paid or volunteer
46 fire department. The application shall be approved by
47 the department, in consultation with representatives
48 designated by the Iowa fire fighters' associations,
49 and the special registration plates shall be issued to
50 the applicant in exchange for the registration plates

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1 previously issued to the person. The fee for the
2 special plates shall be twenty-five dollars which
3 shall be in addition to the regular annual
4 registration fee. The department shall validate the
5 special plates in the same manner as regular
6 registration plates are validated under this section
7 at the regular annual registration fee.

8 10A. EMERGENCY MEDICAL SERVICES PLATES. The owner
9 of a motor vehicle subject to registration pursuant to
10 section 321.109, subsection 1, light delivery truck,
11 panel delivery truck, pickup, motor home, multipurpose
12 vehicle, motorcycle, trailer, or travel trailer who is
13 a current member of a paid or volunteer emergency
14 medical services agency may, upon written application
15 to the department, order special registration plates,
16 designed by the department in cooperation with
17 representatives designated by the Iowa emergency
18 medical services association, which plates signify
19 that the applicant is a current member of a paid or
20 volunteer emergency medical services agency. The
21 application shall be approved by the department, in
22 consultation with representatives designated by the
23 Iowa emergency medical services association, and the
24 special registration plates shall be issued to the
25 applicant in exchange for the registration plates
26 previously issued to the person. The fee for the
27 special plates shall be twenty-five dollars which

28 shall be in addition to the regular annual
29 registration fee. The department shall validate the
30 special plates in the same manner as regular
31 registration plates are validated under this section
32 at the regular annual registration fee.

33 Sec. 5. Section 321.34, subsection 11, paragraph
34 a, Code 1999, is amended to read as follows:

35 a. Upon application and payment of the proper
36 fees, the director may issue natural resources plates
37 to the owner of a motor vehicle subject to
38 registration under section 321.109, subsection 1,
39 light delivery truck, panel delivery truck, pickup,
40 motor home, multipurpose vehicle, motorcycle, trailer,
41 or travel trailer.

42 Sec. 6. Section 321.34, subsection 11A, paragraph
43 a, Code 1999, is amended to read as follows:

44 a. Upon application and payment of the proper
45 fees, the director may issue "love our kids" plates to
46 the owner of a motor vehicle subject to registration
47 under section 321.109, subsection 1, light delivery
48 truck, panel delivery truck, pickup, motor home,
49 multipurpose vehicle, motorcycle, trailer, or travel
50 trailer."

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1 2. Page 1, by inserting after line 8, the
2 following:

3 "Sec. __. Section 321.34, subsection 12, paragraph
4 a, Code 1999, is amended to read as follows:

5 a. The owner of a motor vehicle subject to
6 registration pursuant to section 321.109, subsection
7 1, light delivery truck, panel delivery truck, pickup,
8 motor home, multipurpose vehicle, motorcycle, trailer,
9 or travel trailer may, upon written application to the
10 department, order special registration plates with a
11 distinguishing processed emblem as authorized by this
12 section or as approved by the department. The fee for
13 the issuance of special registration plates is twenty-
14 five dollars for each vehicle, unless otherwise
15 provided by this section, which fee is in addition to
16 the regular annual registration fee. The county
17 treasurer shall validate special registration plates
18 with a distinguishing processed emblem in the same
19 manner as regular registration plates, upon payment of
20 five dollars in addition to the regular annual
21 registration fee.

22 Sec. __. Section 321.34, subsection 12, is amended
23 by adding the following new paragraph:

24 NEW PARAGRAPH. d. A special registration plate
25 issued for a motorcycle or motorized bicycle under
26 this section shall be designated in the manner

- 27 provided for personalized registration plates under
 28 subsection 5, paragraph "a."
 29 3. Title page, line 1, by striking the words
 30 "motorcycle rider education" and inserting the
 31 following: "special registration".
 32 4. By renumbering as necessary.

The committee amendment H-1014 was adopted.

Rayhons of Hancock 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. 200)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chapman
Chiodo	Cohoon	Connors	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker Corbett			

The nays were, none.

Absent or not voting, 3:

Bell	Ford	Kettering
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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.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 296 and 200.**

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Wednesday morning, February 24, 1999. Had I been present, I would have voted "aye" on House File 208.

CATALDO of Polk

I was necessarily absent from the House chamber on February 24, 1999. Had I been present, I would have voted "aye" on House File 100.

LARSON of Linn

I was necessarily absent from the House chamber on Wednesday, February 24, 1999. Had I been present, I would have voted "aye" on House File 208.

NELSON of Marshall

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

1999\252 Bertha Klopping, Story City – For celebrating her 100th birthday.

1999\253 Eloise and Carl Willhoit, Batavia – For celebrating their 50th wedding anniversary.

- 1999\254 Helen and Donald Baudler, Fontanelle – For celebrating their 50th wedding anniversary.
- 1999\255 Dorothy Singer, Waterloo – For celebrating her 80th birthday.
- 1999\256 Howard Trunnell, Waterloo – For celebrating his 90th birthday.
- 1999\257 Patricia and Leland Perry, Waterloo – For celebrating their 50th wedding anniversary.
- 1999\258 Leona and Clare D. Adams, Waterloo – For celebrating their 50th wedding anniversary.
- 1999\259 Jesse Kane, Hawarden – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\260 Andrew Borders, Keokuk – For being named to the Class 3-A Iowa Football Coaches' Association Academic All-State Team.

SUBCOMMITTEE ASSIGNMENTS

House File 333

Transportation: Weidman, Chair; Eddie and Warnstadt.

House File 341

Judiciary: Thomson, Chair; Kreiman and Larson.

House File 351

Labor and Industrial Relations: Horbach, Chair; Grundberg and Murphy.

House File 352

Transportation: Weidman, Chair; Bukta and Eddie.

House File 356

Judiciary: Millage, Chair; Ford and Larson.

House File 361

State Government: Gipp, Chair; Arnold, Chiodo, Jager, Jochum, O'Brien and Van Engelenhoven.

House File 369

State Government: Jacobs, Chair; Arnold, Cataldo, Davis, Holmes, Jochum and Reynolds.

House File 372

Transportation: Heaton, Chair; Thomas and Van Engelenhoven.

House File 376

Transportation: Arnold, Chair; Blodgett and Drees.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 85**

Local Government: Houser, Chair; Arnold, Eddie, Fallon and Richardson.

House Study Bill 176

Transportation: Huser, Chair; Jager and Welter.

House Study Bill 178

State Government: Martin, Chair; Bradley, Chiodo, Larkin and Metcalf.

House Study Bill 179

State Government: Jager, Chair; Gipp and Whitead.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 183 Education**

Relating to schools and school districts by affecting boiler and steam vessel maintenance and monitoring, publication of billing information, the regular school calendar, superintendent licensure and qualifications, and school breakfast programming.

H.S.B. 184 Judiciary

To change the penalties for the criminal offense of accommodation involving marijuana.

H.S.B. 185 Human Resources

Establishing the Iowa domestic abuse review team, and providing a penalty.

H.S.B. 186 State Government

Relating to medical professionals in professional corporations.

H.S.B. 187 Judiciary

Requiring that the clerk of the district court confirm that notice has been given to required parties prior to the filing of a nonstatutory lien.

H.S.B. 188 Ways and Means

Relating to reductions in the state individual income tax by increasing the deduction for pension income and increasing the personal and dependent credits, and including a retroactive applicability date provision.

H.S.B. 189 Judiciary

Establishing the crime of sexual exploitation by an educational practitioner and providing a penalty.

H.S.B. 190 Judiciary

To change the penalties applicable to the possession, manufacture, or delivery of methamphetamine and other controlled substances, relating to the possession or control of adulterated or improperly labeled articles, providing for the reopening of certain sentences, and providing for restrictions on bail.

H.S.B. 191 Transportation

Increasing the fine for moving traffic violations in school zones.

H.S.B. 192 Agriculture

Relating to emergency programs to support livestock producers, providing appropriations, and providing an effective date.

H.S.B. 193 Judiciary

Defining as a fraudulent practice certain creation or use of retail sales receipts or universal price code labels, and applying penalties.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly House Study Bill 160), providing for the membership of the advisory board to the Leopold center for sustainable agriculture.

Fiscal Note is not required.

Recommended **Do Pass** February 24, 1999.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 166), relating to third-party payment of health care coverage costs for mental health treatment services.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 1999.

Committee Bill (Formerly House File 278), changing the name of care review committee to resident advocate committee.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 1999.

Committee Bill (Formerly House Study Bill 153), providing for the establishment of a scope of practice review committee regarding the proposed licensure of certified professional midwives.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 1999.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 132), relating to carrying or transporting a rifle.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 1999.

Committee Bill (Formerly House Study Bill 38), relating to the fingerprinting of persons or juveniles who have been arrested or taken into custody and changing the procedures for the collection of a criminal disposition report.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 23, 1999.

Committee Bill (Formerly House Study Bill 58), relating to confidentiality for certain taxpayer communications.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 1999.

Committee Bill (Formerly House Study Bill 88), relating to increasing the penalties for an assault on a jailer.

Fiscal Note is required.

Recommended **Do Pass** February 23, 1999.

Committee Bill (Formerly House Study Bill 90), providing that defendants convicted of vehicular manslaughter are not bailable on appeal.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 23, 1999.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Senate File 115, a bill for an act relating to alcohol testing of private sector employees and prospective employees and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 1999.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House Study Bill 85), relating to the exercise of the power of eminent domain and to condemnation proceedings and providing for the Act's applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 1999.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House Study Bill 136), relating to release of certain information on claimants of the extraordinary property tax credit or rent reimbursement to the department of inspections and appeals.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 24, 1999.

COMMITTEE ON TRANSPORTATION

House File 299, a bill for an act relating to applications for motor vehicle registration and issuance of certificate of title.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 1999.

COMMITTEE ON WAYS AND MEANS

House File 248, a bill for an act providing a sales and use tax exemption for hospices.

Fiscal Note is not required.

Recommended **Do Pass** February 24, 1999.

Committee Bill (Formerly House Study Bill 23), exempting the sale of argon gas used in the manufacturing process from the sales and use taxes.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 24, 1999.

AMENDMENTS FILED

H—1031	H.F.	308	Kreiman of Davis
			Holveck of Polk
			Parmenter of Story
			Shoultz of Black Hawk
			Chapman of Linn
H—1032	H.F.	346	Carroll of Poweshiek
H—1033	S.F.	37	Wise of Lee
H—1034	S.F.	37	Thomas of Clayton

On motion by Siegrist of Pottawattamie the House adjourned at 4:20 p.m., until 8:45 a.m., Thursday, February 25, 1999.

JOURNAL OF THE HOUSE

Forty-sixth Calendar Day – Twenty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, February 25, 1999

The House met pursuant to adjournment at 8:48 a.m., Speaker pro tempore Rants in the chair.

Prayer was offered by Reverend Leonard Sjogren, pastor of Hope United Methodist Church, Marshalltown.

The Journal of Wednesday, February 24, 1999 was approved.

INTRODUCTION OF BILLS

House File 400, by Jochum, a bill for an act relating to inspection and duplication of health care records upon the request of a patient.

Read first time and referred to committee on **human resources**.

House File 401, by committee on human resources, a bill for an act relating to third-party payment of health care coverage costs for mental health treatment services.

Read first time and referred to committee on **commerce and regulation**.

House File 402, by committee on human resources, a bill for an act providing for the establishment of a scope of practice review committee regarding the proposed licensure of certified professional midwives.

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

House File 403, by committee on judiciary, a bill for an act relating to the fingerprinting of persons or juveniles who have been arrested or taken into custody and changing the procedures for the collection of a criminal disposition report.

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

House File 404, by Heaton, a bill for an act relating to expenditure of moneys from the primary road fund for dust control on certain roads.

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

House File 405, by Murphy, a bill for an act establishing a healthy and well kids in Iowa (HAWK-I) trust fund.

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

House File 406, by Teig, a bill for an act relating to Iowa agricultural industry finance corporations and investments by banks.

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

House File 407, by Myers, a bill for an act relating to regulation of needles and providing penalties.

Read first time and referred to committee on **human resources**.

House File 408, by Horbach, a bill for an act relating to drawing the Sac and Fox Indian settlement precinct in Tama county.

Read first time and referred to committee on **state government**.

House File 409, by Blodgett, a bill for an act relating to acceptable accreditation of psychiatric medical institutions for children for the purpose of licensing.

Read first time and referred to committee on **human resources**.

House File 410, by Ford, a bill for an act providing for a study by the department of human rights concerning persons of Asian and Pacific islander heritage.

Read first time and referred to committee on **human resources**.

House File 411, by Ford, a bill for an act providing for the establishment of an independent administrator of the division of persons with disabilities within the department of human rights.

Read first time and referred to committee on **human resources**.

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 February 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate Joint Resolution 2, a joint resolution relating to the designation of the Old State Historical Building as the Ola Babcock Miller State Office Building.

Also: That the Senate has on February 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 52, a bill for an act establishing the new criminal offense of interference with a peace officer's service horse, and applying a penalty.

Also: That the Senate has on February 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 137, a bill for an act relating to funding for the arts by providing an Iowa individual income tax checkoff for the arts, making an appropriation, and providing a retroactive applicability date.

Also: That the Senate has on February 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 146, a bill for an act relating to worker and public safety and protection laws administered by the labor services division of Iowa workforce development.

Also: That the Senate has on February 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 149, a bill for an act establishing a time limit for disallowance or reduction of motor vehicle warranty claims, relating to establishment of motor vehicle service or warranty facilities, and making a penalty applicable.

Also: That the Senate has on February 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 150, a bill for an act concerning judicial administration.

Also: That the Senate has on February 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 151, a bill for an act relating to the selection of township trustees and township clerks.

Also: That the Senate has on February 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 173, a bill for an act relating to the description of disabilities of individuals receiving vocational rehabilitation services.

Also: That the Senate has on February 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 174, a bill for an act changing a Code reference to the Iowa association of community providers and providing an effective date.

Also: That the Senate has on February 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 175, a bill for an act providing for the display of flashing emergency signal lamps by motor vehicles in funeral processions.

Also: That the Senate has on February 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 176, a bill for an act relating to the elimination of investment counseling as a taxable service under the state sales and use taxes.

Also: That the Senate has on February 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 189, a bill for an act to change the penalty for and to reclassify certain misdemeanors.

Also: That the Senate has on February 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 193, a bill for an act relating to the duties of a guardian ad litem appointed to represent a child in juvenile court proceedings.

MICHAEL E. MARSHALL, Secretary

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on February 1, 1999, and is on file in the office of the Chief Clerk:

January 29, 1999

Chief Clerk
House of Representatives
Statehouse
L O C A L

Dear Chief Clerk:

There are transmitted herewith claims against the State of Iowa to be filed with the Claims Committee of the House of Representatives.

These include 91 claims of general nature that were denied by the State Appeal Board during May 1998 through January 1999.

The attached index shows claim number, name and address of claimant and the amount requested in the claim.

Sincerely,
Michael L. Fitzgerald
Chairperson
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

ELIZABETH A. ISAACSON
Chief Clerk of the House

DENIED GENERAL CLAIMS BY THE STATE APPEAL BOARD
SUBMITTED TO THE 77TH GENERAL ASSEMBLY
May 1998 Through January 1999

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G930758	Idea Press	Perry, IA Invoice	Outdated	\$15.13
G930859	Allen College of Nursing	Waterloo, IA	Outdated Invoice	Unspecified
G970232	Plymouth County Auditor K. Kae Meyer	Le Mars, IA	Court Ordered Service	\$166.00
G971405	William Lett	Vadnais Heights, MN	License Refund	\$33.00
G971429	Cherry Burrell Employees Credit Union	Cedar Rapids, IA	Refund	Unknown
G980023	Gene Burton	Altoona, IA	IRP Refund	\$1,526.73
G980051	Plymouth County	Le Mars, IA	Civil Commitment Costs	\$146.00
G980066	Lab Corporation of America	Burlington, NC	Paternity Testing	\$85.00
G980166	Automotive Rentals, Inc.	Mt. Laurel, NJ	License Refund	\$65.00

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G980221	Cedar Rapids Radiologists, P.C.	Cedar Rapids, IA	Medical Costs	\$27.00
G980234	Ricky Allen Despenas #208513	Fort Madison, IA	Refund	\$50.00
G980276	Jay Burgart dba Burgart Trucking	Ionia, IA	License Refund	\$611.97
G980281	Black Hawk County Relief Office	Waterloo, IA	Medical Bills	\$42.40
G980369	Jeffrey Dean Schweitzer	Iowa City, IA	License Refund	\$150.00
G980384	Ritter Trucking, Inc./Marcella Dee Ritter	Belle Plaine, IA	IFTA Credit	\$1,181.25
G980448	Michael Saperstein	San Marcos, TX	License Refund	\$87.00
G980464	Kevin R. Rude	Oto, IA	IRP Refund	\$2,000.00
G980476	Richard Single	Dakota Dunes, SD	License Refund	\$119.00
G980477	George R. Single	Dakota Dunes, SD	License Refund	\$41.00
G980492	George R. Single	Dakota Dunes, SD	License Refund	\$85.00
G980510	William T. Robinson	Des Moines, IA	Refund	\$289.40
G980532	Don Pirie	Fort Dodge, IA	Refund	\$380.00
G980552	William J. Lane	Sioux City, IA	Attorney Fees	\$489.04
G980555	5B Judicial District Youth Services	Lamoni, IA	Shelter Services Provided	\$465.00
G980556	5B Judicial District Youth Services	Lamoni, IA	Shelter Services	\$420.00
G980557	5B Judicial District Youth Services	Lamoni, IA	Shelter Services	\$240.00
G980558	5B Judicial District Youth Services	Lamoni, IA	Shelter Services	\$529.00
G980559	5B Judicial District Youth Services	Lamoni, IA	Shelter Services	\$480.00
G980560	5B Judicial District Youth Services	Lamoni, IA	Shelter Services	\$30.00

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G980561	5B Judicial District Youth Services	Lamoni, IA	Shelter Services	\$45.00
G980562	5B Judicial District Youth Services	Lamoni, IA	Shelter Services	\$55.80
G980563	5B Judicial District Youth Services	Lamoni, IA	Shelter Services	\$226.70
G980564	5B Judicial District Youth Services	Lamoni, IA	Shelter Services	\$240.00
G980565	Iowa Pork Producers Association	Clive, IA	License Refund	\$189.00
G980571	Love's Enterprises, Inc.	Waterloo, IA	Refund	\$577.00
G980579	Hermys	Hopkinton, IA	Refund	\$210.00
G980598	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$333.25
G980599	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$10.45
G980600	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$697.00
G980601	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$240.00
G980602	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$295.00
G980603	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$426.00
G980604	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$236.00
G980605	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$697.00
G980606	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$206.20
G980607	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$60.80
G980608	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$55.20
G980609	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$45.80

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G980610	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$171.00
G980611	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$420.00
G980612	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$496.00
G980613	5B Judicial District Youth Services	Lamoni, IA	Provider Services	\$318.39
G980635	Kevin L. Sieren	North Liberty, IA	License Refund	Unspecified
G980646	William or Judith Newell	Grandview, MO	License Refund	\$126.00
G980647	William G. Newell	Grandview, MO	License Refund	\$49.00
G980648	William or Judith Newell	Grandview, MO	License Refund	\$137.00
G980649	Fouad A. Salama	West Des Moines, IA	License Refund	\$61.00
G980656	Jennifer Hunt	Ankeny, IA	Penalty Refund	\$92.00
G980658	Roger C. Layton	Fort Collins, CO	License Refund	\$46.00
G980659	Roger C. Layton	Fort Collins, CO	License Refund	\$125.00
G980672	Autumn Group, Inc.	Council Bluffs, IA	IRP Refund	\$2,856.00
G980685	John M. Burbridge	Missouri Valley, IA	IFTA Refund	\$262.58
G980699	Jane Ann Griesel	Sioux City, IA	Foster Parent Renewal Stipend	\$100.00
G980708	Gregg & Lisa Trosky	Cedar Rapids, IA	Homestead Credit	\$116.00
G980709	J. Michael Mayer PC	Des Moines, IA	Attorney Fees	\$3,757.50
G980725	Patricia Renee DeNooy	Olathe, KS	License Refund	\$111.00
G980744	Harker's Distribution, Inc.	Le Mars, IA	License Refund	Unspecified
G980765	Brian Lee Weatherwax	Kirkwood, MO	License Refund	\$111.00

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G960766	Brian Weatherwax	Kirkwood, MO	License Refund	\$132.00
G980768	Chester L. Dagle	Hawarden, IA	License Refund	\$231.00
G980797	Anne M. Palmquist	Des Moines, IA	Homestead Credit	\$204.32
G980814	Planned Parenthood of Greater Iowa, Inc.	Des Moines, IA	Refund	\$55,597.16
G980815	Marcia Rene Jenn	Iowa City, IA	License Refund	\$100.00
G990001	Harold B. Collins	Albion, IA	Outdated Warrant	Unspecified
G990008	Angela Lynn Ganzer	Shawnee, KS	License Refund	\$52.00
G990009	Howard D. Brown II	Cedar Rapids, IA	License Refund	\$123.00
G990011	Linda K. Engelkes	Brunsville, MN	License Refund	\$107.00
G990015	Joseph T. Ryerson & Son, Inc.	Des Moines, IA	IRP Refund	\$2,763.51
G990019	Jerry L. or Marilyn Roberts	Rogers, AK	License Refund	\$209.00
G990035	Robert Alan Sessions	Iowa City, IA	License Refund	\$119.00
G990040	Charles Thomas Vanek, Sr.	Slidell, LA	License Refund	\$38.00
G990041	Charles Thomas Vanek, Sr.	Slidell, LA	License Refund	\$211.00
G990051	Loren Lee Romberg	Dalton, MN	License Refund	\$49.00
G990052	Loren Lee Romberg	Dalton, MN	License Refund	\$108.00
G990056	Duane G. Hobart	Broken Arrow, OK	License Refund	\$187.00
G990075	James R. Allyn	Bella Vista, AR	License Refund	\$160.00
G990076	James R. Allyn	Bella Vista, AR	License Refund	\$99.00

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G990084	Jack Craig Christensen/Sarah B. Christensen	North Mankato, MN	License Refund	\$210.00
G990156	Todd Wayne Mueller	Madison, WI	License Refund	Unspecified
G990158	Todd Wayne Mueller	Madison, WI	License Refund	Unspecified
G990186	Stadtlander Pharmacy	Pittsburg, PA	Chronic Renal Disease Program	\$59.56

COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on February 1, 1999, and is on file in the office of the Chief Clerk:

January 28, 1999

Chief Clerk
House of Representatives
Statehouse
LOCAL

Dear Chief Clerk:

In accordance with Section 669.12, Code of Iowa, we are hereby submitting to the General Assembly all General Tort Claims, Highway Tort Claims and Settlements & Judgments (general torts and highway) paid during 1998 under Chapter 669.

The attached report shows the claim number, claimant's name, a brief description of the claim, the amount requested and the amount approved.

Sincerely,
Michael Fitzgerald
Chairperson
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

ELIZABETH A. ISAACSON
Chief Clerk of the House

CHAPTER 669 TORT CLAIMS APPROVED BY THE STATE APPEAL BOARD—1998

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T940183	Mary J. Keever	Claimant incurred expenses while at UIHC	\$322.65	\$322.65

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T970217	Country Companies as Subrogee of Pat Siegel	U of I employee struck claimant's vehicle in parking lot	\$1,641.62	\$1,641.62
T970581	Sandra Caylor	Claimant damaged tooth while patient at UIHC	\$10,000.00	\$1,000.00
T970699	Mark Spragg	State driver failed to stop at stop sign, claimant injured	\$1,361.80	See T980434
T970747	Partners Mutual Insurance Company as Subrogee of John Ayers	Vehicle allegedly changed lanes struck snowplow	\$1,205.00	\$657.68
T970772	Jody L. Busing	Claimant tripped and fell on a crack in sidewalk at Iowa State Fair	\$200,000.00	\$12,000.00
T970917	Ann Elizabeth Rezarch	Claimant's vehicle struck when ISU vehicle was backing up	\$10,968.80	\$549.75
T970962	Tricianna Kae Young	State vehicle rear ended claimant's vehicle	\$2,500.00	\$974.96
T971027	Kristin M. Singletary	Claimant's right submandibular salivary gland was negligently excised at UIHC	\$200,000.00	\$0.00
T971039	General Casualty Company as Subrogee of R. C. Bixenman	DOT vehicle clearing snow and blew snow on claimant's vehicle	\$8,673.31	See T980313
T971077	United Fire & Casualty Co. as Subrogee of Jon Calvin Klindt	DOT vehicle changing lanes, allegedly hit oncoming vehicle	\$3,442.85	\$3,442.85
T971113	IMT Insurance as Subrogee of Kimberly Lynn Rieck	DNR tractor struck claimant's vehicle	Unspecified	\$9,601.57
T971135	GTE Telephone Operations (CMR)	DOT survey crew allegedly drove rebar into cable	\$1,112.64	\$556.32
T971170	John Wayne Paul	Property damaged when defective water heater leaked	\$3,877.43	\$2,500.00
T980012	Dolores M. Stockwell	Claimant fell at Iowa State Fairgrounds	\$150,000.00	\$40,000.00
T980023	Larry Leroy Tuel	Claimant sought damages for injuries sustained in an arrest by a state trooper	\$250,000.00	\$50,000.00

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980024	Arlene J. Newell	DOT sand truck allegedly threw rock and damaged windshield	\$263.18	\$263.18
T980034	Mary R. Motto	Claimant's wife files a medical malpractice claim for an unnecessary surgery performed on her husband	\$100,000.00	See T980035
T980035	Edwin A. Motto, M.D.	Claimant files a medical malpractice claim for an unnecessary surgery performed	\$300,000.00	\$25,000.00
T980064	Joseph Horner	Claimant stabbed by inmate while serving beverages	\$750,000.00	\$250,000.00
T980070	Sharon I. McClary	Claimant's vehicle damage by rock thrown by lawn mower	\$187.08	\$187.08
T980072	James Michael Craig	Claimant's vehicle damaged by fallen tree while parked in state lot	\$1,453.20	\$1,060.00
T980084	Farm Bureau Mutual Insurance as Subrogee for Lawrence Knaphus	State driver failed to yield right-of-way, struck claimant's vehicle	\$3,860.37	\$3,052.75
T980098	Lawrence L. Knaphus	Claimant sustained injury and claimant's vehicle sustained damage when state driver failed to yield right-of-way	\$3,914.93	See T980084
T980116	Harold W. Anderson	Alleges damage to trailer caused by brush hauled by DOT	\$2,686.13	\$1,336.13
T980118	Kansas Turnpike Authority	State driver lost control damaged claimant fence	\$906.88	\$906.88
T980124	Lisa Anne Galloway	State driver backing struck claimant vehicle	\$835.00	\$810.71
T980125	Rev. James G. Murray	Bike allegedly caught traffic counter hose - injury	\$79.76	\$79.76
T980141	Matthew P. Thomas	Claimant's boat damaged and claimant sustained injury when struck by DNR Law Enforcement boat	\$13,714.62	\$6,000.00
T980152	Linda L. Green	Claimant's tooth removed in error of U of I College of Dentistry	\$25,000.00	\$10,000.00
T980174	Sheryl Mae Strunk	State driver backing struck claimant vehicle	\$700.00	\$626.62

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980224	Karina Andrea Shea	Exposure to carbon monoxide	\$319.71	\$319.71
T980235	Georgia Jensen	Alleges slip & fell on rest area sidewalk	\$3,522.00	\$1,000.00
T980241	Candace Chihak	Valet damaged claimant vehicle	\$1,791.62	\$1,791.62
T980245	Farm Bureau Mutual Insurance as Subrogee of Charles Forbes	State driver failed to yield to claimant vehicle	\$874.87	\$699.90
T980250	Georgia Jensen	Alleges slip & fell on rest area sidewalk	\$3,522.00	See T980235
T980260	Edward Lynn Hansen	Claimant fell while inmate at North Central Correctional Facility	\$100,00.00	\$7,500.00
T980271	David J. Streb	State driver hit claimant's building	\$1,905.00	\$1,905.00
T980278	Erin Lea Foster	State driver rear ended claimant vehicle	\$1,491.33	\$1,359.87
T980280	Grinnell Mutual Reinsurance Company for George Maloy	State driver made improper turn and struck claimant's vehicle	Unspecified	\$4,010.52
T980293	Matthew James Fraizer	State driver made improper lane change	\$3,000.00	\$2,642.37
T980297	Marcon Services, Ltd.	State driver backing hit claimant vehicle	\$1,264.51	\$1,264.51
T980298	Ken W. Carter	DOT mower allegedly threw rock, damaged vehicle door	\$105.00	\$105.00
T980303	Terri Jo Osvald	State driver backing hit claimant vehicle	\$40.00	\$41.97
T980306	American Family Insurance as Subrogee for Alice Swick	Vehicle hit parking ramp arm and other vehicle	\$272.88	\$272.88
T980307	Charles L. Dickey	Unattended state vehicle rolled into claimant building	Unspecified	\$240.00
T980308	State Farm Insurance as Subrogee for Christina L. Benney	State driver backing hit claimant vehicle	\$1,561.15	\$1,561.15
T980313	Robert C. Bixenman	DOT vehicle clearing snow and blew snow on claimant's vehicle	\$14,250.00	\$17,630.00
T980319	George Ray King	Piece of plywood allegedly blew into semi	Unspecified	\$2,188.92

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980322	Eunice V. Teeter	DOT vehicle allegedly backed into vehicle	\$874.65	\$874.65
T980323	US West Communications, Inc.	DOT allegedly damaged underground cable, repairing sewer	\$289.85	\$289.85
T980324	Jill Marie Sturtz	Bicycle damaged by UNI vehicle	\$110.00	\$105.30
T980325	Ralph LeRoy Ewalt	DOT mower allegedly threw rock damaging windshield	\$332.23	\$332.23
T980328	Tracy Lynn Eiffler	Claimant's vehicle damaged when state driver failed to yield the right-of-way.	\$4,750.00	\$14,000.00
T980332	Gary E. Hempel	Damage to personal vehicle caused by over-spray	\$359.20	\$359.20
T980342	Stanley Ernst Sherkenbach	Damage to personal vehicle caused by over-spray	\$359.20	\$359.20
T980346	Gerardo Rodriquez Leon	DOT allegedly erred on driver license record, false arrest	Unspecified	\$82.50
T980347	Jean Mae Preston	Stone allegedly fell off edgerutter and chipped windshield	\$390.59	\$50.00
T980349	Delmar Dale Ross	Sand allegedly bounced off DOT sander, damaging windshield	\$359.34	\$359.34
T980350	Gary and Pamela Pump	Incurred expenses related to intercollegiate athletic camp	Unspecified	\$400.00
T960351	John Moore Jr.	Claimant's teeth removed erroneously at University of Iowa College of Dentistry.	\$200,000.00	\$50,000.00
T980353	EMC Insurance Companies as Subrogee of Henry Anders	State driver failed to yield right-of-way at stop sign and struck claimant's vehicle	\$5,407.20	\$6,904.99
T980354	William Raymond Guthridge	DOT mower allegedly threw debris, damaging vehicle rear window	\$287.72	\$287.72
T980357	Larry J. Magner	DOT plow allegedly struck & damaged mailbox	\$45.00	\$45.00

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980363	City of Waterloo	DOT vehicle blading shoulders, backed into traffic light	\$290.23	\$290.23
T980369	Helen J. Frisch	DOT Paid #0693147, 1-26-98	\$7,000.00	\$5,255.50
T980376	American Family Insurance for John Nichols	State driver backing hit claimant vehicle	\$699.29	\$699.29
T980377	Dennis Charles Mickelson	State driver sideswiped claimant vehicle	\$900.00	\$869.01
T980380	Michael Wood	DOT vehicle pulled into path of oncoming vehicle	Unspecified	\$896.95
T980381	Harlan L. Hayungs	Plow allegedly threw snow off overpass damaging windshield	\$201.08	\$201.08
T980384	Michelle Lee Graham	State vehicle rolled into claimant vehicle	\$1,570.00	\$1,543.97
T980386	Sharolyn Gertsen	DOT snowplow struck stopped vehicle, damaging left fender	\$2,594.52	\$2,719.52
T980391	Sheila Marie Norris	Vehicle damaged by weed eater	\$130.96	\$130.96
T980393	General Casualty Insurance as Subrogee of Barbara Collins	DOT vehicle proceeded into the path of the claimant's vehicle and then claimant struck a third vehicle	\$460.00	\$460.00
T980395	Ginger Alyse Byram	Valet damaged claimant vehicle	\$787.15	\$783.40
T980396	General Casualty Insurance as Subrogee of Barbara Collins	DOT vehicle proceeded into the path of the claimant's vehicle and the claimant then struck a third vehicle	\$2,116.30	\$2,116.30
T980397	Maggie Godbersen	Vehicle antenna damaged by gate arm	\$68.26	\$68.26
T980398	Bruce Wayne Hanford	DOT mower allegedly threw object damaging door of passing vehicle	Unspecified	\$332.04
T980401	Jeffrey L. Harrington	State driver backing hit claimant vehicle	\$1,450.00	\$1,400.79
T980405	Timothy Allen Walker	Plow allegedly threw snow off overpass damaging windshield	\$248.86	\$124.43

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980414	Gladys E. Erdmann	Slacks allegedly damaged by caulking in rest area	\$26.00	\$20.78
T980416	Lawrence A. Cellucci	State hayrack rolled into claimant vehicle	\$1,866.00	\$1,866.01
T980417	Angela Larie Slonaker	Claimant's vehicle damaged when object was thrown from mower	\$160.73	\$160.73
T980420	Evert E. Janssen	DOT sand truck allegedly threw sand damaging vehicle	\$396.16	\$438.30
T980421	Thomas Jeff Dunham	State driver backing hit claimant vehicle	\$2,139.17	\$1,989.02
T980422	Jean Reed	DOT Paid #06931499, 1-26-98	\$7,077.65	\$7,100.00
T980424	Velda M. Nicholson	Claimant's clock radio was damaged when staff reset the clock	\$15.72	\$15.72
T980433	Hertz Corporation	State driver backing hit claimant vehicle	\$75.97	\$75.97
T980434	Mark L. Spragg	State driver failed to stop at stop sign, claimant injured	\$140,000.00	\$28,000.00
T980436	Donald Mulcahy for Bud Mulcahy's Jeep/Eagle Inc.	DOT plow allegedly threw snow off overpass damaging vehicle	\$1,885.51	\$634.19
T980437	Tom Adams	DOT vehicle slid on ice, striking tractor, damaged wheel	\$1,218.49	\$1,218.49
T980440	Kenneth Robert Tabor	DOT vehicle allegedly bumped rear of vehicle stopped at intersection	\$684.23	\$684.23
T980448	State Farm as Subrogee of Frank and Jon Liebl	Collision at intersection	\$953.95	\$763.16
T980450	Donald K. Hummel	Vehicle damaged by weed eater	\$150.00	\$150.00
T980452	William Joseph Ryan		\$6,919.86	\$5,785.00
T980453	Hawkeye Paving Corporation	DOT mowers allegedly damaged barricades and barrels	\$919.30	\$926.98
T980457	Randy Lee Colsrud	DOT mower allegedly threw rocks damaging vehicle door	\$406.53	\$406.53
T980458	EMCASCO Insurance Company as Subrogee of Al Hastings	Personal injuries sustained from trip and fall	\$872.34	\$872.34

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980460	Donald & Lana Duysen	State driver sideswiped claimant vehicle	Unspecified	\$133.65
T980463	John Joseph Callaghan	Valet damaged claimant vehicle	\$1,267.07	\$1,267.07
T980469	Total Utility Contracting, Inc/Gary R. Schecler	State driver made improper lane change	Unspecified	\$1,358.23
T980471	Progressive Insurance as Subrogee of William Ryan	Claimant's vehicle damaged when employee of Iowa National Guard failed to obey a stop signal	\$5,640.81	\$5,140.81
T980474	Aldo Vigetti	State valet damaged claimant vehicle	\$1,881.32	\$1,049.97
T980475	Aaron Jared Bauch	State vehicle rolled into claimant vehicle	\$840.68	\$840.68
T980478	Linda A. McClain	DOT plow allegedly backed into parked vehicle damaging fender	\$512.98	\$512.98
T980484	Single Source Transportation Company	DOT vehicle pulled out into path of p/u, damaging p/u box	\$3,191.20	\$3,191.20
T980485	Robin Renee Smith	Mower struck glass bottle, thrown into passing vehicle	\$558.62	\$546.89
T980486	Mary Louise Burke	Parked DOT vehicle rolled back and struck parked vehicle	\$2,338.26	\$2,338.26
T980492	Jeffrey S. & Lisa K. Heddens	DOT sand truck allegedly broke windshield of passing vehicle	Unspecified	\$320.98
T980493	Yohannes Negussie	Claimant's received personal injury when attacked by guard dog while walking	\$12,000.00	\$5,000.00
T980494	Josh O. Lunt	Valet damaged claimant vehicle	Unspecified	\$1,311.20
T980497	State Farm as Subrogee of Jay & Juanita Anliker	Claimant's vehicle damaged while parked at MHI grounds	\$228.54	\$228.54
T980498	Armon Diggs #1008061	Claimant had items taken while inmate at ISP	\$479.07	\$464.19
T980499	Brenda Christine Conyac	DOC inmate hit a golf ball damaging the rear window of her "mini-van"	\$782.11	\$782.11

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980500	David Lee Bullis	DOT truck allegedly threw rock damaging windshield of vehicle	Unspecified	\$283.85
T980505	Marcia Lou Page	State driver rear-ended claimant vehicle	\$832.60	\$927.60
T980506	Farmers Insurance Group as Subrogee of Beverly MacTaggart	Claimant's vehicle damaged when tree fell on vehicle at Backbone State Park	\$3,021.10	\$3,021.10
T980508	Deanna Marie Thomas	Claimant's vehicle damaged while parked in state parking lot when a weed whacker came in contact with the left front fender	\$208.95	\$208.95
T980509	McKee Coins, Inc.	Claimant's P. Baretta 9 mm pistol was replaced after having been stolen	\$500.00	\$500.00
T980515	Meryl Severson III M.D.	Claimant received surgical burns while in operating room at UIHC	\$250,000.00	\$18,000.00
T980519	Sean M. Sexton	State driver rear-ended claimant vehicle	\$954.00	\$3,952.42
T980522	Tom Mesko	DOT plow allegedly struck and damaged mailbox	\$30.00	\$30.00
T980527	John R. Perkins	State driver made improper lane change	\$1,000.00	\$1,188.95
T980529	Krista Marie Hart	State driver backing struck claimant vehicle	Unspecified	\$373.23
T980539	William J. O'Brien	Claimant vehicle damaged from ice and snow that fell from the roof of the Capitol Building	\$995.16	\$721.34
T980540	Michael DeKruif	DOT crew blowing cracks, object damaged tire of vehicle	\$28.09	\$28.09
T980541	Thomas E. Massey	DOT vehicle backing into EE vehicle	\$520.97	\$520.97
T980551	Sue Ann Atkinson	Alleges injuries sustained in slip at fall at Durham Center	\$206.15	\$206.15
T980555	City of Winterset	Claimant's vehicle damaged when Federal surplus Property vehicle striking door on right side	\$689.28	\$689.28

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980556	Suzanne Baker-O'Brian	Vehicle damaged by gate arm	\$71.30	\$71.30
T980563	St. Paul Fire and Marine Insurance Company as Subrogee of Priority Express Inc.	State vehicle slid into ditch hitting fence	\$3,125.00	\$2,343.75
T980564	Ann C. Anderson	State driver rear-ended claimant vehicle	\$500.00	\$517.63
T980575	Angela R. Pfeil	Allege slush thrown off overpass broke windshield	\$216.83	\$216.83
T980576	Etta Ridder	Plow threw debris, damaging vehicle windshield at stop sign	\$300.00	\$267.16
T980577	Mark S. Trowbridge	DOT sand truck allegedly threw rock damaging windshield	\$593.60	\$421.58
T980581	Jerry Paul Sharp	DOT truck allegedly threw rock damaging vehicle windshield	\$183.03	\$183.03
T980582	Forrest Reginald Neal	State driver backed into claimant vehicle	\$567.00	\$615.01
T980585	Michael D. Fordice	State driver backed into claimant vehicle	\$382.53	\$382.53
T980587	Michael Taiclet and Twila Rae Sieh	Alleges snow pushed off bridge struck and damaged vehicle	\$723.07	\$723.07
T980588	Sarmistha Siddanta	Alleges injuries sustained in fall	\$1,008.90	\$1,008.90
T980595	Barbara Stout Collins	DOT vehicle proceeded into the path of the claimant's vehicle and the claimant then struck a third vehicle	\$22,031.80	\$9,673.70
T980600	Mark Spragg	State driver failed to stop at stop sign, claimant injured	\$1,361.80	See T980434
T980601	Michael Dean Taiclet and Twila Rae Sieh	Alleges snow pushed off bridge struck and damaged vehicle	\$723.07	See T980587
T980602	Andy Goodner	State driver backed into claimant vehicle	\$710.65	\$710.65
T980605	Jonathon Warren Ross	DOT plow allegedly backed onto highway, struck vehicle	\$3,489.90	\$2,924.25

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980607	David & Loralyn Anderson	State driver sideswiped claimant vehicle	Unspecified	\$406.81
T980608	Stephen Stofferan Byrd	False arrest/driving while suspended/alleged DOT error	\$100.00	\$100.00
T980611	Helen Kay Keeney	Slush allegedly thrown by DOT vehicle damaged windshield	Unspecified	\$224.91
T980612	Joseph Hahn	DOT plow allegedly left 2' snow in road/vehicle hit it	\$180.84	\$180.84
T980613	Sheryl Weller Individually and as Executor of the Estate of Neal Weller and as Parent of Jaime, Adam & Derek	Claimant sustained burns transferred to UIHC, an esophageal intubation occurred, resulting in an aspiration, then pneumonia	\$4,000,000.00	\$602,185.50
T980622	Bill Colwell Ford, Inc.	Collision at intersection	\$940.00	\$940.00
T980624	Lisa Renee Reynolds	State driver lost control on ice struck claimant vehicle	\$436.50	\$436.50
T980629	Man-Goo Kang	Vehicle damaged by snow removal equipment	Unspecified	\$314.62
T980632	Lou Ann Winter	DOT plow allegedly lost piece of plow, vehicle struck piece	\$357.64	\$357.64
T980633	Jeremy Ian Ellis	Theft of property from vehicle	\$175.00	\$175.00
T980634	Jennifer J. Rose c/o Suzan Z. Apaydin	Claimant alleges she never received payment from property settlement due to a divorce proceeding	\$1,422.80	\$1,422.80
T980635	Nancy Ann Timp	DOT plow allegedly lost piece of plow, vehicle struck piece	\$161.88	\$161.88
T980638	Ronald J. Flake Jr.	Debris from spreader allegedly struck and damaged vehicle	\$1,272.78	\$781.11
T980641	James Robert Hinke	Property damaged during water/utility project	\$75.00	\$75.00
T980642	Knoepfler Chevrolet Co.	State driver failed to yield to claimant vehicle	\$3,721.55	\$3,721.55
T980643	Gregory Alan Stimson	DOT plow allegedly threw rock damaging windshield	Unspecified	\$140.15

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980649	Rasmussen Motors, Inc./Frances Rasmussen	DOT sand truck allegedly threw rock, damaging windshield	\$345.00	\$345.00
T980652	Ronald Kisner Jr.	Claimant's items were damaged by an electrical problem	\$282.94	\$282.94
T980661	Marion Lepper	State driver made improper lane change	\$408.46	\$247.88
T980668	Tan Bao Nguyen #1074204	Claimant's TV damaged due to a power surge to his room	\$196.65	\$196.65
T980671	Roland Transport, Inc.	DOT vehicle backed into parked semi	\$2,152.53	\$2,152.53
T980672	Orville M. Lynch	Claimant's razor was lost at the Iowa Veterans Home	Unspecified	\$23.00
T980677	Randy M. Hetland	State vehicle slid into claimant's vehicle	\$3,844.60	\$3,344.60
T980681	Debra M. Bachochin Rosenberger	DOT plow struck 2 vehicles parked on city street	\$2,088.65	\$925.00
T980682	Jackie E. Rosenberger	DOT plow struck 2 vehicles parked on city street	\$1,236.97	\$1,236.97
T980686	Mohammed Amjed	Claimant's vehicle damaged by gate barricade that fell on rear of vehicle	\$117.75	\$115.50
T980688	David Richard Turner	Alleges DOT struck parked vehicle, damaged fender	Unspecified	\$409.27
T980689	Martin Towel	Claimant's razor was damaged when razor was dropped	\$50.00	\$50.00
T980690	Larry W. Wyant	DOT vehicle parked on shoulder, allegedly backed into vehicle	Unspecified	\$797.34
T980691	Stephanie Marie Cole Epenesa	State vehicle backed into claimant's vehicle	\$2,322.46	\$2,522.45
T980699	John W. Rahn	DOT clearing brush, vehicle struck branch damaging antenna	Unspecified	\$138.60
T980700	Elizabeth Ann Ferrin	DOT vehicle slid into stopped vehicle	Unspecified	\$652.80
T980701	IMT Insurance Company as Subrogee of Dennis Mumm	Wing not clear in, struck oncoming vehicle with wing	\$3,166.64	\$3,166.64

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980706	David C. Curchy	DOT edgerutting/loose rock thrown by semi damaged vehicle	Unspecified	\$948.64
T980709	Cynthia R. Koppenhaver	DOT plow allegedly threw rock damaging windshield	\$121.89	\$121.89
T980711	Daniel L. Mills	DOT sand truck allegedly threw rocks damaging windshield	\$550.00	\$533.31
T980713	Debora Ann Parizek	Vehicle damaged by debris from dumpster	\$311.00	\$297.60
T980714	Douglas Paul Erdman	Claimant's vehicle damaged by State Vehicle	\$3,975.27	\$3,975.27
T980715	Daniel C. Reyerson	DOT sand truck allegedly threw debris damaging vehicle	Unspecified	\$699.33
T980716	John Jacob Menster	DOT plow allegedly threw debris damaging windshield	Unspecified	\$569.77
T980724	State Farm as Subrogee of Steve & Cheryl Kennedy	Claimant failed to yield right away and struck oncoming vehicle	\$7,478.28	\$7,478.28
T980729	Kenneth Ray Hughes	DOT truck allegedly threw rock damaging windshield	\$406.69	\$406.69
T980730	Gerda Preston Hartman	Dispute over claimant's easement which resulted in attorney fees	\$100.00	\$100.00
T980731	City of Oelwein	DOT truck allegedly struck traffic signal	\$538.17	\$538.17
T980743	Michael Fitzpatrick	Claimant's alleges personal property missing at Iowa Veterans Home	Unspecified	\$110.00
T980746	Nichole Marie Swisher	Plow allegedly pushed snow/ice off overpass damaging window	\$230.00	\$227.00
T980750	US West Communications, Inc.	DOT backhoe allegedly cut thru telephone lines	\$398.37	\$398.37
T980752	Scott R. Houston	DOT sand truck allegedly blasted vehicle w/salt or sand	Unspecified	\$732.62
T980753	Joyce Knapp	State driver failed to yield to claimant vehicle	\$656.74	\$654.72
T980756	John Christopher Napoli	State vehicle backing hit claimant	\$400.00	\$421.27
T980759	John William Fortt	State vehicle backed into claimant vehicle	Unspecified	\$600.00

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980762	Larry D. Brunk	DOT plow allegedly threw rock damaging windshield	\$576.68	\$576.68
T980770	Auto Owners Insurance as Subrogee of David Harry Williams	Claimant's vehicle backed into by DOT snowplow	\$1,234.71	\$1,234.71
T980771	Marjorie Louise Wise	Alleges plow kicked up rock damaging windshield	\$174.76	\$174.76
T980772	Dean Charles Feldmann	Alleges snow thrown by snowblower damaged vehicle windshield	\$2,421.48	\$2,396.48
T980773	Kelly M. Lager	DOT plow lag lost shoe, damaged vehicle	\$194.40	\$194.40
T980779	Frank J. and Cheryl K. Salter	Iowa State Patrol Trooper's vehicle rear-ended claimant's vehicle	\$34,892.94	\$30,000.00
T980787	Earl Ebert	Crop damage because of Dept. of Agriculture employee allowed cattle to escape and enter his crop land	\$2,000.00	\$450.00
T980788	Brad Wills	Claimant vehicle sprayed with hydraulic oil from state snow removal equipment	\$111.30	\$111.30
T980791	Allied Property and Casualty as Subrogee for Robin Taylor	DOT mower allegedly threw muffler damaging passing vehicle	\$342.83	\$342.83
T980792	Joseph C. Bacher	Vehicle damaged when oil sprayed from U of I maintenance vehicle	\$84.00	\$84.00
T980793	Decker Truck Line, Inc.	State vehicle sideswiped claimants vehicle	\$135.38	\$135.38
T980799	State Farm Insurance as Subrogee of Cindy Huston	Blowing cracks, debris allegedly struck windshield	\$251.46	\$251.46
T980800	Joyce M. Kral	Vehicle damaged by gate arm	\$119.99	\$119.99
T980805	Rachel K. Greiner	State vehicle made improper lane change	\$488.12	\$488.12
T980807	Patricia Lynn Foor	DOT vehicle allegedly backed into parked vehicle damaged fender	Unspecified	\$86.10
T980809	Carroll Warner	DOT plow blade allegedly threw ice damaging oncoming vehicle	\$343.56	\$343.56

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980810	PRONTO	DOT dump box allegedly hit overhead lights while fueling	\$2,800.00	\$2,800.00
T980811	Jimmie Dale Wilson	Postal Service employee fell while delivering mail and attacked by correctional officer's canine	\$974.15	\$974.15
T980813	Susan Shaull-Scheer	Claimant's vehicle damaged by minor ward of Dept. of Human Services	\$146.93	\$146.93
T980814	Dean Fritz	DOT snowblower allegedly damaged mailbox and damaged two trees	\$500.00	\$525.00
T980815	John R. Wehr	Property damaged by broken chair	\$38.16	\$38.16
T980819	Richard Allen Jones	Allegedly error on Driver's License record resulted in vehicle impoundment	\$196.70	\$166.70
T980820	Gregory A. Shultz	DOT allegedly erred on Driver's License record, false arrest	\$15,123.10	\$1,500.00
T980825	James C. Woodvine	DOT snowblower allegedly blew snow damaging house windows	\$32.02	\$32.02
T980828	Mary Jean Kinley	Claimant's tires destroyed from "stop sticks" placed on the freeway by the Iowa State Patrol	\$291.50	\$291.50
T980836	Dorothy E. Frese	Claimant's vehicle damaged at the Iowa Juvenile Home's parking lot	\$930.08	\$930.08
T980843	Crawford & Company as Subrogee of Sac County	Claimant's parked vehicle damaged when struck by DOT snowplow	\$8,280.00	\$6,108.33
T980845	Gilbert Knobloch	DOT vehicle allegedly ran light, struck pickup	\$2,500.00	\$2,175.00
T980846	John Patrick Mangello	Claimant's vehicle damaged by DOT snowplow backing up	Unspecified	\$5,036.86
T980847	Angie Cornelius	Alleges property damaged by leaking heater	\$130.00	\$130.00
T980848	Mike Orchard	Vehicle damaged when wind blew sign onto vehicle	\$471.60	\$471.60

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980860	Luis Rivera-Perez	Vehicle damaged when object fell from U of I vehicle	\$254.48	\$254.48
T980862	Brooke Renee Brill	Alleges injuries sustained in fall on stairs	\$301.60	\$301.60
T980863	Margaret Ann Owens	Claimant's eye glasses damaged while computer was being exchanged	\$34.50	\$34.50
T980864	Daniel J. Gonnerman	DOT plow wing struck parked vehicle	\$3,133.65	\$3,133.65
T980865	Louis M. Amodeo	DOT sign allegedly blew into restaurant air conditioner	\$1,500.00	\$1,050.00
T980870	Richard C. Griffin	State vehicle backed into claimant vehicle	\$1,157.34	\$1,157.34
T980874	James E. Trotter	Allegedly rock thrown by snowblower damaged windshield	\$629.91	\$629.81
T980881	J. Ralph & D. Beatrice Cox	DOT sand truck allegedly threw debris damaging window	\$100.06	\$127.84
T980884	Debra S. Davidson	DOT vehicle allegedly backed into vehicle at gas station	Unspecified	\$462.02
T980885	Sac County (Sheriff's Department)	Claimant's patrol car was parked when struck by passing DOT snowplow	\$8,280.00	See T980843
T980886	Charles Edward Stitts	Alleges white paint splattered onto vehicle/ paint oper.	\$297.86	\$297.86
T980887	Kelly Lee Koenig	DOT sand truck allegedly threw rock damaging windshield	\$439.64	\$439.64
T980889	William L. Stout	Snowblower allegedly blew out windows of house	\$425.00	\$425.00
T980892	A. Cole Fowler	Alleges vehicle damaged when ice fell from ISU building	\$2,433.21	\$2,433.21
T980894	Peggy L. Christensen	DOT sand truck allegedly threw rocks damaging windshield	\$506.77	\$506.77
T980897	Cedar Falls Utilities	DOT vehicle struck light pole	\$663.53	\$663.53
T980901	Pamela J. Odin	DOT vehicle allegedly backed into vehicle	\$173.00	\$153.00

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980902	Daniel McCabe	Alleges injuries sustained in fall	Unspecified	\$101.67
T980935	National Car Rental	Collision with vehicle at at intersection	\$450.01	\$450.01
T980936	Darrell Bruce Robinson	Alleges construction caused flooding on property	\$1,260.00	\$1,260.00
T980937	Anthony P. Johnson	Property damaged by broken chair	\$60.00	\$59.95
T980941	Audrey I. Rodgers	Property damaged by window which fell from Residence Hall	\$325.66	\$325.66
T980947	Judith Ann Snetselaar	DOT mower allegedly threw rocks damaging vehicle	\$487.68	\$487.68
T980948	Mary Jo Wahlert	Allegedly plow pushed snow off overpass, damaged windshield	\$460.61	\$460.61
T980957	Charlotte A. Criswell	Personal property accidentally discarded	\$325.00	\$325.00
T980959	Russell E. Rogerson	Claimant lost wages while while serving a 30-day suspension which claimant should have been exempt from	\$6,044.80	\$6,044.80
T980962	Jackie Clark on behalf of Minor, Chuck A. McAninch	Claimant's personal clothing torn at Iowa State Fairgrounds	\$25.00	\$25.00
T980963	LaToya Buchanan	Alleges injuries sustained in fall at Halsey Hall	\$449.10	\$582.10
T980967	Sheri Lynn Harrison	DOT error on driving record/false arrest	\$30,090.50	\$1,500.00
T980975	Toney O'Neal	Claimant's vehicle damaged by State vehicle which turned improperly	\$6,000.00	\$5,379.16
T980976	Erwin L. Johnston	DOT mower allegedly threw object damaging vehicle door	\$234.58	\$234.58
T980977	United Services Automobile Association for Martin Meyer	Claimant's vehicle damaged while parked at Camp Dodge	\$1,802.79	\$1,802.79
T980980	Tracy Lynn Hardin (808137)	Claimant's property damaged at ICIW	\$177.69	\$177.69

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T980986	Brian Feltovich	PD – Vehicle allegedly damaged by gate arm	\$85.14	\$85.14
T980996	Mark Donald Wilson	State vehicle failed to yield right of way, struck claimant	\$2,500.00	\$2,500.00
T980998	Daniel Edward Butler	Claimant's ordered property that he never received	\$126.28	\$126.28
T980999	Planned Parenthood	Alleges vehicle damaged by lawnmower	\$350.07	\$350.07
T981010	Gary Maier	Claimant's personal property missing at Iowa Veterans Home	\$90.00	\$90.00
T981012	Jody L. Elgin	Allegedly matl being spread by DOT vehicle damaged windshield	Unspecified	\$302.10
T981013	Allied Mutual Insurance for Bernard E. Anderson	Claimant's vehicle damaged when state vehicle collided with it	\$4,679.30	\$4,679.30
T981017	Karen Sue Carroll	Sign allegedly blew onto EE's parked vehicle	\$446.41	\$446.41
T981018	Robert Gary Lee	DOT mower allegedly threw rock damaged van window	\$454.13	\$454.13
T981021	Thomas James McAreavy	DOT mower allegedly threw piece of metal damaged vehicle	\$400.00	\$356.03
T981022	Debrea Jo Dukes	DOT mower allegedly threw rocks damaged vehicle	\$879.51	\$879.51
T981025	Sharon L. Collins	Claimant's vehicle damaged by sign that blew over	\$433.56	\$433.56
T981028	Laurel A. Baker	DOT mower allegedly threw rock damaged windshield	\$264.39	\$264.39
T981033	William T. Hanson	Claimant's vehicle sustained damage by rock thrown from mower	\$268.69	\$268.69
T981035	William A. Farris	Claimant's vehicle damaged by gate arm	\$69.91	\$69.91
T981037	State Farm Insurance Companies as Subrogee of Darold H. Dreesen	State vehicle failed to yield at a stop sign and collided with claimant's vehicle	\$5,362.51	\$5,362.51
T981039	Steve A. Beeck	DOT mower allegedly threw debris, damaged vehicle	Unspecified	\$358.85

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T981042	Missionary Baptist Church	Allegedly incomplete construction resulted in sink hole	\$220.00	\$220.00
T981043	Associates Insurance Company as Subrogee of Cruz Guevara	Claimant's vehicle damaged when DOT plow merged and struck vehicle	\$4,169.14	\$4,169.14
T981047	William M. Merfeld	State vehicle and claimant vehicle backing collided	\$215.22	\$215.22
T981048	Jeffrey Eric Boehlert	Allegedly struck wires running across 6 th street entrance	\$35.97	\$35.97
T981050	Elodie M. Greif	DOT mower allegedly threw object damaging window	\$329.39	\$345.86
T981052	Lisa L. Doughan	Claimant's vehicle damaged by sign that blew over	\$463.10	\$463.10
T981054	Jimmy A. Ming	Claimant arrested wrongfully; claimant seeks refund for cash confiscated at time of arrest	\$6,402.00	\$6,402.00
T981055	Jimmy A. Ming	Claimant wrongfully arrested; claimant seek reimbursement for cash confiscated at time of arrest	\$6,402.00	See T981054
T981058	Shawn David Beilby	Alleges vehicle damaged by debris from lawnmower	\$100.00	\$100.00
T981061	Karen Denise Smith	DOT mower allegedly threw brake drum into passing vehicle	Unspecified	\$367.57
T981065	Kathryn L. Drees	Claimant's vehicle damaged by large rock thrown by DNR mower	\$841.59	\$883.67
T981066	John Van Eck	Alleges rock from DOT truck damaged windshield	\$416.46	\$416.46
T981067	Brian Patrick Staner	Collision at intersection	\$479.66	\$479.66
T981071	Duane L. Reiser	Rock allegedly fell off load and damaged windshield & hood	Unspecified	\$3,083.95
T981072	Eliza Jane Willis	Alleges vehicle damaged by debris from lawnmower	Unspecified	\$150.23
T981073	Naomi J. Westby Lawler	State vehicle backing hit claimant's vehicle	Unspecified	\$435.14

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T981076	Earl Emory Anthony	DR service requested medical report for Driver's license renewal	\$64.00	\$64.00
T990001	Annamaria Grace Kellner	State vehicle rear-ended claimant's vehicle	\$1,228.60	\$1,228.60
T990008	Katherine Christine Keppler	Claimant's window shattered by rock thrown from mower	\$259.41	\$259.41
T990015	Janis Mesenbrink	Alleges vehicle damaged by debris from ISU worksite	Unspecified	\$325.87
T990017	Clifford A. Telgren	DOT mower allegedly threw rubber, damaged windshield	\$481.41	\$481.41
T990019	Orlan Gulker	DOT vehicle allegedly lost rock chips damaged windshield	\$556.50	\$556.50
T990020	Allen Roger Anderson	Alleges crops damaged by cattle owned by ISU	\$1,459.00	\$1,459.00
T990021	Mohammed Amjed	Claimant's vehicle damaged by gate arm	\$429.52	See T980686
T990033	Diane J. Franco	Mower struck chunk of concrete, damaged driver's door	\$2,000.00	\$1,211.63
T990038	Michael Richard Cook	State vehicle backed into claimant's vehicle	Unspecified	\$3,030.77
T990043	Gary M. Jones	DOT vehicle rolled into vehicle in parking lot	Unspecified	\$676.05
T990045	Frank A. Hiner	Alleges complications following knee replacement surgery	\$3,500.00	\$3,500.00
T990051	Richard Demmer	Farm fence damaged by State driver's vehicle	\$120.00	\$120.00
T990053	The Coca-Cola Bottling Co. of Mid-America	State vehicle backed into claimant's vehicle	\$1,071.78	\$1,071.78
T990056	Cathy Ann Brown	DOT mower allegedly threw rock damaging windshield	Unspecified	\$543.20
T990059	Chad Thomas Henry Walker	Claimant sustained injuries when state driver hit vehicle	\$500.20	\$500.20
T990061	Michael Jay Jaacks	DOT ee allegedly bumped another EE's vehicle	\$627.20	\$627.20
T990063	Jeannie A. Mahaney	DOT mower allegedly threw rock, breaking vehicle window	Unspecified	\$2,023.97

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T990069	Linn Starr Transfer, Inc.	State vehicle backed into claimant's vehicle	\$1,039.90	\$1,039.98
T990072	Kelly Boon Robinson	Claimant seeks attorney fees regarding child support	\$865.70	\$865.70
T990081	Louis L. Link	DOT mower allegedly threw rocks damaging windshield	\$393.16	\$393.16
T990089	Karl H. Klages	DOT mower allegedly damaged fence	\$75.00	\$75.00
T990092	Thomas J. Maher	Claimant's farm fence damaged by ING front-end loader	\$206.40	\$206.40
T990103	James Boniface	Claimant's razor broken and leg bag straps missing at Iowa Veterans Home	\$50.42	\$50.42
T990104	Tiemeyer Enterprises, Inc.	Rocks allegedly flew off DOT truck damaged vehicle windshield	\$165.75	\$165.75
T990108	John M. Burghorn	Claimant's vehicle sustained damage when state employee backed into his vehicle at Camp Dodge	\$1,082.70	\$1,082.70
T990110	Joseph G. Haumesser	Claimant's Norelco Razor damaged at Iowa Veterans Home	\$60.00	\$60.00
T990111	Lois K. Murrow	DOT mower threw rock chipping windshield	Unspecified	\$36.70
T990118	Weiner-Levin & Associates, LLC	State vehicle off road hit object	\$250.00	\$250.00
T990125	Elmer Paul McNamara	DOT mower allegedly threw rock breaking vehicle window	\$230.03	\$230.03
T990130	Christopher Pippert	Alleges error on Driver's License record resulted in arrest	\$912.00	\$140.00
T990134	Denise Wirth	Alleges vehicle damaged by rod protruding from barrier	\$677.00	\$677.00
T990135	Richard J. Bealka	Claimant's vehicle window was shattered by flying debris from mower	\$326.78	\$326.78
T990140	State Farm Insurance as Subrogee for Richard Scott	State vehicle backed into claimant's vehicle	\$544.74	\$544.74

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T990141	GE Capital Fleet Services as Subrogee for Daniel Richardson	Collision at intersection	\$833.79	\$416.84
T990142	Virginia Sullivan	Claimant's vehicle damaged when gate arm came down	\$586.92	\$586.92
T990144	Michael E. Wyant	Vehicle allegedly struck chunk of curb in roadway	\$435.62	\$435.62
T990146	Charles Berns	Claimant's field and crop damaged by DNR's traffic	\$500.00	\$500.00
T990157	Cherokee County Land Fill	State vehicle backed into building	\$1,618.73	\$1,618.73
T990159	David C. Dickey	Unsecured sign allegedly blew into vehicle door	\$1,879.00	\$1,879.00
T990160	Wapello County Sheriff Department	State vehicle sideswiped parked claimant's vehicle	\$843.29	\$843.29
T990161	Randall Lynn Stewart	DOT vehicle rolled into stopped vehicle	Unspecified	\$328.27
T990167	Rust Environment Infrastructure, Inc. c/o Douglas W. Schindel	DOT vehicle allegedly struck and damaged sign & equipment	\$762.43	\$762.43
T990169	David Eugene Dickinson	DOT mower allegedly threw rocks damaged vehicle and boat	\$2,689.84	\$2,342.82
T990170	Norma D. Lyon	Claimant's foot injured when she stepped on a nail at Fairgrounds	\$113.68	\$113.68
T990173	Rhonda Eileen Kirkpatrick	Claimant's vehicle antenna damaged by gate arm	\$82.72	\$82.72
T990176	F. Rick Manahl	DOT mower allegedly threw rock, damaged vehicle door	Unspecified	\$408.10
T990177	Tim L. Heim	DOT vehicle allegedly lost rock damaging windshield of vehicle	\$516.56	\$471.58
T990178	Margery Ellen Lange	DOT tar/sealer allegedly sprayed onto parked vehicle	\$391.44	\$391.44
T990185	Wendy Jayne Feazell	DOT vehicle allegedly lost piece of metal damaged tire	\$89.57	\$89.57

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T990191	General Casualty as Subrogee of Paul Hayes and Paul Hayes	Claimant's vehicle damaged when state vehicle rolled into claimant's vehicle	\$4,663.60	\$4,663.60
T990195	Donald Duane Schoh	DOT broom truck allegedly threw rock damaged windshield	\$441.48	\$467.97
T990203	Curtis Lee Harris	DOT mower allegedly threw object into vehicle, damaged window	\$316.05	\$316.05
T990204	Pamela L. Stout	DOT paint vehicle made U-turn was struck in the right side	\$2,063.32	\$2,313.32
T990206	Hansen Egg Company	Allegedly struck trailer with drag line	Unspecified	\$1,035.45
T990207	Scott Allen Kueter	Alleges vehicle damaged by gate arm	Unspecified	\$448.76
T990213	Michelle Lynn Lacey	Claimant's daughter's stroller damaged by trooper at Iowa State Fair during a chase	\$100.00	\$100.00
T990225	Alexander Black	Alleges loss of research materials	\$3,995.00	\$3,995.00
T990230	Charles J. Vandenberg	Alleges property discarded while patient	\$3,630.00	\$3,630.00
T990248	Shane Randall Goodman	DOT mower allegedly threw rock, damaged vehicle	\$717.00	\$966.62
T990250	Jack William Sick	DOT mower allegedly threw object, damaging vehicle windshield	Unspecified	\$257.81
T990255	State Farm Insurance as Subrogee of David Fox	Claimant's vehicle was damaged by state driver	\$5,467.67	\$5,476.97
T990256	Farm and City Insurance Company as Subrogee for Pamela Lee Stout	DOT paint vehicle made U-turn was struck in the right side	\$2,361.36	\$2,111.36
T990257	Kelli J. Armburg	Dot vehicle allegedly backed into DOT EE's personal vehicle	\$783.11	\$783.11
T990264	Walter Wayne Walker	DOT mower allegedly struck light pole, vehicle tire damaged	\$91.40	\$91.40
T990267	W. Mark Carlton	State vehicle backed into parked claimant's vehicle	\$1,696.24	\$1,696.24

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T990269	Marvin Mogler	Claimant's Remington razor damaged when dropped by staff at Iowa Veterans Home	\$50.00	\$50.00
T990274	Bob G. Marshall	Windshield allegedly damaged by rock from sealing operation	\$452.23	\$379.85
T990276	Steven Glenn Best	DOT mower allegedly threw rocks damaging vehicle	\$299.46	\$299.46
T990277	John S. Kooima	DOT mower allegedly threw rock, damaging windshield	\$327.25	\$327.25
T990281	Dennis Joe Lawman	DOT truck allegedly struck and damaged basement door	Unspecified	\$339.75
T990288	Jeffrey Paul Carlson	State vehicle struck claimant's vehicle	\$700.00	\$630.12
T990293	Courtney Llewellyn Burgess	DOT mower lag threw rock damaging vehicle door	\$239.80	\$239.80
T990301	Debra L. Droessler	DOT mower allegedly threw rocks damaging windshield	\$240.20	\$240.20
T990304	Gene Block	Rocks allegedly came off DOT truck, damaging vehicle windshield	\$302.40	\$302.40
T990309	Michael J. Grgurich	Claimant's vehicle struck in rear by a state fair maintenance truck	\$2,782.08	\$1,550.00
T990313	Joseph H. Henge	State vehicle struck claimant's vehicle	\$844.01	\$844.01
T990315	F. T. Seargent	State vehicle backed into claimant's vehicle	\$806.40	\$806.40
T990318	Mark Allan Ricker	State vehicle making U-turn was struck by claimant's vehicle	\$771.92	\$250.00
T990321	Darrell L. Hora	DOT vehicle allegedly backed into vehicle, damaging hood and grill	Unspecified	\$1,156.71
T990325	Lenora M. Stogdill	State vehicle backed into claimant's vehicle	\$995.45	\$820.42
T990327	James A. Gingerich	DOT mower allegedly threw rocks damaging vehicle door	\$532.93	\$532.93
T990329	Douglas A. Floy	State vehicle sideswiped claimant's vehicle	\$700.43	\$603.42
T990359	Aero Rental, Inc.	State vehicle struck an awning owned by Aero Rental	\$5,715.00	\$5,715.00

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T990387	Union Insurance Company as Subrogee of Glen & Ava Shum	Claimant's vehicle damaged by mower which threw an object	\$265.37	\$265.37

ADMINISTRATIVE ACTIONS
STATE APPEAL BOARD

Interdepartmental Claims

<u>Claim No.</u>	<u>Claimant</u>	<u>Amount Paid</u>
D970030	ICN - Employment Services	Denied
D970023	ICN - Employment Services	Denied
D980021	General Services (House of Representatives)	*\$1,487.70
D980009	Public Defense (ICN)	\$115.00
D980008	Inspections & Appeals (ICN)	\$817.02
D980004	R&F (DHS) Jill Christoffersen	*\$2,448.34
D980010	R&F (Woodward State Hospital) - Dawn Bailey	*\$993.12
D980011	R&F (Fifth Judicial District)	*\$43.80
D980014	R&F (Commerce) - John Bloome	*\$111.12
D980016	R&F (DHS) - Theresa Kilburg	*\$131.66
D980019	R&F (Mt. Pleasant Correctional Facility) - Diane Nye	*\$915.20
D980028	Anamosa State Penitentiary	\$646.13
D980023	Newton Correctional Facility - Pamela Haney - Health Insurance	\$206.51
D980024	Newton Correctional Facility - Pamela Haney - Dental Insurance	\$13.10
D980029	Iowa Workforce Development - Robert Flagel - Dental Insurance (\$14.54)	Denied
D980013	DNR owed Public Defense - ICN Invoice	\$465.00
D980015	DIA owed Public Defense - ICN Rental Invoices	\$30.00
D980031	Anamosa State Penitentiary owed Natural Resources - Iowa Title V Operating Permit Fee	\$376.80
D980005	Clarinda Treatment Complex - photocopying	*\$11.40
D980020	DNR owed ISP - Inmate Labor	\$333.20
D980006	Public Defense (ICN)	\$30.00
D980025	R&F (Newton Correctional Facility) - James Travis	*\$55.98
D980026	R&F (Newton Correctional Facility) - Chad Squires	*\$352.08
D980022	R&F (Newton Correctional Facility) - Bob Coady	*\$13.32
D990001	Dept. of Agriculture - Tom Schuster	\$471.67
D980027	Commission of Veterans Affairs - Vicky Brown	\$374.50

*State Share Transfer (Insurance)

Monies Paid From General Fund For Settlements & Judgements: 1998

<u>Warrant No.</u>	<u>Claimant</u>	<u>Amount Paid</u>
06764527	Lipman Law Firm - Tony Youngblood	\$500.00
06764528	Lipman Law Firm - Tony Youngblood	\$500.00
06764529	Dennis Runyan, as Conservator of Eric Runyan and Attorney David Leitner	\$22,000.00
06755492	David Gaupp and Bruce L. Walker, his Attorney	\$5,000.00
06755493	John Underwood and David R. Osborn, his Attorney	\$1,370.22
06755494	Jones County Clerk of Courts - Lenx v. Halfor	\$187.00
06755495	Jones County Clerk of Courts - Lenox and Chrisman	\$191.40
06755491	Black Hawk County - Timothy M. Stinker v. State of Iowa	\$101.00
06705062	Loeschen & Loeschen Law - Ralph C. Fay v. Iowa State Penitentiary	\$6,667.00

<u>Warrant No.</u>	<u>Claimant</u>	<u>Amount Paid</u>
06635882	Wayne Johnson, as administrator of the Estate of Laketha Johnson & William Buenger, his Attorney	\$16,500.00
07097911	Mears Law Finn – Robert Coer	\$2,150.00
07275334	George Eichhorn – Glendale More, Jr.	\$39,903.96
07275335	Glendale More, Jr.	\$500.00
06938272	Iowa State University	\$108,627.78
06972535	Planned Parenthood Federation of America – Planned Parenthood of Greater Iowa, Inc. v. Atchison	\$127,770.14
06972536	Sonnenschein, Nath, and Rosenthal – Planned Parenthood of Greater Iowa, Inc. v. Atchison	\$42,414.64
06972536	Planned Parenthood of Greater Iowa – Planned Parenthood of Greater Iowa, Inc. v. Atchison	\$29,390.42
06972533	Parrish, Kruidenier, Moss, Dunn, and Montgomery – Planned Parenthood of Greater Iowa, Inc. v. Atchison	\$2,970.00
06972534	Seth Kreimer – Planned Parenthood of Greater Iowa, Inc. v. Atchison	\$1,380.00
07629292	Michael J. Schilling – Anthony Arnold	7,500.00
07629291	Mears Law Office – Blaise v. Hedgepeth	\$3,275.10
	Ralph C. Fay v. Iowa State Penitentiary	\$13,333.00
CV2/3	Crime Victim Assistance – Loren Jasper, et al. v. David Scurr	\$13,879.50
07987244	Charles T. Traw – Mohammad Nazari v. State of Iowa	\$450.00
07987245	Jeffrey Lipman – Raymel Rogers v. State of Iowa	\$500.00
07987246	Maggi Moss – Tuel v. State of Iowa	\$19,786.46
07987247	Mears Law Firm – Hrbek v. Galloway	\$2,042.54
02091450	Larry Tuel – Tuel v. State of Iowa	\$30,213.54
02744908	Kutmus Pennington – Randy Mininch v. State of Iowa	\$4,000.00
02744907	Randy Minnich v. State of Iowa	\$8,000.00
02336623	Lee County Clerk of Courts – Miles v. State of Iowa	-\$491.00
02744906	Lee County Clerk of Courts – Miles v. State of Iowa	\$95.00
EC 532815	Susan Reynolds v. State of Iowa	\$34,020.00
02619897	Michael D. Oline and the James Law Firm	\$20,000.00
	Michael Oline v. Broadlawns Medical Center	
02619898	Kevin Capper – Capper v. State of Iowa Butler County	\$1,000.00
02619899	University of Iowa – Peter Kennedy v. the University of Iowa	\$45,273.78
02606278	Story County Clerk of Courts – Poppen v. State of Iowa	\$140.00
02567009	LaMarca & Landry – Jennifer Tresnak v. State of Iowa	\$40,000.00
02567010	Jennifer Tresnak – Jennifer Tresnak v. State of Iowa	\$60,000.00
02567011	Polk County Clerk of Courts – UE Local 893 v. Dale Schmitz	\$283.42
03257878	Overtime Compensation for Al Teepe – Department of Agriculture	\$23,048.69
03103957	Overtime Compensation for Gary Allen – Department of Agriculture	\$26,078.79

<u>Warrant No.</u>	<u>Claimant</u>	<u>Amount Paid</u>
03103959	RE: Adele E. Faeth v. State of Iowa – Elderkin & Pirnie	\$3,333.33
03103961	RE: Adele E. Faeth v. State of Iowa – Adele E. Faeth	\$6,666.67
03103955	SAFECO Assigned Benefits Service Company – Joan Lindsay	\$323,970.15
03103960	RE: Joan Lindsay – Joan Lindsay	\$280,000.00
03103958	RE: Joan Lindsay – Meardon, Sueppel, Downer & Hayes	\$275,000.00
03103956	Jasper County Clerk of Courts – Billy J. Pross v. State of Iowa	\$16.00
EC	RE: Sammy J. Barbour v. State of Iowa – Sammy Barbour	\$1,333.34
03508186	RE: Sammy J. Barbour v. State of Iowa – Lipman Law Firm	\$666.66
03508187	RE: Endersbe v. Halford – Mears Law Firm	\$1,550.00
003470715	RE: Waddell v. Forney, et al. – Hammer, Simon & Jensen	\$40,600.67
#03716073	RE: Waddell v. Forney et al. – George E. Waddell, Jr.	\$109,399.33
#03716070	RE: Tim Miller, Diane Miller and Jamaica Miller – Iowa Department of Education – Iowa Protection and Advocacy Services, Inc.	\$5,000.00
#03816203	RE: Tim Miller, Diane Miller and Jamaica Miller – Department of Education – Diane Miller & Tim Miller	\$75,000.00
03508188	Tom Riley Law Firm – overpayment in the settlement of Kimbril lawsuit	-\$720.00
03508190	Jackson County Clerk of Court – Cheryl Moore	\$80.00
03508189	Kimberly Isaak – Isaak v. Schillig	\$13,562.21
03470714	Keith Keenan – Keenan v. Ault	\$51.01
03470716	Iowa School for the Deaf – Rhonda Dunaway	\$44,781.76
EC	Humphrey & Haas – Marla J. Wiperman	\$150,000.00
03612148	Jones County Clerk of Courts – Charles Ross v. State of Iowa	\$110.00
06950905	Marc B. Moen – Isaak v. Schillig	\$6,437.79
06950904	Smith Peterson Law Firm – Tonya Smith v. Roxanne Johnson	\$500.00
06950906	Smith Peterson Law Firm – Shellie Smith v. Roxanne Johnson	\$500.00
06950907	Jones County Clerk of Court – Herlein v. Ault	\$135.00
06927029	Phil Watson Trust Account – Mark Salmi v. Human Services	\$5,000.00
06905151	Mark Salmi – Human Services	\$8,500.00
06905152	Tom Riley Law Firm – Weintraut v. State of Iowa	\$450,000.00
	Daniel Ertz	\$25,000.00
	Jones County Clerk of Courts – Mamo Smith v. State of Iowa	\$80.00
	Black Hawk County Clerk of Courts – Grider v. Thalacker	\$200.00
	Mears Law Firm	\$3,000.00
	Laverne Tutson as Mother and Next Friend of Israel Tutson	\$1,000.00
	Duane Brant – Brant v. State of Iowa	\$49.80
	Jones County Clerk of Courts – Brant v. State of Iowa	\$110.00

<u>Warrant No.</u>	<u>Claimant</u>	<u>Amount Paid</u>
02446528	Michael Said – Dewey Allison v. State of Iowa	\$616.00
02446532	Dewey Allison – Dewey Allison v. State of Iowa	\$584.00
02446529	Roger D. Poppen/John Timmons – Poppen v. State of Iowa	\$16,500.00
02446531	The Mearndon Law Firm – Peter Kennedy v. University of Iowa	\$7,056.22
02057081	Raymel Rogers – Raymel Rogers v. State of Iowa	\$1,000.00
02219574	Linn County Clerk of Courts – Eddie P. Buckley v. Paul Loeffelholz	\$250.00
02219575	Mears Law Office – Eddie O. Buckley v. Paul Loeffelholz	\$22,000.00
02219576	Eddie O. Buckley – Eddie O. Buckley v. Paul Loeffelholz	\$1,000.00
02372417	Iowa State University – Gretchen Triplett v. State of Iowa	\$18,171.81
02372418	Belin Law Firm – Susan A. Reynolds v. State of Iowa	\$15,000.00
02336618	Regena Zargarian – Regena v. State of Iowa and Timothy Smith	\$22,132.36
02336619	Anita Briggs & Singer, Pasley, Holm, Timmons & Curtis – Anita Briggs v. State of Iowa	\$25,000.00
02336620	Finley, Alt, Smith, Scharnberg, May & Craig – Gretchen Triplett v. Iowa State University	\$31,828.29
02336621	Rustin Harvey – Harvey v. Branstad	\$600.00
02336622	Neu, Minnich, Comito & Hall – Regena Zargarian v. State of Iowa & Timothy Smith	\$11,867.64
02336623	Lee County Clerk of Courts – Miles v. State of Iowa	\$491.00
07803885	Mears Law Office – Loren Jasper v. David Scurr	\$6,500.00
07803886	Scott County Clerk of Courts – Loren Jasper v. David Scurr	\$250.00
07803887	Woodbury County Clerk of Courts – Loren Jasper v. David Scurr	\$625.00
07803888	Adair County Clerk of Courts – Loren Jasper v. David Scurr	\$459.27
07803889	Loren Jasper – Loren Jasper v. David Scurr	\$1,000.00
07803890	Larry Maxwell, – Loren Jasper v. David Scurr	\$625.00
	Greg Scheeder – Loren Jasper v. David Scurr	\$8,540.73
	Jeremy Clark – Loren Jasper v. David Scurr	\$7,200.00
	Shane Dean – Loren Jasper v. David Scurr	\$7,200.00
07803894	Black Hawk County Clerk of Courts – Loren Jasper v. David Scurr	\$1,800.00
07803895	Keokuk County Clerk of Courts – Loren Jasper v. David Scurr	\$1,800.00
03291206	Mears Law Office – Brewer v. Henry	\$1,400.00
03291207	Patrick Ingram, Mears Law Office – Ed Williams v. Scurr	\$3,444.89
03291208	Ron Brewer – Brewer v. Henry	\$1,600.00
03291209	Faegre & Benson – Partnership Press v. Warren Madden, Iowa State University, and Board of Regent	\$86,769.53

<u>Warrant No.</u>	<u>Claimant</u>	<u>Amount Paid</u>
03354130	Planned Parenthood Federation of America – Planned Parenthood of Greater Iowa v. Miller	\$40,901.69
03354129	Lee, County of Clerk of Courts – Goodwin v. State Iowa Supreme Court	\$330.40
03354128	Catherin Ann Kimbril – Catherine Ann Kimbril f/k/a Catherine Ann Smith v. Johnson County	\$40,800.00
03354131	Tom Riley Law Firm – Catherine Ann Kimbril f/k/a Catherine Ann Smith v. State of Iowa	\$26,720.00
03443442	Jasper County Clerk of Courts – Robert Hawley v. State of Iowa	\$80.00
03716072	Baird Holm Law Firm – Rhonda Dunaway	\$35,218.24
03716071	James A. Pratt – John Williams v. State of Iowa	\$532.52
03716074	John S. Williams – John Williams v. State of Iowa	\$1,143.25
03806638	Mercy Hospital Medical Center – Mercy Hospital Medical v. Humphrey	\$10,000.00
03806639	Polk County Clerk of Courts – Brian Thompson v. State of Iowa – Dept. of Corrections	\$57,027.87
03806640	Lynch, Dallas, Smith & Herman Law – Koury v. UIHC	\$19,000.00
03806641	UIHC – Koury v. UIHC	\$352,249.75
04798509	Thomas Lenihan – In the Interest of Angelo Fazio & Frankie Fazio	\$9,000.00

Monies Paid From DOT Fund For Settlements & Judgements: 1998

<u>Warrant No.</u>	<u>Claimant</u>	<u>Amount Paid</u>
07484490	Rose Herman v. State of Iowa	\$1,500.00
0793994	Curry, Clinton R. and Marian S. Curry – Clinton R. Curry and Marian S. Curry v. State of Iowa	\$34,067.48
07939987	University of Iowa Hospitals & Clinics – Clinton R. Curry and Marian S. Curry v. State of Iowa	\$1,758.21
07939996	J. W. Conway – Clinton R. Curry and Marian S. Curry v. State of Iowa	\$15,932.52
02920652	Michael P. Becker (Michael P. Becker v. the State of Iowa)	\$1,666.67
02920656	Joseph J. Bitter (Michael P. Becker v. the State of Iowa)	\$833.33
#03799942	Alex P. Galyon – Art Saveraid & Marilyn Saveraid v. George Fisher & State of Iowa	\$100.00
#03817198	Art Saveraid and Marilyn Saveraid – Art Saveraid & Marilyn Saveraid v. George Fisher & State of Iowa	\$900.00

HOUSE FILE 364 REREFERRED

The Speaker announced that House File 364, previously referred to committee on appropriations was rereferred to committee on education.

SENATE FILE 37 REREFERRED

The Speaker announced that Senate File 37, previously placed on the **calendar** was rereferred to committee on **natural resources**.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\261 Edith Huffman, Cedar Rapids – For celebrating her 95th birthday.
- 1999\262 Mildred Stenzel, Manilla – For celebrating her 89th birthday.
- 1999\263 Leotha Andersen, Manilla – For celebrating her 81st birthday.
- 1999\264 Deloris and LaVern Crew, Jesup – For celebrating their 57th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 70

Education: Nelson, Chair; Cohoon and Grundberg.

House File 105

Education: Grundberg, Chair; Hansen and Kreiman.

House File 353

Environmental Protection: Brunkhorst, Chair; Kettering and Shoultz.

House File 362

Commerce and Regulation: Hansen, Chair; Bradley, Chapman, Metcalf and Osterhaus.

House File 368

Judiciary: Kettering, Chair; Barry and Chapman.

House File 373

Judiciary: Millage, Chair; Kreiman and Larson.

House File 375

Commerce and Regulation: Dix, Chair; Doderer and Johnson.

House File 377

Education: Rants, Chair; Grundberg and Wise.

House File 380

Transportation: Weidman, Chair; Bukta and Welter.

House File 382

Transportation: Eddie, Chair; Garman and Warnstadt.

House File 383

Transportation: Eddie, Chair; Arnold and Weidman.

House File 389

Judiciary: Raecker, Chair; Larson and Parmenter.

House File 391

Transportation: Welter, Chair; Cohoon and Weidman.

House File 393

Transportation: Brauns, Chair; Blodgett and Thomas.

House File 394

Ways and Means: Hoffman, Chair; Frevert and Lord.

House File 397

Judiciary: Davis, Chair; Ford and Kettering.

House File 398

State Government: O'Brien, Chair; Bradley and Davis.

House File 404

Transportation: Heaton, Chair; Drees and Jager.

House File 408

State Government: Gipp, Chair; Arnold and Cataldo.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 91**

Local Government: Van Engelenhoven, Chair; Arnold and Kuhn.

House Study Bill 182

Education: Dolecheck, Chair; Kreiman and Sunderbruch.

House Study Bill 183

Education: Nelson, Chair; Grundberg and Wise.

House Study Bill 186

State Government: Holmes, Chair; Metcalf and Taylor.

House Study Bill 188

Ways and Means: Blodgett, Chair; Doderer, Jenkins, Rants and Shoultz.

House Study Bill 190

Judiciary: Sukup, Chair; Baudler, Chapman, Larson and Myers.

House Study Bill 191

Transportation: Brauns, Chair; Garman and Thomas.

House Study Bill 192

Agriculture: Greiner, Chair; Drake, Frevert, Klemme and Mertz.

House Study Bill 193

Judiciary: Raecker, Chair; Doderer and Larson.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 194 Judiciary**

Relating to offenses for assault and willful injury that result in injury to another person, and providing penalties.

H.S.B. 195 Human Resources

Establishing an Iowa drug utilization review commission within the department of human services and providing an effective date.

H.S.B. 196 State Government

Relating to the fire safety provisions applicable to a bed and breakfast inn.

H.S.B. 197 State Government

Concerning governmental deferred compensation programs by providing for multiple programs, investment options, and marketing requirements for the programs.

H.S.B. 198 Judiciary

Relating to the interception of communications and providing penalties.

H.S.B. 199 Environmental Protection

Relating to review and oversight of actions of the United States environmental protection agency.

H.S.B. 200 State Government

Concerning equitable treatment relating to historical monuments, jailers, peace officer and city or county assessor job requirements, parents of a child born out of wedlock, the liability of a parent for their minor child's unlawful acts, and the classification of estate debts and charges.

H.S.B. 201 Judiciary

Relating to the appointment and dismissal of a marshal or chief of police in certain cities with a mayor-council form of government and without civil service.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly House Study Bill 148), relating to the description of disabilities of individuals receiving vocational rehabilitation services.

Fiscal Note is not required.

Recommended **Do Pass** February 24, 1999.

RESOLUTIONS FILED

HCR 9, by Fallon and Brunkhorst, a concurrent resolution urging the United States Congress to adopt year-round daylight saving time.

Laid over under **Rule 25**.

HCR 10, by Grundberg, a concurrent resolution encouraging the federal government to provide states greater flexibility concerning the implementation of federal legislation.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1035	H.F.	184	Brauns of Muscatine
H—1036	H.F.	310	Bradley of Clinton
H—1037	S.F.	10	Brauns of Muscatine

On motion by Siegrist of Pottawattamie the House adjourned at 9:02 a.m., until 1:00 p.m., Monday, March 1, 1999.

JOURNAL OF THE HOUSE

Fiftieth Calendar Day - Thirtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 1, 1999

The House met pursuant to adjournment at 1:12 p.m., Speaker Corbett in the chair.

Prayer was offered by Erin Leonard, page in the Iowa Senate from Gavla-Holstein High School, Holstein.

The Journal of Thursday, February 25, 1999 was approved.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Keith West, a student from Ankeny High School. He is the guest of the Honorable Carmine Boal, state representative from Polk County.

PETITION FILED

The following petition was received and placed on file:

By Barry of Harrison from seventeen constituents of the 82nd district opposing Senate File 37, an act legalizing a hunting season for mourning doves:

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mertz of Kossuth on request of Schrader of Marion; Larson of Linn and Garman of Story, until their arrival, on request of Siegrist of Pottawattamie; Drake of Pottawattamie, until his arrival, on request of Blodgett of Cerro Gordo.

INTRODUCTION OF BILLS

House File 412, by committee on agriculture, a bill for an act providing for the membership of the advisory board to the Leopold center for sustainable agriculture.

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

House File 413, by committee on education, a bill for an act relating to the description of disabilities of individuals receiving vocational rehabilitation services.

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

House File 414, by committee on judiciary, a bill for an act relating to carrying a gun in or on a vehicle on a public highway.

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

House File 415, by Bradley, Gipp, and Sunderbruch, a bill for an act relating to the notification of an emergency care provider of exposure to a contagious or infectious disease.

Read first time and referred to committee on **human resources**.

House File 416, by Rants, a bill for an act relating to the local option sales tax for school infrastructure, and including an effective date and retroactive applicability provision.

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

House File 417, by committee on state government, a bill for an act relating to release of certain information on claimants of the property tax rent reimbursement to the department of inspections and appeals.

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

House File 418, by committee on ways and means, a bill for an act exempting the sale of argon and similar gases used in the manufacturing process from the sales and use taxes, providing limited refunds, and including effective and retroactive applicability date provisions.

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

House File 419, by Jager, a bill for an act relating to the use of the law enforcement administrator's band by a law enforcement agency and making an appropriation.

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

House File 420, by Ford, a bill for an act relating to a study by the department of cultural affairs concerning the establishment of an Iowa freedom trail program.

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

House File 421, by Garman, a bill for an act relating to a study by the department of corrections of the operation of the private industry employment of inmates program.

Read first time and referred to committee on **labor and industrial relations**.

House File 422, by Schrader, a bill for an act prohibiting the granting of public financial assistance to employers who hire permanent replacement employees.

Read first time and referred to committee on **economic development**.

House File 423, by Fallon, Sukup, and Garman, a bill for an act prohibiting the loaning of money for gambling purposes through a credit card or an electronic or mechanical device at a licensed gambling facility.

Read first time and referred to committee on **state government**.

House File 424, by Jacobs, a bill for an act relating to a relationship involving real estate licensees and real estate clients, and establishing restrictions on the payment of commissions or other consideration.

Read first time and referred to committee on **commerce and regulation**.

House File 425, by Bradley, a bill for an act establishing a procedure to overcome paternity for a person claiming to be the biological father of a child and providing for the establishment of related child support, custody, and visitation rights.

Read first time and referred to committee on **human resources**.

House File 426, by Thomson, a bill for an act relating to prevention of drug and alcohol abuse by children by establishing a support program, authorizing drug and alcohol testing by schools, and making an appropriation.

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

House File 427, by committee on judiciary, a bill for an act relating to limitation of liability for services performed by critical incident stress management teams.

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

House File 428, by Huser, a bill for an act providing for an income tax deduction for individuals who donate blood to a local blood bank and including effective and applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 429, by Huser and Witt, a bill for an act relating to employee assistance programs pursuant to an employer's drug and alcohol testing program.

Read first time and referred to committee on **labor and industrial relations**.

House File 430, by Huser and Boal, a bill for an act relating to the rescission of an administrative license revocation for an operating while intoxicated offense, and providing an effective date.

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

House File 431, by Huser, a bill for an act relating to the nonpartisan election of township officers.

Read first time and referred to committee on **local government**.

House File 432, by Brunkhorst and Thomson, a bill for an act authorizing the merger of two or more area education agencies.

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

House File 433, by Rants, Hansen, and Cataldo, a bill for an act relating to the exclusion of certain transactions involving a public utility or common carrier from the applicability of the consumer credit code.

Read first time and referred to committee on **commerce and regulation**.

House File 434, by Teig, a bill for an act relating to an applicant's need for a school driver's license.

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

House File 435, by Teig, a bill for an act relating to easements created by eminent domain procedures.

Read first time and referred to committee on **local government**.

House File 436, by Dotzler, a bill for an act establishing a competitive grant program for public health nursing and making an appropriation.

Read first time and referred to committee on **human resources**.

House File 437, by Heaton and Jochum, a bill for an act directing the state-county management committee to review and make recommendations concerning service availability for persons with autism.

Read first time and referred to committee on **human resources**.

House File 438, by Heaton, a bill for an act creating a civil action for damages caused by drug dealers.

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

House File 439, by Foege, a bill for an act relating to the retroactivity of the state sales and use tax exemption of sales and rentals of property used for or in aquaculture, and including an effective date and retroactive applicability provision.

Read first time and referred to committee on **ways and means**.

House File 440, by Ford, a bill for an act relating to establishment and maintenance of a central registry for declarations relating to the use of life-sustaining procedures, and creating a fund.

Read first time and referred to committee on **human resources**.

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 2, by Maddox and Harper, a joint resolution relating to the designation of the Old State Historical Building as the Ola Babcock Miller State Office Building.

Read first time and referred to committee on **state government**.

Senate File 52, by Redfern, Harper, and Fraise, a bill for an act establishing the new criminal offense of interference with a peace officer's service horse, and applying a penalty.

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

Senate File 137, by committee on ways and means, a bill for an act relating to funding for the arts by providing an Iowa individual income tax checkoff for the arts, making an appropriation, and providing a retroactive applicability date.

Read first time and referred to committee on **ways and means**.

Senate File 146, by committee on business and labor relations, a bill for an act relating to worker and public safety and protection laws administered by the labor services division of Iowa workforce development.

Read first time and referred to committee on **labor and industrial relations**.

Senate File 149, by committee on transportation, a bill for an act establishing a time limit for disallowance or reduction of motor vehicle warranty claims, relating to establishment of motor vehicle service or warranty facilities, and making a penalty applicable.

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

Senate File 150, by committee on judiciary, a bill for an act concerning judicial administration.

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

Senate File 151, by committee on local government, a bill for an act relating to the selection of township trustees and township clerks.

Read first time and referred to committee on **local government**.

Senate File 173, by committee on education, a bill for an act relating to the description of disabilities of individuals receiving vocational rehabilitation services.

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

Senate File 174, by committee on human resources, a bill for an act changing a Code reference to the Iowa association of community providers and providing an effective date.

Read first time and referred to committee on **human resources**.

Senate File 175, by committee on transportation, a bill for an act providing for the display of flashing emergency signal lamps by motor vehicles in funeral processions.

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

Senate File 176, by committee on ways and means, a bill for an act relating to the elimination of investment counseling as a taxable service under the state sales and use taxes.

Read first time and referred to committee on **ways and means**.

Senate File 189, by committee on judiciary, a bill for an act to change the penalty for and to reclassify certain misdemeanors.

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

Senate File 193, by committee on judiciary, a bill for an act relating to the duties of a guardian ad litem appointed to represent a child in juvenile court proceedings.

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

CONSIDERATION OF BILLS

Regular Calendar

House File 331, a bill for an act relating to transfers of structured settlement payment rights for tort and workers' compensation claims, providing civil remedies, and an applicability date, was taken up for consideration.

Eddie of Buena Vista in the chair at 1:29 p.m.

Taylor of Linn moved to rerefer House File 331 to the committee on labor and industrial relations.

A non-record roll call was requested.

The ayes were 38, nays 50.

The motion lost.

Jenkins of Black Hawk 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. 331)

The ayes were, 90:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Corbett, Spkr.	Cormack	Davis	Dix
Doderer	Drees	Falck	Fallon
Foege	Ford	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Lord	Martin	Mascher	May
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Sukup	Sunderbruch
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Eddie, Presiding		

The nays were, 3:

Dotzler	Huser	Taylor
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Absent or not voting, 7:

Dolecheck	Drake	Frevert	Garman
Larson	Mertz	Stevens	

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

House File 345, a bill for an act relating to permissible fees to be charged for maintaining a demand deposit account with a line of credit, was taken up for consideration.

Rants of Woodbury 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. 345)

The ayes were, 89:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiado	Cphoon	Connors
Corbett, Spkr.	Davis	Dix	Doderer
Dolecheck	Dotzler	Drees	Falck
Fallon	Foege	Ford	Gipp
Greiner	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Lord	Mascher	May
Metcalf	Millage	Murphy	Myers
Nelson	O'Brien	Osterhaus	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Eddie,			
Presiding			

The nays were, 5:

Cormack	Grundberg	Martin	Mundie
Parmenter			

Absent or not voting, 6:

Drake	Frevert	Garman	Larson
Mertz	Stevens		

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

House File 312, a bill for an act relating to regulation of the grain industry and providing for civil penalties, was taken up for consideration.

Greiner of Washington 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. 312)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Corbett, Spkr.	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drees
Falck	Fallon	Foege	Ford
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Lord
Martin	Mascher	May	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Eddie, Presiding		

The nays were, none.

Absent or not voting, 6:

Drake	Frevert	Garman	Larson
Mertz	Stevens		

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

HOUSE FILE 82 WITHDRAWN

Greiner of Washington asked and received unanimous consent to withdraw House File 82 from further consideration by the House.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 345** and **312**.

House File 347, a bill for an act relating to rulemaking duties of the department of natural resources regarding baled solid waste, was taken up for consideration.

Kettering of Sac 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. 347)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boguess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Corbett, Spkr.	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drees
Falck	Fallon	Foege	Ford
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Lord
Martin	Mascher	May	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Eddie, Presiding		

The nays were, none.

Absent or not voting, 6:

Drake	Frevert	Garman	Larson
Mertz	Stevens		

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

House File 310, a bill for an act relating to the licensure or regulation of alarm system, bail enforcement, private investigative, or private security businesses, and providing a penalty and an effective date, was taken up for consideration.

Bradley of Clinton offered amendment H-1036 filed by him as follows:

H-1036

- 1 Amend House File 310 as follows:
- 2 1. Page 1, line 14, by inserting after the word
- 3 "protected." the following: "An alarm system business
- 4 does not include a locksmith business."
- 5 2. Page 1, by inserting after line 14 the
- 6 following:
- 7 **"NEW SUBSECTION. 7A "Locksmith business" means**
- 8 the business of making, repairing, and installing
- 9 locks, re-keying locks, opening locks or safes, and
- 10 changing safe or lock combinations; or the making,
- 11 repairing, and installing of access control systems
- 12 which are not attached to an electronic integrated
- 13 system that directly or indirectly causes a response
- 14 by a law enforcement or security agency."
- 15 3. Page 1, line 16, by striking the word
- 16 "subsection" and inserting the following:
- 17 "subsections".
- 18 4. Page 1, by inserting after line 19 the
- 19 following:
- 20 **"NEW SUBSECTION. 11. A person engaged in the**
- 21 performance of activities typically performed by a
- 22 locksmith who is employed by a locksmith business."

Amendment H-1036 was adopted.

Bradley of Clinton 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. 310)

The ayes were, 74:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Carroll	Cataldo	Chiodo	Cohoon
Connors	Corbett, Spkr.	Davis	Dix
Doderer	Dolecheck	Ford	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kuhn	Larkin
Lord	Martin	May	Metcalf
Millage	Nelson	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Richardson
Scherrman	Siegrist	Sukup	Sunderbruch
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Eddie, Presiding		

The nays were, 20:

Bell	Burnett	Chapman	Cormack
Dotzler	Drees	Falck	Fallon
Foege	Huser	Kreiman	Mascher
Mundie	Murphy	Myers	O'Brien
Reynolds	Schrader	Shoultz	Taylor

Absent or not voting, 6:

Drake	Frevert	Garman	Larson
Mertz	Stevens		

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

HOUSE FILE 203 WITHDRAWN

Bradley of Clinton asked and received unanimous consent to withdraw House File 203 from further consideration by the House.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 347 and 310.**

SPONSORS ADDED
(House File 369)

Fallon of Polk requested to be added as a sponsor of House File 369.

(House File 415)

Rants of Woodbury requested to be added as a sponsor of House File 415.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\265 Evelyn Jurgens, Davenport - For celebrating her 85th birthday.
- 1999\266 Elsie Killpack, Neola - For celebrating her 80th birthday.
- 1999\267 Edith Arbaugh, Minden - For celebrating her 80th birthday.
- 1999\268 Adeline Mohrhauser, Danbury - For celebrating her 87th birthday.
- 1999\269 Miriam Hartley, Battle Creek - For celebrating her 80th birthday.
- 1999\270 Zola Damm, Sac City - For celebrating her 80th birthday.
- 1999\271 Don Fromknecht, Galva - For celebrating his 95th birthday.
- 1999\272 Dorothy and Clarence Davis, Anthon - For celebrating their 73rd wedding anniversary.
- 1999\273 Columbus Junction High School, Columbus Junction - For receiving 2nd place in the Class 1-A division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\274 Eli Sanders, Columbus Junction High School - For winning the Class 1-A, 135 lbs. division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\275 Nick Lee, Columbus Junction High School - For winning the Class 1-A, 103 lbs. division of the 1999 Iowa High School State Wrestling Tournament.

- 1999\276 Joe Honts, Louisa-Muscatine High School - For winning the Class 2-A, 103 lbs. division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\277 Pat and Don Ogden, Newton - For celebrating their 50th wedding anniversary.
- 1999\278 Elizabeth and Albert Tysseling, Newton - For celebrating their 60th wedding anniversary.
- 1999\279 Hertha and Carl Brandenburg, Manilla - For celebrating their 72nd wedding anniversary.
- 1999\280 Hertha Brandenburg, Manilla - For celebrating her 89th birthday.
- 1999\281 Carl Anderson, Mapleton - For celebrating his 100th birthday.
- 1999\282 Verna Remmes, Charter Oak - For celebrating her 100th birthday.
- 1999\283 Sadie Kroll, Charter Oak - For celebrating her 87th birthday.
- 1999\284 Hildegard Schrader, Charter Oak - For celebrating her 91st birthday.
- 1999\285 Lucinda Kahl, Charter Oak - For celebrating her 85th birthday.
- 1999\286 Kathryn and John Pat Loy, Dunlap - For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 10

Local Government: Arnold, Chair; Connors and Van Engelenhoven.

House File 27

Local Government: Houser, Chair; Arnold and Fallon.

House File 31

Judiciary: Millage, Chair; Baudler and Ford.

House File 78

Local Government: Eddie, Chair; Hahn and Reynolds.

House File 95

Local Government: Dix, Chair; Reynolds and Van Engelenhoven.

House File 108

Local Government: Carroll, Chair; Richardson and Weidman.

House File 130

Local Government: Arnold, Chair; Huser and Weidman.

House File 134

Local Government: Arnold, Chair; Huser and Weidman.

House File 135

Local Government: Arnold, Chair; Klemme and Mundie.

House File 162

Natural Resources: Weidman, Chair; Brauns and Dotzler.

House File 163

Local Government: Hahn, Chair; Brauns and Reynolds.

House File 167

Local Government: Eddie, Chair; Alons, Carroll, Richardson and Whitead.

House File 212

Local Government: Arnold, Chair; Alons and Huser.

House File 218

Local Government: Houser, Chair; Brauns, Fallon, Huser and Weidman.

House File 224

Local Government: Dix, Chair; Alons and Mundie.

House File 260

Natural Resources: Sunderbruch, Chair; Baudler and Bell.

House File 263

Local Government: Carroll, Chair; Alons and Reynolds.

House File 277

Local Government: Eddie, Chair; Connors and Welter.

House File 284

Local Government: Dix, Chair; Alons and Huser.

House File 289

Agriculture: Klemme, Chair; Frevert, Johnson, Mundie and Teig.

House File 300

Local Government: Dix, Chair; Arnold and Kuhn.

House File 302

Local Government: Alons, Chair; Carroll and Fallon.

House File 314

Natural Resources: Drake, Chair; Richardson and Weidman.

House File 317

Local Government: Eddie, Chair; Connors and Welter.

House File 319

Natural Resources: Tyrrell, Chair; Klemme and Scherrman.

House File 326

Local Government: Carroll, Chair; Alons and Reynolds.

House File 360

Human Resources: Grundberg, Chair; Foege and Martin.

House File 363

Human Resources: Martin, Chair; Foege and Thomson.

House File 367

Human Resources: Carroll, Chair; Martin and Mertz.

House File 384

State Government: Reynolds, Chair; Jacobs and Jager.

House File 400

Human Resources: Brunkhorst, Chair; Boal and Kreiman.

House File 406

Agriculture: Teig, Chair; Drake and May.

House File 407

Human Resources: Blodgett, Chair; Foege and Hahn.

House File 409

Human Resources: Blodgett, Chair; Foege and Grundberg.

House File 410

Human Resources: Brunkhorst, Chair; Ford and Hahn.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 194**

Judiciary: Barry, Chair; Kreiman and Millage.

House Study Bill 195

Human Resources: Blodgett, Chair; Boddicker and Foege.

House Study Bill 196

State Government: Bradley, Chair; O'Brien and Van Engelenhoven.

House Study Bill 197

State Government: Jacobs, Chair; Connors and Holmes.

House Study Bill 198

Judiciary: Larson, Chair; Kreiman and Sukup.

House Study Bill 199

Environmental Protection: Hahn, Chair; Burnett and Kettering.

House Study Bill 200

State Government: Metcalf, Chair; Brauns and Taylor.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 202 Natural Resources**

Relating to the issuance of a limited number of deer or wild turkey hunting licenses.

H.S.B. 203 Natural Resources

Relating to the taking of muskrats by colony trap.

H.S.B. 204 Education

Recognizing and endorsing Read Across America Day, and calling for the citizens of the State of Iowa to reaffirm the importance and the joy of reading.

H.S.B. 205 Education

Creating an Iowa school district revolving loan fund program and providing an exemption from state taxation.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON COMMERCE AND REGULATION

Committee Bill (Formerly House File 207), relating to the exclusion of certain transfers from real estate disclosure requirements.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 25, 1999.

Committee Bill (Formerly House File 223), relating to pipelines, interstate natural gas pipelines, and hazardous liquid pipelines, and the restoration of agricultural lands, making penalties applicable, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 25, 1999.

Committee Bill (Formerly House File 282), relating to the rights of a dissenting shareholder of a state bank.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 25, 1999.

Committee Bill (Formerly House File 324), prohibiting the transmission of electronic mail which includes advertisements in certain circumstances and providing for monetary damages, criminal penalties, and other remedies.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 25, 1999.

Committee Bill (Formerly House Study Bill 112), relating to delinquency charges on certain consumer credit transactions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 25, 1999.

Committee Bill (Formerly House Study Bill 167), relating to access privileges to certain buildings and structures by certified local exchange carriers and franchised cable television providers.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 25, 1999.

COMMITTEE ON ECONOMIC DEVELOPMENT

Committee Bill (Formerly House Study Bill 74), relating to the creation of a recruiting our own targeted students loan repayment program and fund under the control of the college student aid commission.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 25, 1999.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House File 141), relating to payments from the remedial account of the Iowa comprehensive petroleum underground storage tank fund to governmental subdivisions for costs of corrective actions taken due to certain releases from underground storage tanks and allowing the Iowa comprehensive petroleum underground storage tank fund board to seek reimbursement from responsible parties for expenses incurred by governmental subdivisions for costs of corrective actions taken due to certain releases from underground storage tanks.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 25, 1999.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 295), relating to limitation of liability for services performed by critical incident stress management teams.

Fiscal Note is not required.

Recommended **Do Pass** February 25, 1999.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House Study Bill 91), relating to the powers and duties of county treasurers by amending Code sections pertaining to special assessments on certain motor vehicle ownership transfers, tax statement addresses, city utility liens, taxation of buildings or improvements, tax redemption, and tax clearance statements for mobile homes, and providing effective date and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 25, 1999.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House Study Bill 176), relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, and administrative procedures of the state department of transportation, and providing for fees and penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 25, 1999.

AMENDMENTS FILED

H—1038	H.F.	248	Blodgett of Cerro Gordo
H—1039	S.F.	37	Dotzler of Black Hawk
H—1040	H.F.	311	Kreiman of Davis
			Bukta of Clinton
			Witt of Black Hawk
			Ford of Polk
			Murphy of Dubuque
			Burnett of Story
			Reynolds of Van Buren
			Foege of Linn
H—1041	H.F.	346	Carroll of Poweshiek
H—1042	H.F.	395	Holveck of Polk

On motion by Siegrist of Pottawattamie the House adjourned at 2:34 p.m., until 8:45 a.m., Tuesday, March 2, 1999.

JOURNAL OF THE HOUSE

Fifty-first Calendar Day – Thirty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 2, 1999

The House met pursuant to adjournment at 8:45 a.m., Eddie of Buena Vista in the chair.

Prayer was offered by the Honorable Dwayne Alons, state representative from Sioux County.

The Journal of Monday, March 1, 1999 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Schrader of Marion on request of Myers of Johnson; Davis of Wapello on request of Gipp of Winneshiek; Cataldo of Polk, until his arrival, on request of Myers of Johnson.

INTRODUCTION OF BILLS

House Joint Resolution 9, by Weigel, a joint resolution proposing an amendment to the Constitution of the State of Iowa providing certain rights to victims of crimes.

Read first time and referred to committee on **state government**.

House File 441, by committee on transportation, a bill for an act relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, and administrative procedures of the state department of transportation, and providing for fees and penalties and an effective date.

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

House File 442, by committee on environmental protection, a bill for an act relating to payments from the remedial account of the Iowa comprehensive petroleum underground storage tank fund to governmental subdivisions for costs of corrective actions taken due to certain releases from underground storage tanks and allowing the Iowa comprehensive petroleum underground storage tank fund board to seek reimbursement from responsible parties for expenses incurred by governmental subdivisions for costs of corrective actions taken due to certain releases from underground storage tanks.

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

House File 443, by committee on commerce and regulation, a bill for an act relating to delinquency charges on certain consumer credit transactions.

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

House File 444, by committee on commerce and regulation, a bill for an act relating to access privileges to certain buildings and structures by certified local exchange carriers and franchised cable television providers.

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

House File 445, by committee on commerce and regulation, a bill for an act relating to the rights of a dissenting shareholder of a state bank.

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

House File 446, by committee on commerce and regulation, a bill for an act relating to the exclusion of certain transfers from real estate disclosure requirements.

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

House File 447, by committee on commerce and regulation, a bill for an act relating to pipelines, interstate natural gas pipelines, and hazardous liquid pipelines, and the restoration of agricultural lands, making penalties applicable, and providing an effective date.

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

House File 448, by committee on commerce and regulation, a bill for an act prohibiting the transmission of electronic mail which includes advertisements in certain circumstances and providing for monetary damages, criminal penalties, and other remedies.

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

House File 449, by Foegen, a bill for an act requiring practitioner preparation program students and licensed teachers to successfully complete instruction relating to the teaching of students with disabilities.

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

House File 450, by Dotzler, a bill for an act relating to the composition of regional advisory boards of the workforce development board.

Read first time and referred to committee on **economic development**.

House File 451, by Mascher, a bill for an act relating to the extended school year grant program, providing for innovative education program grants, making an appropriation, and providing emergency rulemaking authority.

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

House File 452, by Welter, a bill for an act relating to health certificate requirements for breeding bulls.

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

House File 453, by Bell, a bill for an act concerning the imposition of a drug abuse resistance education surcharge for criminal alcohol beverage control offenses.

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

House File 454, by Carroll, a bill for an act relating to landowner liability for the public use of private lands for recreational purposes.

Read first time and referred to committee on **natural resources**.

House File 455, by Scherrman, a bill for an act providing for the filing of information regarding livestock marketing contracts and providing civil penalties.

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

House File 456, by Cohoon, a bill for an act relating to the regular school calendar start date.

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

House File 457, by Burnett and Mascher, a bill for an act including social studies in the list of standards the department of education uses for accrediting area education agencies.

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

House File 458, by Dix, a bill for an act relating to the role of an auctioneer in conducting a public sale or auction involving real property.

Read first time and referred to committee on **commerce and regulation**.

House File 459, by Shoultz, a bill for an act providing funding for the low-income additional property tax credit and rent reimbursement claims and including an applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 460, by Foege, a bill for an act relating to outreach efforts for the healthy and well kids in Iowa program.

Read first time and referred to committee on **human resources**.

House File 461, by Millage, a bill for an act relating to filing of a notice of an assignment of a mortgage.

Read first time and referred to committee on **commerce and regulation**.

RULES SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend the rules for the immediate consideration of House Concurrent Resolution 11.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 11

Grundberg of Polk called up for consideration House Concurrent Resolution 11, a concurrent resolution recognizing and endorsing Read Across America Day, and calling for the citizens of the State of Iowa to reaffirm the importance and the joy of reading, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House Concurrent Resolution 11** be immediately messaged to the Senate.

CONSIDERATION OF BILLS

Regular Calendar

House File 313, a bill for an act creating the new criminal offense of disarming a peace officer of a dangerous weapon, was taken up for consideration.

Raecker 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. 313)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Chapman
Chiodo	Cphoon	Connors	Corbett, Spkr.
Cormack	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Eddie, Presiding

The nays were, none.

Absent or not voting, 4:

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

Appropriations Calendar

House File 332, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds, was taken up for consideration.

Dix of Butler 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. 332)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Chapman
Chiodo	Cohoon	Connors	Corbett, Spkr.
Cormack	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Eddie, Presiding			

The nays were, none.

Absent or not voting, 3:

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 313 and 332.**

Regular Calendar

House File 349, a bill for an act eliminating requirements relating to the department of natural resources adopting rules

requiring public water systems to test source water, was taken up for consideration.

Brunkhorst of Bremer 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. 349)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Chapman
Chiodo	Cphoon	Connors	Corbett, Spkr.
Cormack	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt

Eddie,
Presiding

The nays were, none.

Absent or not voting, 3:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 349** be immediately messaged to the Senate.

House File 330, a bill for an act relating to the supervisory authority of the state banking division with regard to bank holding company acquisitions and the ability of state banks to make loans to any one person, was taken up for consideration.

Dix of Butler 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. 330)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Chapman
Chiodo	Cphoon	Connors	Corbett, Spkr.
Cormack	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Shultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Eddie,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Cataldo

Davis

Schrader

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 330** be immediately messaged to the Senate.

HOUSE FILE 371 REFERRED

The Speaker announced that House File 371, previously placed on the **calendar** was referred to committee on **appropriations**.

HOUSE FILE 420 REREFERRED

The Speaker announced that House File 420, previously referred to committee on **education** was rereferred to committee on **state government**.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 1, 1999. Had I been present, I would have voted "aye" on House Files 310, 312, 331, 345 and 347.

DRAKE of Pottawattamie

I was necessarily absent from the House chamber on March 1, 1999. Had I been present, I would have voted "aye" on House Files 310, 312, 331, 345 and 347.

GARMAN of Story

I was necessarily absent from the House chamber on March 1, 1999. Had I been present, I would have voted "aye" on House Files 310, 312, 331, 345 and 347.

MERTZ of Kossuth

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty 5th grade students from Whittier Elementary School, Indianola, accompanied by Kathy Wonderlich. By Richardson of Warren.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

DEPARTMENT OF EDUCATION

The Phase III Summary Report, pursuant to Chapter 294A.19, Code of Iowa.

DEPARTMENT OF PERSONNEL

A report outlining the usage of Iowa Communications Network by the Iowa Department of Personnel for Fiscal Year 1998, pursuant to Chapter 19A, Code of Iowa.

DEPARTMENT OF PUBLIC HEALTH

The 1998 Termination of Pregnancy Report, pursuant to Chapter 135, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\287 Matt Langreck, Turkey Valley High School – For being runner-up in the Class 1-A, 189 lbs. division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\288 Ethel Peahl, DeWitt – For celebrating her 90th birthday.
- 1999\289 Mary and Franklin Stolp, Clinton – For celebrating their 60th wedding anniversary.
- 1999\290 Scott Webb, Sigourney – For winning the Class 1-A, Hwt. division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\291 New Hampton Community High School, New Hampton – For winning 2nd place in the Class 2-A division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\292 Ryan Utterback, New Hampton Community High School – For being State Runner-up in the Class 2-A, 135 lbs. division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\293 Josh Grube, Crestwood – For winning the Class 2-A, 275 lbs. division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\294 Jason Reicks, New Hampton Community High School – For winning the Class 2-A, 171 lbs. division of the 1999 Iowa High School Wrestling Tournament.
- 1999\295 Cory Beckman, New Hampton Community High School – For winning the Class 2-A, 145 lbs. division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\296 Adam Kramer, New Hampton Community High School – For winning the Class 2-A, 119 lbs. division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\297 Coach Larry Straw, New Hampton Community High School – For being named the Class 2-A Wrestling Coach of the Year.
- 1999\298 John Charles Gallery, Masonville – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\299 Ray Johnson, Sumner – For celebrating his 80th birthday.
- 1999\300 June and Delmon “Del” Destival, Hazelton – For celebrating their 55th wedding anniversary.
- 1999\301 Mabel Squires, Bayard – For celebrating her 99th birthday.
- 1999\302 Frances and Grant Putnam, Independence – For celebrating their 60th wedding anniversary.

- 1999\303 Erma and John Brann, Winthrop – For celebrating their 60th wedding anniversary.
- 1999\304 Krista Janssen, Sibley – For attaining The Girl Scout Gold Award, the highest award in Girl Scouting.
- 1999\305 Lucile Boerm, Toledo – For celebrating her 80th birthday.
- 1999\306 Gene and Shirley Mees, Norwalk – For celebrating their 50th wedding anniversary.
- 1999\307 Davenport Assumption Wrestling Team and Coach Wade King – For winning their second consecutive state Class 2-A title at the 1999 Iowa High School State Wrestling Tournament.
- 1999\308 Max and Doris Beck, Chelsea – For celebrating their 50th wedding anniversary.
- 1999\309 August and Blanche Hauschildt, Gladbrook – For celebrating their 50th wedding anniversary.
- 1999\310 Mildred Witt, Reinbeck – For celebrating her 90th birthday.
- 1999\311 Roy Boerm, Toledo – For celebrating his 87th birthday.
- 1999\312 Members of the West Delaware FFA Dairy Products Team, Nicole Smith, Tabitha Lincoln, Christy Thomsen and Brent Francois – For winning top honors at the state contest.
- 1999\313 Erwin and Dorothy Ehrke, Manchester – For celebrating their 60th wedding anniversary.
- 1999\314 Lyle and Ilene Orcutt, Earlville – For celebrating their 50th wedding anniversary.
- 1999\315 Lee D. Nauman, Anamosa – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\316 Noah Wendt, West Delaware FFA Chapter – For receiving his American FFA Degree.
- 1999\317 J. J. Butteris, Lisbon – For winning the Class 1-A, 130 lbs. division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\318 Nick Thurn, Mount Vernon – For receiving 2nd place in the Class 2-A, 152 lbs. division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\319 Lovelda and Otto Thielen, Sabula – For celebrating their 60th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 184

Local Government: Brauns, Chair; Huser and Weidman.

House File 381

Commerce and Regulation: Jacobs, Chair; Doderer and Jenkins.

House File 399

Commerce and Regulation: Dix, Chair; Chiodo and Holmes.

House File 415

Human Resources: Blodgett, Chair; Burnett and Hahn.

House File 420

State Government: Martin, Chair; Gipp and O'Brien.

House File 421

Labor and Industrial Relations: Horbach, Chair; Millage and Murphy.

House File 424

Commerce and Regulation: Jacobs, Chair; Holveck and Jenkins.

House File 428

Ways and Means: Van Fossen, Chair; Drake and Kuhn.

House File 429

Labor and Industrial Relations: Horbach, Chair; Falck and Millage.

House File 433

Commerce and Regulation: Rants, Chair; Cataldo and Hansen.

House File 434

Transportation: Heaton, Chair; Brauns and Cohoon.

House File 437

Human Resources: Carroll, Chair; Boal and Foege.

House File 439

Ways and Means: Van Fossen, Chair; Chapman and Drake.

House File 440

Human Resources: Boal, Chair; Blodgett and Bukta.

House File 458

Commerce and Regulation: Dix, Chair; Drees and Johnson.

House File 459

Ways and Means: Van Fossen, Chair; Drake and Richardson.

House File 461

Commerce and Regulation: Jenkins, Chair; Jacobs and Weigel.

Senate File 137

Ways and Means: Raecker, Chair; Frevert and Holmes.

Senate File 146

Labor and Industrial Relations: Dotzler, Chair; Boddicker and Dolecheck.

Senate File 174

Human Resources: Martin, Chair; Foege and Lord.

Senate File 175

Transportation: Weidman, Chair; Bukta and Welter.

Senate File 176

Ways and Means: Boal, Chair; Hoffman and Osterhaus.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 177

Local Government: Brauns, Chair; Hahn and Huser.

House Study Bill 204

Education: Grundberg, Chair; Mascher and Thomson.

House Study Bill 205

Education: Grundberg, Chair; Hansen and Warnstadt.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 206 Environmental Protection**

Relating to liability protection for owners or operators of underground storage tanks for a release covered by a no further action certificate.

H.S.B. 207 Ways and Means

Relating to the sales and use tax exemption for the sale of tangible personal property which is purchased for lease or rental.

H.S.B. 208 Education

Relating to certain student loan funds under the control of the college student aid commission, by adding an agency operating account, and authorizing the commission to expend moneys as authorized by the federal Higher Education Act of 1965.

H.S.B. 209 Labor and Industrial Relations

Relating to workers' compensation.

H.S.B. 210 Commerce and Regulation

Relating to the preexisting condition provisions under a small group health coverage or individual health insurance benefit plan.

H.S.B. 211 Commerce and Regulation

To establish standards for improvement of the quality of health care benefits for children provided by insurance carriers or organized delivery systems.

H.S.B. 212 Commerce and Regulation

Relating to the rights of enrollees in health maintenance organizations, organized delivery systems, or preferred provider organizations.

H.S.B. 213 Local Government

Relating to mental health, and mental retardation, and other developmental disabilities and providing an effective date.

H.S.B. 214 Education

Relating to the career pathways program and to reimbursement claims for the costs of career pathways employability skills assessments, and making an appropriation.

H.S.B. 215 Education

Relating to educational assistance for members of the national guard.

H.S.B. 216 State Government

To nullify administrative rules of the state racing and gaming commission concerning the dispensing of credit for gambling purposes, the number and location of pari-mutuel racetracks with gambling machines and excursion gambling boats, and the increase in the gambling machines, games, and tables at racetracks and excursion gambling boats, and providing an effective date.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 293, a bill for an act providing for the administration of assessments collected by the Iowa sheep and wool promotion board.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 1999.

COMMITTEE ON EDUCATION

House File 144, a bill for an act relating to the distribution of moneys held in trust for a participant in the certified school to career program.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 1999.

Committee Bill (Formerly House Study Bill 204), recognizing and endorsing Read Across America Day, and calling for the citizens of the State of Iowa to reaffirm the importance and the joy of reading.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 1999.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 215), relating to drug and alcohol testing of students by schools.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 1999.

Committee Bill (Formerly House Study Bill 97), relating to the imposition of mandatory minimum fines upon conviction of a felony.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 1, 1999.

Committee Bill (Formerly House Study Bill 193), defining as a fraudulent practice certain creation or use of retail sales receipts or universal price code labels, and applying penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 1999.

COMMITTEE ON LOCAL GOVERNMENT

House File 218, a bill for an act creating a loess hills preservation and development alliance, providing for its powers and duties, and providing for other properly related matters.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1044** February 25, 1999.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House Study Bill 62), concerning nonsubstantive gender-related provisions in the Code.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 1999.

AMENDMENT FILED

H—1044 H.F. 218 Committee on Local Government

On motion by Siegrist of Pottawattamie the House adjourned at 9:25 a.m., until 8:45 a.m., Wednesday, March 3, 1999.

JOURNAL OF THE HOUSE

Fifty-second Calendar Day - Thirty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 3, 1999

The House met pursuant to adjournment at 8:45 a.m., Eddie of Buena Vista in the chair.

Prayer was offered by Reverend Roy Nilsen, pastor of St. John's Lutheran Church, Des Moines.

The Journal of Tuesday, March 2, 1999 was approved.

PETITONS FILED

The following petitions were received and placed on file:

By Arnold of Lucas from forty-four constituents from the 90th district opposing electric companies deregulation.

By Jager of Black Hawk from one hundred sixty-five constituents favoring a fuel quality standard for the state of Iowa.

By Kreiman of Davis from forty-four constituents opposing deregulation of electric companies.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Garman of Story, until her arrival, and Rants of Woodbury, on request of Siegrist of Pottawattamie; Schrader of Marion on request of Myers of Johnson.

INTRODUCTION OF BILLS

House Joint Resolution 10, by Bradley, a joint resolution requesting the United States Department of Defense and the United States Army to place additional production work at the Rock Island Arsenal.

Read first time and referred to committee on **state government**.

House File 462, by Dix, a bill for an act relating to urban renewal and urban revitalization, by making changes related to certain property located in an urban renewal area, to duration of urban renewal areas, to certification of urban renewal debt, to tax increment financing of urban renewal projects, to improvements related to urban renewal projects, and to annual reporting on urban renewal areas, and providing for the Act's applicability.

Read first time and referred to committee on **local government**.

House File 463, by committee on economic development, a bill for an act relating to the creation of a recruiting our own targeted students loan repayment program and fund under the control of the college student aid commission, and providing an effective date.

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

House File 464, by Myers, a bill for an act relating to the rollback provisions for property tax purposes involving agricultural and residential property and including an applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 465, by Myers, a bill for an act relating to the valuation of residential and agricultural property by reducing the percentage of actual value by which residential and agricultural property value may increase, removing the restriction that prevented each class from increasing in valuation faster than the other, and increasing the actual value amount upon which the homestead credit is to be determined, and including retroactive and other applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 466, by Bradley, Connors, and Sunderbruch, a bill for an act providing for the licensing and regulation of fire sprinklers, fire extinguishers, and fire detection and alarm systems and personnel and providing civil and criminal penalties.

Read first time and referred to committee on **state government**.

House File 467, by Jacobs and Huser, a bill for an act relating to the purchase of certain parcels with delinquent taxes by a city, county, or the Iowa finance authority, and providing effective and applicability dates.

Read first time and referred to committee on **local government**.

House File 468, by Whitead, Warnstadt, and Rants, a bill for an act relating to the state sales and use taxes by exempting storm water drainage services, specifying that city services provided by contracted individuals are exempt, specifying fees for organized athletic sports sponsored by a city or county are not exempt, providing a refund provision, and including an effective and retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

House File 469, by Ford, a bill for an act establishing a commission on the status of Iowans of Asian and Pacific Islander heritage within the department of human rights.

Read first time and referred to committee on **human resources**.

House File 470, by Mundie, a bill for an act providing for notice regarding contractor registration.

Read first time and referred to committee on **state government**.

House File 471, by Fallon, a bill for an act providing for farmland preservation by authorizing counties to acquire certain easements and providing an effective date.

Read first time and referred to committee on **local government**.

House File 472, by Brauns, a bill for an act relating to burial sites on private property.

Read first time and referred to committee on **local government**.

House File 473, by Dotzler, Larson, Raecker, Reynolds, Rants, Warnstadt, Connors, O'Brien, Myers, Brunkhorst, Fallon, Dix, Dolecheck, Carroll, Holveck, Jenkins, Mertz, Garman, Scherrman, Thomas, Richardson, Taylor, Mascher, Parmenter, Doderer, Stevens, Kreiman, Frevert, Bukta, Larkin, Cohoon, Hansen, Hoffman, Shoultz, and Murphy, a bill for an act relating to the reversion of unencumbered moneys received by certain entities from the Iowa finance authority and providing an effective date.

Read first time and referred to committee on **economic development**.

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 March 2, 1999, passed the following resolution in which the concurrence of the House is asked:

House Concurrent Resolution 11, a Concurrent Resolution recognizing and endorsing Read Across America Day, and calling for the citizens of the State of Iowa to reaffirm the importance and the joy of reading.

Also: That the Senate has on March 2, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 8, a bill for an act relating to coverage under a policy or contract providing for third-party payment or prepayment of health or medical expenses by providing coverage for costs associated with equipment, supplies, and education for the treatment of diabetes.

Also: That the Senate has on March 2, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 68, a bill for an act relating to counties included in the mid-America port commission.

Also: That the Senate has on March 2, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 160, a bill for an act relating to pipelines, interstate natural gas pipelines, and hazardous liquid pipelines, and the restoration of agricultural lands, making penalties applicable, and providing an effective date.

Also: That the Senate has on March 2, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 209, a bill for an act establishing a uniform standard for determination of death.

Also: That the Senate has on March 2, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 216, a bill for an act relating to the commitment of sexually violent predators, by changing the deadline for filing a petition by the attorney general; providing for waiver or continuance of the probable cause hearing; granting greater enforcement power to the prosecuting attorney; extending the time to hold a trial; establishing supervised release for sexually violent persons who have been rehabilitated; providing for the preservation of certain child abuse reports; and providing the department of justice with access to such reports.

Also: That the Senate has on March 2, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 233, a bill for an act relating to the preservation of records held by financial institutions.

Also: That the Senate has on March 2, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 248, a bill for an act relating to acquired immune deficiency syndrome, providing penalties, and providing for a repeal.

MICHAEL E. MARSHALL, Secretary

TEACHER OF THE DAY

Representative Horbach presented to the House, Patty Skow, teacher of South Tama County School.

CONSIDERATION OF BILLS

Regular Calendar

House File 224, a bill for an act relating to qualifications of commissioners for a city, county, or joint memorial hospital, with report of committee recommending passage, was taken up for consideration.

Dix of Butler 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. 224)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Cohoon	Connors	Corbett, Spkr.
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Falck	Fallon	Foegen	Ford
Frevert	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalfe	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rayhons	Reynolds	Richardson	Scherrman
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Eddie, Presiding

The nays were, none.

Absent or not voting, 4:

Chiodo	Garman	Rants	Schrader
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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 386, a bill for an act relating to increasing the penalties for an assault on a jailer, was taken up for consideration.

Mascher of Johnson asked and received unanimous consent to defer House File 386.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 224** be immediately messaged to the Senate.

House File 387, a bill for an act relating to confidentiality for certain taxpayer communications, was taken up for consideration.

Millage of Scott 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. 387)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Corbett, Spkr.	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Falck	Fallon	Foege
Ford	Frevert	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rayhons	Reynolds	Richardson
Scherrman	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Eddie,			
Presiding			

The nays were, none.

Absent or not voting, 3:

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

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 387** be immediately messaged to the Senate.

Senate File 70, a bill for an act concerning unemployment insurance by providing for the distribution of certain moneys in the unemployment trust fund and the transfer of experience for unemployment insurance tax purposes, with report of committee recommending passage, was taken up for consideration.

Taylor of Linn asked unanimous consent to refer Senate File 70 to the committee on labor and industrial relations.

Objection was raised.

Holmes of Scott 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?" (S.F. 70)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Falck	Fallon	Foege	Ford
Frevert	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rayhons	Reynolds	Richardson	Scherrman
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen

Warnstadt
Whitead

Weidman
Wise

Weigel
Witt

Welter
Eddie,
Presiding

The nays were, none.

Absent or not voting, 4:

Corbett, Spkr.

Garman

Rants

Schrader

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 70** be immediately messaged to the Senate.

On motion by Siegrist of Pottawattamie, the House was recessed at 9:33 a.m., until 3:30 p.m.

AFTERNOON SESSION

The House reconvened at 3:40 p.m., Carroll of Poweshiek in the chair.

QUORUM CALL

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Witt of Black Hawk on request of Myers of Johnson; Brunkhorst of Bremer on request of Blodgett of Cerro Gordo.

INTRODUCTION OF BILLS

House File 474, by committee on local government, a bill for an act relating to the powers and duties of county treasurers by amending Code sections pertaining to special assessments, certain

motor vehicle ownership transfers, tax statement addresses, tax redemption, and tax clearance statements for mobile homes, and providing effective date and applicability date provisions.

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

House File 475, by committee on state government, a bill for an act concerning nonsubstantive gender-related provisions in the Code.

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

House File 476, by committee on local government, a bill for an act relating to the exercise of the power of eminent domain and to condemnation proceedings and providing for the Act's applicability.

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

House File 477, by Foege, a bill for an act relating to the tuition and fees charged by regents institutions and community colleges to certain persons who were placed in foster care or another out-of-home placement.

Read first time and referred to committee on **human resources**.

House File 478, by Foege, a bill for an act relating to child in need of assistance dispositional orders for transfer of custody by authorizing entry of a no-contact order under certain circumstances and providing a penalty.

Read first time and referred to committee on **human resources**.

House File 479, by Ford, a bill for an act to establish a home campus program for juvenile delinquents fund, providing for the imposition of a home campus program for juvenile delinquents surcharge, and requesting a study of juvenile programming.

Read first time and referred to committee on **human resources**.

House File 480, by Jochum, a bill for an act creating a licensed child care facility revolving loan fund and making an appropriation.

Read first time and referred to committee on **economic development**.

House File 481, by Millage, a bill for an act relating to the election of directors of local school districts, area education agencies, and merged areas on the date of the general election, and providing an effective date and transition provision.

Read first time and referred to committee on **local government**.

House File 482, by Grundberg, Houser, Martin, Fallon, Boggess, Bradley, and Dolecheck, a bill for an act providing an individual and corporate income tax credit for the rehabilitation of certain eligible commercial and residential property and barns.

Read first time and referred to committee on **ways and means**.

House File 483, by Connors, a bill for an act relating to a free lifetime hunting and fishing license for residents who are sixty-five years of age or older and providing an effective date and retroactive applicability.

Read first time and referred to committee on **natural resources**.

House File 484, by Teig, a bill for an act amending provisions in the "Iowa Agricultural Industry Finance Act".

Read first time and referred to committee on **economic development**.

House File 485, by Mundie, a bill for an act relating to the increase in the amount reimbursed by the state for loss of property taxes due to the allowance of the military service tax exemption and providing effective and applicability date provisions.

Read first time and referred to committee on **ways and means**.

House File 486, by Shoultz, a bill for an act increasing licensing fees for dealers or brokers engaged in this state in the business of slaughtering live animals or receiving, buying, or soliciting live animals for slaughter, and making penalties applicable.

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

House File 487, by Ford, a bill for an act establishing a minority farmer and agricultural business advisory council.

Read first time and referred to committee on **economic development**.

House File 488, by Drake, a bill for an act relating to civil penalties for violations regarding the application of fertilizers and pesticides, establishing a commercial fertilizer peer review panel, and providing an effective date.

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

House File 489, by committee on environmental protection, a bill for an act eliminating certain requirements relating to the regulation of infectious waste.

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

House File 490, by committee on economic development, a bill for an act relating to the new investment tax credit under the new jobs and income program.

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

House File 491, by Dotzler, a bill for an act relating to eligible business criteria and final decision making on applications for incentives and assistance in the enterprise zone program.

Read first time and referred to committee on **economic development**.

House File 492, by Burnett, a bill for an act to prohibit the discharge of certain firearms within the right-of-way of a highway and subjecting violators to a penalty.

Read first time and referred to committee on **natural resources**.

House File 493, by Metcalf, a bill for an act requiring the provision of soap to persons at swimming pools and making a penalty applicable.

Read first time and referred to committee on **human resources**.

House File 494, by Ford, a bill for an act requiring targeted small business electronic bid notices to be issued by state departments and agencies.

Read first time and referred to committee on **state government**.

House File 495, by Ford, a bill for an act requiring the department of agriculture and land stewardship to publicize the availability of programs assisting women and minority residents.

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

House File 496, by Frevert, a bill for an act providing requirements for enrollment in a driver education course offered by a public school district.

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

House File 497, by committee on human resources, a bill for an act relating to certain programs and public health issues under the purview of the Iowa department of public health.

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

House File 498, by committee on judiciary, a bill for an act defining as a fraudulent practice certain creation or use of retail sales receipts or universal price code labels, and applying penalties.

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

House File 499, by committee on judiciary, a bill for an act relating to drug and alcohol testing of students by schools.

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

SENATE MESSAGES CONSIDERED

Senate File 8, by Jensen, a bill for an act relating to coverage under a policy or contract providing for third-party payment or prepayment of health or medical expenses by providing coverage for costs associated with equipment, supplies, and education for the treatment of diabetes.

Read first time and referred to committee on **commerce and regulation**.

Senate File 68, by Shearer, Fraise, Hedge, McLaren, and Miller, a bill for an act relating to counties included in the mid-America port commission.

Read first time and referred to committee on **local government**.

Senate File 160, by committee on natural resources and environment, a bill for an act relating to pipelines, interstate natural gas pipelines, and hazardous liquid pipelines, and the restoration of agricultural lands, making penalties applicable, and providing an effective date.

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

Senate File 209, by committee on judiciary, a bill for an act establishing a uniform standard for determination of death.

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

Senate File 216, by committee on judiciary, a bill for an act relating to the commitment of sexually violent predators, by changing the deadline for filing a petition by the attorney general; providing for waiver or continuance of the probable cause hearing; granting greater enforcement power to the prosecuting attorney; extending the time to hold a trial; establishing supervised release for sexually violent persons who have been rehabilitated; providing for the preservation of certain child abuse reports; and providing the department of justice with access to such reports.

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

Senate File 233, by committee on commerce, a bill for an act relating to the preservation of records held by financial institutions.

Read first time and referred to committee on **commerce and regulation**.

Senate File 248, by committee on human resources, a bill for an act relating to acquired immune deficiency syndrome, providing penalties, and providing for a repeal.

Read first time and referred to committee on **human resources**.

CONSIDERATION OF BILLS

Regular Calendar

House File 386, a bill for an act relating to increasing the penalties for an assault on a jailer, previously deferred, was taken up for consideration.

Sunderbruch of Scott 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. 386)

The ayes were, 90:

Alons	Arnold	Barry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Bukta	Burnett
Cataldo	Chapman	Chiodo	Cphoon
Connors	Corbett, Spkr.	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Foege	Frevert	Garman	Gipp
Greiner	Hahn	Hansen	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Raecker	Rayhons
Reynolds	Richardson	Scherrman	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch

Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Carroll, Presiding		

The nays were, 1:

Fallon

Absent or not voting, 9:

Blodgett	Brunkhorst	Ford	Grundberg
Heaton	Nelson	Rants	Schrader
Witt			

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 386** be immediately messaged to the Senate.

The House stood at ease at 3:55 p.m., until the fall of the gavel.

The House resumed session at 4:16 p.m., Carroll of Poweshiek in the chair.

House File 395, a bill for an act providing that defendants convicted of class "C" vehicular manslaughter are not bailable on appeal, was taken up for consideration.

Holveck of Polk asked and received unanimous consent to withdraw amendment H-1042 filed by him on March 1, 1999.

Sukup of Franklin 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. 395)

The ayes were, 86:

Alons	Arnold	Barry	Baudler
Bell	Bodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Bukta
Burnett	Cataldo	Chiodo	Cohoon
Connors	Corbett, Spkr.	Cormack	Davis
Dix	Dolecheck	Drake	Drees
Eddie	Fallon	Foeg	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Hoffman	Holmes
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
O'Brien	Osterhaus	Raecker	Rayhons
Reynolds	Richardson	Scherrman	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Carroll, Presiding		

The nays were, 7:

Chapman	Doderer	Dotzler	Falck
Holveck	Kreiman	Parmenter	

Absent or not voting, 7:

Brunkhorst	Ford	Heaton	Nelson
Rants	Schrader	Witt	

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 395** be immediately messaged to the Senate.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Tuesday

morning, March 2, 1999. Had I been present, I would have voted "aye" on House Files 313, 330, 332 and 349.

CATALDO of Polk

I was necessarily absent from the House chamber on Tuesday, March 2, 1999. Had I been present, I would have voted "aye" on House Concurrent Resolution 11, House Files 313, 330, 332 and 349.

DAVIS of Wapello

I was necessarily absent from the House chamber on March 3, 1999. Had I been present, I would have voted "aye" on House Files 224, 387 and Senate File 70.

GARMAN of Story

I was necessarily absent from the House chamber on March 3, 1999. Had I been present, I would have voted "aye" on House Files 386 and 395.

NELSON of Marshall

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP
Office of Renewable Fuels and Co-Products

The Semi-Annual Report, pursuant to Chapter 159.15, Code of Iowa.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 10

State Government: Bradley, Chair; Connors and Holmes.

House File 298

Appropriations: Heaton, Chair; Mertz and Nelson.

House File 309

Appropriations: Brunkhorst, Chair; Falck and Gipp.

House File 388

Education: Carroll, Chair; Boal and Bukta.

House File 405

Appropriations: Hansen, Chair; Heaton and Murphy.

House File 416

Education: Rants, Chair; Carroll and Thomas.

House File 419

Judiciary: Jager, Chair; Baudler and Ford.

House File 430

Judiciary: Raecker, Chair; Doderer and Millage.

House File 432

Education: Grundberg, Chair; Boal and Cohoon.

House File 438

Judiciary: Sukup, Chair; Millage and Parmenter.

House File 453

Judiciary: Jager, Chair; Davis and Shoultz.

House File 464

Ways and Means: Houser, Chair; Lord and Myers.

House File 465

Ways and Means: Houser, Chair; Lord and Myers.

Senate File 52

Judiciary: Davis, Chair; Bell and Sukup.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 180**

Human Resources: Blodgett, Chair; Hahn and Murphy.

House Study Bill 181

Human Resources: Carroll, Chair; Lord and Witt.

House Study Bill 185

Human Resources: Boddicker, Chair; Burnett and Carroll.

House Study Bill 206

Environmental Protection: Gipp, Chair; Alons and Witt.

House Study Bill 208

Education: Rants, Chair; Lord and Warnstadt.

House Study Bill 209

Labor and Industrial Relations: Hoffman, Chair; Dotzler and Horbach.

House Study Bill 210

Commerce and Regulation: Hoffman, Chair; Chapman and Hansen.

House Study Bill 211

Commerce and Regulation: Hoffman, Chair; Doderer and Hansen.

House Study Bill 212

Commerce and Regulation: Hansen, Chair; Bradley, Chapman, Metcalf and Osterhaus.

House Study Bill 213

Local Government: Houser, Chair; Burnett and Van Engelenhoven.

House Study Bill 214

Education: Hansen, Chair; Grundberg and Wise.

House Study Bill 215

Education: Hansen, Chair; Grundberg and Warnstadt.

House Study Bill 216

State Government: Martin, Chair; Bradley, Chiodo, Larkin and Metcalf.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 217 Ways and Means

Relating to the good faith required of the seller in accepting an exemption certificate under the state sales tax.

H.S.B. 218 Commerce and Regulation

Relating to the restructuring of the electric utility industry by providing for consumer choice for certain electric services, providing penalties, and providing an effective date.

H.S.B. 219 Judiciary

Establishing the crime of consumer fraud against an older person and providing penalties.

H.S.B. 220 Human Resources

Relating to dependent adult abuse.

H.S.B. 221 Environmental Protection

Relating to a watershed protection task force and creating a watershed protection program and a watershed protection account within the water protection fund.

H.S.B. 222 State Government

Relating to elections and voter registration by enacting provisions relating to election misconduct and providing criminal penalties, to voter registration deadlines and voter registration by mail, to written summaries of proposed constitutional amendments or of certain other public measures, and to absentee voting and requirements and prohibitions related to receiving, handling, and delivering absentee ballots, and including effective date and applicability date provisions.

H.S.B. 223 Labor and Industrial Relations

Providing for drug testing of public sector employees.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, relating to enforcement, prevention, education, and treatment for substance abuse and sexual abuse, and providing appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 1999.

COMMITTEE ON COMMERCE AND REGULATION

House File 375, a bill for an act eliminating the requirement that information relating to open-end credit accounts and credit cards be filed with the treasurer of state.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 1999.

Committee Bill (Formerly House Study Bill 130), relating to the deposit of public funds and the conditions which must be met by a savings and loan association or savings bank to be eligible to receive such deposits.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 1999.

COMMITTEE ON ECONOMIC DEVELOPMENT

Committee Bill (Formerly House Study Bill 73), relating to the new investment tax credit under the new jobs and income program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 1999.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House Study Bill 100), eliminating certain requirements relating to the regulation of infectious waste.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 1999.

COMMITTEE ON HUMAN RESOURCES

Senate File 92, a bill for an act relating to the notice provisions for transfer of assets which create a medical assistance debt.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 1999.

Committee Bill (Formerly House Study Bill 128), relating to certain programs and public health issues under the purview of the Iowa department of public health.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 1999.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 102), relating to the duties of a guardian ad litem appointed to represent a child in juvenile court proceedings.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 1999.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

House File 351, a bill for an act relating to required conditions applying to agreements to provide private industry employment for inmates of correctional institutions.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 1999.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House File 284), relating to the time limit when a taxpayer may receive a refund for erroneous property taxes paid and including an effective and applicability date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 1999.

Committee Bill (Formerly House Study Bill 93), relating to the authority of counties and cities to require storm shelters in mobile home parks, providing a property tax exemption, and providing a retroactive applicability date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 1999.

COMMITTEE ON NATURAL RESOURCES

Senate File 51, a bill for an act authorizing a county conservation board to cooperate with private, not-for-profit organizations to carry out conservation and recreation programs.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 1999.

COMMITTEE ON STATE GOVERNMENT

House File 204, a bill for an act relating to cigarettes and tobacco products by prohibiting that such products be given away and by prohibiting giving of other items as part of a sale of such cigarettes and tobacco products and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1045** March 1, 1999.

Committee Bill (Formerly House Study Bill 66), increasing the minimum daily pay for members of the Iowa national guard while in state active service.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 1999.

Committee Bill (Formerly House Study Bill 196), relating to the fire safety provisions applicable to a bed and breakfast inn.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 1999.

COMMITTEE ON TRANSPORTATION

House File 261, a bill for an act establishing a drunk driving victim memorial sign program.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 1999.

House File 283, a bill for an act relating to exemptions from vehicle registration requirements for travel trailers placed in storage.

Fiscal Note is not required.

Recommended Do Pass March 2, 1999.

COMMITTEE ON WAYS AND MEANS

Senate File 176, a bill for an act relating to the elimination of investment counseling as a taxable service under the state sales and use taxes.

Fiscal Note is required.

Recommended Do Pass March 3, 1999.

Committee Bill (Formerly House Study Bill 25), updating the Iowa Code references to the Internal Revenue Code, extending the loss carryback period for farm net operating losses, providing certain tax credits to estates and trusts, and providing an effective date and a retroactive applicability date.

Fiscal Note is required.

Recommended Do Pass March 3, 1999.

AMENDMENTS FILED

H—1045	H.F.	204	Committee on State Government
H—1046	H.F.	283	Garman of Story
H—1047	H.F.	218	Huser of Polk
H—1048	H.F.	218	Huser of Polk
H—1049	H.F.	308	Garman of Story

On motion by Siegrist of Pottawattamie the House adjourned at 4:48 p.m., until 8:45 a.m., Thursday, March 4, 1999.

JOURNAL OF THE HOUSE

Fifty-third Calendar Day – Thirty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 4, 1999

The House met pursuant to adjournment at 8:45 a.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Richard Sipe, pastor of First Baptist Church, Marshalltown.

The Journal of Wednesday, March 3, 1999 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Blodgett of Cerro Gordo on request of Siegrist of Pottawattamie; Ford of Polk on request of Kreiman of Davis; Chapman of Linn on request of Myers of Johnson.

INTRODUCTION OF BILLS

House File 500, by Burnett, a bill for an act relating to filing fees and service and other costs for petitions for relief from domestic abuse.

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

House File 501, by committee on judiciary, a bill for an act relating to the imposition of mandatory minimum fines upon conviction of certain felonies.

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

House File 502, by Reynolds, a bill for an act relating to the provision of visitation rights to the sibling of a child placed in foster care.

Read first time and referred to committee on **human resources**.

House File 503, by Eddie, a bill for an act relating to the liability of volunteer fire departments for penalties for occupational safety and health violations.

Read first time and referred to committee on **local government**.

House File 504, by Rayhons, a bill for an act directing the state department of transportation to conduct a study on the use of corn-based de-icers.

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

House File 505, by Davis, a bill for an act relating to the assessment of a fee by the department of public safety for a criminal history check.

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

House File 506, by Ford, a bill for an act relating to community investment by financial institutions participating in state programs.

Read first time and referred to committee on **economic development**.

House File 507, by Doderer, a bill for an act relating to the release of criminal history data upon the successful completion of probation following a deferred judgment.

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

House File 508, by Ford, a bill for an act establishing a George Washington Carver biotechnology grant program within the Iowa minority academic grants for economic success program administered by the college student aid commission.

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

House File 509, by Teig, a bill for an act establishing an insurance development consortium and providing a tax credit for consortium members.

Read first time and referred to committee on **economic development**.

House File 510, by Greiner, a bill for an act relating to habitual violators of regulations relating to confinement feeding operations, by providing for penalties and the forfeiture of property, and providing an effective date.

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

House File 511, by Cormack, Davis, Reynolds, Myers, Kreiman, and Hansen, a bill for an act prohibiting the mistreatment of animals and providing for penalties.

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

House File 512, by Taylor, a bill for an act relating to wage discrimination by providing for the determination of wage discrimination, applicable remedies, and providing an effective date.

Read first time and referred to committee on **labor and industrial relations**.

House File 513, by Teig, Falck, Jenkins, Wise, Dotzler, O'Brien, May, Van Fossen, and Heaton, a bill for an act relating to certified capital companies and providing for a certified capital company insurance premium tax credit.

Read first time and referred to committee on **economic development**.

House File 514, by committee on appropriations, a bill for an act relating to enforcement, prevention, education, and treatment for substance abuse and sexual abuse, and providing appropriations.

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

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 March 3, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 330, a bill for an act relating to the supervisory authority of the state banking division with regard to bank holding company acquisitions and the ability of state banks to make loans to any one person.

Also: That the Senate has on March 3, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 186, a bill for an act providing that a county enterprise includes housing for persons who are elderly or persons with physical disabilities.

Also: That the Senate has on March 3, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 224, a bill for an act relating to proceedings before the utilities board and the provision of competitive utility services by allocating costs incurred by the utilities board and the office of consumer advocate to certain persons in certain proceedings related to providing competitive utility services, and by providing for the certification of competitive natural gas providers and aggregators, and providing an effective date.

Also: That the Senate has on March 3, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 232, a bill for an act relating to the establishment of a beginning teacher induction program and making an appropriation.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS

Regular Calendar

House File 299, a bill for an act relating to applications for motor vehicle registration and issuance of certificate of title, with report of committee recommending passage, was taken up for consideration.

Rayhons of Hancock 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. 299)

The ayes were, 95:

Alons
Bell

Arnold
Boal

Barry
Boddicker

Baudler
Bogges

Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, none.

Absent or not voting, 5:

Blodgett	Chapman	Ford	Parmenter
Thomson			

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

Horbach of Tama in the chair at 8:58 a.m.

Ways and Means Calendar

House File 418, a bill for an act exempting the sale of argon and similar gases used in the manufacturing process from the sales and use taxes, providing limited refunds, and including effective and retroactive applicability date provisions, was taken up for consideration.

Jenkins of Black Hawk 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. 418)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chiodo
Cohoon	Connors	Corbett, Spkr.	Davis
Dix	Doderer	Dolecheck	Drake
Drees	Eddie	Falck	Foege
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Horbach, Presiding

The nays were, 2:

Dotzler Fallon

Absent or not voting, 6:

Blodgett	Chapman	Cormack	Ford
Parmenter	Thomson		

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

Speaker Corbett in the chair at 9:05 a.m.

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 299 and 418.**

SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Corbett invited the House Pages to the Speaker's station for a special presentation and thanked them for their service to the House of Representatives.

Certificates of excellence for serving with honor and distinction as a House Page during the First Regular Session of the Seventy-eighth General Assembly were presented to the following Pages by Speaker Corbett, Majority Leader Brent Siegrist of Pottawattamie and Minority Leader David Schrader of Marion:

Kara Berg
Brian Dickerson
Candace Harrell
Brandon Kass

Sally Mann
April Reineke
Jerome Wolff

HOUSE FILE 463 REFERRED

The Speaker announced that House File 463, previously placed on the **calendar** was referred to committee on **appropriations**.

HOUSE FILE 490 REFERRED

The Speaker announced that House File 490, previously placed on the **calendar** was referred to committee on **ways and means**.

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

DEPARTMENT OF NATURAL RESOURCES

The Iowa Comparative Risk Project Final Report, pursuant to Chapter 455, Code of Iowa.

GAMING ASSOCIATION OF IOWA

The 1998 Annual Report, pursuant to Chapter 99D.21, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\320 George and Jeanette Courtney, Eldon – For celebrating their 50th wedding anniversary.
- 1999\321 Roger and Betty Isackson, Waterloo – For celebrating their 50th wedding anniversary.
- 1999\322 Brian Swenson, Waukon – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\323 Benjamin Gearhart, Waterloo – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\324 William Sr. and Velma Jackson, Waterloo – For celebrating their 50th wedding anniversary.
- 1999\325 Kenyatta Carter, Waterloo West – For 2nd place in the class 3-A, 160 lbs. division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\326 Richard and Marjorie Leibe, Waterloo – For celebrating their 50th wedding anniversary.
- 1999\327 Blanche Stufflebeam, Ottumwa – For celebrating her 105th birthday.
- 1999\328 Doris and Robert Barton, Ottumwa – For celebrating their 50th wedding anniversary.
- 1999\329 Ted Fricke, Ottumwa – For celebrating his 95th birthday.
- 1999\330 Erwin Wiebod, Vinton – For celebrating his 85th birthday.
- 1999\331 Arlein and Don Benfer, Vinton – For celebrating their 65th wedding anniversary.
- 1999\332 Jeanette and Everett Smithburg, Jefferson County – For celebrating their 63rd wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 450

Economic Development: Dotzler, Chair; Jenkins and Martin.

House File 466

State Government: Bradley, Chair; Brauns, Connors, O'Brien and Van Engelenhoven.

House File 504

Transportation: Rayhons, Chair; Thomas and Van Engelenhoven.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 202

Natural Resources: Rayhons, Chair; Brauns and Scherrman.

House Study Bill 203

Natural Resources: Baudler, Chair; Alons and Mundie.

House Study Bill 207

Ways and Means: Myers, Chair; Jenkins and Larson.

House Study Bill 213 Reassigned

Local Government: Houser, Chair; Burnett, Carroll, Kuhn and Van Engelenhoven.

House Study Bill 217

Ways and Means: Teig, Chair; Houser and Larkin.

House Study Bill 219

Judiciary: Jager, Chair; Doderer and Larson.

House Study Bill 221

Environmental Protection: Huseman, Chair; Drake and Foege.

House Study Bill 222

State Government: Jacobs, Chair; Arnold, Cataldo, Davis, Holmes, Jochum and Reynolds.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 224 Environmental Protection

Relating to surface water and groundwater monitoring, establishing a biological marker system task force, and making appropriations.

H.S.B. 225 Environmental Protection

Relating to a review of water quality standards by the department of natural resources, enforcement of effluent ammonia limits during the review period, and providing an effective date.

H.S.B. 226 Local Government

Creating an adult mental health, mental retardation, and developmental disabilities services funding decategorization pilot project and providing an appropriation.

H.S.B. 227 Judiciary

To extend the jurisdiction of the juvenile court to include adoption and termination of parental rights proceedings.

H.S.B. 228 Judiciary

Relating to the department of corrections by providing for purchases from Iowa prison industries, the establishment of reserve peace officers by judicial district departments of correctional services, the applicability of occupational health and safety provisions to inmate workers, the establishment of a criminal offense for attempts to escape, the crediting of time served by inmates, inmate work program agreements, the revolving farm fund, and deductions from inmate work program earnings, and making penalties applicable.

H.S.B. 229 Judiciary

Relating to nonprofit corporations and providing an effective date.

H.S.B. 230 Human Resources

Establishing a governor's award for quality care in health care facilities.

H.S.B. 231 Local Government

Relating to the Iowa community empowerment Act and related provisions, and providing an effective date.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

Committee Bill (Formerly House Study Bill 78), providing for an emergency assistance linked deposit program for swine producers, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 1999.

Committee Bill (Formerly House Study Bill 140), relating to the Iowa turkey marketing council, by providing procedures for the administration of the council, a producer assessment, refunds, and for the expenditure of moneys by the council, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 1999.

Committee Bill (Formerly House Study Bill 159), providing for the certification of manure applicators by delaying dates required for certification, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 1999.

COMMITTEE ON EDUCATION

Committee Bill (Formerly House Study Bill 154), relating to assessments prior to admission to practitioner preparation programs and prior to initial Iowa licensure.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 1999.

RESOLUTION FILED

HCR 12, by Siegrist and Schrader, a concurrent resolution relating to Pioneer Lawmakers.

Laid over under **Rule 25.**

AMENDMENTS FILED

H—1050	H.F.	218	Fallon of Polk
H—1051	H.F.	499	Richardson of Warren
H—1052	H.F.	218	Fallon of Polk Witt of Black Hawk

On motion by Siegrist of Pottawattamie the House adjourned at 9:10 a.m., until 1:00 p.m., Monday, March 8, 1999.

JOURNAL OF THE HOUSE

Fifty-seventh Calendar Day - Thirty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 8, 1999

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

Prayer was offered by the Honorable Speaker pro tempore Christopher Rants, state representative from Woodbury County.

The Journal of Thursday, March 4, 1999 was approved.

THE PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker pro tempore Rants.

PETITION FILED

The following petition was received and placed on file:

By Brunkhorst of Bremer from forty-four Teamster's Local 650, retirees favoring support of House File 5, exempting pension income from state taxes and House File 6, exempting Social Security income from state taxes.

INTRODUCTION OF BILLS

House Joint Resolution 11, by Schrader, Dotzler, Reynolds, Connors, Taylor, Scherrman, Osterhaus, Kuhn, Burnett, O'Brien, Frevert, Bukta, May, Drees, Whitead, Falck, Kreiman, Ford, Mascher, Bell, Jochum, Foege, Huser, and Fallon, a joint resolution directing the Secretary of State to conduct a nonbinding election on Iowa's state motto to be held in conjunction with a statewide special election and providing an effective date.

Read first time and referred to committee on **state government**.

House File 515, by committee on judiciary, a bill for an act relating to the duties of a guardian ad litem appointed to represent a child in juvenile court proceedings.

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

House File 516, by committee on ways and means, a bill for an act updating the Iowa Code references to the Internal Revenue Code, extending the loss carryback period for farm net operating losses, providing certain tax credits to estates and trusts, and providing an effective date and a retroactive applicability date.

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

House File 517, by committee on state government, a bill for an act increasing the minimum daily pay for members of the Iowa national guard while in state active service.

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

House File 518, by committee on state government, a bill for an act relating to the fire safety provisions applicable to a bed and breakfast inn.

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

House File 519, by Thomas, a bill for an act relating to the funding for and establishment of a white goods cleanup day program.

Read first time and referred to committee on **environmental protection**.

House File 520, by Jacobs, Gipp, and Tyrrell, a bill for an act relating to the use and dissemination of social security numbers, providing an effective date and applicability provision, and making penalties applicable.

Read first time and referred to committee on **state government**.

House File 521, by Rants, a bill for an act relating to the licensure and operation of employment agencies and providing a penalty.

Read first time and referred to committee on **labor and industrial relations**.

House File 522, by Rants, a bill for an act providing civil and criminal immunity for a school employee related to the employee's participation in reporting and investigating violence, threats of violence, or other inappropriate activity against a school employee or student in a school building, on school grounds, or at a school-sponsored function.

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

House File 523, by Garman, a bill for an act providing for the distribution and accounting of earnings from private employers of inmates of institutions under the control of the department of corrections.

Read first time and referred to committee on **labor and industrial relations**.

House File 524, by Fallon, a bill for an act relating to title guaranty or insurance disclosures required to be made by financial institutions engaged in the business of making mortgage loans and providing for the applicability of the Act.

Read first time and referred to committee on **commerce and regulation**.

House File 525, by May, a bill for an act relating to the compensation for township trustees for attending scheduled meetings.

Read first time and referred to committee on **local government**.

House File 526, by Arnold and Teig, a bill for an act creating the criminal offense of theft of a dog and providing a penalty.

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

House File 527, by Thomson, a bill for an act relating to selective service registration of certain individuals, by making registration or exemption from registration a prerequisite for state employment covered by the merit system and for the receipt of state-sponsored financial aid at community colleges and institutions of higher learning under the control of the state board of regents, and providing for selective service registration at high schools.

Read first time and referred to committee on **state government**.

House File 528, by Warnstadt, a bill for an act placing restrictions on expenditures from the rebuild Iowa infrastructure fund.

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

House File 529, by Dotzler, a bill for an act relating to drivers under the age of twenty-one who, after ingesting a legal substance, are apprehended for driving with a blood alcohol concentration level above the statutory limit.

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

House File 530, by Scherrman, a bill for an act relating to teacher shortage forgivable loan programs, making an appropriation, and providing an effective date.

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

House File 531, by committee on agriculture, a bill for an act providing for the certification of manure applicators by delaying dates required for certification, and providing an effective date.

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

House File 532, by committee on education, a bill for an act relating to assessments prior to admission to practitioner preparation programs and prior to initial Iowa licensure.

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

House File 533, by committee on agriculture, a bill for an act providing for an emergency assistance linked deposit program for swine or cattle producers, and providing an effective date.

Read first time and referred to committee on **commerce and regulation**.

House File 534, by committee on local government, a bill for an act relating to the authority of counties and cities to require storm shelters in mobile home parks, providing a property tax exemption, and providing a retroactive applicability date.

Read first time and referred to committee on **ways and means**.

House File 535, by committee on local government, a bill for an act relating to the time limit when property omitted from assessment may be assessed and when a taxpayer may receive a refund for erroneous property taxes paid and including an effective date provision.

Read first time and referred to committee on **ways and means**.

House File 536, by Mascher, a bill for an act increasing the eligibility limitations and scope of the postsecondary enrollment options Act.

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

House File 537, by Hansen, a bill for an act relating to residency requirements for certain city employees.

Read first time and referred to committee on **local government**.

House File 538, by Richardson, a bill for an act relating to property eligible for a property tax exemption.

Read first time and referred to committee on **local government**.

House File 539, by Richardson, a bill for an act relating to the qualification of housing businesses under the alternative eligible business criteria of the enterprise zone program.

Read first time and referred to committee on **economic development**.

House File 540, by Schrader, a bill for an act establishing a pilot project for transportation for senior citizens, making an appropriation, providing for the project's repeal, and providing an effective date.

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

House File 541, by Schrader, Jochum, Chiodo, Mertz, Whitead, Weigel, Larkin, Parmenter, Connors, Taylor, Mascher, Kuhn, Bell, Chapman, O'Brien, Osterhaus, Wise, Frevert, Warnstadt, Holveck, Shoultz, Murphy, Burnett, Foege, Reynolds, Dotzler, Mundie, Doderer, Falck, Myers, May, Stevens, Fallon, and Scherrman, a bill for an act relating to surface water and groundwater monitoring, establishing a biological marker system task force, and making appropriations.

Read first time and referred to committee on **environmental protection**.

House File 542, by Schrader, Huser, Myers, Taylor, Bukta, Falck, Parmenter, Kuhn, Frevert, Murphy, Doderer, Larkin, Jochum, Weigel, Warnstadt, O'Brien, Shoultz, Osterhaus, Foege, Burnett, Witt, Scherrman, Wise, Mundie, Mertz, Connors, Dotzler, Whitead, Thomas, Ford, Stevens, Chiodo, Reynolds, Holveck, Bell, Mascher, Richardson, and Kreiman, a bill for an act to establish standards for improvement of the quality of health care benefits for children provided by insurance carriers or organized delivery systems.

Read first time and referred to committee on **commerce and regulation**.

House File 543, by Schrader, Cohoon, Bukta, Falck, Parmenter, Kuhn, Frevert, Myers, May, Dotzler, Doderer, O'Brien, Larkin, Jochum, Weigel, Shoultz, Bell, Scherrman, Kreiman, Huser, Taylor,

Warnstadt, Osterhaus, Foege, Burnett, Chapman, Mertz, Witt, Mundie, Connors, Richardson, Mascher, Whitead, Stevens, Reynolds, Holveck, Thomas, and Chiodo, a bill for an act relating to a watershed protection task force and creating a watershed protection program and a watershed protection account within the water protection fund.

Read first time and referred to committee on **environmental protection**.

House File 544, by Jager, a bill for an act relating to the taxation of credit unions and qualified credit unions and providing for the Act's applicability.

Read first time and referred to committee on **ways and means**.

House File 545, by Schrader, Foege, Myers, Dotzler, Reynolds, Mertz, Holveck, Connors, Taylor, Thomas, Parmenter, Scherrman, Osterhaus, Kuhn, Stevens, Falck, Burnett, Mundie, Cohoon, O'Brien, Larkin, Jochum, Wise, Mascher, Shoultz, Weigel, Frevert, Bukta, May, Warnstadt, Richardson, Murphy, Whitead, Chiodo, Witt, Kreiman, Ford, and Bell, a bill for an act establishing the enrich Iowa program for eligible public libraries, making an appropriation, and providing an effective date.

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

House File 546, by Schrader, Bukta, Falck, Parmenter, Kuhn, Frevert, Murphy, May, Myers, Doderer, Larkin, Jochum, Weigel, Dotzler, Shoultz, Osterhaus, Witt, Foege, Mascher, Kreiman, Wise, Taylor, Cohoon, Burnett, Mundie, Connors, Ford, Whitead, Stevens, Reynolds, Holveck, Chiodo, Bell, Richardson, Thomas, Scherrman, Warnstadt, and Huser, a bill for an act relating to the establishment of an Iowa worker retraining forgivable loan program and fund and making an appropriation.

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

House File 547, by Schrader, Bukta, Falck, Frevert, Murphy, May, Doderer, Larkin, Jochum, Myers, Weigel, Shoultz, Dotzler, Osterhaus, Witt, Scherrman, Mascher, Taylor, Wise, Foege, Burnett, Mertz, Whitead, Stevens, Chiodo, Reynolds, Holveck, Ford, Bell,

Kuhn, Richardson, Thomas, Huser, and Warnstadt, a bill for an act providing an appropriation for juvenile court liaison officers in schools.

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

House File 548, by Schrader, Cohoon, Bukta, Falck, Parmenter, Kuhn, Myers, Frevert, Murphy, Dotzler, Larkin, Warnstadt, Jochum, Weigel, Osterhaus, Foege, Thomas, Kreiman, Wise, Taylor, Ford, Burnett, Mertz, Mundie, Witt, Connors, Whitead, Stevens, Bell, Reynolds, Holveck, Chiodo, and Scherrman, a bill for an act establishing a practitioner shortage forgivable loan program and fund to replace the industrial technology forgivable loan program and fund, making an appropriation, and providing an effective date.

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

House File 549, by Schrader, Whitead, Weigel, Larkin, Parmenter, Bukta, Taylor, Mascher, Kuhn, Osterhaus, Huser, Frevert, Murphy, Richardson, Warnstadt, Foege, Mundie, Doderer, Jochum, Burnett, Reynolds, Dotzler, Connors, Myers, Fallon, Stevens, Chapman, Scherrman, Shoultz, and Holveck, a bill for an act regulating the siting of confinement feeding operations by counties.

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

House File 550, by Schrader, Cohoon, Bukta, Falck, Parmenter, Kuhn, Frevert, Murphy, Myers, May, Larkin, Dotzler, Jochum, Weigel, Shoultz, Osterhaus, Foege, Chiodo, Scherrman, Taylor, Warnstadt, Wise, Ford, Chapman, Burnett, Mertz, Mundie, Connors, Witt, Richardson, Mascher, Whitead, Stevens, Reynolds, Holveck, Bell, and Kreiman, a bill for an act relating to and making appropriations for early childhood programs involving community empowerment areas and the child development coordinating council.

Read first time and referred to committee on **human resources**.

House File 551, by Schrader, Bukta, Falck, Frevert, Murphy, Doderer, Jochum, Larkin, O'Brien, Shoultz, Osterhaus, Foege, Burnett, Witt, Mundie, Mertz, Connors, Kreiman, Warnstadt, Myers, Taylor, Chiodo, Dotzler, Whitead, Reynolds, Holveck, Ford, Bell,

Mascher, Richardson, Kuhn, Scherrman, and Thomas, a bill for an act relating to the preexisting condition provisions under a small group health coverage or individual health insurance benefit plan.

Read first time and referred to committee on **commerce and regulation.**

House File 552, by Schrader, Foege, Myers, Jochum, Huser, Dotzler, Reynolds, Holveck, Mertz, Connors, Taylor, Doderer, Scherrman, Osterhaus, Kuhn, Stevens, Falck, Burnett, Mundie, Cohoon, O'Brien, Larkin, Fallon, Shoultz, Frevert, Bukta, May, Warnstadt, Richardson, Murphy, Chiodo, Whitead, Kreiman, Ford, Mascher, and Bell, a bill for an act increasing the maximum income eligibility requirement for participation in the healthy and well kids in Iowa program.

Read first time and referred to committee on **commerce and regulation.**

House File 553, by Schrader, Taylor, Bukta, Falck, Murphy, May, Doderer, Larkin, Jochum, Myers, Osterhaus, Foege, Dotzler, Mertz, Connors, Witt, Wise, Ford, Chiodo, Whitead, Stevens, Reynolds, Holveck, Mascher, Bell, Scherrman, Kreiman, Thomas, Kuhn, and Cohoon, a bill for an act relating to government efficiency by providing retirement incentives for certain government employees, providing for the reduction in certain governmental positions due to early retirement, and providing an effective date.

Read first time and referred to committee on **state government.**

House File 554, by Schrader, Cohoon, Mertz, Chiodo, Whitead, Weigel, Larkin, Bukta, Warnstadt, Parmenter, Taylor, Mascher, Kuhn, Bell, O'Brien, Osterhaus, Jochum, May, Mundie, Huser, Wise, Richardson, Frevert, Murphy, Burnett, Reynolds, Falck, Dotzler, Connors, Foege, Myers, Chapman, Stevens, and Scherrman, a bill for an act relating to educational assistance for members of the national guard.

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

House File 555, by Schrader, Bukta, Huser, Falck, Parmenter, Kuhn, Frevert, Murphy, Doderer, Larkin, Jochum, Weigel, Warnstadt, O'Brien, Shoultz, Osterhaus, Burnett, Foege, Witt, Mascher, Mundie, Mertz, Connors, Dotzler, Chiodo, Whitead, Stevens, Thomas, Ford, Reynolds, Holveck, Bell, Richardson, Scherrman, Wise, Myers, Taylor, and Kreiman, a bill for an act relating to the rights of enrollees in health maintenance organizations, organized delivery systems, or preferred provider organizations.

Read first time and referred to committee on **commerce and regulation**.

House File 556, by Schrader, Foege, Myers, Mertz, Dotzler, Reynolds, Doderer, Holveck, Connors, Taylor, Parmenter, Scherrman, Osterhaus, Kuhn, Stevens, Falck, Burnett, Mundie, Cohoon, O'Brien, Bell, Larkin, Shoultz, Weigel, Frevert, Bukta, May, Drees, Warnstadt, Richardson, Murphy, Whitead, Chiodo, Witt, Kreiman, Mascher, Ford, Jochum, Huser, and Wise, a bill for an act relating to the establishment of an Iowa early intervention program, and making appropriations.

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

House File 557, by Schrader, Mertz, Cohoon, Chiodo, Whitead, Weigel, Larkin, Warnstadt, Parmenter, Bukta, Taylor, Mascher, Connors, Richardson, Kuhn, Bell, Mundie, Jochum, Holveck, Shoultz, O'Brien, Osterhaus, Wise, Frevert, Murphy, Dotzler, Reynolds, Burnett, Foege, Myers, May, Chapman, Stevens, and Scherrman, a bill for an act relating to enforcement, prevention, education, and treatment for substance abuse and sexual abuse, and providing appropriations.

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

House File 558, by Schrader, Foege, Myers, Dotzler, Reynolds, Mertz, Thomas, Scherrman, Osterhaus, Kuhn, Stevens, Falck, Mundie, O'Brien, Larkin, Weigel, Frevert, Bukta, May, Wise, Richardson, Murphy, Whitead, Chiodo, Kreiman, Ford, Chapman, Jochum, Mascher, and Bell, a bill for an act relating to linked

investment deposits by providing a low-interest loan program to assist persons involved in value-added agricultural processing.

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

House File 559, by Jager, a bill for an act requiring special security officers at regents institutions to be armed while performing their duties.

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

House File 560, by Jenkins, a bill for an act relating to the assessment expense fund of a city or county and providing an applicability date.

Read first time and referred to committee on **local government**.

House File 561, by Jochum, a bill for an act relating to impoundment or immobilization of vehicles for persons convicted of driving while their license is suspended, denied, revoked, or barred.

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

House File 562, by Ford, a bill for an act relating to the disbursement of public funds for economic development assistance without discrimination and providing for goals to financially assist targeted small business.

Read first time and referred to committee on **economic development**.

House File 563, by Ford, a bill for an act creating a minority persons in agriculture fund and making appropriations.

Read first time and referred to committee on **economic development**.

House File 564, by Ford, a bill for an act relating to financial assistance for minority farmers and minority persons with an ownership interest in agricultural-related businesses and providing an appropriation.

Read first time and referred to committee on **economic development**.

House File 565, by Reynolds, Kreiman, Doderer, Mascher, and Davis, a bill for an act directing the department of corrections to evaluate the potential rehabilitative effects of certain alternative programs.

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

House File 566, by Larkin, Taylor, Murphy, and Dotzler, a bill for an act relating to the approval by the general assembly of contracts privatizing state services.

Read first time and referred to committee on **state government**.

House File 567, by Doderer, a bill for an act relating to a workforce development accountability system.

Read first time and referred to committee on **state government**.

House File 568, by Doderer, a bill for an act authorizing the board of directors of a school district to charge a reasonable fee for motor vehicle parking in parking facilities located on school grounds.

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

House File 569, by Ford, a bill for an act relating to international promotion of educational opportunities at colleges and universities in Iowa.

Read first time and referred to committee on **economic development**.

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 March 4, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 283, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

Senate File 186, by committee on local government, a bill for an act providing that a county enterprise includes housing for persons who are elderly or persons with physical disabilities.

Read first time and referred to committee on **local government**.

Senate File 224, by committee on commerce, a bill for an act relating to proceedings before the utilities board and the provision of competitive utility services by allocating costs incurred by the utilities board and the office of consumer advocate to certain persons in certain proceedings related to providing competitive utility services, and by providing for the certification of competitive natural gas providers and aggregators, and providing an effective date.

Read first time and referred to committee on **commerce and regulation**.

Senate File 232, by committee on education, a bill for an act relating to the establishment of a beginning teacher induction program and making an appropriation.

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

HOUSE FILE 511 REREFERRED

The Speaker announced that House File 511, previously referred to committee on **agriculture** was rereferred to committee on **judiciary**.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

IOWA COMMUNICATIONS NETWORK

The Annual Report for Fiscal Year 1998, pursuant to Chapter 8D.13, Code of Iowa.

SUBCOMMITTEE ASSIGNMENTS

House File 357

Local Government: Dix, Chair; Carroll, Fallon, Hahn and Reynolds.

House File 396

Local Government: Arnold, Chair; Connors and Dix.

House File 435

Local Government: Houser, Chair; Arnold, Eddie, Fallon and Richardson.

House File 462

Local Government: Dix, Chair; Carroll, Fallon, Hahn and Reynolds.

House File 468

Ways and Means: Jenkins, Chair; Chapman and Rants.

House File 472

Local Government: Brauns, Chair; Hahn and Mundie.

House File 482

Ways and Means: Houser, Chair; Richardson and Teig.

House File 485

Ways and Means: Van Fossen, Chair; Drake and Myers.

House File 488

Agriculture: Drake, Chair; Alons and Parmenter.

House File 490

Ways and Means: Hoffman, Chair; Teig and Weigel.

House File 503

Local Government: Eddie, Chair; Connors and Weidman.

House File 510

Agriculture: Greiner, Chair; Scherrman and Welter.

House File 511

Agriculture: Baudler, Chair; Huseman and Kuhn.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 224

Environmental Protection: Cormack, Chair; Boggess and Burnett.

House Study Bill 225

Environmental Protection: Bradley, Chair; Brunkhorst and Shoultz.

House Study Bill 226

Local Government: Houser, Chair; Burnett, Carroll, Kuhn and Van Engelenhoven.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 232 Education

Relating to the level of state funding for the instructional support program, and providing an effective date.

H.S.B. 233 Education

Relating to a school bond credit enhancement program for school district general obligation bonds or loan agreements.

H.S.B. 234 Education

To provide for a community college governance structure study.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON ECONOMIC DEVELOPMENT

Committee Bill (Formerly House Study Bill 75), establishing the community attraction and tourism development program and fund, making an appropriation, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 4, 1999.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House Study Bill 150), relating to the payment and allocation of the real estate transfer tax.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 4, 1999.

Committee Bill (Formerly House Study Bill 177), allowing certain school district bond issues to be issued jointly by two or more school districts.

Fiscal Note is not required.

Recommended **Do Pass** March 4, 1999.

AMENDMENT FILED

H—1053 H.F. 403 Raecker of Polk

On motion by Siegrist of Pottawattamie the House adjourned at 1:18 p.m., until 10:00 a.m., Tuesday, March 9, 1999.

JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day – Thirty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 9, 1999

The House met pursuant to adjournment at 10:00 a.m., Speaker pro tempore Rants in the chair.

Prayer was offered by the Honorable Henry Rayhons, state representative from Hancock County.

The Journal of Monday, March 8, 1999 was approved.

PETITION FILED

The following petition was received and placed on file:

By Sunderbruch of Scott, from fifteen constituents favoring House File 185, an act changing the boat motor regulations to allow any size boat motor on Lake McBride at no wake speed for all size motors.

INTRODUCTION OF BILLS

House File 570, by committee on agriculture, a bill for an act relating to the Iowa turkey marketing council, by providing procedures for the administration of the council, a producer assessment, refunds, and for the expenditure of moneys by the council, and providing an effective date.

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

House File 571, by committee on commerce and regulation, a bill for an act relating to the deposit of public funds and the conditions which must be met by a savings and loan association or savings bank to be eligible to receive such deposits.

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

House File 572, by committee on local government, a bill for an act relating to the payment and allocation of the real estate transfer tax.

Read first time and referred to committee on **ways and means**.

House File 573, by committee on judiciary, a bill for an act to change the penalties applicable to the possession, manufacture, or delivery of methamphetamine and other controlled substances, relating to the possession or control of adulterated or improperly labeled articles, providing for the reopening of certain sentences, and providing for restrictions on bail.

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

SENATE MESSAGE CONSIDERED

Senate File 283, by committee on appropriations, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

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

ADOPTION OF HOUSE MEMORIAL RESOLUTION 1

Greiner of Washington offered the following House Memorial Resolution 1 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 1

Whereas, The Honorable Herbert L. Campbell II, of Washington County, Iowa, who was a member of the Sixty-third and Sixty-fourth general assemblies, passed away March 10, 1998; *Now Therefore*,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee Greiner of Washington, Heaton of Henry and Tyrrell of Iowa.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 2

Dolecheck of Ringgold offered the following House Memorial Resolution 2 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 2

Whereas, The Honorable Horace C. Daggett, of Union County, Iowa, who was a member of the Sixty-fifth, Sixty-sixth, Sixty-seventh, Sixty-seventh Extra, Sixty-eighth, Sixty-ninth, Sixty-ninth Extra, Sixty-ninth Second Extra, Seventieth, Seventy-first, Seventy-second, Seventy-second Extra, Seventy-second Second Extra, Seventy-third, Seventy-fourth, Seventy-fourth Extra, Seventy-fourth Second Extra, Seventy-fifth and Seventy-sixth general assemblies, passed away June 16, 1998; Now Therefore,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee Dolecheck of Ringgold, Boddicker of Cedar and Schrader of Marion.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 3

Foege of Linn offered the following House Memorial Resolution 3 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 3

Whereas, The Honorable James D. Jordan, of Linn County, Iowa, who was a member of the Sixty-fifth and Sixty-sixth general assemblies, passed away April 7, 1997; Now Therefore,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee Foegé of Linn, Larson of Linn and Taylor of Linn.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 4

Rants of Woodbury offered the following House Memorial Resolution 4 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 4

Whereas, The Honorable Willis Junker, of Woodbury County, Iowa, who was a member of the Sixty-fifth, Sixty-sixth, Sixty-seventh and Sixty-seventh Extra general assemblies, passed away April 29, 1998; Now Therefore,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee Rants of Woodbury, Klemme of Plymouth and Warnstadt of Woodbury.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 5

Drees of Carroll offered the following House Memorial Resolution 5 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 5

Whereas, The Honorable Carroll A. Lane, of Carroll, Iowa, who was a member of the Fiftieth, Fiftieth Extra and Fifty-first general assemblies, passed away October 5, 1995; Now Therefore,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee Drees of Carroll, Carroll of Poweshiek and Whitead of Woodbury.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 6

Reynolds of Van Buren offered the following House Memorial Resolution 6 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 6

Whereas, The Honorable Floyd H. Millen, of Van Buren County, Iowa, who was a member of the Sixtieth, Sixtieth Extra, Sixty-first, Sixty-second, Sixty-third, Sixty-fourth, Sixty-fifth, Sixty-sixth, Sixty-seventh, Sixty-seventh Extra and Sixty-eighth general assemblies, passed away May 18, 1998; *Now Therefore*,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee Reynolds of Van Buren, Hoffman of Crawford and Kettering of Sac.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 7

Welter of Jones offered the following House Memorial Resolution 7 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 7

Whereas, The Honorable Roy A. Miller, of Jones County, Iowa, who was a member of the Sixtieth, Sixtieth Extra, Sixty-second and Sixty-third general assemblies, passed away October 26, 1998; *Now Therefore*,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee Welter of Jones, Thomas of Clayton and Boddicker of Cedar.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 8

May of Worth offered the following House Memorial Resolution 8 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 8

Whereas, The Honorable Harold Mueller, of Worth County, Iowa, who was a member of the Fifty-eighth, Fifty-ninth, Sixtieth, Sixtieth Extra and Sixty-first general assemblies, passed away September 3, 1998; *Now Therefore*,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee May of Worth, Blodgett of Cerro Gordo and Rayhons of Hancock.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 9

Rants of Woodbury offered the following House Memorial Resolution 9 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 9

Whereas, The Honorable Don Shoning, of Woodbury County, Iowa, who was a member of the Seventy-first, Seventy-second, Seventy-second Extra, Seventy-second Second Extra, Seventy-third, Seventy-fourth, Seventy-fourth Extra and Seventy-fourth Second Extra general assemblies, passed away February 11, 1999; *Now Therefore*,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee Rants of Woodbury, Whitead of Woodbury and Warnstadt of Woodbury.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 10

Bradley of Clinton offered the following House Memorial Resolution 10 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 10

Whereas, The Honorable Lloyd G. Jackson, of Clinton County, Iowa, who was a member of the Sixty-first general assembly, passed away September 22, 1998; *Now Therefore*,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee Bradley of Clinton, Bukta of Clinton and May of Worth.

RULE 57 SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda for committee meetings today.

HOUSE FILE 423 REREFERRED

The Speaker announced that House File 423, previously referred to committee on **state government** was rereferred to committee on **judiciary**.

PASSED ON FILE

The Speaker announced that Senate File 193, previously referred to committee on **judiciary**, has been **passed on file**.

SPONSOR ADDED
(House File 500)

Davis of Wapello requested to be added as a sponsor of House File 500.

SUBCOMMITTEE ASSIGNMENTS

House File 112

Local Government: Houser, Chair; Arnold, Eddie, Fallon and Richardson.

House File 371

Appropriations: Millage, Chair; Dix and Falck.

House File 431

Local Government: Arnold, Chair; Brauns and Huser.

House File 435 Reassigned

Local Government: Arnold, Chair; Fallon and Weidman.

House File 463

Appropriations: Heaton, Chair; Hansen and Wise.

House File 484

Economic Development: Dolecheck, Chair; Horbach and May.

House File 505

Judiciary: Davis, Chair; Baudler and Kreiman.

House File 509

Economic Development: Metcalf, Chair; Martin and O'Brien.

House File 512

Labor and Industrial Relations: Horbach, Chair; Dolecheck and Taylor.

House File 513

Economic Development: Teig, Chair; Dotzler, Jenkins, Van Fossen and Weigel.

House File 519

Environmental Protection: Kettering, Chair; Alons and Witt.

House File 520

State Government: Jacobs, Chair; Gipp and O'Brien.

House File 521

Labor and Industrial Relations: Dolecheck, Chair; Horbach and Parmenter.

House File 523

Labor and Industrial Relations: Horbach, Chair; Dolecheck and Murphy.

House File 527

State Government: Gipp, Chair; Bradley, Connors, Van Engelenhoven and Whitead.

House File 528

Appropriations: Sukup, Chair; Barry and Warnstadt.

House File 541

Environmental Protection: Cormack, Chair; Boggess and Burnett.

House File 543

Environmental Protection: Huseman, Chair; Drake and Foege.

House File 547

Appropriations: Millage, Chair; Dix and Huser.

House File 567

State Government: Jacobs, Chair; Gipp and O'Brien.

Senate File 41

Local Government: Alons, Chair; Eddie and Mundie.

Senate File 151

Local Government: Arnold, Chair; Brauns and Huser.

Senate File 189

Judiciary: Raecker, Chair; Kreiman and Larson.

Senate File 209

Judiciary: Jager, Chair; Barry and Kreiman.

Senate File 216

Judiciary: Sukup, Chair; Boddicker and Kreiman.

Senate File 283

Appropriations: Nelson, Chair; Heaton and Parmenter.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 150**

Local Government: Arnold, Chair; Fallon and Van Engelenhoven.

House Study Bill 223

Labor and Industrial Relations: Sukup, Chair; Horbach and Taylor.

House Study Bill 227

Judiciary: Boddicker, Chair; Kettering and Kreiman.

House Study Bill 228

Judiciary: Kettering, Chair; Davis and Parmenter.

House Study Bill 229

Judiciary: Kettering, Chair; Chapman and Millage.

House Study Bill 230

Human Resources: Brunkhorst, Chair; Boddicker and Mertz.

House Study Bill 231

Local Government: Houser, Chair; Arnold, Burnett, Fallon and Van Engelenhoven.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 235 Judiciary**

Relating to the rate of compensation for attorneys representing certain indigents and changing the procedure for approval of indigent defense costs.

H.S.B. 236 Judiciary

Relating to the payment of the legal defense costs of indigent persons, expanding the duties of the state public defender, and providing for

the appointment and removal of certain state public defender personnel.

H.S.B. 237 Judiciary

Establishing criminal and delinquent offenses related to the sale, use, or possession of a laser pointer and providing a penalty.

H.S.B. 238 Judiciary

Relating to registration and titling of certain leased vehicles.

H.S.B. 239 Education

Providing supplementary weighting for determining enrollment in school districts involved in district-to-district or district-to-community-college sharing programs, and at-risk programs, and providing an effective date.

H.S.B. 240 Judiciary

Relating to compensation for the legal defense of indigent persons in criminal, appellate, and certain civil cases.

H.S.B. 241 Education

Relating to the national board certification awards and establishing a national board certification pilot project.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON COMMERCE AND REGULATION

House File 458, a bill for an act relating to the role of an auctioneer in conducting a public sale or auction involving real property.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1059** March 4, 1999.

Senate File 233, a bill for an act relating to the preservation of records held by financial institutions.

Fiscal Note is not required.

Recommended **Do Pass** March 4, 1999.

Committee Bill (Formerly House Study Bill 49), relating to the exclusion of certain real estate transactions involving a power of attorney from state licensure and regulation.

Fiscal Note is not required.

Recommended **Do Pass** March 4, 1999.

Committee Bill (Formerly House Study Bill 168), relating to the transfer of real estate, the filing of a release of mortgage, and providing a remedy.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 4, 1999.

Committee Bill (Formerly House Study Bill 171), prohibiting unauthorized changes in telecommunications service, prohibiting certain acts in the advertisement or solicitation of changes in telecommunications service, and providing remedies and penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 4, 1999.

COMMITTEE ON EDUCATION

Committee Bill (Formerly House File 377), relating to the number of monthly state aid payments received by school districts.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 1999.

Committee Bill (Formerly House File 416), relating to the local option sales tax for school infrastructure, and including an effective date and retroactive applicability provision.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 1999.

Committee Bill (Formerly House Study Bill 155), relating to teacher shortage areas, establishing a teacher shortage area forgivable loan and fund, and providing for teacher recruitment and preparation, professional development and planning time for teachers, content area requirements for teacher licensure, and a task force to study the use of retired professionals as mentors and teacher aides.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 1999.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House File 226), establishing an on-site sewage disposal system assistance program and revolving fund and making an appropriation.

Fiscal note is not required.

Recommended **Amend and Do Pass** March 4, 1999.

Committee Bill (Formerly House Study Bill 199), relating to review and oversight of actions of the United States environmental protection agency.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1999.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 286), providing for conditional employment pending the outcome of background checks for health care facility employees.

Fiscal Note is not required.

Recommended **Do Pass** March 4, 1999.

Committee Bill (Formerly House File 316), relating to eligibility of certain disabled persons under the optional services coverage category of medical assistance.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 4, 1999.

Committee Bill (Formerly House Study Bill 129), relating to child care provisions administered by the department of human services and to the terminology used to describe child care, making an appropriation of civil penalties, and including an effective date and applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 4, 1999.

Committee Bill (Formerly House Study Bill 147), relating to child support enforcement, including child support recovery in instances of guardianships, income withholding, interest on child support collected, and payments to financial institutions for record matters, and providing for retroactive applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 4, 1999.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 190), to change the penalties applicable to the possession, manufacture, or delivery of methamphetamine and other controlled substances, relating to the possession or control of adulterated or improperly labeled articles, providing for the reopening of certain sentences, and providing for restrictions on bail.

Fiscal note is not required.

Recommended **Amend and Do Pass** March 4, 1999.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

House File 421, a bill for an act relating to a study by the department of corrections of the operation of the private industry employment of inmates program.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1999.

Committee Bill (Formerly House Study Bill 144), concerning the workforce development department, by providing for the establishment of a workforce development corporation, expenses for members of the regional advisory board to the workforce development board, authority to charge fees for certain services of the department, and Iowa conservation corps employee rights.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1999.

COMMITTEE ON LOCAL GOVERNMENT

House File 184, a bill for an act relating to mileage reimbursement for county supervisors.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1058** March 4, 1999.

Committee Bill (Formerly House File 300), relating to residency requirements for county, city, and school district elective offices.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 4, 1999.

COMMITTEE ON NATURAL RESOURCES

Senate File 67, a bill for an act relating to the assessment of civil damages for the illegal taking of a swan or a crane.

Fiscal Note is not required.

Recommended **Do Pass** March 4, 1999.

Committee Bill (Formerly House Study Bill 63), relating to the operation, regulation, and equipment of watercraft, establishing watercraft safety courses, and subjecting violators to a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 4, 1999.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House Study Bill 26), relating to the office of secretary of state and the conduct of elections and voter registration in the state and relating to corrective and technical changes to Iowa's election laws.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 1999.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House Study Bill 146), relating to implements of husbandry and restrictions on the movement of such implements, and other vehicles, upon the highways of this state.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 4, 1999.

Committee Bill (Formerly House Study Bill 191), increasing the fine for moving traffic violations in school zones.

Fiscal Note is not required.

Recommended **Do Pass** March 4, 1999.

AMENDMENTS FILED

H—1055	H.F.	445	Weigel of Chickasaw
H—1056	H.F.	445	Weigel of Chickasaw
H—1057	H.F.	514	Murphy of Dubuque
H—1058	H.F.	184	Committee on Local Government
H—1059	H.F.	458	Committee on Commerce and Regulation
H—1060	H.F.	514	Murphy of Dubuque
H—1061	H.F.	185	Foege of Linn
H—1062	H.F.	325	Foege of Linn
H—1063	H.F.	362	Foege of Linn
H—1064	H.F.	427	Schrader of Marion
H—1065	H.F.	573	Baudler of Adair

On motion by Siegrist of Pottawattamie the House adjourned at 10:12 a.m., until 8:45 a.m., Wednesday, March 10, 1999.

JOURNAL OF THE HOUSE

Fifty-ninth Calendar Day - Thirty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 10, 1999

The House met pursuant to adjournment at 8:50 a.m., Speaker Corbett in the chair.

Prayer was offered by Father Gerald Condon, pastor of St. Patrick's Catholic Church, Hampton.

The Journal of Tuesday, March 9, 1999 was approved.

INTRODUCTION OF BILLS

House File 574, by committee on local government, a bill for an act allowing certain school district bond issues to be issued jointly by two or more school districts.

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

House File 575, by Heaton, a bill for an act relating to state billings for and cost settlement with counties involving mental health and mental retardation services.

Read first time and referred to committee on **local government**.

House File 576, by Dotzler, a bill for an act relating to wage level requirements applicable to employer recipients of state agency economic development financial assistance.

Read first time and referred to committee on **economic development**.

House File 577, by Siegrist, a bill for an act creating the criminal offense of assault on a sports official and providing a penalty.

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

House File 578, by Wise, a bill for an act relating to school finance, providing additional state funding for changes in enrollment, and providing an effective date.

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

House File 579, by Doderer, a bill for an act relating to prohibiting certain telephone solicitations, establishing certain requirements for contracts associated with such solicitations, establishing a list of persons not wishing to receive such solicitations, and providing for civil penalties.

Read first time and referred to committee on **commerce and regulation**.

House File 580, by Doderer, a bill for an act to raise the state minimum hourly wage.

Read first time and referred to committee on **labor and industrial relations**.

House File 581, by Barry, a bill for an act relating to the creation of an indigent patient care pilot project.

Read first time and referred to committee on **human resources**.

House File 582, by Hansen and Chiodo, a bill for an act creating a cigarette and tobacco products control advisory commission within the Iowa department of public health.

Read first time and referred to committee on **state government**.

House File 583, by Mundie, a bill for an act requesting the establishment of a study committee to review state alimony laws.

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

House File 584, by committee on judiciary, a bill for an act relating to the uniform principal and income Act and providing for its applicability.

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

House File 585, by committee on human resources, a bill for an act relating to child support enforcement, including child support recovery in instances of guardianships, income withholding, interest on child support collected, and payments to financial institutions for record matches.

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

House File 586, by committee on human resources, a bill for an act relating to eligibility of certain disabled persons under the optional services coverage category of medical assistance.

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

House File 587, by committee on economic development, a bill for an act establishing the community attraction and tourism development program and fund, making an appropriation, and providing an effective date.

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

House File 588, by committee on commerce and regulation, a bill for an act prohibiting unauthorized changes in telecommunications service, prohibiting certain acts in the advertisement or solicitation of changes in telecommunications service, and providing remedies and penalties.

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

House File 589, by committee on commerce and regulation, a bill for an act relating to the transfer of real estate, the filing of a release of mortgage, and providing a remedy.

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

House File 590, by committee on local government, a bill for an act relating to residency requirements for county, city, and school district elective offices.

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

House File 591, by Connors, a bill for an act relating to collective bargaining by public sector employees.

Read first time and referred to committee on **labor and industrial relations**.

House File 592, by Shoultz, a bill for an act relating to bond issuance elections and authorizing a county, city, or school district to impose an income surtax to partially fund certain bonds and providing for the Act's applicability.

Read first time and referred to committee on **local government**.

House File 593, by Burnett, a bill for an act providing for the eligibility for retirement under the Iowa public employees' retirement system without an age reduction penalty and providing effective and retroactive applicability dates.

Read first time and referred to committee on **state government**.

House File 594, by Osterhaus, a bill for an act relating to health care coverage including the rights of enrollees and the review of and liability for certain health care services treatment decisions.

Read first time and referred to committee on **commerce and regulation**.

House File 595, by Jager, Greiner, and Barry, a bill for an act relating to civil lawsuits against manufacturers of and dealers in firearms for damages caused by firearms.

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

House File 596, by Wise, a bill for an act relating to the Iowa public employees' retirement system by permitting the purchase of service credit for certain qualified private sector employment.

Read first time and referred to committee on **state government**.

House File 597, by Shoultz, a bill for an act relating to contracts for the production and marketing of livestock, providing for fees, and providing penalties.

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

House File 598, by Myers, a bill for an act to provide for a science center study and plan by the department of economic development and making an appropriation.

Read first time and referred to committee on **economic development**.

House File 599, by Larson, a bill for an act relating to city and county ordinances allowing adoption of ordinances by petition and election.

Read first time and referred to committee on **local government**.

House File 600, by Richardson, a bill for an act relating to public meeting requirements for involuntary annexations and elections on annexation petitions or plans.

Read first time and referred to committee on **local government**.

House File 601, by Heaton, a bill for an act relating to the preparation and licensure requirements for elementary or secondary school counseling.

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

House File 602, by Dolecheck, a bill for an act relating to the hunting of deer and wild turkey by nonresident guests.

Read first time and referred to committee on **natural resources**.

House File 603, by Heaton and Greiner, a bill for an act providing disability benefits for special service members of the Iowa public employees' retirement system.

Read first time and referred to committee on **state government**.

House File 604, by Blodgett, a bill for an act relating to telehealth, by providing for reimbursement for health care services provided by means of interactive audio, video, or data communications, and establishing telehealth delivery and disciplinary standards.

Read first time and referred to committee on **human resources**.

House File 605, by Schrader, a bill for an act relating to the use of replacement crash parts in motor vehicles damaged in collisions and making a remedy applicable.

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

House File 606, by Warnstadt, a bill for an act establishing a school infrastructure assistance program and providing a standing appropriation.

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

House File 607, by committee on education, a bill for an act relating to the number of monthly state aid payments received by school districts.

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

House File 608, by committee on natural resources, a bill for an act relating to the operation, regulation, and equipment of watercraft, establishing watercraft safety courses, and subjecting violators to a penalty.

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

House File 609, by committee on education, a bill for an act relating to the local option sales tax for school infrastructure, and including an effective date and retroactive applicability provision.

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

House File 610, by committee on human resources, a bill for an act relating to child care provisions administered by the department

of human services and to the terminology used to describe child care, making an appropriation of civil penalties, and including an effective date and applicability provisions.

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

House File 611, by Taylor, a bill for an act providing for optional membership under the Iowa public employees' retirement system for certain employees of a municipal water utility or waterworks.

Read first time and referred to committee on **state government**.

House File 612, by Frevert, a bill for an act regulating industrial swine confinement feeding operations, providing for fees, and making penalties applicable.

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

House File 613, by Mascher, a bill for an act establishing a professional recognition awards program and fund, and making an appropriation.

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

House File 614, by Mascher, a bill for an act relating to the employment and compensation of the director and employees of the county conservation board.

Read first time and referred to committee on **local government**.

House File 615, by Kreiman, a bill for an act relating to the minimum estimated cost of a public improvement for a city or county requiring sealed bids and a public hearing.

Read first time and referred to committee on **local government**.

House File 616, by Teig, a bill for an act exempting personal property purchased from vending machines from local option sales and services taxes.

Read first time and referred to committee on **ways and means**.

House File 617, by Richardson, a bill for an act establishing a best of Iowa scholarship to be administered by the college student aid commission and making an appropriation.

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

House File 618, by committee on environmental protection, a bill for an act establishing an on-site wastewater treatment and disposal system program and revolving fund.

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

CONSIDERATION OF BILLS Regular Calendar

House File 402, a bill for an act providing for the establishment of a scope of practice review committee regarding the proposed licensure of certified professional midwives, was taken up for consideration.

Boddicker 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. 402)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Cohon	Connors	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Frevert
Garman	Gipp	Greiner	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman

Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Corbett			

The nays were, none.

Absent or not voting, 3:

Chiodo	Ford	Grundberg
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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 218, a bill for an act creating a loess hills preservation and development alliance, providing for its powers and duties, and providing for other properly related matters, with report of committee recommending amendment and passage, was taken up for consideration.

Barry of Harrison offered amendment H-1044 filed by the committee on local government as follows:

H-1044

- 1 Amend House File 218 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 161D.1, subsection 4, Code
- 5 1999, is amended to read as follows:
- 6 4. This ~~section~~ chapter is not intended to affect
- 7 the authority of the department of natural resources
- 8 in its acquisition, development, and management of
- 9 public lands within the counties represented by the
- 10 authority.
- 11 Sec. 2. Section 161D.2, Code 1999, is amended to
- 12 read as follows:
- 13 161D.2 LOESS HILLS DEVELOPMENT AND CONSERVATION
- 14 FUND.
- 15 A loess hills development and conservation fund is
- 16 created in the state treasury, to. The fund shall
- 17 include a hungry canyons account and a loess hills
- 18 alliance account which shall be administered by the
- 19 loess hills development and conservation authority.
- 20 The proceeds of the ~~fund~~ respective accounts shall be
- 21 used for the purposes specified in section 161D.1 or

22 161D.6 as applicable. The loess hills development and
 23 conservation authority may accept gifts, bequests,
 24 other moneys including, but not limited to, state or
 25 federal moneys, and in-kind contributions for deposit
 26 in the fund. The gifts, grants, bequests from public
 27 and private sources, state and federal moneys, and
 28 other moneys received by the authority shall be
 29 deposited in the fund respective accounts and any
 30 interest earned ~~on the fund~~ shall be credited to the
 31 fund respective accounts to be used for the purposes
 32 specified in section 161D.1 or 161D.6 as applicable.
 33 Notwithstanding section 8.33, any unexpended or
 34 unencumbered moneys remaining in the fund at the end
 35 of the fiscal year shall not revert to the general
 36 fund of the state, but the moneys shall remain
 37 available for expenditure by the authority in
 38 succeeding fiscal years.

39 Sec. 3. NEW SECTION. 161D.3 DEFINITIONS.

40 As used in this chapter, unless the context
 41 otherwise requires:

42 1. "Alliance" means the loess hills alliance
 43 created in section 161D.5.

44 2. "Authority" means the loess hills development
 45 and conservation authority created in section 161D.1.

46 3. "Fund" means the loess hills development and
 47 conservation fund created in section 161D.2.

48 Sec. 4. NEW SECTION. 161D.4 MISSION STATEMENT.

49 The mission of the loess hills alliance is to
 50 create a common vision for Iowa's loess hills,

Page 2

1 protecting special natural and cultural resources
 2 while ensuring economic viability and private property
 3 rights of the region.

4 Sec. 5. NEW SECTION. 161D.5 LOESS HILLS ALLIANCE
 5 CREATED.

6 1. A loess hills alliance is created. The
 7 alliance shall carry out its responsibilities under
 8 the general direction of the loess hills development
 9 and conservation authority. The alliance shall
 10 encompass the geographic region including the counties
 11 of Plymouth, Woodbury, Monona, Harrison,
 12 Pottawattamie, Mills, and Fremont. Membership and
 13 participation in projects of the alliance is not
 14 required. The alliance shall be governed by a board
 15 of directors appointed by the authority.

16 2. Each member of the board of directors shall be
 17 a resident of a county participating in the alliance
 18 and shall be appointed to a term of office as
 19 determined by the authority. The directors of the
 20 alliance shall carry out their responsibilities

21 pursuant to bylaws approved by the authority.
22 Sec. 6. NEW SECTION. 161D.6 RESPONSIBILITIES.
23 1. The board of directors of the alliance shall
24 have the following responsibilities:
25 a. To prepare and adopt a comprehensive plan for
26 the development and conservation of the loess hills
27 area subject to the approval of the authority. The
28 plan shall provide for the designation of significant
29 scenic areas, the protection of native vegetation, the
30 education of the public on the need for and methods of
31 preserving the natural resources of the loess hills
32 area, and the promotion of tourism and related
33 business and industry in the loess hills area.
34 b. To apply for, accept, and expend public and
35 private funds for planning and implementing projects,
36 programs, and other components of the mission of the
37 alliance subject to approval of the authority.
38 c. To study different options for the protection
39 and preservation of significant historic, scenic,
40 geologic, and recreational areas of the loess hills
41 including but not limited to a federal or state park,
42 preserve, or monument designation, fee title
43 acquisition, or restrictive easement.
44 d. To make recommendations to and coordinate the
45 planning and projects of the alliance with the
46 authority.
47 e. To develop and implement pilot projects for the
48 protection of loess hills areas with the use of
49 restrictive easements from willing sellers and fee
50 title ownership from willing sellers subject to

Page 3

1 approval of the authority.
2 f. To report annually not later than January 15 to
3 the general assembly the activities of the alliance
4 during the preceding fiscal year including, but not
5 limited to, its projects, funding, and expenditures.
6 2. A restrictive easement authorized pursuant to
7 this section shall not exceed thirty years in duration
8 and shall be recorded as provided in section 457A.3.
9 Any compensation agreed to for a restrictive easement
10 shall be paid in equal annual installments during the
11 lifetime of the restrictive easement. At the
12 expiration of a restrictive easement or upon
13 termination for nonperformance, the holder of the
14 restrictive easement shall record an affidavit with
15 the county recorder of the county in which the
16 servient land is located releasing the servient land
17 from the restrictive easement. The holder of the
18 restrictive easement shall send, by certified mail, a
19 copy of the affidavit verifying the recording of the

20 release of the restrictive easement to the landowner.
 21 If a holder of the restrictive easement fails to
 22 record the release of a restrictive easement at its
 23 expiration or for nonperformance, the owner of the
 24 servient land may petition the district court for an
 25 order removing the restrictive easement. As used in
 26 this subsection, "nonperformance" means the failure to
 27 make an annual payment of any compensation within
 28 ninety days of the annual due date.

29 Sec. 7. NEW SECTION. 161D.7 PROGRAM
 30 COORDINATION.

31 The department of natural resources shall
 32 coordinate the bluffland protection program with the
 33 program and projects of the loess hills alliance."

34 2. Title page, line 2, by striking the words
 35 "powers and duties" and inserting the following:
 36 "responsibilities".

Huser of Polk asked and received unanimous consent to withdraw amendment H-1047 and amendment H-1048, to the committee amendment H-1044, filed by her on March 3, 1999.

Fallon of Polk offered amendment H-1052, to the committee amendment H-1044, filed by him and Witt of Black Hawk as follows:

H-1052

1 Amend the Committee amendment, H-1044, to House
 2 File 218 as follows:
 3 1. Page 3, line 7, by striking the word "thirty"
 4 and inserting the following: "ninety-nine".
 5 2. Page 3, line 10, by striking the word "shall"
 6 and inserting the following: "may".

A non-record roll call was requested.

The ayes were 23, nays 40.

Amendment H-1052 lost.

Fallon of Polk asked and received unanimous consent to withdraw amendment H-1050, to the committee amendment H-1044, filed by him on March 4, 1999.

Barry of Harrison moved the adoption of the committee amendment H-1044.

The committee amendment H-1044 was adopted.

Barry of Harrison 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. 218)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Frevert	Garman	Gipp	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, none.

Absent or not voting, 2:

Ford Greiner

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 402 and 218.**

House File 293, a bill for an act providing for the administration of assessments collected by the Iowa sheep and wool promotion board, with report of committee recommending passage, was taken up for consideration.

Bogges of Taylor 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. 293)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Frevert	Garman	Gipp	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Corbett			

The nays were, 1:

Kreiman

Absent or not voting, 2:

Ford

Greiner

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

Eddie of Buena Vista in the chair at 9:48 a.m.

House File 337, a bill for an act relating to the workforce development fund account and fees paid by community colleges and generated by the funding of new jobs training programs, was taken up for consideration.

Nelson of Marshall 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. 337)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Corbett, Spkr.	Cormack	Dix	Doderer
Dolecheck	Drake	Drees	Falck
Fallon	Foege	Frevert	Garman
Gipp	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen

Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Eddie, Presiding

The nays were, none.

Absent or not voting, 4:

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

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 293 and 337.**

House File 379, a bill for an act changing the name of care review committee to resident advocate committee, was taken up for consideration.

Martin of Scott 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. 379)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst .
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Corbett, Spkr.	Cormack	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Falck	Fallon	Foege	Frevert
Garman	Gipp	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie

Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Eddie, Presiding			

The nays were, none.

Absent or not voting, 3:

Davis	Ford	Greiner
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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 278 WITHDRAWN

Martin of Scott asked and received unanimous consent to withdraw House File 278 from further consideration by the House.

House File 412, a bill for an act providing for the membership of the advisory board to the Leopold center for sustainable agriculture, was taken up for consideration.

Rayhons of Hancock 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. 412)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohon	Connors
Corbett, Spkr.	Comrack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Falck	Fallon	Foege
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton

Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Eddie, Presiding			

The nays were, 2:

Shoultz Witt

Absent or not voting, 1:

Ford

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

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 379 and 412.**

House File 378, a bill for an act providing for the adoption of administrative rules related to the issuance of a license for bail enforcement agents, private investigators, and security agents who may not otherwise qualify for a license, was taken up for consideration.

Davis of Wapello 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. 378)

The ayes were, 54:

Arnold	Barry	Baudler	Blodgett
Boal	Boddicker	Boggess	Bradley
Brauns	Brunkhorst	Carroll	Cataldo
Corbett, Spkr.	Cormack	Davis	Dix
Dolecheck	Drake	Fallon	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Jacobs	Jager
Jenkins	Johnson	Kettering	Klemme
Larson	Lord	Martin	Metcalf
Millage	Raecker	Rants	Rayhons
Siegrist	Sukup	Sunderbruch	Teig
Thomson	Tyrrell	Van Engelenhoven	Weidman
Welter	Eddie, Presiding		

The nays were, 44:

Alons	Bell	Bukta	Burnett
Chapman	Chiodo	Cphoon	Connors
Doderer	Dotzler	Drees	Falck
Foege	Frevert	Garman	Holveck
Huser	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Stevens	Taylor	Thomas	Warnstadt
Weigel	Whitead	Wise	Witt

Absent or not voting, 2:

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

INTRODUCTION OF BILLS

House File 619, by Dolecheck, Van Engelenhoven, Teig, Arnold, Drake, and Weidman, a bill for an act relating to the management and operation of certain public hospitals.

Read first time and referred to committee on **local government**.

House File 620, by Cohoon, a bill for an act relating to persons with disabilities registration plates for trailers.

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

House File 621, by Witt, a bill for an act relating to production contracts executed between cooperative associations and their members, making penalties applicable, and providing an effective date.

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

House File 622, by Ford, a bill for an act making appropriations for the provision of services for elders.

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

House File 623, by Foege, a bill for an act establishing a pilot project to provide services to children and families experiencing the effects of reactive attachment disorder, and providing an appropriation.

Read first time and referred to committee on **human resources**.

House File 624, by Jacobs, a bill for an act relating to electronic commerce security, and providing penalties.

Read first time and referred to committee on **commerce and regulation**.

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 378** be immediately messaged to the Senate.

HOUSE FILE 360 REREFERRED

The Speaker announced that House File 360, previously referred to committee on **human resources** was rereferred to committee on **local government**.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 10,

1999. Had I been present, I would have voted "aye" on House File 379.

DAVIS of Wapello

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-two students from Ottumwa Teen Leaders In Action, accompanied by Michelle Sipe and Kim Hellige. By Davis of Wapello.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\333 Eugene and Wanda Ridenour, New Hampton – For renewal of their wedding vows on their 50th wedding anniversary.
- 1999\334 Cora Pitz Subbert, New Hampton – For celebrating her 90th birthday on March 5th.
- 1999\335 Don and Jean Becker, Oelwein – For celebrating their 50th wedding anniversary.
- 1999\336 Thomas Andrew "Andy" Morin, Sioux City – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\337 Bill Roths, New Hampton – For being inducted into the Iowa High School Wrestling Hall of Fame.
- 1999\338 Loretta Davis, Oelwein – For celebrating her 90th birthday.
- 1999\339 Andrew Gaffney, Oelwein – For celebrating his 80th birthday.
- 1999\340 Kenneth Cunard, Missouri Valley – For celebrating his 80th birthday.
- 1999\341 Robert and Twylia Hinkel, Pisgah – For celebrating their 50th wedding anniversary.
- 1999\342 Arlo and Arlene Pelley, Hiawatha – For celebrating their 50th wedding anniversary.

- 1999\343 Edwin Lohmann, Strawberry Point – For celebrating his 90th birthday.
- 1999\344 Ralph Ehlers, Stanley – For celebrating his 90th birthday.
- 1999\345 LeRoy Steen, Guttenberg – For celebrating his 81st birthday.
- 1999\346 Alice Jorgensen, Woodbine – For celebrating her 95th birthday.
- 1999\347 Leona Ulbrich, Guttenberg – For celebrating her 95th birthday.
- 1999\348 Duane and Mary Schoning, Milford – For celebrating their 50th wedding anniversary.
- 1999\349 Mr. and Mrs. Arthur Weber, Waterloo – For celebrating their 50th wedding anniversary.
- 1999\350 Paul and Helen Mefferd, Spirit Lake – For celebrating their 60th wedding anniversary.
- 1999\351 Bob and Doris Fitzgerald, Milford – For celebrating their 50th wedding anniversary.
- 1999\352 Marguerite Sheppard, Estherville – For celebrating her 84th birthday.
- 1999\353 Gayland and May Polsley, Blanchard – For celebrating their 65th wedding anniversary.
- 1999\354 Idella Gulden, Waterloo – For celebrating her 80th birthday.
- 1999\355 Martha and James Bedford, Eldon – For celebrating their 50th wedding anniversary.
- 1999\356 Henry Esser, Milford – For celebrating his 95th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 364

Education: Dolecheck, Chair; Eddie and Kreiman.

House File 423

Judiciary: Sukup, Chair; Raecker and Shoultz.

House File 454

Natural Resources: Kettering, Chair; Alons and O'Brien.

House File 511

Judiciary: Davis, Chair; Kreiman and Larson.

House File 522

Judiciary: Sunderbruch, Chair; Kettering and Kreiman.

House File 529

Judiciary: Sukup, Chair; Barry and Kreiman.

House File 535

Ways and Means: Houser, Chair; Jager and Richardson.

House File 540

Transportation: Van Engelenhoven, Chair; Arnold and Larkin.

House File 544

Ways and Means: Van Fossen, Chair; Drake and Shoultz.

House File 557

Judiciary: Sukup, Chair; Ford and Larson.

House File 559

Judiciary: Jager, Chair; Kreiman and Larson.

House File 561

Judiciary: Baudler, Chair; Bell and Sukup.

House File 565

Judiciary: Barry, Chair; Kettering and Kreiman.

House File 568

Education: Boal, Chair; Stevens and Thomson.

House File 572

Ways and Means: Houser, Chair; Richardson and Teig.

House File 605

Transportation: Welter, Chair; Blodgett and Drees.

House File 620

Transportation: Blodgett, Chair; Chiodo and Heaton.

Senate File 150

Judiciary: Jager, Chair; Kreiman and Millage.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 184**

Judiciary: Sukup, Chair; Chapman and Larson.

House Study Bill 189

Judiciary: Barry, Chair; Doderer and Thomson.

House Study Bill 232

Education: Grundberg, Chair; Boal and Wise.

House Study Bill 233

Education: Grundberg, Chair; Rants and Warnstadt.

House Study Bill 234

Education: Nelson, Chair; Grundberg and Wise.

House Study Bill 235

Judiciary: Larson, Chair; Chapman and Millage.

House Study Bill 236

Judiciary: Larson, Chair; Chapman and Millage.

House Study Bill 237

Judiciary: Davis, Chair; Baudler and Bell.

House Study Bill 238

Judiciary: Kettering, Chair; Bell and Jager.

House Study Bill 239

Education: Grundberg, Chair; Hansen and Wise.

House Study Bill 240

Judiciary: Larson, Chair; Chapman and Millage.

House Study Bill 241

Education: Grundberg, Chair; Hansen and Mascher.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 242 Natural Resources**

Relating to the location requirements for a licensed hunting preserve.

H.S.B. 243 Human Resources

Relating to third-party payor coverage for off-label use of prescription drugs.

H.S.B. 244 Human Resources

Relating to the provision of certain protections for enrollees, health care providers, and health care professionals, and establishing certain requirements for health insurance carriers and organized delivery systems.

H.S.B. 245 Ways and Means

Relating to the taxation of certain communications services providers by exempting from the state sales and use taxes certain equipment used in transmitting telecommunications services and exempting from property tax certain fiber optic and copper cable of telephone companies.

H.S.B. 246 Environmental Protection

Relating to the Kyoto protocol, greenhouse gas emissions, limiting state action to comply with the Kyoto protocol, and providing a future repeal.

H.S.B. 247 Appropriations

Concerning state government personnel benefit programs for state employees and a related tax exemption, and providing an effective and retroactive applicability date.

H.S.B. 248 Appropriations

Relating to hospital license fees and creating a hospital education fund.

H.S.B. 249 Ways and Means

Relating to the sales tax charged on lottery tickets and the amount of expenses for advertising the lottery.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON COMMERCE AND REGULATION

House File 424, a bill for an act relating to a relationship involving real estate licensees and real estate clients, and establishing restrictions on the payment of commissions or other consideration.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1999.

House File 461, a bill for an act relating to filing of a notice of an assignment of a mortgage.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1067** March 9, 1999.

COMMITTEE ON ECONOMIC DEVELOPMENT

House File 450, a bill for an act relating to the composition of regional advisory boards of the workforce development board.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1999.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 190), restricting the awarding of child visitation rights to a parent convicted of murder in the first degree of the other parent.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 9, 1999.

Committee Bill (Formerly House File 336), relating to individual and group accident and sickness insurance, nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating coverage for anesthesia and certain hospital charges associated with the provision of dental care services.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1999.

Committee Bill (Formerly House Study Bill 151), relating to the reimbursement rate for federally qualified health centers and rural health clinics under the medical assistance program.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1999.

Committee Bill (Formerly House Study Bill 152), relating to welfare reform provisions involving the family investment program and individual development accounts.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1999.

Committee Bill (Formerly House Study Bill 180), relating to acquired immune deficiency syndrome, providing penalties, and providing for a repeal.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 9, 1999.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 297), relating to mediation services related to custody, visitation, and support of a child.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 9, 1999.

Committee Bill (Formerly House Study Bill 6), relating to certain property of a debtor which is exempt from execution.

Fiscal Note is not required.

Recommended Amend and Do Pass March 9, 1999.

Committee Bill (Formerly House Study Bill 37), establishing the crime of identity theft, providing for the recovery of civil damages, relating to the reporting of identity theft to a consumer reporting agency, and providing and applying penalties.

Fiscal Note is required.

Recommended Amend and Do Pass March 9, 1999.

Committee Bill (Formerly House Study Bill 81), relating to estate issues by modifying the warranty by a trustee, exemptions from execution and beneficiary designations and transfer-upon-death provisions related to pension and retirement accounts, jurisdiction of the probate court, fees payable on certain trusts, claims against estates for medical assistance payments, notice provisions relating to claims against estates, and disclaimers made by beneficiaries.

Fiscal Note is not required.

Recommended Amend and Do Pass March 9, 1999.

Committee Bill (Formerly House Study Bill 89), relating to the liability for unpaid rates or charges of a city utility or enterprise service for water, sewage, and solid waste services.

Fiscal Note is required.

Recommended Amend and Do Pass March 9, 1999.

Committee Bill (Formerly House Study Bill 101), relating to judges, concerning associate juvenile judges, associate probate judges, and retired judges.

Fiscal Note is required.

Recommended Amend and Do Pass March 9, 1999.

Committee Bill (Formerly House Study Bill 133), defining sexual abuse in the third degree to include certain acts related to incapacitated victims, providing related definitions, and applying a penalty.

Fiscal Note is required.

Recommended Amend and Do Pass March 9, 1999.

Committee Bill (Formerly House Study Bill 158), relating to the establishment of an Iowa trust code, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1999.

Committee Bill (Formerly House Study Bill 189), establishing the crime of sexual exploitation by an educational practitioner and providing a penalty.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 9, 1999.

COMMITTEE ON LOCAL GOVERNMENT

House File 163, a bill for an act relating to counties included in the mid-America port commission.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1999.

House File 472, a bill for an act relating to burial sites on private property.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1999.

Committee Bill (Formerly House Study Bill 213), relating to mental health, and mental retardation, and other developmental disabilities and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 9, 1999.

Committee Bill (Formerly House Study Bill 226), creating an adult mental health, mental retardation, and developmental disabilities services funding decategorization pilot project and providing an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 9, 1999.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly House File 162), relating to the time of possession of deer venison and subjecting violators to an existing penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 9, 1999.

Committee Bill (Formerly House Study Bill 202), relating to the issuance of a limited number of deer or wild turkey hunting licenses.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1999.

Committee Bill (Formerly House Study Bill 203), relating to the taking of muskrats by colony trap.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1999.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly House File 393), relating to railroad rights of way acquired by persons other than a railroad and providing for assessment of costs.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1999.

Committee Bill (Formerly House File 404), relating to expenditure of moneys from the primary road fund for dust control on certain roads.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 1999.

COMMITTEE ON WAYS AND MEANS

Senate File 9, a bill for an act relating to the exemption of the sales and use tax on building materials, supplies, or equipment of certain rural water districts, and providing retroactive applicability and effective dates.

Fiscal Note is required.

Recommended **Do Pass** March 10, 1999.

Committee Bill (Formerly House Study Bill 207), relating to the sales and use tax exemption for the sale of tangible personal property which is purchased for lease or rental.

Fiscal Note is required.

Recommended **Do Pass** March 10, 1999.

AMENDMENTS FILED

H—1066	H.F.	445	Wise of Lee Rants of Woodbury
H—1067	H.F.	461	Committee on Commerce and Regulation
H—1068	H.F.	302	Fallon of Polk
H—1069	H.F.	472	Carroll of Poweshiek Fallon of Polk
H—1070	H.F.	497	Blodgett of Cerro Gordo
H—1071	H.F.	421	Horbach of Tama
H—1072	H.F.	608	Dotzler of Black Hawk
H—1073	H.F.	445	Wise of Lee
H—1074	H.F.	441	Huser of Polk Welter of Jones

On motion by Gipp of Winneshiek the House adjourned at 10:42 a.m., until 8:45 a.m., Thursday, March 11, 1999.

JOURNAL OF THE HOUSE

Sixtieth Calendar Day – Thirty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 11, 1999

The House met pursuant to adjournment at 8:45 a.m., Speaker pro tempore Rants in the chair.

Prayer was offered by Reverend Jim Altenbaumer, pastor of The United Church of Christ, Cedar Falls.

The Journal of Wednesday, March 10, 1999 was approved.

PETITION FILED

The following petition was received and placed on file:

By Representative Arnold of Lucas from eighty constituents from the 91st district, opposing electric company deregulation.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Siegrist of Pottawattamie and Speaker Corbett on request of Rants of Woodbury.

INTRODUCTION OF BILLS

House File 625, by committee on education, a bill for an act relating to teacher shortage areas and the board of educational examiners, establishing a teacher shortage forgivable loan and fund, providing for teacher recruitment and preparation, and a task force to study the use of retired professionals as mentors and teacher aides, making an appropriation, and providing an effective date.

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

House File 626, by committee on labor and industrial relations, a bill for an act concerning the workforce development department, by providing for the establishment of a workforce development

corporation, expenses for members of the regional advisory board to the workforce development board, authority to charge fees for certain services of the department, and Iowa conservation corps employee rights.

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

House File 627, by Mascher, a bill for an act relating to the advanced placement program grants and making an appropriation.

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

House File 628, by Fallon, a bill for an act providing for a deviation from the child support guidelines when both parents are awarded joint physical care, and making a conforming change relating to the amount to be collected by the child support recovery unit.

Read first time and referred to committee on **human resources**.

House File 629, by Fallon, a bill for an act relating to procedures for establishing and making changes to the network of commercial and industrial highways.

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

House File 630, by Jochum, a bill for an act requiring licensure of orthopedic physician assistants, establishing a board of orthopedic physician assistant examiners, establishing fees and penalties, and providing for properly related matters.

Read first time and referred to committee on **state government**.

House File 631, by Jochum, a bill for an act establishing an access education grant program and making an appropriation.

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

House File 632, by committee on human resources, a bill for an act relating to welfare reform provisions involving the family investment program and individual development accounts.

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

House File 633, by committee on human resources, a bill for an act restricting the awarding of child visitation rights to a parent convicted of murder in the first degree of the other parent.

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

House File 634, by committee on transportation, a bill for an act relating to expenditure of moneys from the primary road fund for dust control on certain roads.

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

House File 635, by committee on transportation, a bill for an act relating to railroad rights of way acquired by persons other than a railroad and providing for assessment of costs.

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

House File 636, by committee on environmental protection, a bill for an act relating to review and oversight of actions of the United States environmental protection agency.

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

House File 637, by committee on transportation, a bill for an act increasing the fine for moving traffic violations in school zones.

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

House File 638, by committee on human resources, a bill for an act relating to the reimbursement rate for federally qualified health centers and rural health clinics under the medical assistance program.

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

House File 639, by Mascher, a bill for an act relating to practitioner preparation and peer assistance and review for teachers.

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

House File 640, by Burnett, a bill for an act relating to discharge of firearms near an entrance to a driveway to inhabited buildings or a school bus stop and providing a penalty.

Read first time and referred to committee on **natural resources**.

House File 641, by Horbach, a bill for an act making an appropriation from the rebuild Iowa infrastructure fund to the department of general services for projects at the Toledo juvenile home.

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

House File 642, by Murphy, a bill for an act prohibiting certain acts associated with telemarketing sales calls and making a penalty applicable.

Read first time and referred to committee on **commerce and regulation**.

House File 643, by Jochum, a bill for an act requiring the development of clean air standards for animal feeding operations and making penalties applicable.

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

House File 644, by Huser, a bill for an act relating to annexation moratorium agreements and annexation by certain cities.

Read first time and referred to committee on **local government**.

House File 645, by Heaton, a bill for an act authorizing a provider of medical assistance for mental health and mental retardation services for which the nonfederal share is a county liability to bill the liability amount directly to the county.

Read first time and referred to committee on **local government**.

House File 646, by Millage, a bill for an act relating to elections at which certain propositions of cities, counties, and school corporations may be placed on the ballot.

Read first time and referred to committee on **state government**.

House File 647, by committee on judiciary, a bill for an act relating to judges, concerning associate juvenile judges, associate probate judges, and retired judges.

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

House File 648, by committee on commerce and regulation, a bill for an act relating to the exclusion of certain real estate transactions involving a power of attorney from state licensure and regulation.

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

House File 649, by committee on natural resources, a bill for an act relating to the issuance of a limited number of deer or wild turkey hunting licenses.

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

House File 650, by committee on natural resources, a bill for an act relating to the taking of muskrats by colony trap.

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

House File 651, by committee on transportation, a bill for an act relating to implements of husbandry and restrictions on the movement of such implements, and other vehicles, upon the highways of this state and making penalties applicable.

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

House File 652, by Jenkins, a bill for an act establishing a protocol for visitors to the state capitol.

Read first time and referred to committee on **state government**.

House File 653, by Welter, Warnstadt, and Whitead, a bill for an act concerning the manufacture of beer, wine, cider, or mead for family or personal use and subjecting violators to a penalty.

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

House File 654, by Wise, a bill for an act relating to the establishment of charter schools.

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

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 March 10, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 203, a bill for an act relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, transportation of students, equipment on vehicles, rescision of a driver's license revocation, and administrative procedures of the state department of transportation, and providing for fees and penalties and an effective date.

Also: That the Senate has on March 10, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 276, a bill for an act relating to health care service and treatment coverage by providing for continuity of care, discussion and advocacy of treatment options, coverage of emergency room services, utilization review requirements, and an external review process, and providing an effective date.

Also: That the Senate has on March 10, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 305, a bill for an act relating to the payment by a county of the family farm tax credit and reimbursement to the county of its payment and including an effective date.

Also: That the Senate has on March 10, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 308, a bill for an act relating to the levy rate for fire protection imposed in an area of a benefited fire district and including an effective date.

Also: That the Senate has on March 10, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 361, a bill for an act relating to enforcement, prevention, education, and treatment for substance abuse and sexual abuse, and providing appropriations.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 203, by committee on transportation, a bill for an act relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, transportation of students, equipment on vehicles, rescision of a driver's license revocation, and administrative procedures of the state department of transportation, and providing for fees and penalties and an effective date.

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

CONSIDERATION OF BILLS Regular Calendar

House File 417, a bill for an act relating to release of certain information on claimants of the property tax rent reimbursement to the department of inspections and appeals, was taken up for consideration.

Holmes of Scott 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. 417)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees

Eddie	Falck	Fallon	Foegen
Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Rants, Presiding		

The nays were, none.

Absent or not voting, 2:

Corbett, Spkr. Siegrist

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

House File 403, a bill for an act relating to the fingerprinting of persons or juveniles who have been arrested or taken into custody and changing the procedures for the collection of a criminal disposition report, was taken up for consideration.

Raecker of Polk offered the following amendment H-1053 filed by him and moved its adoption:

H-1053

- 1 Amend House File 403 as follows:
- 2 1. Page 1, line 3, by striking the words "and
- 3 photographs" and inserting the following: "and
- 4 photographs".
- 5 2. Page 1, line 6, by inserting after the word
- 6 "misdemeanor." the following: "In addition,
- 7 photographs of a child who has been taken into custody
- 8 may be taken and filed by a criminal or juvenile
- 9 justice agency investigating the commission of a
- 10 public offense other than a simple misdemeanor."

Amendment H-1053 was adopted.

Raecker 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. 403)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cphoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Frevrt	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Rants,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Corbett, Spkr.	Jager	Siegrist
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 417 and 403.**

House File 445, a bill for an act relating to the rights of a dissenting shareholder of a state bank, was taken up for consideration.

Weigel of Chickasaw asked and received unanimous consent that amendment H-1055 be deferred.

Wise of Lee offered the following amendment H-1073 filed by him and moved its adoption:

H-1073

- 1 Amend House File 445 as follows:
- 2 1. Page 1, line 23, by striking the word "shall"
- 3 and inserting the following: "may".
- 4 2. Page 1, line 29, by inserting after the word
- 5 "bank." the following: "A judgment in the action
- 6 shall not determine fair value for a share to be less
- 7 than the stockholders' equity in the bank in its last
- 8 statement of condition filed under section 524.220
- 9 divided by the number of shares outstanding."
- 10 3. Page 2, by striking lines 1 and 2 and
- 11 inserting the following: "paid to all shareholders
- 12 entitled to payment for their shares upon receipt of
- 13 such shareholders' share certificates."

Amendment H-1073 was adopted, placing amendment H-1056 filed by Weigel of Chickasaw on March 9, 1999, out of order.

Wise of Lee asked and received unanimous consent to withdraw amendment H-1066 filed by him and Rants of Woodbury on March 10, 1999.

Weigel of Chickasaw offered the following amendment H-1055, previously deferred, filed by him and moved its adoption:

H-1055

- 1 Amend House File 445 as follows:

- 2 1. Page 1, line 3, by striking the letter "a."
 3 2. By striking page 1, line 10, through page 2,
 4 line 2.

A non-record roll call was requested.

The ayes were 35, nays 51.

Amendment H-1055 lost.

Wise of Lee 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. 445)

The ayes were, 75:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Davis
Dix	Doderer	Dolecheck	Drake
Eddie	Falck	Foege	Ford
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Nelson	O'Brien	Raecker	Rayhons
Stevens	Sukup	Sunderbruch	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Welter
Wise	Witt	Rants,	
		Presiding	

The nays were, 22:

Connors	Cormack	Dotzler	Drees
Fallon	Frevert	Holveck	Jochum
Kreiman	Kuhn	Mundie	Murphy
Myers	Osterhaus	Parmenter	Reynolds
Richardson	Scherrman	Schrader	Taylor
Weigel	Whitead		

Absent or not voting, 3:

Corbett, Spkr.

Shoultz

Siegrist

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

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that House File 445 be immediately messaged to the Senate.

House File 441, a bill for an act relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, and administrative procedures of the state department of transportation, and providing for fees and penalties and an effective date, was taken up for consideration.

Huser of Polk offered the following amendment H-1074 filed by her and Welter of Jones and moved its adoption:

H-1074

- 1 Amend House File 441 as follows:
- 2 1. Page 8, by inserting after line 11 the
- 3 following:
- 4 "Sec. ____ Section 321.180B, subsection 2,
- 5 unnumbered paragraph 1, Code 1999, is amended to read
- 6 as follows:
- 7 The department may issue an intermediate driver's
- 8 license to a person sixteen or seventeen years of age
- 9 who possesses an instruction permit issued under
- 10 subsection 1 or a comparable instruction permit issued
- 11 by another state for a minimum of six months, and who
- 12 presents an affidavit signed by a parent or guardian
- 13 on a form to be provided by the department that the
- 14 permittee has accumulated a total of twenty hours of
- 15 street or highway driving of which two hours were
- 16 conducted after sunset and before sunrise and the
- 17 street or highway driving was with the permittee's
- 18 parent, guardian, instructor, a person certified by
- 19 the department, or a person at least twenty-five years
- 20 of age who had written permission from a parent or
- 21 guardian to accompany the permittee, and whose driving

22 privileges have not been suspended, revoked, or barred
 23 under this chapter or chapter 321J during, and who has
 24 been accident and conviction free continuously for,
 25 the six-month period immediately preceding the
 26 application for an intermediate license. An applicant
 27 for an intermediate license must meet the requirements
 28 of section 321.186, including satisfactory completion
 29 of driver education as required in section 321.178,
 30 and payment of the required license fee before an
 31 intermediate license will be issued. A person issued
 32 an intermediate license must limit the number of
 33 passengers in the motor vehicle when the intermediate
 34 licensee is operating the motor vehicle to the number
 35 of passenger safety belts.

36 Sec. __. Section 321.180B, subsection 4, Code
 37 1999, is amended to read as follows:

38 4. FULL DRIVER'S LICENSE. A full driver's license
 39 may be issued to a person seventeen years of age who
 40 possesses an intermediate license issued under
 41 subsection 2 or a comparable intermediate license
 42 issued by another state for a minimum of twelve
 43 months, and who presents an affidavit signed by a
 44 parent or guardian on a form to be provided by the
 45 department that the intermediate licensee has
 46 accumulated a total of ten hours of street or highway
 47 driving of which two hours were conducted after sunset
 48 and before sunrise and the street or highway driving
 49 was with the licensee's parent, guardian, instructor,
 50 a person certified by the department, or a person at

Page 2

1 least twenty-five years of age who had written
 2 permission from a parent or guardian to accompany the
 3 licensee, whose driving privileges have not been
 4 suspended, revoked, or barred under this chapter or
 5 chapter 321J during, and who has been accident and
 6 conviction free continuously for, the twelve-month
 7 period immediately preceding the application for a
 8 full driver's license, and who has paid the required
 9 fee."

10 2. Page 8, by inserting after line 24 the
 11 following:

12 "Sec. __. **NEW SECTION.** 321.377 REGIONAL TRANSIT
 13 SYSTEM TRANSPORTATION.

14 A vehicle operated by a regional transit system as
 15 defined in section 324A.1 may only provide school
 16 transportation services pursuant to rules adopted by
 17 the state department of transportation in consultation
 18 with the department of education.

19 Sec. __. **NEW SECTION.** 321.404A LIGHT -
 20 RESTRICTING DEVICES PROHIBITED.

21 1. A person shall not operate a motor vehicle,
22 motorcycle, or motorized bicycle on the highways of
23 this state if it is equipped with a device that
24 restricts the light output of a head lamp required
25 under section 321.385 or 321.386, a rear lamp required
26 under section 321.387, a signal lamp or signal device
27 required under section 321.404, or a directional
28 signal device as described in section 321.317.

29 2. A person who violates this section shall be
30 subject to a scheduled fine under section 805.8,
31 subsection 2, paragraph "d".

32 3. Page 10, by inserting after line 26 the
33 following:

34 "Sec. 100. Section 321A.17, Code 1999, is amended
35 by adding the following new subsection:

36 NEW SUBSECTION. 8. This section does not apply to
37 an individual whose administrative license revocation
38 has been rescinded under section 321J.13, and who is
39 otherwise under no obligation to furnish proof of
40 financial responsibility."

41 4. Page 10, by striking lines 27 and 28 and
42 inserting the following:

43 "Sec. ____ Section 321E.8, subsections 2 and 3,
44 Code 1999, are amended to read as follows:"

45 5. Page 11, by inserting after line 10 the
46 following:

47 "3. Vehicles with indivisible loads, including
48 mobile homes and factory-built structures, having an
49 overall width not to exceed sixteen feet zero inches
50 and an overall length not to exceed one hundred twenty

Page 3

1 feet zero inches may be moved under an annual or all-
2 systems permit and must have a route specified by the
3 issuing authority prior to the movement. However,
4 vehicles with indivisible loads, including mobile
5 homes and factory-built structures, with an overall
6 width not exceeding fourteen feet six inches may
7 exceed fifty miles under an annual and all-systems
8 permit when prior approval for trip routing is
9 obtained from the issuing authority. The A vehicle
10 and load being moved according to this paragraph shall
11 not exceed the fifteen feet five inches in height as
12 prescribed in section 321.456 and shall not exceed the
13 total gross weight as prescribed in section 321.463."

14 6. Page 11, by inserting after line 26 the
15 following:

16 "Sec. 200. Section 321J.13, Code 1999, is amended
17 by adding the following new subsection:

18 NEW SUBSECTION. 6. a. The department shall grant
19 a request for a hearing to rescind the revocation if

20 the person whose motor vehicle license or operating
 21 privilege has been or is being revoked under section
 22 321J.9 or 321J.12 submits a petition containing
 23 information relating to the discovery of new evidence
 24 that provides grounds for rescision of the revocation.

25 b. The person shall prevail at the hearing if, in
 26 the criminal action on the charge of violation of
 27 section 321J.2 or 321J.2A resulting from the same
 28 circumstances that resulted in the administrative
 29 revocation being challenged, the court held one of the
 30 following:

31 (1) That the peace officer did not have reasonable
 32 grounds to believe that a violation of section 321J.2
 33 or 321J.2A had occurred to support a request for or to
 34 administer a chemical test.

35 (2) That the chemical test was otherwise
 36 inadmissible or invalid.

37 c. Such a holding by the court in the criminal
 38 action is binding on the department, and the
 39 department shall rescind the revocation."

40 7. Page 12, by inserting after line 27 the
 41 following:

42 "Sec. ____ Section 805.8, subsection 2, paragraph
 43 d, Code 1999, is amended to read as follows:

44 d. For improper equipment under section 321.404A
 45 or section 321.438, subsection 2, the scheduled fine
 46 is fifteen dollars."

47 8. Page 13, by inserting after line 16 the
 48 following:

49 " ____ Section 100, amending section 321A.17.

50 ____ Section 15, amending section 321E.8."

Page 4

1 9. Page 13, by inserting after line 17 the
 2 following:

3 " ____ Section 200, amending section 321J.13."

4 10. Title page, line 6, by inserting after the
 5 word "education," the following: "transportation of
 6 students, equipment on vehicles, rescision of a
 7 driver's license revocation,".

8 11. By renumbering and correcting internal
 9 references as necessary.

Amendment H-1074 was adopted.

SENATE FILE 203 SUBSTITUTED FOR HOUSE FILE 441

Huser of Polk asked and received unanimous consent to substitute
 Senate File 203 for House File 441.

Senate File 203, a bill for an act relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, transportation of students, equipment on vehicles, rescission of a driver's license revocation, and administrative procedures of the state department of transportation, and providing for fees and penalties and an effective date, was taken up for consideration.

Gipp of Winneshiek asked and received unanimous consent that Senate File 203 be deferred and that the bill be placed on the unfinished business calendar.

HOUSE FILE 533 REREFERRED

The Speaker announced that House File 533, previously referred to committee on **commerce and regulation** was rereferred to committee on **appropriations**.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-two students from Southeast Polk Alternative Schools, Indianola and Newton, accompanied by their instructors. By Bell of Jasper, Huser of Polk and Richardson of Warren.

SUBCOMMITTEE ASSIGNMENTS

House File 123 Reassigned

Judiciary: Jager, Chair; Baudler and Kreiman.

House File 237 Reassigned

Judiciary: Larson, Chair; Kreiman and Sukup.

House File 360

Local Government: Van Engelenhoven, Chair; Arnold and Kuhn.

House File 411

Human Resources: Ford, Chair; Boddicker and Witt.

House File 453 Reassigned

Judiciary: Bell, Chair; Davis and Shoultz.

House File 526

Judiciary: Boddicker, Chair; Barry and Bell.

House File 604

Human Resources: Blodgett, Chair; Brunkhorst and Foege.

House File 624

Commerce and Regulation: Jacobs, Chair; Drees and Jenkins.

Senate Joint Resolution 2

State Government: Martin, Chair; Jacobs and Jochum

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 86 Reassigned**

Judiciary: Raecker, Chair; Chapman and Davis.

House Study Bill 245

Ways and Means: Raecker, Chair; Drake and Shoultz.

House Study Bill 246

Environmental Protection: Bradley, Chair; Drake and Witt.

House Study Bill 249

Ways and Means: Holmes, Chair; Jenkins and Shoultz.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

House File 339, a bill for an act extending the deadline for closing agricultural drainage wells and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** March 10, 1999.

House File 343, a bill for an act providing for the collection of moneys by a county board of supervisors arising out of the construction of a drainage improvement within a railroad right-of-way.

Fiscal Note is not required.

Recommended **Do Pass** March 10, 1999.

Committee Bill (Formerly House File 289), relating to practices involving the marketing of livestock by packers, by prohibiting price discrimination, requiring reporting, and providing criminal penalties and civil remedies.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1999.

Committee Bill (Formerly House File 406), relating to Iowa agricultural industry finance corporations and investments by banks.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1999.

Committee Bill (Formerly House File 510), relating to habitual violators of regulations relating to confinement feeding operations, by providing for penalties and the forfeiture of property, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1999.

Committee Bill (Formerly House Study Bill 141), relating to the Iowa egg council by providing for its administration and membership.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1999.

COMMITTEE ON COMMERCE AND REGULATION

House File 433, a bill for an act relating to the exclusion of certain transactions involving a public utility or common carrier from the applicability of the consumer credit code.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1080** March 10, 1999.

COMMITTEE ON ECONOMIC DEVELOPMENT

Committee Bill (Formerly House File 484), amending provisions in the "Iowa Agricultural Industry Finance Act".

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 9, 1999.

COMMITTEE ON EDUCATION

House File 568, a bill for an act authorizing the board of directors of a school district to charge a reasonable fee for motor vehicle parking in parking facilities located on school grounds.

Fiscal Note is not required.

Committee Action: **Failed to Pass** March 10, 1999.

Committee Bill (Formerly House File 388), relating to area education agencies and school districts by modifying the time guidelines concerning bargaining by certain employees, and changing dates relating to budget certification and notice of teacher termination for school districts.

Fiscal Note is not required.

Recommended **Do Pass** March 10, 1999.

Committee Bill (Formerly House Study Bill 183), relating to schools and school districts by affecting boiler and steam vessel maintenance and monitoring, publication of billing information, the regular school calendar, superintendent licensure and qualifications, and school breakfast programming.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1999.

Committee Bill (Formerly House Study Bill 208), relating to certain student loan funds under the control of the college student aid commission, by adding an agency operating account, and authorizing the commission to expend moneys as authorized by the federal Higher Education Act of 1965.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1999.

Committee Bill (Formerly House Study Bill 234), to provide for a community college governance structure study.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1999.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 20), relating to the family investment program and food stamp benefits by providing for the ineligibility of individuals convicted of certain felony offenses involving a controlled substance and providing an applicability provision.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 9, 1999.

Committee Bill (Formerly House File 286), providing for conditional employment pending the outcome of background checks for health care facility employees.

Fiscal Note is not required.

Recommended **Do Pass** March 4, 1999.

COMMITTEE ON STATE GOVERNMENT

House File 234, a bill for an act limiting the liability of the state and political subdivisions of the state for certain losses caused by the failure of computer software or a device containing a computer processor.

Fiscal Note is not required.

Recommended **Do Pass** March 10, 1999.

Committee Bill (Formerly House Joint Resolution 10), requesting the United States Department of Defense and the United States Army to place additional production work at the Rock Island Arsenal.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1999.

Committee Bill (Formerly House File 384), providing for the designation of a state poet laureate.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1999.

Committee Bill (Formerly House File 408), relating to drawing the Sac and Fox Indian settlement precinct in Tama county.

Fiscal Note is not required.

Recommended **Do Pass** March 10, 1999.

Committee Bill (Formerly House File 420), relating to a study by the department of cultural affairs concerning the establishment of an Iowa freedom trail program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1999.

Committee Bill (Formerly House Study Bill 119), providing registration requirements and establishing a scope of authority for dental assistants.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1999.

Committee Bill (Formerly House Study Bill 178), relating to gambling by imposing a moratorium on the issuance or transfer of certain gambling licenses and on increasing the numbers of games and machines, providing for the transfer of collective bargaining agreements, limiting the location of excursion gambling boats and pari-mutuel racetracks, regulating the dispensing of moneys by credit card or other electronic means for gambling purposes, limiting civil penalties for violations of gambling under legal age, providing for the disposition of charitable contributions, imposing a scheduled fine for gambling by persons under twenty-one years of age, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1999.

Committee Bill (Formerly House Study Bill 197), concerning governmental deferred compensation programs by providing for multiple programs, investment options, and marketing requirements for the programs.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1999.

Committee Bill (Formerly House Study Bill 216), to nullify administrative rules of the state racing and gaming commission concerning the dispensing of credit for gambling purposes, the number and location of pari-mutuel racetracks with gambling machines and excursion gambling boats, and the increase in the gambling machines, games, and tables at racetracks and excursion gambling boats, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 10, 1999.

Committee Bill (Formerly House Study Bill 222), relating to elections and voter registration by enacting provisions relating to election misconduct and providing criminal penalties, to voter registration deadlines and voter registration by mail, to

written summaries of proposed constitutional amendments or of certain other public measures, and to absentee voting and requirements and prohibitions related to receiving, handling, and delivering absentee ballots, and including effective date and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1999.

COMMITTEE ON TRANSPORTATION

House File 306, a bill for an act prohibiting the state department of transportation from selling certain information maintained by the department.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

House File 620, a bill for an act relating to persons with disabilities registration plates for trailers.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

Committee Bill (Formerly House File 504), directing the state department of transportation to conduct a study on the use of corn-based de-icers.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

AMENDMENTS FILED

H—1075	H.F.	233	Bradley of Clinton
			Van Engelenhoven of Mahaska
			Brunkhorst of Bremer
H—1076	S.F.	106	Bradley of Clinton
			Van Engelenhoven of Mahaska
			Brunkhorst of Bremer
H—1077	H.F.	608	O'Brien of Boone
H—1078	H.F.	590	Fallon of Polk
			Reynolds of Van Buren
H—1079	H.F.	608	Mundie of Webster
H—1080	H.F.	433	Committee on Commerce and Regulation

On motion by Gipp of Winneshiek the House adjourned at 10:14 a.m., until 8:45 a.m., Friday, March 12, 1999.

JOURNAL OF THE HOUSE

Sixty-first Calendar Day - Thirty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 12, 1999

The House met pursuant to adjournment at 8:52 a.m., Speaker pro tempore Rants in the chair.

Prayer was offered by Becky Lorenz, administrative secretary to Majority Leader Siegrist of Pottawattamie.

The Journal of Thursday, March 11, 1999 was approved.

PETITION FILED

The following petition was received and placed on file:

By Brauns of Muscatine, from seven hundred eighty-seven constituents favoring House File 185, relating to the operation of motorboats on artificial lakes.

INTRODUCTION OF BILLS

House Joint Resolution 12, by committee on state government, a joint resolution to nullify administrative rules of the state racing and gaming commission concerning the dispensing of credit for gambling purposes, the number and location of pari-mutuel racetracks with gambling machines and excursion gambling boats, and the increase in the gambling machines, games, and tables at racetracks and excursion gambling boats, and providing an effective date.

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

House File 655, by committee on local government, a bill for an act relating to mental health, mental retardation, and other developmental disabilities and providing an effective date.

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

House File 656, by committee on state government, a bill for an act relating to the office of secretary of state and the conduct of elections and voter registration in the state and relating to corrective and technical changes to Iowa's election laws.

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

House File 657, by committee on ways and means, a bill for an act relating to the sales and use tax exemption for the sale of tangible personal property which is purchased for lease or rental.

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

House File 658, by committee on natural resources, a bill for an act relating to the time of possession of deer venison, increasing the minimum fine for unlawful taking, possessing, injuring, or transporting protected species and game, and subjecting violators to a penalty.

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

House File 659, by committee on judiciary, a bill for an act establishing the crime of identity theft and providing penalties.

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

House File 660, by committee on judiciary, a bill for an act relating to certain property of a debtor which is exempt from execution, and providing an effective date and for the Act's applicability.

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

House File 661, by committee on judiciary, a bill for an act relating to the offense of sexual abuse in the third degree, providing related definitions, and applying penalties.

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

House File 662, by committee on judiciary, a bill for an act relating to estate issues by modifying the warranty by a trustee,

jurisdiction of the probate court, fees payable on certain trusts, notice provisions relating to claims against estates, and disclaimers made by beneficiaries.

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

House File 663, by committee on judiciary, a bill for an act relating to the establishment of an Iowa trust code, and providing an effective date.

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

House File 664, by committee on local government, a bill for an act creating an adult mental health, mental retardation, and developmental disabilities services funding decategorization pilot project.

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

House File 665, by Brunkhorst, a bill for an act providing for area education agency open enrollment by school districts.

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

House File 666, by Burnett, a bill for an act relating to the classification of bed and breakfast inns and homes as residential property for property tax purposes and including a retroactive applicability date.

Read first time and referred to committee on **ways and means**.

House File 667, by Murphy, a bill for an act requiring a day off each week for certain employees and providing penalties.

Read first time and referred to committee on **labor and industrial relations**.

House File 668, by Murphy, a bill for an act relating to the length and terms of a physical exercise club contract and providing for the applicability of the Act.

Read first time and referred to committee on **commerce and regulation.**

House File 669, by Foege, a bill for an act establishing a juvenile intensive services pilot project in the department of human services and making an appropriation.

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

House File 670, by Reynolds, a bill for an act relating to the licensure of pawnshops, the licensure of pawnshop employees, the regulation of the operation of pawnshops, the inspection and examination of pawnshops, and providing penalties.

Read first time and referred to committee on **economic development.**

House File 671, by Ford, a bill for an act permitting the court to depart from the imposition of a maximum sentence for certain felonies.

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

House File 672, by committee on education, a bill for an act relating to area education agencies and school districts by modifying the time guidelines concerning bargaining by certain employees, and changing dates relating to budget certification and notice of teacher termination for school districts.

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

House File 673, by Stevens, a bill for an act relating to the tax levy for a benefited fire district including a city.

Read first time and referred to committee on **ways and means.**

House File 674, by Mundie, a bill for an act relating to siting confinement feeding operations in which swine are kept and providing an effective date.

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

House File 675, by committee on education, a bill for an act relating to schools and school districts by affecting boiler and steam vessel maintenance and monitoring, the regular school calendar, superintendent licensure and qualifications, and school breakfast programming.

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

House File 676, by committee on economic development, a bill for an act amending provisions in the "Iowa Agricultural Industry Finance Act".

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

House File 677, by committee on state government, a bill for an act relating to gambling by imposing a moratorium on the issuance or transfer of certain gambling licenses and on increasing the numbers of games and machines, providing for the transfer of collective bargaining agreements, limiting the location of excursion gambling boats and pari-mutuel racetracks, regulating the dispensing of moneys by credit card or other electronic means for gambling purposes, limiting civil penalties for violations of gambling under legal age, providing for the disposition of charitable contributions, imposing a scheduled fine for gambling by persons under twenty-one years of age, and providing an effective date.

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

House File 678, by committee on human resources, a bill for an act providing for conditional employment pending the outcome of background checks for health care facility employees.

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

House File 679, by committee on state government, a bill for an act relating to drawing the Sac and Fox Indian settlement precinct in Tama county.

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

House File 680, by committee on education, a bill for an act relating to the establishment of a community college governance task force.

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

SENATE MESSAGES CONSIDERED

Senate File 276, by committee on human resources, a bill for an act relating to health care service and treatment coverage by providing for continuity of care, discussion and advocacy of treatment options, coverage of emergency room services, utilization review requirements, and an external review process, and providing an effective date.

Read first time and referred to committee on **commerce and regulation**.

Senate File 305, by committee on ways and means, a bill for an act relating to the payment by a county of the family farm tax credit and reimbursement to the county of its payment and including an effective date.

Read first time and referred to committee on **ways and means**.

Senate File 308, by committee on ways and means, a bill for an act relating to the levy rate for fire protection imposed in an area of a benefited fire district and including an effective date.

Read first time and referred to committee on **ways and means**.

Senate File 361, by committee on appropriations, a bill for an act relating to enforcement, prevention, education, and treatment for substance abuse and sexual abuse, and providing appropriations.

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

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\357 Leona Wimer, Cambridge – For celebrating her 80th birthday.
- 1999\358 Marguerite Benbow, Huxley – For celebrating her 80th birthday.
- 1999\359 Darlene Stevens, Collins – For celebrating her 80th birthday.
- 1999\360 Susie Keehnel, Slater – For celebrating her 96th birthday.
- 1999\361 Merwin and Vanita Smith, Urbana – For celebrating their 60th wedding anniversary.
- 1999\362 Clarence and Mabel Link, Maxwell – For celebrating their 65th wedding anniversary.
- 1999\363 Leila Boddicker, Vinton – For celebrating her 80th birthday.
- 1999\364 Nathan Lien, Rockford – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\365 Head Coach Dave Williams, Charles City – For being named Class 3-A Wrestling Coach of the Year.
- 1999\366 Asst. Coach Steve Stallsmith, Charles City – For being named Class 3-A Wrestling Coach of the Year.
- 1999\367 Asst. Coach Chris Krueger, Charles City – For being named Class 3-A Wrestling Coach of the Year.
- 1999\368 Charles City Comet Wrestling Team, Charles City – For receiving 3rd place in the Class 3-A division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\369 Brandon Lyons, Charles City – For placing 2nd in the Class 3-A, 152 lbs. division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\370 Drew Kelly, Charles City – For winning the Class 3-A, 160 lbs. division of the 1999 Iowa High School State Wrestling Tournament, his third individual state wrestling title.
- 1999\371 Coach Ron Betts, Osage – For being named Jr. High Coach of the Year.
- 1999\372 Trent Goodale, Osage – For winning the Class 2-A, 112 lbs. division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\373 Joe Havig, Osage – For winning the Class 2-A, 125 lbs. division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\374 Mike Exline, Charles City – For being inducted into the Official's Hall of Fame and for officiating 18 state wrestling tournaments.

- 1999\375 Cole Pape, Maquoketa – For winning the state championship in the Class 2-A, 135 lbs. Division of the 1999 Iowa High School State Wrestling Tournament, making him a two-time champion.
- 1999\376 Jake Veach, Maquoketa – For being state runner-up in the Class 2-A, Hwt. Division of the 1999 Iowa High School State Wrestling Tournament.
- 1999\377 Columbus Junction High School, Columbus Junction – For winning the Class 1-A State Dual Wrestling Title.
- 1999\378 Roger and Florence Farmer, Fairfield – For celebrating their 50th wedding anniversary.
- 1999\379 Lee and Meg Guiter, Ottumwa – For celebrating their 50th wedding anniversary.
- 1999\380 Helen Johnston Sedore, Fairfield – For celebrating her 100th birthday.
- 1999\381 Leonard and Verle Reynolds, Chariton – For celebrating their 70th wedding anniversary.
- 1999\382 Beatrice Cartwright, Botavia – For celebrating her 90th birthday.
- 1999\383 Roger and Florence Farmer, Fairfield – For celebrating their 50th wedding anniversary.
- 1999\384 Carol Fassbinder, Valley Community Schools – For placing 4th in the nation at the Intel Science Talent Search.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 242

Natural Resources: Sunderbruch, Chair; Drake and O'Brien.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON EDUCATION

Committee Bill (Formerly House File 364), making a standing appropriation to the school budget review committee to grant transportation assistance aid to certain school districts.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House Study Bill 232), relating to the level of state funding for the instructional support program, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House Study Bill 239), providing supplementary weighting for determining enrollment in school districts involved in district-to-district or district-to-community-college sharing programs, and at-risk programs, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House Study Bill 241), relating to the national board certification awards and establishing a national board certification pilot project.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 131), providing for the operational location of the drug enforcement and abuse prevention coordinator and the governor's alliance on substance abuse.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House Study Bill 184), to change the penalties for the criminal offense of accommodation involving marijuana.

Fiscal Note is required.

Recommended **Do Pass** March 11, 1999.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly House File 185), relating to the operation of motorboats on artificial lakes and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

Committee Bill (Formerly House File 314), relating to the sale of timber by a county conservation board.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House Study Bill 242), relating to the location requirements for a licensed hunting preserve.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

AMENDMENT FILED

H—1081 H.F. 586 Witt of Black Hawk

On motion by Gipp of Winneshiek the House adjourned at 9:00 a.m., until 1:00 p.m., Monday, March 15, 1999.

JOURNAL OF THE HOUSE

Sixty-fourth Calendar Day – Thirty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 15, 1999

The House met pursuant to adjournment at 1:07 p.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Marvin Leese, pastor of Sibley Christian Reformed Church, Sibley.

The Journal of Friday, March 12, 1999 was approved.

THE PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Kelli Warford, Heather Haines and Grant Mantell, eighth grade students at Adel-DeSoto-Minburn School, Adel.

TEACHER OF THE DAY

Representative Boal of Polk presented to the House the teacher of the day award in memory of Linda Boshart. She was a teacher at WACO Community Wayland School.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Connors of Polk on request of Schrader of Marion; Eddie of Buena Vista on request of Siegrist of Pottawattamie; May of Worth on request of Foege of Linn; Heaton of Henry on request of Greiner of Washington.

INTRODUCTION OF BILLS

House Joint Resolution 13, by committee on state government, a joint resolution requesting the United States Department of Defense and the United States Army to place additional production work at the Rock Island Arsenal.

Read first time and placed on the calendar.

House File 681, by committee on human resources, a bill for an act relating to acquired immune deficiency syndrome, providing penalties, and providing for a repeal.

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

House File 682, by committee on judiciary, a bill for an act establishing the crime of sexual exploitation by a person in authority and providing a penalty.

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

House File 683, by committee on judiciary, a bill for an act relating to mediation services related to custody, visitation, and support of a child.

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

House File 684, by committee on education, a bill for an act providing supplementary weighting for determining enrollment in school districts involved in district-to-district or district-to-community-college sharing programs, and at-risk programs, and providing an effective date.

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

House File 685, by committee on education, a bill for an act making a standing appropriation to the school budget review committee to grant transportation assistance aid to certain school districts.

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

House File 686, by committee on state government, a bill for an act providing registration requirements and establishing a scope of authority for dental assistants, and providing an effective date.

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

House File 687, by committee on natural resources, a bill for an act relating to the location requirements for a licensed hunting preserve.

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

House File 688, by committee on state government, a bill for an act providing for the designation of a state poet laureate.

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

House File 689, by committee on state government, a bill for an act relating to a proposal by the department of cultural affairs concerning the establishment of an Iowa freedom trail program.

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

House File 690, by committee on education, a bill for an act relating to the national board certification awards and establishing a national board certification pilot project.

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

House File 691, by committee on education, a bill for an act relating to vocational-technical tuition grants and certain student loan funds under the control of the college student aid commission, adding an agency operating account, and authorizing the commission to expend moneys as authorized by the federal Higher Education Act of 1965.

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

House File 692, by Jochum, a bill for an act relating to the state long-term care ombudsperson, establishing local area long-term care ombudspersons, making an appropriation, and providing an effective date.

Read first time and referred to committee on **human resources**.

CONSIDERATION OF BILLS

Regular Calendar

House File 144, a bill for an act relating to the distribution of moneys held in trust for a participant in the certified school to career program, with report of committee recommending passage, was taken up for consideration.

Sunderbruch of Scott 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. 144)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Hoffman	Holmes
Holveck	Horbach	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, none.

Absent or not voting, 5:

Connors	Eddie	Heaton	Houser
May			

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

House File 442, a bill for an act relating to payments from the remedial account of the Iowa comprehensive petroleum underground storage tank fund to governmental subdivisions for costs of corrective actions taken due to certain releases from underground storage tanks and allowing the Iowa comprehensive petroleum underground storage tank fund board to seek reimbursement from responsible parties for expenses incurred by governmental subdivisions for costs of corrective actions taken due to certain releases from underground storage tanks, was taken up for consideration.

Gipp of Winneshiek 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. 442)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Hoffman	Holmes
Holveck	Horbach	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, none.

Absent or not voting, 5:

Connors	Eddie	Heaton	Houser
May			

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

House File 497, a bill for an act relating to certain programs and public health issues under the purview of the Iowa department of public health, was taken up for consideration.

Blodgett of Cerro Gordo offered the following amendment H-1070 filed by him and moved its adoption:

H-1070

- 1 Amend House File 497 as follows:
- 2 1. Page 16, line 5, by striking the words "birth
- 3 record, death record," and inserting the following:
- 4 "birth record, death record,".

Amendment H-1070 was adopted.

Blodgett of Cerro Gordo 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. 497)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Cormack
Davis	Dix	Dolecheck	Dotzler
Drake	Drees	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Hoffman	Holmes	Holveck
Horbach	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn

Larkin	Larson	Lord	Martin
Mascher	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, 1:

Doderer

Absent or not voting, 5:

Connors	Eddie	Heaton	Houser
May			

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 144, 442 and 497.**

House File 311, a bill for an act relating to reimbursement, payment, and coverage by the state for damages involving individuals providing foster home, guardian, or conservator services and providing an effective date, was taken up for consideration.

Kreiman of Davis offered the following amendment H-1040 filed by Kreiman, et al., and moved its adoption:

H-1040

- 1 Amend House File 311 as follows:
- 2 1. Page 1, by inserting after line 27 the
- 3 following:
- 4 "Sec. ____ Section 237.13, Code 1999, is amended by
- 5 adding the following new subsection:
- 6 **NEW SUBSECTION.** 10. Pursuant to section 507B.4,
- 7 subsection 7, a person who has been reimbursed, for

8 which a claim has been paid, or is covered under the
 9 provisions of this section shall not be subject to
 10 discrimination in the provision of homeowner's
 11 insurance coverage by reason of such reimbursement,
 12 payment, or coverage.
 13 Sec. __. Section 507B.4, subsection 7, Code 1999,
 14 is amended by adding the following new paragraph:
 15 NEW PARAGRAPH. d. Making or permitting any
 16 discrimination in the sale of homeowner's insurance
 17 solely on the basis of the payment, reimbursement, or
 18 coverage under section 237.13."
 19 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 42, nays 48.

Amendment H-1040 lost.

Carroll of Poweshiek 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. 311)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Falck
Fallon	Foegen	Ford	Frevet
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Hoffman	Holmes
Holveck	Horbach	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrrell	Van Engelenhoven	Van Fossen	Warnstadt

Weidman
Wise

Weigel
Witt

Welter
Mr. Speaker
Corbett

Whitead

The nays were, none.

Absent or not voting, 5:

Connors
May

Eddie

Heaton

Houser

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

House File 573, a bill for an act to change the penalties applicable to the possession, manufacture, or delivery of methamphetamine and other controlled substances, relating to the possession or control of adulterated or improperly labeled articles, providing for the reopening of certain sentences, and providing for restrictions on bail, was taken up for consideration.

The House stood at ease at 2:04 p.m., until the fall of the gavel.

The House resumed session at 3:35 p.m., Speaker Corbett in the chair.

Baudler of Adair offered the following amendment H-1065 filed by him and moved its adoption:

H-1065

- 1 Amend House File 573 as follows:
- 2 1. Page 5, line 28, by inserting after the word
- 3 "secretary" the following: "of agriculture".

Amendment H-1065 was adopted.

Sukup of Franklin 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. 573)

The ayes were, 89:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chapman
Chiodo	Cohoon	Cormack	Davis
Dix	Dolecheck	Dotzler	Drake
Drees	Falck	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Hoffman
Holmes	Holveck	Horbach	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker Corbett			

The nays were, 6:

Burnett	Doderer	Fallon	Mascher
Parmenter	Shoultz		

Absent or not voting, 5:

Connors	Eddie	Heaton	Houser
May			

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 311 and 573.**

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 March 15, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 210, a bill for an act increasing the minimum daily pay for members of the Iowa national guard while in state active service.

Also: That the Senate has on March 15, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 263, a bill for an act relating to the issuance of a hunter safety and ethics certificate to certain honorably discharged military veterans.

Also: That the Senate has on March 15, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 265, a bill for an act relating to the taking of muskrats by colony trap.

Also: That the Senate has on March 15, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 281, a bill for an act concerning the workforce development department, by providing for the establishment of a workforce development corporation, expenses for members of the regional advisory board to the workforce development board, authority to charge fees for certain services of the department, and Iowa conservation corps employee rights.

Also: That the Senate has on March 15, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 287, a bill for an act relating to child welfare provisions involving foster home damages, voluntary foster care placements of children with mental retardation or other developmental disability, release of child abuse information, and annual group foster care and decategorization plans, and providing a contingent effective date.

Also: That the Senate has on March 15, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 294, a bill for an act relating to lifetime registration for certain sex offenders, the performance of sex offender risk assessments, and the procedures for dissemination of registry information to agencies and the public.

Also: That the Senate has on March 15, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 303, a bill for an act requiring that the clerk of the district court confirm that notice has been given to required parties prior to the filing of a nonstatutory lien.

Also: That the Senate has on March 15, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 313, a bill for an act prohibiting the sale or distribution of purple loosestrife.

Also: That the Senate has on March 15, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 314, a bill for an act relating to the minimum training standards for operation of radiation machines.

Also: That the Senate has on March 15, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 335, a bill for an act relating to the transfer of real estate, the filing of a release of mortgage, and providing a remedy.

Also: That the Senate has on March 15, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 366, a bill for an act making a supplemental appropriation for the fiscal year beginning July 1, 1998, for replacement of certain embedded chips in the technology and equipment of state departments and providing an effective date.

Also: That the Senate has on March 15, 1999, passed the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 5, a concurrent resolution relating to a biennial memorial session.

Also: That the Senate has on March 15, 1999, passed the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 6, a concurrent resolution relating to Pioneer Lawmakers.

MICHAEL E. MARSHALL, Secretary

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 12, 1999, he approved and transmitted to the Secretary of State the following bill:

Senate File 70, an act concerning unemployment insurance by providing for the distribution of certain moneys in the unemployment trust fund and the transfer of experience for unemployment insurance tax purposes.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

1999\385 Thelma Miller, Castana – For celebrating her 85th birthday.

1999\386 Ina Kretschmar, Davenport – For celebrating her 90th birthday.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON COMMERCE AND REGULATION

House File 624, a bill for an act relating to electronic commerce security, and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly House File 407), relating to regulation of needles and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House File 409), relating to acceptable accreditation of psychiatric medical institutions for children for the purpose of licensing.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House File 411), providing for the establishment of an independent administrator of the division of persons with disabilities within the department of human rights.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

Committee Bill (Formerly House File 604), relating to telehealth, by providing for reimbursement for health care services provided by means of interactive audio, video, or data communications, and establishing telehealth delivery and disciplinary standards.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House Study Bill 137), relating to clinical privileges in a hospital of a physician assistant or advanced registered nurse practitioner.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

Committee Bill (Formerly House Study Bill 195), establishing an Iowa drug utilization review commission within the department of human services and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House Study Bill 230), establishing a governor's award for quality care in health care facilities.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House Study Bill 243), relating to third-party payor coverage for off-label use of prescription drugs.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly House File 99), relating to alternative forms of identification to be attached to a petition in an action for seeking a name change.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

Committee Bill (Formerly House File 123), relating to the offense of operating a watercraft while intoxicated and providing penalties and other related matters.

Fiscal Note is required.

Recommended **Do Pass** March 11, 1999.

Committee Bill (Formerly House File 237), relating to the recording of trials before a magistrate.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House File 305), relating to protective orders for domestic abuse.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House File 397), requiring a clerk of the district court, prior to the filing of a nonstatutory lien, to confirm that notice has been given to required parties.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

Committee Bill (Formerly House File 423), prohibiting the loaning of money for gambling purposes through a credit card or an electronic or mechanical device at a licensed gambling facility.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

Committee Bill (Formerly House File 453), concerning the imposition of a drug abuse resistance education surcharge for criminal alcohol beverage control offenses.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

Committee Bill (Formerly House File 511), prohibiting the mistreatment of animals and providing for penalties.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House Study Bill 14), establishing the crime of unlawful interference with visitation.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House Study Bill 237), establishing criminal and delinquent offenses related to the sale, use, or possession of a laser pointer and providing a penalty.

Fiscal Note is required.

Recommended **Do Pass** March 11, 1999.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

House File 521, a bill for an act relating to the licensure and operation of employment agencies and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

Committee Bill (Formerly House File 523), providing for the distribution and accounting of earnings from private employers of inmates of institutions under the control of the department of corrections.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House Study Bill 164), relating to the review by administrative law judges of certain unemployment compensation determinations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly House File 520), relating to the use and dissemination of social security numbers, providing an effective date and applicability provision, and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 1999.

AMENDMENTS FILED

H—1082	H.F.	677	Cormack of Webster
H—1083	H.F.	677	Cormack of Webster
H—1084	S.F.	361	Murphy of Dubuque
H—1085	H.F.	534	Richardson of Warren
H—1086	H.F.	534	Richardson of Warren
H—1087	H.F.	476	Warnstadt of Woodbury Whitead of Woodbury

On motion by Siegrist of Pottawattamie the House adjourned at 4:20 p.m., until 8:45 a.m., Tuesday, March 16, 1999.

JOURNAL OF THE HOUSE

Sixty-fifth Calendar Day - Fortieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 16, 1999

The House met pursuant to adjournment at 8:48 a.m., Speaker Corbett in the chair.

Prayer was offered by Bishop Christopher Epting of the Episcopal Diocese of Iowa, Des Moines.

The Journal of Monday, March 15, 1999 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cataldo of Polk, until his arrival, on request of Kreiman of Davis; Connors of Polk on request of Schrader of Marion; Heaton of Henry on request of Siegrist of Pottawattamie.

INTRODUCTION OF BILLS

House File 693, by committee on judiciary, a bill for an act relating to the offense of operating a watercraft while intoxicated and providing penalties and other related matters.

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

House File 694, by committee on state government, a bill for an act concerning governmental deferred compensation programs by providing for multiple programs, investment options, and marketing requirements for the programs and providing an applicability provision.

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

House File 695, by committee on human resources, a bill for an act relating to the family investment program and food stamp benefits by providing an ineligibility penalty for individuals convicted

of certain felony offenses involving a controlled substance and providing an applicability provision.

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

House File 696, by committee on natural resources, a bill for an act relating to the sale of timber by a county conservation board.

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

House File 697, by committee on natural resources, a bill for an act relating to the operation of motorboats on artificial lakes and providing an effective date.

Read first time and referred to committee on **state government**.

House File 698, by committee on state government, a bill for an act relating to elections and voter registration by enacting provisions relating to election misconduct and providing criminal penalties, to voter registration deadlines and voter registration by mail, to written summaries of proposed constitutional amendments or of certain other public measures, and to absentee voting and requirements and prohibitions related to receiving, handling, and delivering absentee ballots, and including effective date and applicability date provisions.

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

CONSIDERATION OF BILLS

Regular Calendar

House File 498, a bill for an act defining as a fraudulent practice certain creation or use of retail sales receipts or universal price code labels, and applying penalties, was taken up for consideration.

Raecker 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. 498)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boguess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Chiodo
Cohoon	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, none.

Absent or not voting, 5:

Cataldo	Chapman	Connors	Heaton
Schrader			

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 498** be immediately messaged to the Senate.

House File 339, a bill for an act extending the deadline for closing agricultural drainage wells and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Mertz of Kossuth 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. 339)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Chiodo
Cohoon	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, none.

Absent or not voting, 5:

Cataldo	Chapman	Connors	Heaton
Schrader			

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

House File 458, a bill for an act relating to the role of an auctioneer in conducting a public sale or auction involving real property, with report of committee recommending amendment and passage, was taken up for consideration.

Dix of Butler offered the following amendment H-1059 filed by the committee on commerce and regulation and moved its adoption:

H-1059

- 1 Amend House File 458 as follows:
- 2 1. Page 1, by striking lines 9 through 11 and
- 3 inserting the following: "who is providing brokerage
- 4 services for the transaction, who will be present at
- 5 the time of the auction, and who is also responsible
- 6 for closing the sale of the property; and crying the
- 7 property at the auction."

The committee amendment H-1059 was adopted.

Dix of Butler 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. 458)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Chapman
Chiodo	Cohon	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Mr. Speaker	
		Corbett	

The nays were, none.

Absent or not voting, 5:

Cataldo	Connors	Heaton	Schrader
Witt			

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

House File 475, a bill for an act concerning nonsubstantive gender-related provisions in the Code, was taken up for consideration.

Metcalf 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. 475)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, none.

Absent or not voting, 2:

Connors Heaton

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 339, 458 and 475.**

House File 489, a bill for an act eliminating certain requirements relating to the regulation of infectious waste, was taken up for consideration.

Bogges of Taylor asked and received unanimous consent that House File 489 be deferred and that the bill retain its place on the calendar.

House File 607, a bill for an act relating to the number of monthly state aid payments received by school districts, was taken up for consideration.

Rants of Woodbury 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, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Hoffman

Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, none.

Absent or not voting, 2:

Connors Heaton

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

House File 633, a bill for an act restricting the awarding of child visitation rights to a parent convicted of murder in the first degree of the other parent, was taken up for consideration.

Davis of Wapello 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. 633)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chiodo	Cohoon	Cormack	Davis
Dix	Dolecheck	Dotzler	Drake
Eddie	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs

Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, 3:

Chapman	Doderer	Parmenter
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Absent or not voting, 3:

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

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 607 and 633.**

House File 570, a bill for an act relating to the Iowa turkey marketing council, by providing procedures for the administration of the council, a producer assessment, refunds, and for the expenditure of moneys by the council, and providing an effective date, was taken up for consideration.

Boggess of Taylor 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. 570)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker Corbett			

The nays were, none.

Absent or not voting, 3:

Connors	Drees	Heaton
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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 648, a bill for an act relating to the exclusion of certain real estate transactions involving a power of attorney from state licensure and regulation, was taken up for consideration.

Jacobs 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. 648)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chiodo	Cohon	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Eddie	Falck	Foege
Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, 2:

Chapman Fallon

Absent or not voting, 3:

Connors Drees Heaton

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

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 570 and 648.**

House File 414, a bill for an act relating to carrying a gun in or on a vehicle on a public highway, was taken up for consideration.

Cormack of Webster in the chair at 10:02 a.m.

Boddicker 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. 414)

The ayes were, 91:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Cataldo	Chiodo
Cohoon	Corbett, Spkr.	Davis	Dix
Dolecheck	Dotzler	Drake	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Hahn,	Hansen	Hoffman	Holmes
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Cormack, Presiding	

The nays were, 4:

Chapman	Doderer	Holveck	Kreiman
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Absent or not voting, 5:

Carroll	Connors	Drees	Grundberg
Heaton			

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

Ways and Means Calendar

The House resumed consideration of **House File 199**, a bill for an act relating to the taxation of certain sales of aircraft under the state sales, services, and use taxes, previously deferred on February 24, 1999.

Jenkins of Black Hawk offered the following amendment H-1054 filed by him and moved its adoption:

H-1054

1 Amend House File 199 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 422.45, subsections 4 and 6,
5 Code 1999, are amended to read as follows:

6 4. The gross receipts from sales of vehicles
7 subject to registration or subject only to the
8 issuance of a certificate of title and sales of
9 aircraft subject to registration under section 328.20.

10 6. The gross receipts from "casual sales".
11 ~~However, this exemption does not apply to aircraft.~~

12 Sec. 2. Section 423.2, Code 1999, is amended to
13 read as follows:

14 423.2 IMPOSITION OF TAX.

15 An excise tax is imposed on the use in this state
16 of tangible personal property, including aircraft
17 subject to registration under section 328.20,
18 purchased for use in this state, at the rate of five
19 percent of the purchase price of the property. An
20 excise tax is imposed on the use of leased vehicles at
21 the rate of five percent of the amount otherwise
22 subject to tax as calculated pursuant to section
23 423.7A. The excise tax is imposed upon every person
24 using the property within this state until the tax has
25 been paid directly to the county treasurer or the
26 state department of transportation, to a retailer, or
27 to the department. An excise tax is imposed on the
28 use in this state of services enumerated in section
29 422.43 at the rate of five percent. This tax is
30 applicable where services are rendered, furnished, or
31 performed in this state or where the product or result
32 of the service is used in this state. This tax is
33 imposed on every person using the services or the
34 product of the services in this state until the user
35 has paid the tax either to an Iowa use tax permit
36 holder or to the department.

37 Sec. 3. Section 423.4, subsection 4, Code 1999, is

38 amended to read as follows:

39 4. Tangible personal property, the gross receipts
40 from the sale of which are exempted from the retail
41 sales tax by the terms of section 422.45, except
42 subsection 4 and subsection 6 of section 422.45 as it
43 relates to the sale of vehicles subject to
44 registration or subject only to the issuance of a
45 certificate of title and as it relates to aircraft
46 subject to registration under section 328.20.

47 Sec. 4. Section 423.4, Code 1999, is amended by
48 adding the following new subsections:

49 NEW SUBSECTION. 17. Aircraft for use in a
50 scheduled interstate federal aviation administration

Page 2

1 certificated air carrier operation.

2 NEW SUBSECTION. 18. Aircraft; tangible personal
3 property permanently affixed or attached as a
4 component part of the aircraft, including but not
5 limited to repair or replacement materials or parts;
6 and all services used for aircraft repair, remodeling,
7 and maintenance services when such services are
8 performed on aircraft, aircraft engines, or aircraft
9 component materials or parts. For the purposes of
10 this exemption, "aircraft" means aircraft used in a
11 scheduled interstate federal aviation administration
12 certified air carrier operation.

13 NEW SUBSECTION. 19. Tangible personal property
14 permanently affixed or attached as a component part of
15 the aircraft, including but not limited to repair or
16 replacement materials or parts; and all services used
17 for aircraft repair, remodeling, and maintenance
18 services when such services are performed on aircraft,
19 aircraft engines, or aircraft component materials or
20 parts. For the purposes of this exemption, "aircraft"
21 means aircraft used in nonscheduled interstate federal
22 aviation administration certified air carrier
23 operation operating under 14 C.F.R. ch. 1, pt. 135.

24 NEW SUBSECTION. 20. Aircraft sold to an aircraft
25 dealer who in turn rents or leases the aircraft if all
26 of the following apply:

27 a. The aircraft is kept in the inventory of the
28 dealer for sale at all times.

29 b. The dealer reserves the right to immediately
30 take the aircraft from the renter or lessee when a
31 buyer is found.

32 c. The renter or lessee is aware that the dealer
33 will immediately take the aircraft when a buyer is
34 found.

35 If an aircraft exempt under this subsection is used
36 for any purpose other than leasing or renting, or the

37 conditions in paragraphs "a", "b", and "c" are not
 38 continuously met, the dealer claiming the exemption
 39 under this subsection is liable for the tax that would
 40 have been due except for this subsection. The tax
 41 shall be computed upon the original purchase price."
 42 2. Title page, line 1, by striking the words "of
 43 certain sales".

Amendment H-1054 was adopted, placing amendment H-1030 previously adopted and found on page 428 of the House Journal, out of order.

Jenkins of Black Hawk 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. 199)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Cataldo	Chapman
Chiodo	Cohoon	Corbett, Spkr.	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Eddie	Falck	Fallon
Foege	Ford	Frevrt	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Cormack,	
		Presiding	

The nays were, 1:

Mascher

Absent or not voting, 4:

Carroll Connors Drees Heaton

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 414 and 199.**

Regular Calendar

House File 518, a bill for an act relating to the fire safety provisions applicable to a bed and breakfast inn, was taken up for consideration.

Bradley of Clinton 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. 518)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Corbett, Spkr.
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shultz	Siegrist	Stevens

Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Wise	Witt	Cormack, Presiding

The nays were, none.

Absent or not voting, 4:

Connors	Drees	Heaton	Whitead
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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 636, a bill for an act relating to review and oversight of actions of the United States environmental protection agency, was taken up for consideration.

Hahn of Muscatine 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. 636)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cphoon	Corbett, Spkr.
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven

Van Fossen
Welter

Warnstadt
Wise

Weidman
Witt

Weigel
Cormack,
Presiding

The nays were, none.

Absent or not voting, 4:

Connors

Drees

Heaton

Whitead

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

HOUSE FILE 132 WITHDRAWN

Tyrrell of Iowa asked and received unanimous consent to withdraw House File 132 from further consideration by the House.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 518 and 636.**

HOUSE FILE 585 REFERRED

The Speaker announced that House File 585, previously placed on the **calendar** was referred to committee on **appropriations.**

HOUSE FILE 638 REFERRED

The Speaker announced that House File 638, previously placed on the **calendar** was referred to committee on **appropriations.**

HOUSE FILE 684 REFERRED

The Speaker announced that House File 684, previously placed on the **calendar** was referred to committee on **appropriations.**

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 16, 1999. Had I been present, I would have voted "aye" on House Files 199 and 414.

CARROLL of Poweshiek

I was necessarily absent from the House chamber on March 15, 1999. Had I been present, I would have voted "aye" on House Files 144, 311, 442, 497 and 573.

EDDIE of Buena Vista

I was necessarily absent from the House chamber on Monday, March 15, 1999. Had I been present, I would have voted "aye" on House Files 144, 311, 442, 497 and 573.

MAY of Worth

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\387 IKM Varsity Girls' Basketball Team, Manilla – For being runner-up in the Class 1-A Division of the 1999 Iowa High School Girls' State Basketball Tournament.
- 1999\388 Craig Lewis, Keokuk – For being named Most Valuable Basketball Player of the Southeast Conference by conference coaches.
- 1999\389 Laura Miller, Hawkeye – For celebrating her 93rd birthday.
- 1999\390 Ankeny High School Girls' Basketball Team, Ankeny – For winning the state championship in the Class 4-A Division of the 1999 Iowa High School Girls' State Basketball Tournament.
- 1999\391 Vance and Ruth Worth, Mondamin – For celebrating their 60th wedding anniversary.
- 1999\392 Grace Dideriksen, Honey Creek – For celebrating her 85th birthday.
- 1999\393 Andrew Gaffney, Oelwein – For celebrating his 80th birthday.
- 1999\394 Inez Carpenter, Coggon – For celebrating her 85th birthday.
- 1999\395 Vince and Leola Bnae, Newton – For celebrating their 50th wedding anniversary.
- 1999\396 Mr. and Mrs. Harold J. Heyveld, Monroe – For celebrating their 50th wedding anniversary.

- 1999\397 Dolores and Kenneth Elgin, Plano – For celebrating their 65th wedding anniversary.
- 1999\398 Bob and Barbara Hellyer, Lake View – For celebrating their 50th wedding anniversary.
- 1999\399 Paul and Veda Miller, Lacona – For celebrating their 65th wedding anniversary.
- 1999\400 Wesley Husted, Battle Creek – For celebrating his 85th birthday.
- 1999\401 Mr. and Mrs. Dean Unkel, Hornick – For celebrating their 60th wedding anniversary.
- 1999\402 Ed and Katherine Kistenmacher, Holstein – For celebrating their 60th wedding anniversary.
- 1999\403 Henry and Arlene Gerdes, Strawberry Point – For celebrating their 65th wedding anniversary.
- 1999\404 Nora Wenger, West Union – For celebrating her 102nd birthday.
- 1999\405 William Yearous, Elgin – For celebrating his 88th birthday.
- 1999\406 Effie Thompson, West Union – For celebrating her 90th birthday.
- 1999\407 Richard and Naomi Reynolds, Onawa – For celebrating their 50th wedding anniversary.
- 1999\408 Colette Rosener, Mapleton – For celebrating her 88th birthday.
- 1999\409 Marie Dubrall, Manilla – For celebrating her 100th birthday.
- 1999\410 Goldie Houdesheldt, Blencoe – For celebrating her 90th birthday.
- 1999\411 Adeline Eyer, Charter Oak – For celebrating her 80th birthday.
- 1999\412 Cliff Hammann, Bellevue – For winning the 1999 School Administrator Award.
- 1999\413 Beulah Ockelmann, Clinton – For celebrating her 90th birthday.
- 1999\414 Juanita Starr, Indianola – For celebrating her 89th birthday.
- 1999\415 Virgle and Adelaide Beck, Indianola – For celebrating their 60th wedding anniversary.
- 1999\416 Dale and Doris Dop, Indianola – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 533

Appropriations: Jacobs, Chair; Hansen and Mertz.

House File 534

Ways and Means: Larson, Chair; Houser and Richardson.

House File 577

Judiciary: Raecker, Chair; Doderer and Thomson.

House File 583

Judiciary: Boddicker, Chair; Kettering and Kreiman.

House File 587

Appropriations: Cormack, Chair; Sukup and Warnstadt.

House File 595

Judiciary: Jager, Chair; Larson and Myers.

House File 606

Appropriations: Dix, Chair; Sukup and Warnstadt.

House File 610

Appropriations: Gipp, Chair; Murphy and Nelson.

House File 618

Appropriations: Gipp, Chair; Dix and Parmenter.

House File 622

Appropriations: Nelson, Chair; Boggess and Mertz.

House File 625

Appropriations: Hansen, Chair; Brunkhorst and Wise.

House File 641

Appropriations: Sukup, Chair; Cormack and Warnstadt.

House File 653

Judiciary: Boddicker, Chair; Kettering and Shoultz.

House File 669

Appropriations: Nelson, Chair; Cormack and Falck.

Senate File 8

Commerce and Regulation: Bradley, Chair; Doderer and Metcalf.

Senate File 224

Commerce and Regulation: Dix, Chair; Drees and Jenkins.

Senate File 232

Education: Dolecheck, Chair; Boddicker and Falck.

Senate File 248

Human Resources: Blodgett, Chair; Hahn and Murphy.

Senate File 276

Commerce and Regulation: Hansen, Chair; Bradley, Chapman, Metcalf and Osterhaus.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 105 Reassigned**

Ways and Means: Rants, Chair; Doderer and Jenkins.

House Study Bill 106 Reassigned

Ways and Means: Rants, Chair; Jenkins and Osterhaus.

House Study Bill 218

Commerce and Regulation: Metcalf, Chair; Bradley, Chapman, Holmes, Rants, Weigel and Wise.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT**H.S.B. 250 Ways and Means**

Relating to the local option sales and services taxes and including an effective date and retroactive applicability provision.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 283, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 1999.

COMMITTEE ON COMMERCE AND REGULATION

Committee Bill (Formerly House Study Bill 218), relating to the restructuring of the electric utility industry by providing for consumer choice for certain electric services, providing penalties, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 12, 1999.

COMMITTEE ON LOCAL GOVERNMENT

House File 112, a bill for an act relating to the provision of municipal services to annexed territory and providing for the Act's applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1094** March 11, 1999.

House File 503, a bill for an act relating to the liability of volunteer fire departments for penalties for occupational safety and health violations.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

House File 537, a bill for an act relating to residency requirements for certain city employees.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

Senate File 68, a bill for an act relating to counties included in the mid-America port commission.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

Committee Bill (Formerly House File 317), relating to the abolition of county compensation boards.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House File 360), relating to the authorization requirements for psychiatric medical institutions for children and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 11, 1999.

Committee Bill (Formerly House File 462), relating to urban renewal and urban revitalization, by making changes related to certain property located in an urban renewal area, to duration of urban renewal areas, to certification of urban renewal debt, to tax increment financing of urban renewal projects, to improvements related to urban renewal projects, and to annual reporting on urban renewal areas, and providing for the Act's applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House File 467), relating to the purchase of certain parcels with delinquent taxes by a city, county, or the Iowa finance authority, and providing effective and applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

Committee Bill (Formerly House Study Bill 231), relating to the Iowa community empowerment Act and related provisions, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 11, 1999.

RESOLUTIONS FILED

SCR 5, by Drake, a concurrent resolution relating to a biennial memorial session.

Laid over under Rule 25.

SCR 6, by Drake, a concurrent resolution relating to Pioneer Lawmakers.

Laid over under Rule 25.

AMENDMENTS FILED

H—1088	H.F.	651	Thomas of Clayton
H—1089	H.F.	620	Horbach of Tama
H—1090	H.F.	680	Wise of Lee Nelson of Marshall
H—1091	H.F.	681	Millage of Scott
H—1092	H.F.	683	Kreiman of Davis
H—1093	H.F.	677	Brunkhorst of Bremer Chiodo of Polk
H—1094	H.F.	112	Committee on Local Government
H—1095	H.F.	651	Johnson of Osceola May of Worth Drees of Carroll
			Welter of Jones
			Rayhons of Hancock
H—1096	H.F.	651	Johnson of Osceola
H—1097	H.F.	489	Kreiman of Davis Doderer of Johnson Bogges of Taylor Davis of Wapello
H—1098	H.F.	248	Richardson of Warren
H—1099	H.F.	443	Rants of Woodbury
H—1100	H.F.	322	Frevert of Palo Alto Shoultz of Black Hawk Drees of Carroll Murphy of Dubuque May of Worth Mertz of Kossuth Parmenter of Story
			Schrader of Marion
			Scherrman of Dubuque
			Weigel of Chickasaw
			Mundie of Webster
			Falck of Fayette
			Kuhn of Floyd
			Thomas of Clayton

On motion by Siegrist of Pottawattamie the House adjourned at 10:52 a.m., until 8:45 a.m., Wednesday, March 17, 1999.

JOURNAL OF THE HOUSE

Sixty-sixth Calendar Day – Forty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 17, 1999

The House met pursuant to adjournment at 8:48 a.m.; Speaker Corbett in the chair.

Prayer was offered by Father Eugene Murray, pastor of Holy Family Parish, Emmetsburg.

The Journal of Tuesday, March 16, 1999 was approved.

PETITION FILED

The following petition was received and placed on file:

By Frevert of Palo Alto, from sixty constituents favoring legislation which would increase the number of investigations, education and support for our local and county law enforcement agencies. The petition states concern for lack of Department of Narcotics Officers stationed in the northwestern Iowa and all rural areas.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Connors of Polk on request of Schrader of Marion; Heaton of Henry on request of Siegrist of Pottawattamie; Reynolds of Van Buren, until her arrival, on request of Schrader of Marion; Shultz of Black Hawk on request of Holveck of Polk.

ST. PATRICK'S DAY OBSERVANCE

Prior to convening the House was entertained by an Irish Folk Band including the Honorable Ed Fallon, state representative from Polk County.

Frevert of Palo Alto presented to the House the Emmetsburg Little Irish Dancers. The Emmetsburg Irish Dancers are a group of elementary school girls who performed authentic Irish dances.

Members of the group were: Stephanie Peterson, Sadie Hill, Abbie Lang, Melissa Hanners, Danielle Kenny, Kelsie McCain, Heather Stillman and Molly Hurleg. They were accompanied by Dennis and Jennifer Peterson.

Miss Shamrock, Catherine Nelson of Ruthven, was escorted into the chamber by Mertz of Kossuth, Garman of Story, Boddicker of Cedar, Frevert of Palo Alto and Fallon of Polk.

Presentation of Irish Dignitary

Frevert of Palo Alto presented to the House, Batt O'Keeffe T.D., a member of the Irish Parliament from Ballincollig, County Cork, Ireland. He received his education at St. Brendan's College, Cork, and is a Public Representative and Lecturer at Cork Regional Technical College. He has been lecturing to students at Iowa Lakes Community College to create an expanded awareness and sensitivity to diverse issues and other cultures. He was accompanied by his wife Mary O'Keeffe and is the honored guest of the Thirty-ninth Annual St. Patrick's Day Celebration in Emmetsburg.

Representative Frevert of Palo Alto escorted Mr. O'Keeffe to the Speaker's station where he addressed the House regarding political developments in Northern Ireland, and the Irish economy, showing appreciation for the direct investment by the United States.

The House rose and expressed its welcome.

The Honorable Delores Mertz, state representative from Kossuth County danced the traditional Irish jig before the House chamber and the Honorable Dan Boddicker, state representative from Cedar County, sang "Danny Boy".

The House rose and expressed its appreciation.

SPECIAL PRESENTATIONS

O'Brien of Boone presented to the House a former clerk and doorman, Dwight Dugan.

Doderer of Johnson presented to the House, the Honorable Opal Miller, former member of the House from Calhoun County.

The House rose and expressed its welcome.

INTRODUCTION OF BILLS

House File 699, by committee on agriculture, a bill for an act relating to Iowa agricultural industry finance corporations and investments by banks and insurance companies.

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

House File 700, by committee on judiciary, a bill for an act relating to the liability for unpaid rates or charges of a city utility or enterprise service for water, sewage, and solid waste services.

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

House File 701, by committee on transportation, a bill for an act directing the state department of transportation to conduct a study on the use of corn-based de-icers.

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

House File 702, by committee on human resources, a bill for an act relating to clinical privileges in a hospital of a physician assistant or advanced registered nurse practitioner.

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

House File 703, by committee on local government, a bill for an act relating to membership of county compensation boards.

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

House File 704, by committee on state government, a bill for an act relating to the use and dissemination of social security numbers, providing an effective date and applicability provision, and making penalties applicable.

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

House File 705, by committee on judiciary, a bill for an act to change the penalties for the criminal offense of accommodation involving marijuana.

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

House File 706, by committee on judiciary, a bill for an act establishing the criminal offense of laser pointer harassment against a law enforcement officer, and providing a penalty.

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

House File 707, by committee on human resources, a bill for an act relating to regulation of needles by requiring the conducting of a study.

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

House File 708, by committee on human resources, a bill for an act establishing a governor's award for quality care in health care facilities.

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

House File 709, by committee on human resources, a bill for an act relating to acceptable accreditation of psychiatric medical institutions for children for the purpose of licensing.

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

House File 710, by committee on judiciary, a bill for an act providing for the location of the drug enforcement and abuse prevention coordinator and the governor's alliance on substance abuse.

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

House File 711, by committee on judiciary, a bill for an act concerning the imposition of a drug abuse resistance education surcharge for criminal alcohol beverage control offenses.

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

House File 712, by committee on judiciary, a bill for an act requiring a clerk of the district court, prior to the filing of a non-statutory lien, to confirm that notice has been given to required parties.

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

House File 713, by committee on judiciary, a bill for an act relating to protective orders for domestic abuse.

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

House File 714, by committee on judiciary, a bill for an act relating to alternative forms of identification to be attached to a petition in an action for seeking a name change.

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

House File 715, by committee on judiciary, a bill for an act prohibiting the loaning of money for gambling purposes through a credit card or an electronic or mechanical device at a licensed gambling facility.

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

House File 716, by committee on judiciary, a bill for an act relating to the recording of trials before a magistrate.

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

House File 717, by committee on labor and industrial relations, a bill for an act relating to the review by administrative law judges of certain unemployment compensation determinations.

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

House File 718, by committee on education, a bill for an act relating to the level of state funding for the instructional support program, and providing an effective date.

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

House File 719, by committee on judiciary, a bill for an act relating to interference with visitation and custody, by providing for mediation, by establishing the crime of interference with custody and visitation, and providing penalties.

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

House File 720, by committee on agriculture, a bill for an act relating to practices involving the marketing of livestock by packers, by prohibiting price discrimination, requiring reporting, and providing criminal penalties and civil remedies.

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

House File 721, by committee on agriculture, a bill for an act relating to the Iowa egg council by providing for its administration and membership, and providing an effective date.

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

House File 722, by committee on labor and industrial relations, a bill for an act providing for the distribution and accounting of earnings from private employers of inmates of institutions under the control of the department of corrections.

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

House File 723, by committee on judiciary, a bill for an act prohibiting the mistreatment of animals and providing for penalties.

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

House File 724, by Jacobs, a bill for an act relating to the real estate transfer tax and housing councils.

Read first time and referred to committee on **ways and means**.

House File 725, by Frevert, a bill for an act relating to certain swine production contracts executed between cooperative associations and their members and providing an effective date.

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

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 March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 101, a bill for an act relating to the offense of promoting or possessing contraband in prisons and juvenile facilities and establishing penalties.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 187, a bill for an act relating to the operation, regulation, and equipment of watercraft, establishing watercraft safety courses, and subjecting violators to a penalty, and providing an effective date.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 194, a bill for an act relating to acceptable accreditation of psychiatric medical institutions for children for the purpose of licensing.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 231, a bill for an act providing a sales and use tax exemption for hospices.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 282, a bill for an act relating to practices and procedures of the department of general services, regulating state purchasing of recycled paper, modifying an appropriation to the department, and providing an effective date.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 298, a bill for an act relating to the liability of volunteer fire departments for penalties for occupational safety and health violations.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 300, a bill for an act relating to health care facility enforcement procedures.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 309, a bill for an act relating to the interception of communications and providing penalties.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 316, a bill for an act concerning state government personnel benefit programs for state employees and a related tax exemption, and providing an effective and retroactive applicability date.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 337, a bill for an act relating to landlords' and tenants' relations, by providing notice requirements, establishing a tenant's duty to properly maintain utility facilities, and providing for other properly related matters and an effective date.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 339, a bill for an act providing for directional signs for historic sites listed or eligible for listing on the national register of historic places and for nonprofit hospitals.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 352, a bill for an act relating to reflective devices on slow-moving vehicles.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 367, a bill for an act adopting the Uniform Child Custody Jurisdiction and Enforcement Act.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 368, a bill for an act relating to the designation of endangered and threatened species of fish, plants, or wildlife and providing civil and criminal penalties for illegal acts affecting endangered or threatened species of fish, plants, or wildlife.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 376, a bill for an act relating to the supervision of the office of state medical examiner, making an appropriation, and providing an effective date.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 424, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the general fund of the state, road use tax fund, and primary road fund, providing for the use of a former rest area, and providing for the nonreversion of certain moneys and an effective date.

Also: That the Senate has on March 16, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 430, a bill for an act relating to and making supplemental and other appropriations for the fiscal year beginning July 1, 1998, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

Senate File 210, by committee on state government, a bill for an act increasing the minimum daily pay for members of the Iowa national guard while in state active service.

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

Senate File 263, by committee on natural resources and environment, a bill for an act relating to the issuance of a hunter safety and ethics certificate to certain honorably discharged military veterans.

Read first time and referred to committee on **natural resources**.

Senate File 265, by committee on natural resources and environment, a bill for an act relating to the taking of muskrats by colony trap.

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

Senate File 287, by committee on human resources, a bill for an act relating to child welfare provisions involving foster home

damages, voluntary foster care placements of children with mental retardation or other developmental disability, release of child abuse information, and annual group foster care and decategorization plans, and providing a contingent effective date.

Read first time and referred to committee on **human resources**.

Senate File 294, by committee on judiciary, a bill for an act relating to lifetime registration for certain sex offenders, the performance of sex offender risk assessments, and the procedures for dissemination of registry information to agencies and the public.

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

Senate File 303, by committee on judiciary, a bill for an act requiring that the clerk of the district court confirm that notice has been given to required parties prior to the filing of a nonstatutory lien.

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

Senate File 313, by committee on natural resources and environment, a bill for an act prohibiting the sale or distribution of purple loosestrife.

Read first time and referred to committee on **natural resources**.

Senate File 314, by committee on state government, a bill for an act relating to the minimum training standards for operation of radiation machines.

Read first time and referred to committee on **state government**.

Senate File 335, by committee on commerce, a bill for an act relating to the transfer of real estate, the filing of a release of mortgage, and providing a remedy.

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

Senate File 366, by committee on appropriations, a bill for an act making a supplemental appropriation for the fiscal year beginning

July 1, 1998, for replacement of certain embedded chips in the technology and equipment of state departments and providing an effective date.

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

CONSIDERATION OF BILLS

Regular Calendar

House File 659, a bill for an act establishing the crime of identity theft and providing penalties, was taken up for consideration.

Sunderbruch of Scott 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. 659)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boguess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Richardson	Scherrman	Schrader
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, none.

Absent or not voting, 5:

Connors
Shoultz

Heaton

Hoffman

Reynolds

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

House File 308, a bill for an act relating to peace officer status for investigators of the department of inspections and appeals, was taken up for consideration.

Garman of Story asked and received unanimous consent that amendment H-1049 be deferred.

Kreiman of Davis offered the following amendment H-1031 filed by Kreiman, et al., and moved its adoption:

H-1031

- 1 Amend House File 308 as follows:
- 2 1. Page 1, by striking lines 8 through 11 and
- 3 inserting the following: "this section."

Amendment H-1031 was adopted, placing amendment H-1049 filed by Garman of Story on March 3, 1999, out of order.

Sukup of Franklin 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. 308)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foeg	Ford
Frevrt	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Holmes
Holveck	Horbach	Houser	Huseman

Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Richardson	Scherrman	Schrader	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker Corbett		

The nays were, 1:

Jager

Absent or not voting, 5:

Connors	Heaton	Hoffman	Reynolds
Shoultz			

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

House File 588, a bill for an act prohibiting unauthorized changes in telecommunications service, prohibiting certain acts in the advertisement or solicitation of changes in telecommunications service, and providing remedies and penalties, was taken up for consideration.

Eddie of Buena Vista in the chair at 9:28 a.m.

Raecker 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. 588)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Corbett, Spkr.

Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Richardson	Scherrman	Schrader
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Eddie, Presiding	

The nays were, none.

Absent or not voting, 5:

Connors	Heaton	Hoffman	Reynolds
Shoultz			

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

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 659, 308 and 588.**

House File 584, a bill for an act relating to the uniform principal and income Act and providing for its applicability, was taken up for consideration.

Millage of Scott 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. 584)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Corbett, Spkr.
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Richardson	Scherrman	Schrader
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Eddie,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Connors	Heaton	Hoffman	Reynolds
Shoultz			

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

House File 656, a bill for an act relating to the office of secretary of state and the conduct of elections and voter registration in the state and relating to corrective and technical changes to Iowa's election laws, was taken up for consideration.

Jacobs 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. 656)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Corbett, Spkr.
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Richardson	Scherrman	Schrader	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Eddie, Presiding		

The nays were, 1:

Cormack

Absent or not voting, 5:

Connors
Shultz

Heaton

Hoffman

Reynolds

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

House File 658, a bill for an act relating to the time of possession of deer venison, increasing the minimum fine for unlawful taking, possessing, injuring, or transporting protected species and game, and subjecting violators to a penalty, was taken up for consideration.

Weidman of Cass 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. 658)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Corbett, Spkr.
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Richardson	Scherrman	Schrader
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Eddie,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Connors	Heaton	Hoffman	Reynolds
Shoultz			

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 584, 656 and 658.**

House File 651, a bill for an act relating to implements of husbandry and restrictions on the movement of such implements, and

other vehicles, upon the highways of this state and making penalties applicable, was taken up for consideration.

Johnson of Osceola offered the following amendment H-1096 filed by him and moved its adoption:

H-1096

- 1 Amend House File 651 as follows:
- 2 1. Page 4, line 15, by striking the words "mean
- 3 the" and inserting the following: "means a group of
- 4 unique".
- 5 2. Page 4, by striking lines 16 and 17 and
- 6 inserting the following: "designations assigned to a
- 7 complete fence-line feeder, grain cart, or tank wagon
- 8 by the manufacturer or by the department and affixed
- 9 to the vehicle, pursuant to rules adopted by the
- 10 department, as a".
- 11 3. Page 7, line 23, by striking the word
- 12 "information" and inserting the following:
- 13 "identification".
- 14 4. By renumbering as necessary.

Amendment H-1096 was adopted.

Thomas of Clayton asked and received unanimous consent to withdraw amendment H-1088 filed by him on March 16, 1999.

Johnson of Osceola offered the following amendment H-1095 filed by Johnson, et al., and moved its adoption:

H-1095

- 1 Amend House File 651 as follows:
- 2 1. Page 11, by striking lines 27 through 31 and
- 3 inserting the following:
- 4 "Sec. __. IMPLEMENTS OF HUSBANDRY STUDY. The
- 5 state department of transportation shall, in
- 6 consultation with manufacturers and distributors of
- 7 implements of husbandry, agricultural associations,
- 8 and the Iowa state association of counties, study
- 9 tracked vehicles, the use of flotation tires, and the
- 10 fine and legal axle weight schedules applicable to
- 11 grain carts, tank wagons, and fence-line feeders
- 12 operated on public roadways. The department shall
- 13 report its findings and recommendations to the general
- 14 assembly by January 1, 2000."
- 15 2. By renumbering as necessary.

Amendment H-1095 was adopted.

Johnson of Osceola 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. 651)

The ayes were, 89:

Alons	Arnold	Barry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chiodo
Cohoon	Corbett, Spkr.	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Holmes	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Richardson	Scherrman	Schrader
Siegrist	Stevens	Sukup	Sunderbruch
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Wise	Witt
Eddie, Presiding			

The nays were, 5:

Chapman	Drees	Holveck	Taylor
Whitead			

Absent or not voting, 6:

Blodgett	Connors	Heaton	Hoffman
Reynolds	Shoultz		

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

The House resumed consideration of **House File 489**, a bill for an act eliminating certain requirements relating to the regulation of infectious waste, previously deferred on March 16, 1999.

Kreiman of Davis offered the following amendment H-1097 filed by Kreiman, et al., and moved its adoption:

H-1097

- 1 Amend House File 489 as follows:
- 2 1. Page 2, by striking line 31 and inserting the
- 3 following:
- 4 "Sec. 3. Section 455B.502, Code 1999, is".

Amendment H-1097 was adopted.

Bogges of Taylor 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. 489)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cphoon	Corbett, Spkr.
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Richardson	Scherrman	Schrader
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Eddie,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Connors
Shultz

Heaton

Hoffman

Reynolds

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

House File 461, a bill for an act relating to filing of a notice of an assignment of a mortgage, with report of committee recommending amendment and passage, was taken up for consideration.

Jenkins of Black Hawk offered the following amendment H-1067 filed by the committee on commerce and regulation and moved its adoption:

H-1067

- 1 Amend House File 461 as follows:
- 2 1. Page 1, by striking line 13 and inserting the
- 3 following:
- 4 "a. A person who sells or otherwise transfers the
- 5 servicing of a mortgage".
- 6 2. Page 1, by inserting after line 33 the
- 7 following:
- 8 "Sec. EFFECTIVE DATE AND APPLICABILITY. This
- 9 Act takes effect on October 1, 1999, and applies to a
- 10 sale or transfer of a mortgage, or a satisfaction of a
- 11 mortgage which occurs on or after October 1, 1999."
- 12 3. Title page, line 2, by inserting after the
- 13 word "mortgage" the following: "and providing an
- 14 effective and applicability date".
- 15 4. By renumbering as necessary.

The committee amendment H-1067 was adopted.

Jenkins of Black Hawk 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. 461)

The ayes were, 93:

Alons
Bell

Arnold
Blodgett

Barry
Boal

Baudler
Boddicker

Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Cataldo	Chapman
Chiodo	Cohoon	Corbett, Spkr.	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Hahn
Hansen	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Richardson
Scherrman	Schrader	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Eddie, Presiding			

The nays were, none.

Absent or not voting, 7:

Carroll	Connors	Grundberg	Heaton
Hoffman	Reynolds	Shoultz	

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 651, 489 and 461.**

HOUSE FILE 586 REFERRED

The Speaker announced that House File 586, previously placed on the **calendar** was referred to committee on **appropriations**.

BILL 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 bill has 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 17th day of March, 1999: House File 330.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Five students from Columbus Junction High School, Columbus Junction, accompanied by Tom Sands. By Brauns of Muscatine.

Forty-three 8th grade students from Dallas Center-Grimes, accompanied by Bill Wineland. By Metcalf of Polk and Raecker of Polk.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\417 Tameem Yehyaw, Keokuk – For being named Outstanding Wrestler of the Southeast Conference by conference sportswriters.
- 1999\418 Richard and Edna Eldridge, Vinton – For celebrating their 50th wedding anniversary.
- 1999\419 Henry Holst, Clutier – For celebrating his 90th birthday.
- 1999\420 Ellie Peterson, Cedar Falls – For being named to the 1999 Class 4-A All-Tournament Team, Iowa Girls' Basketball Tournament.
- 1999\421 Joan Marie Resnick, Davenport – For being named the 1999 Irish Mother of the Year.
- 1999\422 Darrell and Ethel Fry, Urbana – For celebrating their 70th wedding anniversary.

- 1999\423 Scott Williams, New Providence – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\424 Grace Roberts, Fairfield – For celebrating her 90th birthday.
- 1999\425 Audrey and Wayne Bower, Stockport – For celebrating their 55th wedding anniversary.
- 1999\426 Tony Steen, Clinton – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\427 Lester Ashing, Gilman – For celebrating his 90th birthday.
- 1999\428 Elsie Fistler, Grinnell – For celebrating her 90th birthday.
- 1999\429 Winifred Ewing, Malcom – For celebrating her 90th birthday.
- 1999\430 Naomi Thompson, Grinnell – For celebrating her 98th birthday.
- 1999\431 Lynnville-Sully Girls' Basketball Team and their Coach Jerry Hulsing, Sully – For their third unprecedented consecutive basketball championship.
- 1999\432 Isabelle and Garrit Van Der Weerd, Lynnville – For celebrating their 50th wedding anniversary.
- 1999\433 Elizabeth Fabritz, Ottumwa – For celebrating her 103rd birthday.
- 1999\434 Marie Gullett Weir, Ottumwa – For celebrating her 90th birthday.
- 1999\435 Ellen Hyde, Ottumwa – For celebrating her 102nd birthday.
- 1999\436 Helen Johnston Sedore, Ottumwa – For celebrating her 100th birthday.
- 1999\437 Geraldine and James Criswell, Kellogg – For celebrating their 50th wedding anniversary.
- 1999\438 James Tussey, Orient – For retiring as Principal at Orient-Macksburg School.
- 1999\439 Helen J. Crosman, Ogden – For celebrating her 100th birthday.
- 1999\440 Emili Vondrak, Kingsley-Pierson Middle School – For receiving 3rd place in the 6th-7th grade category in the "Write Women Back Into History" Essay Contest.
- 1999\441 Donna and Donald Hudson, Ottumwa – For celebrating their 50th wedding anniversary.
- 1999\442 Helen Norman, Ottumwa – For celebrating her 103rd birthday.

SUBCOMMITTEE ASSIGNMENT

Senate File 287

Human Resources: Carroll, Chair; Lord and Witt.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 247

Appropriations: Jacobs, Chair; Cormack and Mascher.

House Study Bill 248

Appropriations: Millage, Chair; Dix and Murphy.

House Study Bill 250

Ways and Means: Rants, Chair; Larson and Richardson.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON ECONOMIC DEVELOPMENT

House File 513, a bill for an act relating to certified capital companies and providing for a certified capital company insurance premium tax credit.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1104** March 11, 1999.

COMMITTEE ON JUDICIARY

Senate File 55, a bill for an act to legalize the transfer of certain property by the joint county system of Black Hawk and Buchanan counties to the Independence community school district, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 16, 1999.

COMMITTEE ON LOCAL GOVERNMENT

Senate File 41, a bill for an act relating to the duties and meetings of the county agricultural extension councils.

Fiscal Note is not required.

Recommended **Do Pass** March 16, 1999.

RESOLUTIONS FILED

HCR 13, by Grundberg and Holveck, a concurrent resolution designating March 1999 as Iowa Women's History Month.

Laid over under **Rule 25**.

HR 8, by Warnstadt and Alons, a resolution honoring Major General Warren G. Lawson, recommending Major General Warren G. Lawson for the Iowa Medal of Valor, and designating a Major General Warren G. Lawson Day.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1101	H.F.	677	Fallon of Polk
			Garman of Story
			Holveck of Polk
H—1102	S.F.	231	Richardson of Warren
H—1103	S.F.	149	Jager of Black Hawk
H—1104	H.F.	513	Committee on Economic Development
H—1105	S.F.	203	Richardson of Warren
H—1106	H.F.	574	Huser of Polk
			Brauns of Muscatine
H—1107	H.F.	675	Warnstadt of Woodbury
H—1108	H.F.	444	Raecker of Polk
H—1109	H.F.	571	Chapman of Linn
H—1110	H.F.	499	Warnstadt of Woodbury
H—1111	H.F.	532	Foege of Linn
H—1112	S.F.	186	Carroll of Poweshiek
H—1113	H.F.	706	Kreiman of Davis
			Davis of Wapello

JOURNAL OF THE HOUSE

Sixty-seventh Calendar Day - Forty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 18, 1999

The House met pursuant to adjournment at 9:00 a.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Robert Bell, pastor of the United Methodist Church, Washington.

The Journal of Wednesday, March 17, 1999 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Huser of Polk on request of Foege of Linn; Connors of Polk on request of Schrader of Marion; Teig of Hamilton, until his arrival, on request of Arnold of Lucas; Kuhn of Floyd on request of Osterhaus of Jackson; Wise of Lee, until his arrival, on request of Cohoon of Des Moines.

INTRODUCTION OF BILLS

House File 726, by committee on human resources, a bill for an act relating to third-party payor coverage for off-label use of prescription drugs.

Read first time and referred to committee on **commerce and regulation**.

House File 727, by committee on local government, a bill for an act relating to urban renewal and urban revitalization, by making changes related to certain property located in an urban renewal area, to duration of urban renewal areas, to certification of urban renewal debt, to tax increment financing of urban renewal projects, to improvements related to urban renewal projects, and to annual reporting on urban renewal areas, and providing for the Act's applicability.

Read first time and referred to committee on **ways and means**.

House File 728, by committee on local government, a bill for an act relating to the purchase of certain parcels with delinquent taxes by a city or county, and providing effective and applicability dates.

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

House File 729, by committee on agriculture, a bill for an act relating to habitual violators of regulations relating to confinement feeding operations, by providing for penalties and the forfeiture of property, and providing an effective date.

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

House File 730, by committee on local government, a bill for an act relating to the Iowa community empowerment Act and related provisions, and providing an effective date.

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

House File 731, by Scherrman and Frevert, a bill for an act providing for swine, by providing for their care and feeding, marketing, and health, making an appropriation, providing penalties, making other penalties applicable, and providing effective dates.

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

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 March 17, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 280, a bill for an act providing for investments by banks in Iowa agricultural industry finance corporations.

Also: That the Senate has on March 17, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 398, a bill for an act relating to the requirements for issuance of intermediate driver's licenses and full driver's licenses.

Also: That the Senate has on March 17, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 412, a bill for an act relating to the establishment of a country schools historical resource preservation grant program to be administered by the historical division of the department of cultural affairs and providing for an appropriation for the program.

Also: That the Senate has on March 17, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 429, a bill for an act relating to notification of forfeited and cancelled mechanic's liens, challenging a mechanic's lien, and providing a remedy.

Also: That the Senate has on March 17, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 449, a bill for an act relating to public policy involving the use of the English language and assistance to legal immigrants and foreign nationals and providing a future repeal.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

Senate File 101, by committee on judiciary, a bill for an act relating to the offense of promoting or possessing contraband in prisons and juvenile facilities and establishing penalties.

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

Senate File 187, by committee on natural resources and environment, a bill for an act relating to the operation, regulation, and equipment of watercraft, establishing watercraft safety courses, and subjecting violators to a penalty, and providing an effective date.

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

Senate File 194, by Shearer, a bill for an act relating to acceptable accreditation of psychiatric medical institutions for children for the purpose of licensing.

Read first time and referred to committee on **human resources**.

Senate File 231, by committee on ways and means, a bill for an act providing a sales and use tax exemption for hospices.

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

Senate File 281, by committee on small business, economic development and tourism, a bill for an act concerning the workforce development department, by providing for the establishment of a workforce development corporation, expenses for members of the regional advisory board to the workforce development board, authority to charge fees for certain services of the department, and Iowa conservation corps employee rights.

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

Senate File 282, by committee on state government, a bill for an act relating to practices and procedures of the department of general services, regulating state purchasing of recycled paper, modifying an appropriation to the department, and providing an effective date.

Read first time and referred to committee on **state government.**

Senate File 298, by King, a bill for an act relating to the liability of volunteer fire departments for penalties for occupational safety and health violations.

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

Senate File 300, by committee on human resources, a bill for an act relating to health care facility enforcement procedures.

Read first time and referred to committee on **human resources.**

Senate File 309, by committee on judiciary, a bill for an act relating to the interception of communications and providing penalties.

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

Senate File 316, by committee on state government, a bill for an act concerning state government personnel benefit programs for state employees and a related tax exemption, and providing an effective and retroactive applicability date.

Read first time and referred to committee on **state government**.

Senate File 337, by committee on local government, a bill for an act relating to landlords' and tenants' relations, by providing notice requirements, establishing a tenant's duty to properly maintain utility facilities, and providing for other properly related matters and an effective date.

Read first time and referred to committee on **local government**.

Senate File 339, by committee on transportation, a bill for an act providing for directional signs for historic sites listed or eligible for listing on the national register of historic places and for nonprofit hospitals.

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

Senate File 352, by committee on transportation, a bill for an act relating to reflective devices on slow-moving vehicles.

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

Senate File 367, by committee on judiciary, a bill for an act adopting the Uniform Child Custody Jurisdiction and Enforcement Act.

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

Senate File 368, by committee on natural resources and environment, a bill for an act relating to the designation of endangered and threatened species of fish, plants, or wildlife and providing civil and criminal penalties for illegal acts affecting endangered or threatened species of fish, plants, or wildlife.

Read first time and referred to committee on **natural resources**.

Senate File 376, by committee on state government, a bill for an act relating to the supervision of the office of state medical examiner, making an appropriation, and providing an effective date.

Read first time and referred to committee on **state government**.

Senate File 424, by committee on appropriations, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the general fund of the state, road use tax fund, and primary road fund, providing for the use of a former rest area, and providing for the nonreversion of certain moneys and an effective date.

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

Senate File 430, by committee on appropriations, a bill for an act relating to and making supplemental and other appropriations for the fiscal year beginning July 1, 1998, and providing an effective date.

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

CONSIDERATION OF BILLS Regular Calendar

House File 115, a bill for an act relating to the award of a contract for a public improvement by a city or the governing body of a city utility, with report of committee recommending passage, was taken up for consideration.

Welter 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. 115)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Jacobs	Jager

Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Witt	Mr. Speaker	
		Corbett	

The nays were, none.

Absent or not voting, 5:

Connors	Huser	Kuhn	Teig
Wise			

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

House File 443, a bill for an act relating to delinquency charges on certain consumer credit transactions, was taken up for consideration.

Rants of Woodbury offered the following amendment H-1099 filed by him and moved its adoption:

H-1099

1 Amend House File 443 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 535.10, subsection 3, Code
 5 1999, is amended to read as follows:
 6 3. a. A lender may collect in connection with
 7 establishing or renewing a home equity line of credit
 8 the costs listed in section 535.8, subsection 2,
 9 paragraph "b", charges for insurance as described in
 10 section 537.2501, subsection 2, and a loan processing
 11 fee as agreed between the borrower and the lender, and
 12 annually may collect an account maintenance fee of not
 13 more than fifteen dollars. Fees collected under this
 14 subsection shall be disregarded for purposes of
 15 determining the maximum charge permitted by subsection
 16 4.

17 b. The parties to a home equity line of credit
 18 which is not a consumer credit transaction, as defined
 19 in section 537.1301, may contract for a delinquency
 20 charge under terms no more favorable than those
 21 permitted for open-end credit under section 537.2502.
 22 Sec. 2. NEW SECTION. 535.14 PROMPT PAYMENT ON
 23 LOANS SECURED BY RESIDENTIAL REAL PROPERTY.
 24 A lender is subject to the requirements set forth
 25 in section 537.3206, regarding the prompt crediting of
 26 payments, with respect to a loan secured by a lien or
 27 security interest on owner-occupied residential real
 28 property. For purposes of this section, "residential
 29 real property" means residential real property as
 30 defined in section 535B.1.
 31 Sec. 3. Section 537.2502, subsections 1, 2, and 3,
 32 Code 1999, are amended to read as follows:
 33 1. With respect to a precomputed consumer credit
 34 transaction not pursuant to an open-end credit
 35 arrangement and other than a consumer lease or
 36 consumer rental purchase agreement, the parties may
 37 contract for a delinquency charge on any installment
 38 not paid in full within ten days after its due date,
 39 as originally scheduled or as deferred, in an amount
 40 not exceeding the greater of either of the following
 41 as follows:
 42 a. For a precomputed transaction, an amount not
 43 exceeding the greater of either of the following:
 44 a. (1) Five percent of the unpaid amount of the
 45 installment, or a maximum of twenty dollars.
 46 b. (2) The deferral charge that would be permitted
 47 to defer the unpaid amount of the installment for the
 48 period that it is delinquent.
 49 b. For an interest-bearing transaction, an amount
 50 not exceeding five percent of the unpaid amount of the

Page 2

1 installment, or a maximum of fifteen dollars.
 2 2. A delinquency charge under subsection 1,
 3 paragraph "a", may be collected only once on an
 4 installment however long it remains in default. No
 5 delinquency charge may be collected with respect to a
 6 deferred installment unless the installment is not
 7 paid in full within ten days after its deferred due
 8 date. A delinquency charge may be collected at the
 9 time it accrues or at any time afterward.
 10 3. No A delinquency charge may shall not be
 11 collected under subsection 1, paragraph "a", on an
 12 installment which is paid in full within ten days
 13 after its scheduled or deferred installment due date
 14 even though an earlier maturing installment or a
 15 delinquency or deferral charge on an earlier

16 installment may not have been paid in full. For
 17 purposes of this subsection payments are applied first
 18 to current installments and then to delinquent
 19 installments.

20 Sec. 4. Section 537.3206, Code 1999, is amended by
 21 adding the following new subsection:

22 NEW SUBSECTION. 4. a. A creditor shall credit a
 23 payment to the consumer's account as of the date of
 24 receipt, except when a delay in crediting does not
 25 result in a finance or other charge, including a late
 26 charge, or except as provided in paragraph "b". For
 27 purposes of this subsection, a delay in posting does
 28 not violate this subsection so long as the payment is
 29 credited as of the date of receipt.

30 b. If a creditor specifies requirements for the
 31 consumer to follow in making payments on the contract,
 32 payment coupon book, payment coupon or statement, or
 33 periodic statement, but accepts a payment that does
 34 not conform to the requirements, the creditor shall
 35 credit the payment within two days of receipt of such
 36 payment.

37 c. If a creditor fails to credit a payment as
 38 required by this subsection in time to avoid the
 39 imposition of a finance or other charge, including a
 40 delinquency charge, the creditor shall adjust the
 41 consumer's account so that the charges imposed are
 42 credited to the consumer's account during the next
 43 payment period."

44 2. Title page, by striking lines 1 and 2 and
 45 inserting the following: "An Act relating to
 46 permissible fees and charges which may be assessed and
 47 collected with respect to certain consumer credit
 48 transactions."

Amendment H-1099 was adopted.

Rants of Woodbury 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. 443)

The ayes were, 88:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohon	Cormack
Davis	Dix	Dolecheck	Dotzler

Drake	Eddie	Falck	Foege
Ford	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Houser
Huseman	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Thomas	Thomson	Tyrrell
Van Engelenhoven	Warnstadt	Weidman	Weigel
Welter	Whitead	Witt	Mr. Speaker Corbett

The nays were, 6:

Doderer	Drees	Fallon	Frevert
Holveck	Kreiman		

Absent or not voting, 6:

Connors	Huser	Kuhn	Teig
Van Fossen	Wise		

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

House File 571, a bill for an act relating to the deposit of public funds and the conditions which must be met by a savings and loan association or savings bank to be eligible to receive such deposits, was taken up for consideration.

Chapman of Linn offered the following amendment H-1109 filed by her and moved its adoption:

H-1109

- 1 Amend House File 571 as follows:
- 2 1. Page 1, line 7, by inserting after the word
- 3 "loan" the following: "or savings association".
- 4 2. Page 1, by inserting after line 17 the
- 5 following:
- 6 "Sec. ____ Section 12C.1, subsection 3, paragraph
- 7 b, Code 1999, is amended to read as follows:
- 8 b. If a depository is a bank, ~~then~~ public deposits

9 in the bank shall be secured pursuant to sections
10 ~~12C.21, 12C.23, and 12C.24.~~"

11 3. Page 3, by striking lines 4 through 11 and
12 inserting the following:

13 "(2) Public bonds or obligations of this state or
14 a political subdivision of this state.

15 (3) Public bonds or obligations of another state
16 or a political subdivision of another state whose
17 bonds are rated within the two highest classifications
18 of prime as established by at least one of the
19 standard rating services approved by the
20 superintendent of banking pursuant to chapter 17A.

21 (4) To the extent of the guarantee, loans,
22 obligations, or".

23 4. By striking page 3, line 22, through page 4,
24 line 5, and inserting the following:

25 "(5) First lien mortgages which are valued
26 according to practices acceptable to the treasurer of
27 state.

28 (6) Investments in an open-end management
29 investment company registered with the federal
30 securities and exchange commission under the federal
31 Investment Company Act of 1940, 15 U.S.C. § 80(a),
32 which is operated in accordance with 17 C.F.R. §
33 270.2a-7.

34 Direct obligations of, or obligations that are
35 insured or fully guaranteed as to principal and
36 interest by, the United States of America, which may
37 be used to secure the deposit of public funds under
38 subparagraph (1), include investments in an investment
39 company or investment trust registered under the
40 federal Investment Company Act of 1940, 15 U.S.C. §
41 80a, the portfolio of which is limited to the United
42 States government obligations described in
43 subparagraph (1) and to repurchase agreements fully
44 collateralized by the United States government
45 obligations described in subparagraph (1), if the
46 investment company or investment trust takes delivery
47 of the collateral either directly or through an
48 authorized custodian."

49 5. Page 4, by striking lines 30 and 31, and
50 inserting the following:

Page 2

1 "c. The securities shall be deposited with the
2 federal reserve bank of ~~Chicago, Illinois~~, the federal
3 home loan bank".

4 6. Page 5, by striking line 18 and inserting the
5 following: "Moines, Iowa, shall report a description,
6 the par value, and the market value".

7 7. Page 5, by striking lines 21 and 22 and

- 8 inserting the following: "union."
 9 8. Page 7, line 9, by inserting after the word
 10 "principal" the following: "and accrued interest".
 11 9. Page 7, lines 12 and 13, by striking the words
 12 "public body treasurer" and inserting the following:
 13 "treasurer public body".
 14 10. Page 11, by striking lines 27 through 29 and
 15 inserting the following:
 16 "b. The recovery of any loss to public depositors
 17 shall begin with applicable deposit insurance. The".
 18 11. Page 12, by striking lines 23 through 25 and
 19 inserting the following: "deposits held by all banks.
 20 Each bank shall pay its assessment to the treasurer".
 21 12. Page 13, by inserting after line 15 the
 22 following:
 23 "Sec. ____ Section 12C.21, Code 1999, is repealed.
 24 Sec. ____ EFFECTIVE DATE. This Act, being deemed
 25 of immediate importance, takes effect upon enactment."
 26 13. Title page, line 3, by inserting after the
 27 word "deposits" the following: ", and providing an
 28 effective date".
 29 14. By renumbering as necessary.

Amendment H-1109 was adopted.

Chapman of Linn 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. 571)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien

Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Witt	Mr. Speaker	
		Corbett	

The nays were, none.

Absent or not voting, 5:

Connors	Huser	Kuhn	Teig
Wise			

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 115, 443 and 571.**

House File 637, a bill for an act increasing the fine for moving traffic violations in school zones, was taken up for consideration.

Brauns of Muscatine 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. 637)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Cormack
Davis	Dix	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser

Huseman	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Witt	Mr. Speaker		
	Corbett		

The nays were, none.

Absent or not voting, 6:

Connors	Doderer	Huser	Kuhn
Teig	Wise		

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

House File 531, a bill for an act providing for the certification of manure applicators by delaying dates required for certification, and providing an effective date, was taken up for consideration.

Drake of Pottawattamie 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. 531)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Bell	Boal	Boddicker	Boguess
Bradley	Brunkhorst	Bukta	Burnett
Carroll	Cataldo	Chapman	Chiodo
Cohoon	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering

Klemme	Kreiman	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Mr. Speaker Corbett

The nays were, none.

Absent or not voting, 8:

Blodgett	Brauns	Connors	Eddie
Hahn	Huser	Kuhn	Sunderbruch

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

Dix of Butler in the chair at 9:58 a.m.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 637 and 531.**

House File 679, a bill for an act relating to drawing the Sac and Fox Indian settlement precinct in Tama county, was taken up for consideration.

Gipp of Winneshiek 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. 679)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boguess	Bradley	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chapman

Chiodo	Cohoon	Corbett, Spkr.	Cormack
Davis	Doderer	Dolecheck	Dotzler
Drake	Drees	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Larkin
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Dix, Presiding

The nays were, none.

Absent or not voting, 8:

Brauns	Connors	Eddie	Hahn
Huser	Kuhn	Larson	Sunderbruch

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Garman of Story on request of Siegrist of Pottawattamie.

HOUSE FILE 216 WITHDRAWN

Weigel of Chickasaw asked and received unanimous consent to withdraw House File 216 from further consideration by the House.

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 March 18, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 182, a bill for an act requiring licensure to practice acupuncture.

Also: That the Senate has on March 18, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 323, a bill for an act relating to the use of professional designations by audiologists and speech pathologists.

Also: That the Senate has on March 18, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 421, a bill for an act to extend the jurisdiction of the juvenile court to include adoption and termination of parental rights proceedings.

MICHAEL E. MARSHALL, Secretary

House File 660, a bill for an act relating to certain property of a debtor which is exempt from execution, and providing an effective date and for the Act's applicability, was taken up for consideration.

Millage of Scott 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. 660)

The ayes were, 91:

Alons	Arnold	Baudler	Bell
Blodgett	Boal	Boddicker	Bogges
Bradley	Brunkhorst	Bukta	Burnett
Carroll	Cataldo	Chapman	Chiodo
Cohoon	Corbett, Spkr.	Cormack	Davis
Doderer	Dolecheck	Dotzler	Drake
Drees	Falck	Fallon	Foega
Ford	Frevert	Gipp	Greiner
Grundberg	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader

Shoultz	Siegrist	Stevens	Sukup
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Dix,	
		Presiding	

The nays were, none.

Absent or not voting, 9:

Barry	Brauns	Connors	Eddie
Garman	Hahn	Huser	Kuhn
Sunderbruch			

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

House File 662, a bill for an act relating to estate issues by modifying the warranty by a trustee, jurisdiction of the probate court, fees payable on certain trusts, notice provisions relating to claims against estates, and disclaimers made by beneficiaries, was taken up for consideration.

Millage of Scott 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. 662)

The ayes were, 93:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Cormack
Davis	Doderer	Dolecheck	Dotzler
Drake	Drees	Falck	Fallon
Foege	Ford	Frevert	Gipp
Greiner	Grundberg	Hahn	Hansen
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien

Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Dix,			
Presiding			

The nays were, none.

Absent or not voting, 7:

Connors	Corbett, Spkr.	Eddie	Garman
Heaton	Huser	Kuhn	

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

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 679, 660 and 662.**

House File 663, a bill for an act relating to the establishment of an Iowa trust code, and providing an effective date, was taken up for consideration.

Millage of Scott 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. 663)

The ayes were, 93:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cphoon	Corbett, Spkr.
Cormack	Davis	Doderer	Dolecheck
Dotzler	Drake	Drees	Falck
Fallon	Foege	Ford	Frevert
Gipp	Greiner	Hahn	Hansen

Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Dix, Presiding			

The nays were, none.

Absent or not voting, 7:

Connors	Eddie	Garman	Grundberg
Huser	Kuhn	Van Engelenhoven	

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 663** be immediately messaged to the Senate:

ADOPTION OF HOUSE CONCURRENT RESOLUTION 13

Grundberg of Polk asked and received unanimous consent for the immediate consideration of House Concurrent Resolution 13, a concurrent resolution designating March 1999 as Iowa Women's History Month, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

In celebration of "March Women's History Month", the Iowa Commission on the Status of Women, the Iowa Department of Education and the State Historical Society of Iowa sponsored a "Write

Women Back Into History" essay contest. Holveck of Polk and Grundberg of Polk presented the following winners of the contest:

Sixth and Seventh Grade Category

First Place — Greg Blair, Urbandale Middle School, Urbandale.

Second Place — Autumn Huinker, Parnell Elementary School, Parnell.

Third Place — Emili Vondrak, Kingsley-Pierson Middle School, Pierson.

Eighth and Ninth Grade Category

First Place — Meghan Minner, Roland-Story Middle School, Roland.

Second Place — Portia Abernathy, Franklin Middle School, Cedar Rapids.

Third Place — Ingrid Larson, Hoover Middle School, Sioux City.

Best Essays on Women in Science and Engineering
Eighth and Ninth Grade Category

First Place — Stacey Goodman, Lewis Central Middle School, Council Bluffs.

Second Place — Andrea E. Austin, Tilford Middle School, Vinton.

Edith Rose Murphy Sackett Award on the
Best Essay on a Woman Volunteer

First Place — Alex Munns, Central Academy, Des Moines.

Second Place — Meredith McKean, Armstrong-Ringsted Middle School, Ringsted.

Best Essays on Women in Science and Engineering
Sixth and Seventh Grade Category

First Place — Malia Charleston, Fairfield Middle School, Fairfield.

Second Place — Paul Kaldahl, Spencer Middle School, Spencer.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House Concurrent Resolution 13** be immediately messaged to the Senate.

HOUSE FILE 513 REFERRED

The Speaker announced that House File 513, previously placed on the **calendar** was referred to committee on **ways and means**.

HOUSE FILE 517 REFERRED

The Speaker announced that House File 517, previously placed on the **calendar** was referred to committee on **appropriations**.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 17, 1999. Had I been present, I would have voted "aye" on House File 461.

• CARROLL of Poweshiek

I was necessarily absent from the House chamber on Tuesday morning, March 16, 1999. Had I been present, I would have voted "aye" on House Files 339, 458 and 498.

CATALDO of Polk

I was necessarily absent from the House chamber on March 18, 1999. Had I been present, I would have voted "aye" on House Files 660, 662 and 663.

GARMAN of Story

I was necessarily absent from the House chamber on Wednesday morning, March 17, 1999. Had I been present, I would have voted "aye" on House Files 308, 461, 489, 584, 588, 651, 656, 658 and 659.

HOFFMAN of Crawford

I was necessarily absent from the House chamber on Wednesday, March 17, 1999. Had I been present, I would have voted "aye" on House Files 308, 461, 489, 584, 588, 651, 656, 658 and 659.

REYNOLDS of Van Buren

I was necessarily absent from the House chamber on Thursday, March 18, 1999. Had I been present, I would have voted "aye" on House Files 115, 443, 571 and 637.

TEIG of Hamilton

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 18, 1999, he approved and transmitted to the Secretary of State the following bill:

House File 330, an act relating to the supervisory authority of the state banking division with regard to bank holding company acquisitions and the ability of state banks to make loans to any one person.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty seventh and eighth grade 4-H students from Poweshiek, Iowa, Benton and Tama Counties, accompanied by Nancy Allen. By Carroll of Poweshiek, Horbach of Tama, and Tyrrell of Iowa.

Fifty-eight junior class students from Underwood High School, Underwood, accompanied by five faculty sponsors and one parent. By Drake of Pottawattamie.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\443 Mr. and Mrs. Roscoe White, Linby – For celebrating their 60th wedding anniversary.
- 1999\444 Eric J. Hausenstein, Columbus Junction – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\445 Arling and Eleanor Peterson, Alta – For celebrating their 60th wedding anniversary.
- 1999\446 Michelle Burvee, Waterloo Columbus High School – For being named to the 1999 Iowa Newspaper Association's All-State Girls' Class 3A Basketball Team.
- 1999\447 Ellie Peterson, Cedar Falls High School – For being named to the 1999 Iowa Newspaper Association's All-State Girls' Class 4A Basketball Team.
- 1999\448 Amy Swisher, Cedar Falls High School – For being named to the 1999 Iowa Newspaper Association's All-State Girls' Class 4A Basketball Team.
- 1999\449 Nina Smith, West Waterloo High School – For being named to the 1999 Iowa Newspaper Association's All-State Girls' Class 4A Basketball Team.
- 1999\450 Jamey Cox, West Waterloo High School – For being named to the 1999 Iowa Newspaper Association's All-State Girls' Class 4A Basketball Team.

SUBCOMMITTEE ASSIGNMENTS

House File 671

Judiciary: Sukup, Chair; Ford and Larson.

Senate File 106

State Government: Bradley, Chair; O'Brien and Van Engelenhoven.

Senate File 282

State Government: Brauns, Chair; Arnold and Chiodo.

Senate File 313

Natural Resources: Frevert, Chair; Kettering and Klemme.

Senate File 314

State Government: Arnold, Chair; Houser and Whitead.

Senate File 316

State Government: Gipp, Chair; Jacobs and O'Brien.

Senate File 339

Transportation: Bukta, Chair; Brauns and Rayhons.

Senate File 352

Transportation: Van Engelenhoven, Chair; Jager and Thomas.

Senate File 368

Natural Resources: Baudler, Chair; Alons and Mundie.

Senate File 376

State Government: Bradley, Chair; Brauns and O'Brien.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 243

Human Resources: Blodgett, Chair; Boddicker and Foege.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, relating to and making appropriations to the Department for the Blind, the Iowa State Civil Rights Commission, the Department of Elder Affairs, the Iowa Department of Public Health, the Department of Human Rights, the Governor's Alliance on Substance Abuse, and the Commission of Veterans Affairs, and providing effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 17, 1999.

COMMITTEE ON EDUCATION

Senate File 232, a bill for an act relating to the establishment of a beginning teacher induction program and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1127** March 17, 1999.

Pursuant to Rule 31.7, Senate File 232 was referred to the committee on appropriations.

COMMITTEE ON JUDICIARY

Senate File 52, a bill for an act establishing the new criminal offense of interference with a peace officer's service horse, and applying a penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 18, 1999.

Senate File 102, a bill for an act relating to nonsubstantive Code corrections.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1115** March 16, 1999.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 262), establishing a tax credit against individual and corporate income tax liability for small business guaranty fees paid and including a retroactive applicability date provision.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 17, 1999.

Committee Bill (Formerly House File 490), relating to the new investment tax credit under the new jobs and income program.

Fiscal Note is required.

Recommended **Do Pass** March 17, 1999.

AMENDMENTS FILED

H—1116	H.F.	476	Houser of Pottawattamie
H—1117	H.F.	514	Garman of Story
H—1118	H.F.	532	Foege of Linn
H—1119	H.F.	532	Thomson of Linn
H—1120	H.F.	686	Whitead of Woodbury
Jochum of Dubuque			Chiodo of Polk
Cataldo of Polk			Taylor of Linn
H—1121	H.F.	686	Blodgett of Cerro Gordo
H—1122	H.F.	719	Kreiman of Davis
H—1123	H.F.	696	Drake of Pottawattamie
H—1124	H.F.	696	Drake of Pottawattamie
H—1125	H.F.	696	Drake of Pottawattamie
H—1126	H.F.	448	Rants of Woodbury
H—1127	S.F.	232	Committee on Education
H—1128	H.F.	350	Mundie of Webster
H—1129	H.F.	635	Taylor of Linn
H—1130	H.F.	635	Taylor of Linn
			Bukta of Clinton
H—1131	S.F.	361	Thomson of Linn
Davis of Wapello			Hoffman of Crawford
Johnson of Osceola			Sunderbruch of Scott
Kreiman of Davis			Foege of Linn
Sukup of Franklin			
H—1132	H.F.	686	Blodgett of Cerro Gordo
H—1133	H.F.	514	Thomson of Linn
Davis of Wapello			Hoffman of Crawford
Johnson of Osceola			Sunderbruch of Scott
Kreiman of Davis			Foege of Linn
Sukup of Franklin			
H—1134	H.F.	609	Brunkhorst of Bremer
Rayhons of Hancock			Van Engelenhoven of Mahaska
Tyrrell of Iowa			Johnson of Osceola
Falck of Fayette			Davis of Wapello
Jager of Black Hawk			Bogges of Taylor
Kettering of Sac			Weidman of Cass
Boddicker of Cedar			Hoffman of Crawford
Dix of Butler			Thomas of Clayton
Klemme of Plymouth			

On motion by Siegrist of Pottawattamie the House adjourned at 11:10 a.m., until 9:00 a.m., Friday, March 19, 1999.

JOURNAL OF THE HOUSE

Sixty-eighth Calendar Day - Forty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 19, 1999

The House met pursuant to adjournment at 9:00 a.m., Brunkhorst of Bremer in the chair.

Prayer was offered by Alyce Elmitt, the House Recording Clerk.

The Journal of Thursday, March 18, 1999 was approved.

INTRODUCTION OF BILLS

House File 732, by committee on human resources, a bill for an act relating to telehealth, by providing for reimbursement for health care services provided by means of interactive audio, video, or data communications, and establishing telehealth delivery and disciplinary standards.

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

House File 733, by committee on ways and means, a bill for an act relating to the new investment tax credit under the new jobs and income program.

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

House File 734, by committee on human resources, a bill for an act establishing an Iowa drug prior authorization review panel within the department of human services and providing an effective date.

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

House File 735, by Sunderbruch, Dotzler, Chiodo, Jochum, Taylor, Connors, Bell, Foege, Thomas, Welter, Brauns, Cohoon, Whitead, Bukta, Scherrman, Frevert, Falck, Van Fossen, Bradley, Boddicker, Garman, Lord, Tyrrell, Weidman, Barry, Rants, Teig, Arnold, Hahn, and Huseman, a bill for an act relating to establishing a presumption that infectious diseases are work-related for purposes

of disability and death benefits under the statewide fire and police retirement system.

Read first time and referred to committee on **state government**.

House File 736, by committee on human resources, a bill for an act providing for the establishment of an independent administrator of the division of persons with disabilities within the department of human rights.

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

House File 737, by committee on appropriations, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's alliance on substance abuse, and the commission of veterans affairs, and providing an effective date.

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

House File 738, by committee on ways and means, a bill for an act establishing a tax credit against individual and corporate income tax liability for small business guaranty fees paid and including a retroactive applicability date provision.

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

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 March 18, 1999, passed the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 13, a concurrent resolution designating March 1999 as Iowa Women's History Month.

Also: That the Senate has on March 18, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 249, a bill for an act relating to the operation and regulation of insurance companies, including the treatment of certain confidential information by

the commissioner, the operation of certain types of insurance companies, and the rights and duties of insurance companies under certain policies issued in this state.

Also: That the Senate has on March 18, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 254, a bill for an act relating to the emergency management division of the department of public defense by authorizing fees for radiological detection equipment maintenance services, by authorizing financial assistance to local governments for emergency management purposes, by directing a report to the general assembly by the division director, and by providing an effective date.

Also: That the Senate has on March 18, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 306, a bill for an act providing for recognition of high quality child day care providers.

Also: That the Senate has on March 18, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 407, a bill for an act relating to registration of all-terrain vehicles and snowmobiles and providing for and applying penalties.

Also: That the Senate has on March 18, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 410, a bill for an act providing for the regulation of viatical settlement contracts when sold as investments.

Also: That the Senate has on March 18, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 431, a bill for an act relating to the moving of duties and responsibilities for providing telecommunications cabling necessary to provide state communications services from the department of general services to the Iowa telecommunications and technology commission.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

Senate File 182, by Szymoniak, a bill for an act requiring licensure to practice acupuncture.

Read first time and referred to committee on **state government**.

Senate File 254, by committee on state government, a bill for an act relating to the emergency management division of the department

of public defense by authorizing fees for radiological detection equipment maintenance services, by authorizing financial assistance to local governments for emergency management purposes, by directing a report to the general assembly by the division director, and by providing an effective date.

Read first time and referred to committee on **state government**.

Senate File 280, by committee on small business, economic development and tourism, a bill for an act providing for investments by banks in Iowa agricultural industry finance corporations.

Read first time and referred to committee on **economic development**.

Senate File 306, by Tinsman, a bill for an act providing for recognition of high quality child day care providers.

Read first time and referred to committee on **human resources**.

Senate File 323, by committee on state government, a bill for an act relating to the use of professional designations by audiologists and speech pathologists.

Read first time and referred to committee on **state government**.

Senate File 398, by committee on transportation, a bill for an act relating to the requirements for issuance of intermediate driver's licenses and full driver's licenses.

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

Senate File 407, by committee on transportation, a bill for an act relating to registration of all-terrain vehicles and snowmobiles and providing for and applying penalties.

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

Senate File 412, by committee on education, a bill for an act relating to the establishment of a country schools historical resource preservation grant program to be administered by the historical

division of the department of cultural affairs and providing for an appropriation for the program.

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

Senate File 421, by committee on judiciary, a bill for an act to extend the jurisdiction of the juvenile court to include adoption and termination of parental rights proceedings.

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

Senate File 429, by committee on judiciary, a bill for an act relating to notification of forfeited and cancelled mechanic's liens, challenging a mechanic's lien, and providing a remedy.

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

Senate File 449, by committee on small business, economic development and tourism, a bill for an act relating to public policy involving the use of the English language and assistance to legal immigrants and foreign nationals and providing a future repeal.

Read first time and referred to committee on **economic development**.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON COMMERCE AND REGULATION

Senate File 224, a bill for an act relating to proceedings before the utilities board and the provision of competitive utility services by allocating costs incurred by the utilities board and the office of consumer advocate to certain persons in certain proceedings related to providing competitive utility services, and by providing for the certification of competitive natural gas providers and aggregators, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 18, 1999.

Senate File 276, a bill for an act relating to health care service and treatment coverage by providing for continuity of care, discussion and advocacy of treatment options, coverage of emergency room services, utilization review requirements, and an external review process, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 18, 1999.

RESOLUTIONS FILED

HCR 14, by Corbett, Siegrist, and Schrader, a concurrent resolution requesting the United States Congress to prevent the federal government from attempting to recoup Medicaid payments from the state tobacco litigation settlement agreement moneys, and to allow the states to keep all settlement moneys, without offset.

Laid over under **Rule 25**.

HR 9, by Corbett, Sukup, Siegrist, Blodgett, Van Engelenhoven, Bradley, Grundberg, Metcalf, Barry, Thomson, Dix, Garman, Kettering, Larson, Raecker, Jacobs, Brauns, Baudler, Weidman, Boal, Boddicker, Boggess, Gipp, Johnson, Welter, Carroll, Tyrrell, Horbach, Arnold, Teig, Alons, Klemme, Hoffman, Cormack, Brunkhorst, Huseman, Martin, Millage, Hahn, Dolecheck, Rayhons, Lord, Davis, Sunderbruch, Nelson, Hansen, Rants, and Van Fossen, a resolution congratulating Nick Collison and the 1999 McDonald's All American High School Basketball Team.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1135	H.F.	675	Grundberg of Polk
H—1136	H.F.	604	Blodgett of Cerro Gordo
			Foege of Linn
			Brunkhorst of Bremer
H—1137	H.F.	609	Dix of Butler
H—1138	H.F.	675	Mascher of Johnson
			Wise of Lee

H—1139	S.F.	203	Wise of Lee
H—1140	S.F.	203	Wise of Lee

On motion by Gipp of Winneshiek the House adjourned at 9:10 a.m., until 1:00 p.m., Monday, March 22, 1999.

JOURNAL OF THE HOUSE

Seventy-first Calendar Day – Forty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 22, 1999

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

Prayer was offered by Reverend Jennifer Davis-Sensenig, pastor of Cedar Falls Mennonite Church, Cedar Falls.

The Journal of Friday, March 19, 1999 was approved.

THE PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Urbandale Camp Fire Club. They were the guests of the Honorable Janet Metcalf, state representative from Polk County.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Burnett of Story on request of Thomas of Clayton; Chiodo of Polk on request of Cataldo of Polk; Cohoon of Des Moines, Connors of Polk and Taylor of Linn, until his arrival, on request of Myers of Johnson.

INTRODUCTION OF BILLS

House File 739, by Taylor, a bill for an act requiring trauma counseling and leave for railroad employees involved in certain railroad accidents.

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

House File 740, by committee on commerce and regulation, a bill for an act relating to the restructuring of the electric utility industry by providing for consumer choice for certain electric services, providing penalties, and providing an effective date.

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

SENATE MESSAGES CONSIDERED

Senate File 249, by committee on commerce, a bill for an act relating to the operation and regulation of insurance companies, including the treatment of certain confidential information by the commissioner, the operation of certain types of insurance companies, and the rights and duties of insurance companies under certain policies issued in this state.

Read first time and referred to committee on **commerce and regulation**.

Senate File 410, by committee on commerce, a bill for an act providing for the regulation of viatical settlement contracts when sold as investments.

Read first time and referred to committee on **commerce and regulation**.

Senate File 431, by committee on state government, a bill for an act relating to the moving of duties and responsibilities for providing telecommunications cabling necessary to provide state communications services from the department of general services to the Iowa telecommunications and technology commission.

Read first time and referred to committee on **state government**.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 11

Foegen of Linn offered the following House Memorial Resolution 11 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 11

Whereas, The Honorable Phillip E. Brammer, of Linn County, Iowa, who was a member of the Seventieth, Seventy-first, Seventy-second, Seventy-second Extra, Seventy-second Second Extra, Seventy-third, Seventy-fourth, Seventy-fourth Extra, Seventy-fifth and Seventy-sixth general assemblies, passed away March 6, 1999; *Now Therefore*,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the

House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee Foege of Linn, Larson of Linn and Taylor of Linn.

ADOPTION OF HOUSE MEMORIAL RESOLUTION 12

Dolecheck of Ringgold offered the following House Memorial Resolution 12 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 12

Whereas, The Honorable Harry Madden, of Union County, Iowa, who was a member of the Sixty-first general assembly, passed away May 8, 1996; *Now Therefore*,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee Dolecheck of Ringgold, Brunkhorst of Bremer and Cohoon of Des Moines.

TEACHERS OF THE DAY

Representative Hoffman of Crawford presented to the House, Joel and Jolene Franken, teachers from the Denison School District.

CONSIDERATION OF BILLS Regular Calendar

House File 647, a bill for an act relating to judges, concerning associate juvenile judges, associate probate judges, and retired judges, was taken up for consideration.

Millage of Scott 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. 647)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggest	Bradley	Brauns	Bukta
Carroll	Cataldo	Chapman	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foeg	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Mr. Speaker Corbett

The nays were, none.

Absent or not voting, 8:

Brunkhorst	Burnett	Chiodo	Cohon
Connors	Jenkins	Rants	Taylor

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

Appropriations Calendar

Senate File 283, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated, with report of committee recommending passage, was taken up for consideration.

Nelson of Marshall 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?" (S.F. 283)

The ayes were, 93:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chapman
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Corbett			

The nays were, none.

Absent or not voting, 7:

Burnett	Chiodo	Cohoon	Connors
Jenkins	Rants	Taylor	

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

House File 514, a bill for an act relating to enforcement, prevention, education, and treatment for substance abuse and sexual abuse, and providing appropriations, was taken up for consideration.

Murphy of Dubuque asked and received unanimous consent to withdraw amendment H-1057 filed by him on March 9, 1999.

Garman of Story offered the following amendment H-1117 filed by her and moved its adoption:

H-1117

- 1 Amend House File 514 as follows:
- 2 1. Page 2, line 1, by striking the words "the
- 3 establishment of".
- 4 2. Page 2, by striking lines 5 through 8 and
- 5 inserting the following:
- 6 "The department of corrections shall establish
- 7 criteria for judicial district departments of
- 8 correctional services to apply for and receive moneys
- 9 from the department for assistance in implementing a
- 10 youth leadership model program.
- 11 As a part of the program, the judicial district
- 12 department of correctional services may recruit, to
- 13 work with at-risk children, college or high school
- 14 students in the judicial district, regardless of
- 15 gender, recommended by their respective schools as
- 16 good role models, including, but not limited to,
- 17 students who possess ability in one or more of the
- 18 following areas: intellectual ability, leadership
- 19 ability, athletic ability, visual arts ability, or
- 20 performing arts ability."
- 21 3. Page 2, line 13, by striking the words
- 22 "judicial branch" and inserting the following:
- 23 "department of corrections".
- 24 4. Page 2, by inserting after line 19 the
- 25 following:
- 26 "The director of the department of corrections
- 27 shall designate from any appropriation from the
- 28 general fund of the state to the department for the
- 29 fiscal year beginning July 1, 1999, and ending June
- 30 30, 2000, the amount necessary to provide a match for
- 31 the expenses associated with the establishment of the
- 32 two drug court pilot programs and, if a transfer of
- 33 funds is required, the notice provisions of section
- 34 8.39 do not apply."
- 35 5. Page 5, line 5, by inserting after the word
- 36 "community," the following: "However, communities
- 37 participating in federally funded research activities
- 38 through the institute for social and behavioral
- 39 research at Iowa state university on the effective
- 40 date of this Act are not eligible to participate in
- 41 the program."

Amendment H-1117 was adopted.

SENATE FILE 361 SUBSTITUTED FOR HOUSE FILE 514

Garman of Story asked and received unanimous consent to substitute Senate File 361 for House File 514.

Senate File 361, a bill for an act relating to enforcement, prevention, education, and treatment for substance abuse and sexual abuse, and providing appropriations, was taken up for consideration.

Murphy of Dubuque offered the following amendment H-1084 filed by him and moved its adoption:

H-1084

- 1 Amend Senate File 361, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting after line 12 the
- 4 following:
- 5 "It is the intent of the general assembly that by
- 6 fiscal year 2001-2002, moneys shall be appropriated to
- 7 provide for a total of eighteen additional narcotics
- 8 enforcement agents."

Amendment H-1084 lost.

Thomson of Linn asked and received unanimous consent to withdraw amendment H-1131 filed by Thomson, et al., on March 18, 1999.

Garman of Story 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?" (S.F. 361)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chapman
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege

Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, none.

Absent or not voting, 6:

Burnett	Chiodo	Cohoon	Connors
Jenkins	Taylor		

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

HOUSE FILE 514 WITHDRAWN

Garman of Story asked and received unanimous consent to withdraw House File 514 from further consideration by the House.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 647, Senate Files 283 and 361.**

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 March 22, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 200, a bill for an act relating to special registration plates for motor vehicles.

MICHAEL E. MARSHALL, Secretary

SPONSOR ADDED
(House File 735)

Davis of Wapello requested to be added as a sponsor of House File 735.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 18, 1999. Had I been present, I would have voted "aye" on House Files 531, 660, 662, 663 and 679.

EDDIE of Buena Vista

I was necessarily absent from the House chamber on March 18, 1999. Had I been present, I would have voted "aye" on House Files 115, 443, amendment H-1099 to House File 443, 531, 571, amendment H-1109 to House File 571, 637, 660, 662, 663 and 679.

KUHN of Floyd

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-four 4-H students from Jackson and Clinton counties, accompanied by Rindy Babeshoff. By Osterhaus of Jackson.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

DEPARTMENT OF HUMAN RIGHTS
Division of Latino Affairs

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\451 Kenneth Argotsinger, Woodbine – For celebrating his 80th birthday.
- 1999\452 Regina Fitzpatrick, Dunlap – For celebrating her 80th birthday.
- 1999\453 Clara Bell Davis, Dunlap – For celebrating her 86th birthday.
- 1999\454 Edgar I. Snyder, Jesup – For celebrating his 80th birthday.
- 1999\455 Elizabeth Kuennen, St. Lucas – For celebrating her 90th birthday.
- 1999\456 Helen Cannon, Oelwein – For celebrating her 90th birthday.
- 1999\457 May Handy, Shenandoah – For celebrating her 100th birthday.
- 1999\458 Freddie Rife, Missouri Valley – For celebrating his 80th birthday.
- 1999\459 Davenport Assumption Boys' Basketball Team and their Coach Randy Norton, Davenport – For winning the 1999 Class 3-A Iowa State Boys' Basketball Tournament.
- 1999\460 Evelyn and Kelon Ketelsen, Maquoketa – For celebrating their 60th wedding anniversary.
- 1999\461 Violet Rosendahl, Decorah – For celebrating her 100th birthday.
- 1999\462 Lena Trede, Neola – For celebrating her 80th birthday.
- 1999\463 Wartburg College Wrestling Team, Coach Jim Miller and Athletic Director Gary Grace, Wartburg College – For winning the 1999 NCAA Division 3 National Wrestling Championship.
- 1999\464 Mt. Vernon High School Academic Decathlon Team Members: Annie Pisarik, Jessica Enns, Lauren Sauter, Marc Trachy, Nate Freeman, Evan Yeats, Evan Peterson, and Bryan Johnson, Mt. Vernon High School – For receiving 2nd place in the Small School Division of the 1999 State Academic Decathlon Competition.
- 1999\465 Anna Alger, Lisbon – For celebrating her 85th birthday.
- 1999\466 Clifford and Marilee Hicks, Indianola – For celebrating their 50th wedding anniversary.

- 1999\467 Ardel and Gretchen Sitz, Indianola – For celebrating their 50th wedding anniversary.
- 1999\468 Justin Lyman, Newell-Fonda Community School – For being named to the Class 1-A, All Tournament Team at the 1999 Boys' State Basketball Tournament.
- 1999\469 Jason Sarchet, Newell-Fonda Community School – For being named Captain of the Class 1-A, All Tournament Team at the 1999 Boys' State Basketball Tournament.
- 1999\470 Newell-Fonda Community School, Newell-Fonda – For winning the 1999 Class 1-A, Boys' State Basketball Tournament.

SUBCOMMITTEE ASSIGNMENTS

House File 517

Appropriations: Dix, Chair; Sukup and Warnstadt.

House File 585

Appropriations: Millage, Chair; Dix and Mertz.

House File 586

Appropriations: Heaton, Chair; Bell and Nelson.

House File 638

Appropriations: Heaton, Chair; Mertz and Nelson.

House File 684

Appropriations: Millage, Chair; Dix and Falck.

House File 685

Appropriations: Hansen, Chair; Cormack and Mascher.

House File 690

Appropriations: Hansen, Chair; Brunkhorst and Mascher.

House File 691

Appropriations: Hansen, Chair; Gipp and Wise.

House File 718

Appropriations: Millage, Chair; Dix and Warnstadt.

Senate File 210

Appropriations: Dix, Chair; Cormack and Warnstadt.

Senate File 232

Appropriations: Hansen, Chair; Brunkhorst and Wise.

Senate File 254

State Government: Van Engelenhoven, Chair; Gipp and Whitead.

Senate File 263

Natural Resources: Sunderbruch, Chair; O'Brien and Weidman.

Senate File 323

State Government: Davis, Chair; Metcalf and O'Brien.

Senate File 366

Appropriations: Millage, Chair; Dix and Falck.

Senate File 431

State Government: Jacobs, Chair; Bradley and Whitead.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 251 Environmental Protection

Urging the United States Environmental Protection Agency to take specific actions relating to gasoline sulfur levels and regulation of vehicle emissions.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON JUDICIARY

Senate File 216, a bill for an act relating to the commitment of sexually violent predators, by changing the deadline for filing a petition by the attorney general; providing for waiver or continuance of the probable cause hearing; granting greater enforcement power to the prosecuting attorney; extending the time to hold a trial; establishing supervised release for sexually violent persons who have been rehabilitated; providing for the preservation of certain child abuse reports; and providing the department of justice with access to such reports.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-1150 March 18, 1999.

RESOLUTION FILED

HCR 15, by Shoultz, Dotzler, Jenkins, and Witt, a concurrent resolution urging the Governor to appoint a commission to develop design proposals for Iowa's participation in the United States Mint's 50 state quarters program.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-1141	H.F.	684	Grundberg of Polk
H-1142	H.F.	590	Huser of Polk
H-1143	H.F.	713	Boddicker of Cedar Witt of Black Hawk
H-1144	H.F.	732	Blodgett of Cerro Gordo
H-1145	S.F.	298	Eddie of Buena Vista
H-1146	H.F.	680	Wise of Lee Nelson of Marshall
H-1148	H.F.	209	Senate Amendment
H-1149	H.F.	672	Carroll of Poweshiek Bukta of Clinton Boal of Polk
H-1150	S.F.	216	Committee on Judiciary
H-1151	H.F.	433	Rants of Woodbury
H-1152	H.F.	700	Kreiman of Davis Sukup of Franklin
H-1153	H.F.	686	Parmenter of Story

On motion by Siegrist of Pottawattamie the House adjourned at 2:08 p.m., until 8:45 a.m., Tuesday, March 23, 1999.

JOURNAL OF THE HOUSE

Seventy-second Calendar Day - Forty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 23, 1999

The House met pursuant to adjournment at 8:48 a.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Brian Eslinger, pastor of Unitarian Universalist Fellowship of Ames.

The Journal of Monday, March 22, 1999 was approved.

PETITION FILED

The following petition was received and placed on file:

By Thomas of Clayton, from seventy-two constituents opposing eliminating the military service property tax credit or using the money to fund undefined veterans programs.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Connors of Polk on request of Schrader of Marion; Burnett of Story on request of Parmenter of Story; Chiodo of Polk on request of Kreiman of Davis.

INTRODUCTION OF BILLS

House File 741, by committee on local government, a bill for an act relating to the authorization requirements for psychiatric medical institutions for children and providing an effective date.

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

House File 742, by Shoultz, a bill for an act eliminating the deduction for federal income taxes paid, decreasing the tax rates, and increasing the amount of the net income exclusion under the

individual income tax, and including a retroactive applicability date provision.

Read first time and referred to committee on **ways and means**.

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 March 22, 1999, amended and passed the following bill in which the concurrence of the House is asked:

House File 209, a bill for an act relating to increasing the penalty for eluding or attempting to elude an official law enforcement vehicle.

Also: That the Senate has on March 22, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 222, a bill for an act relating to crime victim rights.

Also: That the Senate has on March 22, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 588, a bill for an act prohibiting unauthorized changes in telecommunications service, prohibiting certain acts in the advertisement or solicitation of changes in telecommunications service, and providing remedies and penalties.

Also: That the Senate has on March 22, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 230, a bill for an act updating the Iowa Code references to the Internal Revenue Code, extending the loss carryback period for farm net operating losses, providing certain tax credits to estates and trusts, and providing an effective date and a retroactive applicability date.

Also: That the Senate has on March 22, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 338, a bill for an act relating to access privileges to certain buildings and structures by certified local exchange carriers and franchised cable television providers.

Also: That the Senate has on March 22, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 362, a bill for an act relating to destruction of unvoted ballots.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 362, by committee on state government, a bill for an act relating to destruction of unvoted ballots.

Read first time and referred to committee on **state government**.

CONSIDERATION OF BILLS Regular Calendar

House Joint Resolution 13, a joint resolution requesting the United States Department of Defense and the United States Army to place additional production work at the Rock Island Arsenal, was taken up for consideration.

Bradley of Clinton moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to by the House?" (H.J.R. 13)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chapman
Cohoon	Cormack	Davis	Dix
Dolecheck	Dotzler	Drake	Eddie
Falck	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter

Whitead

Wise

Witt

Mr. Speaker
Corbett

The nays were, 1:

Fallon

Absent or not voting, 7:

Burnett
DreesChiodo
HansenConnors
Jenkins

Doderer

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

HOUSE JOINT RESOLUTION 10 WITHDRAWN

Bradley of Clinton asked and received unanimous consent to withdraw House Joint Resolution 10 from further consideration by the House.

Barry of Harrison in the chair at 9:04 a.m.

House File 375, a bill for an act eliminating the requirement that information relating to open-end credit accounts and credit cards be filed with the treasurer of state, with report of committee recommending passage, was taken up for consideration.

Dix of Butler 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. 375)

The ayes were, 60:

Alons
Blodgett
Bradley
Cataldo
Davis
Eddie
Hansen
Horbach
Jager
LarsonArnold
Boal
Brauns
Chapman
Dix
Gipp
Heaton
Houser
Johnson
LordBaudler
Boddicker
Brunkhorst
Corbett, Spkr.
Dolecheck
Greiner
Hoffman
Huseman
Kettering
MartinBell
Boggess
Carroll
Cormack
Drake
Hahn
Holmes
Jacobs
Klemme
Metcalf

Millage	Mundie	Nelson	Raecker
Rants	Rayhons	Siegrist	Sukup
Sunderbruch	Teig	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Weigel
Welter	Wise	Witt	Barry, Presiding

The nays were, 35:

Bukta	Cohoon	Doderer	Dotzler
Drees	Falck	Fallon	Foege
Ford	Frevert	Garman	Holveck
Huser	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Parmenter	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Stevens	Taylor
Thomas	Warnstadt	Whitead	

Absent or not voting, 5:

Burnett	Chiodo	Connors	Grundberg
Jenkins			

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

House File 732, a bill for an act relating to telehealth, by providing for reimbursement for health care services provided by means of interactive audio, video, or data communications, and establishing telehealth delivery and disciplinary standards, was taken up for consideration.

Blodgett of Cerro Gordo offered the following amendment H-1144 filed by him and moved its adoption:

H-1144

- 1 Amend House File 732 as follows:
- 2 1. Page 1, lines 8 and 9, by striking the words
- 3 "or the exchange of medical education information".
- 4 2. By striking page 1, line 26, through page 2,
- 5 line 29, and inserting the following: "from the
- 6 patient. A consent in writing to any medical or
- 7 surgical procedure, or course of procedures in patient
- 8 care provided by means of telehealth, creates a
- 9 presumption that informed consent was given, if the
- 10 written consent satisfies the following:
- 11 a. The consent sets forth in general terms the

12 nature and purpose of the procedure to be performed by
13 means of telehealth.

14 b. The consent contains a description of the
15 potential material benefits, risks, and consequences
16 of performing the procedure by means of telehealth.

17 c. The consent includes a statement that
18 confidentiality protections apply.

19 d. The consent is signed by the patient for whom
20 the procedure is to be performed, or if the patient
21 for any reason lacks the capacity to give consent, the
22 consent is signed by a person who has legal authority
23 to give consent on behalf of the patient under these
24 circumstances."

25 3. By striking page 3, line 6, through page 4,
26 line 2, and inserting the following:

27 "Sec. ___. STATEMENT OF POLICY. The general
28 assembly encourages health care providers, the
29 domestic health insurance industry, and other third-
30 party payors of health care coverage to consult and
31 cooperate with each other to facilitate the
32 implementation of telehealth in a cost-effective
33 manner."

34 4. Title page, by striking lines 1 through 4 and
35 inserting the following: "An Act relating to
36 telehealth by providing for patient consent to
37 telehealth services and for complaints and
38 disciplinary actions against health care
39 practitioners."

40 5. By renumbering as necessary.

Amendment H-1144 was adopted.

Blodgett of Cerro Gordo 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. 732)

The ayes were, 93:

- | | | | |
|-----------|------------|---------|----------------|
| Alons | Arnold | Baudler | Bell |
| Blodgett | Boddicker | Bogges | Bradley |
| Brauns | Brunkhorst | Bukta | Carroll |
| Cataldo | Chapman | Cohoon | Corbett, Spkr. |
| Cormack | Davis | Dix | Doderer |
| Dolecheck | Dotzler | Drake | Drees |
| Eddie | Falck | Fallon | Foeger |
| Ford | Frevert | Garman | Gipp |
| Greiner | Grundberg | Hahn | Hansen |
| Heaton | Hoffman | Holmes | Holveck |

Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Barry, Presiding			

The nays were, 1:

Nelson

Absent or not voting, 6:

Boal	Burnett	Chiodo	Connors
Jenkins	Rayhons		

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

HOUSE FILE 604 WITHDRAWN

Blodgett of Cerro Gordo asked and received unanimous consent to withdraw House File 604 from further consideration by the House.

INTRODUCTION OF BILL

House File 743, by committee on appropriations, a bill for an act relating to the establishment of an Iowa early intervention block grant program, providing for a school improvement technology block grant program, and making appropriations.

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

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 March 23, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 428, a bill for an act relating to the authority of cities and counties to adopt rent control ordinances.

MICHAEL E. MARSHALL, Secretary

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Joint Resolution 13 and House File 732.**

Regular Calendar

House File 234, a bill for an act limiting the liability of the state and political subdivisions of the state for certain losses caused by the failure of computer software or a device containing a computer processor, with report of committee recommending passage, was taken up for consideration.

Jacobs 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. 234)

The ayes were, 90:

Alons	Arnold	Baudler	Bell
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Bukta	Carroll
Cataldo	Chapman	Cohoon	Corbett, Spkr.
Davis	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jochum	Johnson
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker

Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Welter	Whitead	Weigel	Wise
Witt	Barry, Presiding		

The nays were, 6:

Brunkhorst	Cormack	Dix	Greiner
Grundberg	Kettering		

Absent or not voting, 4:

Burnett	Chiodo	Connors	Jenkins
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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 672, a bill for an act relating to area education agencies and school districts by modifying the time guidelines concerning bargaining by certain employees, and changing dates relating to budget certification and notice of teacher termination for school districts, was taken up for consideration.

Carroll of Poweshiek offered the following amendment H-1149 filed by Carroll, et al., and moved its adoption:

H-1149

- 1 Amend House File 672 as follows:
- 2 1. Page 1, line 10, by striking the word and
- 3 figure "April 30" and inserting the following: "March
- 4 15".
- 5 2. Page 1, line 16, by striking the word and
- 6 figure "April 30" and inserting the following: "March
- 7 15".
- 8 3. Page 1, lines 18 and 19, by striking the word
- 9 and figure "April 30" and inserting the following:
- 10 "March 15".
- 11 4. Page 1, line 20, by striking the word and
- 12 figure "April 30" and inserting the following: "March
- 13 15".
- 14 5. Page 3, by striking lines 4 through 6 and
- 15 inserting the following: "management. ~~However, if the~~
- 16 ~~political subdivision is a school district, as defined~~
- 17 ~~in section 257.2, its budget shall be certified not~~

- 18 ~~later than April 15 of each year."~~
19 6. Page 3, by striking lines 10 through 11 and
20 inserting the following: "Not later than March 25 ~~or~~
21 ~~April 25 if the municipality is a school district, a~~
22 number of persons in any".
23 7. Page 3, line 23, by striking the words "or
24 ~~April~~" and inserting the following: "~~or April~~".
25 8. Page 3, by striking line 24 and inserting the
26 following: "~~15 in the case of a school district, all~~
27 appeal time".
28 9. Page 3, line 35, by striking the words and
29 figure "~~or May 1~~ May" and inserting the following:
30 "~~or May 1~~".
31 10. Page 4, by striking line 1 and inserting the
32 following: "~~, if the political subdivision is a~~
33 ~~school district, the~~".
34 11. Page 4, by striking lines 4 through 5 and
35 inserting the following: "after April 1 ~~or May 1, in~~
36 ~~the case of a school district, the annual levy shall~~
37 begin with the tax levy for".
38 12. Page 4, line 17, by striking the word and
39 figure "April 30" and inserting the following: "March
40 15".
41 13. Page 4, line 33, by striking the word and
42 figure "April 30" and inserting the following: "March
43 15".
44 14. Page 5, line 2, by striking the word "May"
45 and inserting the following: "March".
46 15. Page 5, line 5, by striking the word "May"
47 and inserting the following: "March".
48 16. Page 5, line 18, by striking the word "June"
49 and inserting the following: "April".
50 17. Page 5, line 29, by striking the word and

Page 2

- 1 figure "April 30" and inserting the following: "March
2 15".
3 18. Page 6, line 11, by striking the word and
4 figure "April 30" and inserting the following: "March
5 15".
6 19. Page 6, line 17, by striking the word and
7 figure "April 30" and inserting the following: "March
8 15".
9 20. Page 6, line 30, by striking the word and
10 figure "April 30" and inserting the following: "March
11 15".
12 21. Page 7, line 5, by striking the word and
13 figure "April 30" and inserting the following: "March
14 15".
15 22. Page 7, line 16, by striking the word and
16 figure "April 30" and inserting the following: "March

17 15".

18 23. Page 7, by inserting after line 20 the
19 following:

20 "Sec. ____ EFFECTIVE DATE. This Act takes effect
21 July 1, 2000."

22 24. Title page, line 3, by striking the words
23 "and changing" and inserting the following:
24 "changing".

25 25. Title page, line 5, by inserting after the
26 word "districts" the following: ", and providing an
27 effective date".

28 26. By renumbering as necessary.

Amendment H-1149 was adopted.

Carroll of Poweshiek 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. 672)

The ayes were, 95:

Alons	Arnold	Baudler	Bell
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Bukta
Carroll	Cataldo	Chapman	Cohoon
Corbett, Spkr.	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Barry, Presiding	

The nays were, none.

Absent or not voting, 5:

Burnett	Chiodo	Connors	Jenkins
Sukup			

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

House File 624, a bill for an act relating to electronic commerce security, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Jacobs 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. 624)

The ayes were, 96:

Alons	Arnold	Baudler	Bell
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Carroll	Cataldo	Chapman	Cohoon
Corbett, Spkr.	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Barry, Presiding

The nays were, none.

Absent or not voting, 4:

Burnett

Chiodo

Connors

Jenkins

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 234, 672 and 624.**

House File 448, a bill for an act prohibiting the transmission of electronic mail which includes advertisements in certain circumstances and providing for monetary damages, criminal penalties, and other remedies, was taken up for consideration.

Rants of Woodbury offered amendment H-1126 filed by him and requested division as follows:

H-1126

1 Amend House File 448 as follows:

H-1126A

- 2 1. Page 1, by striking lines 5 and 6 and
- 3 inserting the following:
- 4 "a. "Advertisement" means an electronic mail
- 5 message sent to a computer for the purpose of
- 6 promoting real property, goods, or services for sale
- 7 or lease."
- 8 2. Page 1, by striking lines 23 through 29 and
- 9 inserting the following: "electronic information that
- 10 is addressed to a recipient for delivery using an
- 11 internet computer network."
- 12 3. Page 1, line 33, by striking the words
- 13 "service, system, or provider" and inserting the
- 14 following: "service or system".
- 15 4. Page 2, by striking lines 4 through 6 and
- 16 inserting the following:
- 17 "2. a. A person shall not use an interactive
- 18 computer service to send an unsolicited advertisement
- 19 directly to another person by electronic mail without
- 20 obtaining the prior consent of each person who is to
- 21 receive the advertisement unless one of the following
- 22 applies:"

- 23 5. Page 2, lines 11 and 12, by striking the words
24 "a promotional" and inserting the following: "an".
25 6. Page 2, line 21, by inserting after the word
26 "mail." the following: "At a minimum, such procedures
27 shall include providing an electronic mail address
28 readily identifiable in the promotional advertising to
29 which the recipient may send a request for declining
30 such electronic mail."
31 7. Page 3, line 6, by inserting after the word
32 "person" the following: "knowingly".
33 8. Page 3, by striking lines 9 and 10 and
34 inserting the following:
35 "b. Electronic mail which is".
36 9. Page 3, by striking lines 19 through 22 and
37 inserting the following:
38 "1. A person shall not initiate electronic mail
39 containing an advertisement that falsely states its
40 point of origin or routing."
41 10. Page 3, by striking lines 23 through 27, and
42 inserting the following:
43 "2. A person who intentionally commits an act in
44 violation of".
45 11. Page 3, by striking lines 29 through 31.

H-1126B

- 46 12. Page 4, lines 12 and 13, by striking the
47 words and figures "under section 714D.1, subsection
48 3,".

H-1126A

- 49 13. Page 4, by striking lines 17 through 35.

Rants of Woodbury moved the adoption of amendment H-1126A.

Amendment H-1126A was adopted.

Rants of Woodbury asked and received unanimous consent to withdraw amendment H-1126B.

Rants of Woodbury 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.

Carroll of Poweshiek in the chair at 10:50 a.m.

On the question "Shall the bill pass?" (H.F. 448)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogess	Bradley	Brauns	Brunkhorst
Bukta	Cataldo	Chapman	Cohoon
Corbett, Spkr.	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Carroll, Presiding

The nays were, none.

Absent or not voting, 4:

Burnett	Chiodo	Connors	Jenkins
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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 324 WITHDRAWN

Rants of Woodbury asked and received unanimous consent to withdraw House File 324 from further consideration by the House.

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 March 23, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 182, a bill for an act expanding the criminal code definition of serious injury to include certain injuries to children.

Also: That the Senate has on March 23, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 332, a bill for an act relating to energy conservation including making appropriations of petroleum overcharge funds.

Also: That the Senate has on March 23, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 406, a bill for an act relating to entities and subject matter under the regulatory authority of the insurance division, including securities, business opportunities, cemetery merchandise and residential service contracts, providing for fees, and establishing penalties.

MICHAEL E. MARSHALL, Secretary

House File 532, a bill for an act relating to assessments prior to admission to practitioner preparation programs and prior to initial Iowa licensure, was taken up for consideration.

Foege of Linn asked and received unanimous consent to withdraw amendment H-1111 filed by him on March 17, 1999.

Foege of Linn asked and received unanimous consent to withdraw amendment H-1118 filed by him on March 18, 1999.

Thomson of Linn offered the following amendment H-1119 filed by her and moved its adoption:

H-1119

- 1 Amend House File 532 as follows:
- 2 1. Page 1, line 18, by striking the words "and
- 3 high-risk behavior" and inserting the following:
- 4 "addressing high-risk behaviors including, but not
- 5 limited to, behaviors".
- 6 2. Title page, by striking lines 1 and 2 and
- 7 inserting the following: "An Act relating to
- 8 practitioner preparation programs and providing for a
- 9 pilot study to assess the performance of teacher
- 10 education graduates."

Amendment H-1119 was adopted.

Thomson of Linn 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. 532)

The ayes were, 91:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Cataldo	Chapman	Cohoon
Corbett, Spkr.	Davis	Dix	Doderer
Dolecheck	Drake	Drees	Eddie
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Carroll,	
		Presiding	

The nays were, 3:

Dotzler	Falck	Richardson
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Absent or not voting, 6:

Burnett	Chiodo	Connors	Cormack
Fallon	Jenkins		

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate:
House Files 448 and 532.

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 March 23, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 164, a bill for an act concerning the open meetings statute by permitting the awarding of appellate attorney fees for a successful action involving the statute.

Also: That the Senate has on March 23, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 299, a bill for an act relating to applications for motor vehicle registration and issuance of certificate of title.

MICHAEL E. MARSHALL, Secretary

On motion by Siegrist of Pottawattamie, the House was recessed at 11:55 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:20 p.m., Speaker Corbett in the chair.

ADOPTION OF HOUSE RESOLUTION 9

Siegrist of Pottawattamie called up for consideration House Resolution 9, a resolution congratulating Nick Collison and the 1999 McDonald's All American High School Basketball Team, and moved its adoption.

The motion prevailed and the resolution was adopted.

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 March 23, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 76, a bill for an act relating to the administration of the state department of transportation by allowing the reversion of operating funds for training and technology, making a standing appropriation, and providing for the nonreversion of certain railroad funds.

Also: That the Senate has on March 23, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 324, a bill for an act relating to certain franchise agreements and the rights and responsibilities of the parties under such agreements.

Also: That the Senate has on March 23, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 399, a bill for an act relating to tax exemptions for livestock-related pollution-control or recycling property.

MICHAEL E. MARSHALL, Secretary

On motion by Siegrist of Pottawattamie, the House was recessed at 1:30 p.m., until 4:00 p.m.

LATE AFTERNOON SESSION

The House reconvened at 4:05 p.m., Speaker Corbett in the chair.

CONSIDERATION OF BILLS

Regular Calendar

House File 620, a bill for an act relating to persons with disabilities registration plates for trailers, with report of committee recommending passage, was taken up for consideration.

Horbach of Tama offered the following amendment H-1089 filed by him and moved its adoption:

H-1089

- 1 Amend House File 620 as follows:
- 2 1. Page 2, by inserting after line 19 the
- 3 following:
- 4 "Sec. __. Section 321L.2, subsection 3, paragraph
- 5 b, subparagraph (1), Code 1999, is amended to read as

6 follows:

7 (1) A statement printed on it as follows:

8 "Unauthorized use of this placard as indicated in Iowa
9 Code chapter 321L may result in a fine, invalidation
10 of the placard, or revocation of the right to use the
11 placard. This placard shall be displayed only when
12 the vehicle is parked in a persons with disabilities
13 parking space or in a parking space not designated as
14 a persons with disabilities parking space if a
15 wheelchair parking cone is used pursuant to Iowa Code
16 section 321L.2A."

17 Sec. __. Section 321L.2A, Code 1999, is amended
18 to read as follows:

19 321L.2A WHEELCHAIR PARKING CONE.

20 1. A person issued a persons with disabilities
21 parking permit under section 321L.2 who uses a
22 wheelchair may park in a persons with disabilities
23 parking space, or a parking space not designated as a
24 persons with disabilities parking space, and reserve
25 up to an eight foot space adjacent to the motor
26 vehicle for the purpose of exiting and entering the
27 motor vehicle if all of the following conditions are
28 met:

29 a. The person places a wheelchair parking cone
30 within eight feet of the motor vehicle's entry.

31 b. The person displays the persons with
32 disabilities parking permit in the motor vehicle as
33 described in section 321L.4.

34 c. The motor vehicle and the wheelchair parking
35 cone do not obstruct an aisle, street, or roadway so
36 that other vehicles are unable to pass through the
37 aisle, street, or roadway.

38 d. The parking space is provided by the state, a
39 political subdivision of the state, or an entity
40 providing nonresidential parking.

41 2. A person issued a persons with disabilities
42 parking permit who does not comply with the
43 requirements of subsection 1 when using a wheelchair
44 parking cone commits a misdemeanor punishable by a
45 scheduled fine under section 805.8, subsection 2,
46 paragraph "a".

47 3. A person shall not interfere with a wheelchair
48 parking cone properly placed under subsection 1. A
49 violation of this subsection is a misdemeanor
50 punishable by a scheduled fine under section 805.8.

Page 2

1 subsection 2, paragraph "a".

2 4. The department, upon the request of a person
3 issued a persons with disabilities parking permit
4 under section 321L.2 who uses a wheelchair, shall

5 provide the person with a list of names and addresses
6 of vendors who sell wheelchair parking cones bearing
7 the international symbol of accessibility and the
8 words "wheelchair parking space".

9 5. The department shall adopt rules as necessary
10 "to administer this section."

11 2. Page 2, line 32, by inserting after the word
12 "space" the following: ", except as provided in
13 section 321L.2A".

14 3. Page 3, by inserting after line 18 the
15 following:

16 "Sec. . Section 805.8, subsection 2, paragraph
17 a, Code 1999, is amended to read as follows:

18 a. For parking violations under sections 321.236,
19 321.239, 321.358, 321.360, and 321.361, the scheduled
20 fine is five dollars. The scheduled fine for a
21 parking violation of section 321.236 increases in an
22 amount up to ten dollars, as authorized by ordinance
23 pursuant to section 321.236, subsection 1, paragraph
24 "a", if the parking violation is not paid within
25 thirty days of the date upon which the violation
26 occurred. For purposes of calculating the unsecured
27 appearance bond required under section 805.6, the
28 scheduled fine shall be five dollars. However,
29 violations charged by a city or county upon simple
30 notice of a fine instead of a uniform citation and
31 complaint as permitted by section 321.236, subsection
32 1, paragraph "a", are not scheduled violations, and
33 this section shall not apply to any offense charged in
34 that manner. For a parking violation under section
35 321.362 or 461A.38 the scheduled fine is ten dollars.
36 For a parking violation under section 321L.2A,
37 subsection 2, the scheduled fine is twenty dollars.
38 For interference with a wheelchair parking cone under
39 section 321L.2A, subsection 3, or a parking violation
40 under section 321L.4, subsection 2, the scheduled fine
41 is one hundred dollars."

42 4. Title page, line 1, by inserting after the
43 word "disabilities" the following: "by providing for
44 the use of wheelchair parking cones, providing for
45 persons with disabilities".

46 5. Title page, line 2, by inserting after the
47 word "trailers" the following: ", and providing for
48 penalties".

49 6. By renumbering as necessary.

Amendment H-1089 was adopted.

Blodgett of Cerro Gordo 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. 620)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chapman
Cohoon	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jager	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, none.

Absent or not voting, 6:

Burnett	Chiodo	Connors	Jacobs
Jenkins	Stevens		

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

House File 649, a bill for an act relating to the issuance of a limited number of deer or wild turkey hunting licenses, was taken up for consideration.

Rayhons of Hancock 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. 649)

The ayes were, 93:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chapman
Cohoon	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jager	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker Corbett			

The nays were, none.

Absent or not voting, 7:

Burnett	Chiodo	Connors	Heaton
Jacobs	Jenkins	Stevens	

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

House File 687, a bill for an act relating to the location requirements for a licensed hunting preserve, was taken up for consideration.

Sunderbruch of Scott 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. 687)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chapman
Cohoon	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jager	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker Corbett		

The nays were, none.

Absent or not voting, 6:

Burnett	Chjodo	Connors	Jacobs
Jenkins	Stevens		

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

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 620, 649 and 687.**

House File 696, a bill for an act relating to the sale of timber by a county conservation board, was taken up for consideration.

Drake of Pottawattamie offered the following amendment H-1123 filed by him and moved its adoption:

H-1123

- 1 Amend House File 696 as follows:
- 2 1. Page 1, line 4, by striking the word "two-
- 3 week" and inserting the following: "sixty-day".

Amendment H-1123 was adopted.

Drake of Pottawattamie asked and received unanimous consent that amendment H-1124 be deferred.

Drake of Pottawattamie offered the following amendment H-1125 filed by him and moved its adoption:

H-1125

- 1 Amend House File 696 as follows:
- 2 1. Page 1, line 5, by inserting after the word
- 3 "more" the following: "or if the estimated value of
- 4 timber to be sold by the board during the same period
- 5 of time is five thousand dollars or more".

Amendment H-1125 was adopted placing amendment H-1124 filed by Drake of Pottawattamie on March 18, 1999, previously deferred, out of order.

Drake of Pottawattamie 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. 696)

The ayes were, 90:

Arnold	Barry	Baudler	Bell
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Bukta	Carroll
Cataldo	Chapman	Cohoon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foeg	Ford

Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jager
Jochum	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker Corbett		

The nays were, 4:

Alons	Brunkhorst	Johnson	Tyrrell
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Absent or not voting, 6:

Burnett	Chiodo	Connors	Jacobs
Jenkins	Stevens		

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

HOUSE FILE 314 WITHDRAWN

Drake of Pottawattamie asked and received unanimous consent to withdraw House File 314 from further consideration by the House.

House File 707, a bill for an act relating to regulation of needles by requiring the conducting of a study, was taken up for consideration.

Blodgett of Cerro Gordo 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. 707)

The ayes were, 93:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker

Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chapman
Cohoon	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jager	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Corbett			

The nays were, none.

Absent or not voting, 7:

Burnett	Chiodo	Connors	Heaton
Jacobs	Jenkins	Stevens	

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

House File 689, a bill for an act relating to a proposal by the department of cultural affairs concerning the establishment of an Iowa freedom trail program, was taken up for consideration.

Martin of Scott 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. 689)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst

Bukta	Carroll	Cataldo	Chapman
Cohoon	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jager	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker Corbett		

The nays were, none.

Absent or not voting, 6:

Burnett	Chiodo	Connors	Jacobs
Jenkins	Stevens		

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 696, 707 and 689.**

House File 710, a bill for an act providing for the location of the drug enforcement and abuse prevention coordinator and the governor's alliance on substance abuse, was taken up for consideration.

Millage of Scott 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. 710)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chapman
Cohoon	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jager	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shultz
Siegrist	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, none.

Absent or not voting, 6:

Burnett	Chiodo	Connors	Jacobs
Jenkins	Stevens		

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

House File 708, a bill for an act establishing a governor's award for quality care in health care facilities, was taken up for consideration.

Brunkhorst of Bremer 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. 708)

The ayes were, 93:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chapman
Cohoon	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falk	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jager	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shultz
Siegrist	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Witt
Mr. Speaker			
Corbett			

The nays were, none.

Absent or not voting, 7:

Burnett	Chiodo	Connors	Jacobs
Jenkins	Stevens	Wise	

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

Unfinished Business Calendar

The House resumed consideration of **Senate File 203**, a bill for an act relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, transportation of

students, equipment on vehicles, rescision of a driver's license revocation, and administrative procedures of the state department of transportation, and providing for fees and penalties and an effective date, previously deferred on March 11, 1999, was taken up for consideration.

Richardson of Warren asked and received unanimous consent to withdraw amendment H-1105 filed by him on March 17, 1999.

Wise of Lee asked and received unanimous consent to withdraw amendments H-1139 and H-1140 filed by him on March 19, 1999.

Huser 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?" (S.F. 203)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chapman
Cohoon	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jager	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, none.

Absent or not voting, 6:

Burnett
Jenkins

Chiodo
Stevens

Connors

Jacobs

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

HOUSE FILE 441 WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw House File 441 from further consideration by the House.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 710, 708 and Senate File 203.**

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 March 23, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 443, a bill for an act relating to permissible fees and charges which may be assessed and collected with respect to certain consumer credit transactions.

MICHAEL E. MARSHALL, Secretary

MOTION TO RECONSIDER (House File 375)

I move to reconsider the vote by which House File 375 passed the House on March 23, 1999.

CHAPMAN of Linn

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

ven students from Forest Ridge, Estherville, accompanied by Fay and Donna Mason. By Stevens of Dickinson.

CERTIFICATES OF RECOGNITION

2. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON

Chief Clerk of the House

- 1999\471 Jeremy Berndt, Newton – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\472 Maurine and Clell Swarts, Ottumwa – For celebrating their 61st wedding anniversary.
- 1999\473 Cleo Smothers, Ottumwa – For celebrating her 90th birthday.
- 1999\474 James C. and Janet Wendell, Ottumwa – For celebrating their 70th wedding anniversary.
- 1999\475 Craig Lewis, Keokuk – For being named Captain of the Class 3-A, 1999 All State Boys' Basketball Team.
- 1999\476 Mr. and Mrs. Roy Werkmeister, Lake View – For celebrating their 50th wedding anniversary.
- 1999\477 Rita and Fred Schoenfeld, Battle Creek – For celebrating their 50th wedding anniversary.
- 1999\478 Everett Fertig, Odebolt – For celebrating his 80th birthday.
- 1999\479 Willard Brown, Sac City – For celebrating his 97th birthday.
- 1999\480 Bernice Reida, Lake View – For celebrating her 84th birthday.
- 1999\481 Eunice Wulkow, Sac City – For celebrating her 80th birthday.
- 1999\482 Des Moines Christian Lions Boys Basketball Team, Des Moines – For being runner-up in the 1999 Class 1-A, Boys State High School Basketball Tournament.
- 1999\483 Marjorie and Lawrence Bueoy, Mapleton – For celebrating their 50th wedding anniversary.
- 1999\484 Helen Comstock, Denison – For celebrating her 80th birthday.
- 1999\485 Pinkie Galbreath, Onawa – For celebrating her 101st birthday.

- 1999\486 Selma Carter, Manilla – For celebrating her 89th birthday.
- 1999\487 Wilbur Schroeder, Manilla – For celebrating his 87th birthday.
- 1999\488 Marvin Kluver, Mapleton – For celebrating his 81st birthday.
- 1999\489 Bertha Maak, Denison – For celebrating her 86th birthday.
- 1999\490 Ralph Teut, Mapleton – For celebrating his 90th birthday.
- 1999\491 Martha Knaak, St. Ansgar – For celebrating her 100th birthday.
- 1999\492 Ora Holman, Ottumwa – For celebrating her 99th birthday.
- 1999\493 Sioux City West Boys' Basketball Team, Sioux City – For winning the 1999 Class 1-A Iowa State Boys' Basketball Tournament.
- 1999\494 Christina Parrot, Greenfield – For celebrating her 105th birthday.
- 1999\495 Trent Patterson, Winterset – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\496 Lewis Schmidt, Jesup – For celebrating his 90th birthday.
- 1999\497 Lois Miszner, La Porte City – For celebrating her 80th birthday.
- 1999\498 Verna and Howard Coffin, Waterloo – For celebrating their 50th wedding anniversary.
- 1999\499 Betty Fisher, Iowa City – For celebrating her 80th birthday.
- 1999\500 Cleo and Donald Baker, Blakesburg – For celebrating their 50th wedding anniversary.
- 1999\501 Irene and Kenneth Johnson, Ottumwa – For celebrating their 50th wedding anniversary.
- 1999\502 Wanda and Lester Selby, Ottumwa – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 513

Ways and Means: Teig, Chair; Jenkins and Weigel.

House File 739

Transportation: Welter, Chair; Cohoon and Rayhons.

Senate File 101

Judiciary: Kettering, Chair; Larson and Shoultz.

Senate File 182

State Government: Bradley, Chair; Brauns and O'Brien.

Senate File 194

Human Resources: Blodgett, Chair; Foege and Hahn.

Senate File 249

Commerce and Regulation: Hoffman, Chair; Bradley and Weigel.

Senate File 280

Economic Development: Teig, Chair; Boggess and May.

Senate File 294

Judiciary: Millage, Chair; Baudler and Parmenter.

Senate File 300

Human Resources: Martin, Chair; Davis and Witt.

Senate File 309

Judiciary: Millage, Chair; Kreiman and Larson.

Senate File 337

Local Government: Carroll, Chair; Alons and Reynolds.

Senate File 362

State Government: Jacobs, Chair; Arnold, Cataldo, Davis, Holmes, Jochum and Reynolds.

Senate File 367

Judiciary: Boddicker, Chair; Chapman and Jager.

Senate File 398

Transportation: Brauns, Chair; Chiodo and Johnson.

Senate File 407

Transportation: Blodgett, Chair; Arnold and Drees.

Senate File 410

Commerce and Regulation: Dix, Chair; Holveck and Johnson.

Senate File 421

Judiciary: Boddicker, Chair; Barry and Kreiman.

Senate File 429

Judiciary: Sukup, Chair; Millage and Parmenter.

Senate File 449

Economic Development: Cormack, Chair; Dolecheck, Dotzler, Hoffman and Jochum.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 251

Environmental Protection: Bradley, Chair; Gipp and Stevens.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly House File 270), relating to the establishment of an Iowa early intervention program, and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 22, 1999.

Committee Bill, appropriating funds to the Department of Economic Development, certain Board of Regents institutions, the Department of Workforce Development, and the Public Employment Relations Board, making related statutory changes, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 22, 1999.

COMMITTEE ON TRANSPORTATION

Senate File 114, a bill for an act allowing certain utility employees to operate all-terrain vehicles and snowmobiles on railroad rights of way.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 1999.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 188), relating to reductions in the state individual income tax by increasing the deduction for pension income and increasing the personal and dependent credits, and including a retroactive applicability date provision.

Fiscal Note is required.

Recommended **Do Pass** March 22, 1999.

RESOLUTION FILED

HCR 16, by Ford and Chiodo, a concurrent resolution requesting that the Legislative Council create an interim study committee to review aviation transportation in Iowa.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1154	H.F.	686	Blodgett of Cerro Gordo
H—1155	H.F.	686	Metcalf of Polk
H—1156	H.F.	740	Wise of Lee Chapman of Linn
H—1158	H.F.	675	Nelson of Marshall
H—1159	H.F.	476	Huser of Polk
H—1160	H.F.	608	Kettering of Sac
H—1161	H.F.	675	Rants of Woodbury
H—1162	H.F.	683	Boddicker of Cedar
H—1163	H.F.	683	Boddicker of Cedar Chapman of Linn
H—1164	H.F.	704	Weigel of Chickasaw
H—1165	S.F.	8	Bradley of Clinton

H—1166	S.F.	187	Kettering of Sac Mundie of Webster Sunderbruch of Scott
			Klemme of Plymouth Huseman of Cherokee O'Brien of Boone
H—1167	S.F.	276	Grundberg of Polk Martin of Scott Houser of Pottawattamie Cormack of Webster Boddicker of Cedar Arnold of Lucas
			Blodgett of Cerro Gordo Brauns of Muscatine Rayhons of Hancock Nelson of Marshall Davis of Wapello Heaton of Henry
H—1168	H.F.	322	Teig of Hamilton Klemme of Plymouth Mundie of Webster Frevort of Palo Alto
H—1169	H.F.	501	Larson of Linn
H—1170	S.F.	276	Murphy of Dubuque
H—1171	S.F.	276	Jochum of Dubuque
H—1172	S.F.	276	Chapman of Linn Osterhaus of Jackson
H—1173	S.F.	276	Osterhaus of Jackson Chapman of Linn
H—1174	H.F.	686	Parmenter of Story
H—1175	H.F.	734	Heaton of Henry Osterhaus of Jackson Houser of Pottawattamie
H—1176	S.F.	276	Osterhaus of Jackson
H—1177	S.F.	276	Chapman of Linn
H—1178	S.F.	276	Osterhaus of Jackson
H—1179	S.F.	276	Chapman of Linn
H—1180	S.F.	276	Osterhaus of Jackson
H—1181	S.F.	276	Osterhaus of Jackson
H—1182	S.F.	276	Jochum of Dubuque
H—1183	S.F.	276	Jochum of Dubuque Myers of Johnson Taylor of Linn Mascher of Johnson Kuhn of Floyd Holveck of Polk Kreiman of Davis Whitead of Woodbury
			Bell of Jasper Chapman of Linn O'Brien of Boone Parmenter of Story Reynolds of Van Buren Witt of Black Hawk Murphy of Dubuque

	Foege of Linn			Mundie of Webster
	Ford of Polk			Stevens of Dickinson
H—1184	H.F.	476	Fallon of Polk	
H—1185	S.F.	276	Osterhaus of Jackson	
			Chapman of Linn	
H—1186	H.F.	476	Fallon of Polk	
H—1187	H.F.	476	Fallon of Polk	
H—1188	H.F.	476	Fallon of Polk	
			Witt of Black Hawk	
H—1189	H.F.	476	Fallon of Polk	
			Witt of Black Hawk	
H—1190	H.F.	476	Fallon of Polk	
H—1191	S.F.	276	Chapman of Linn	
H—1192	H.F.	521	Dotzler of Black Hawk	
H—1193	H.F.	521	Dotzler of Black Hawk	

On motion by Siegrist of Pottawattamie the House adjourned at 5:15 p.m., until 8:45 a.m., Wednesday, March 24, 1999.

JOURNAL OF THE HOUSE

Seventy-third Calendar Day - Forty-sixth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 24, 1999

The House met pursuant to adjournment at 8:50 a.m., Speaker Corbett in the chair.

Prayer was offered by Reverend H.W. Kramer, pastor of Emmanuel Lutheran Church, Lake View.

The Journal of Tuesday, March 23, 1999 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Connors of Polk on request of Schrader of Marion; Chiodo of Polk on request of Cataldo of Polk; Jacobs of Polk on request of Siegrist of Pottawattamie.

TEACHERS OF THE DAY

Representative Jager of Black Hawk presented to the House Wilbur and Betty Engelkes, high school teachers from La Porte City!

INTRODUCTION OF BILLS

House File 744, by committee on ways and means, a bill for an act relating to reductions in the state individual income tax by increasing the deduction for pension income and increasing the personal and dependent credits, and including a retroactive applicability date provision.

Read first time and placed on the ways and means calendar.

House File 745, by committee on appropriations, a bill for an act appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, and the public employment relations board, making related statutory changes, and providing an effective date.

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

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 March 23, 1999, amended and passed the following bill in which the concurrence of the House is asked:

House File 224, a bill for an act relating to qualifications of commissioners for a city, county, or joint memorial hospital.

Also: That the Senate has on March 23, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 304, a bill for an act providing for conditional employment pending the outcome of background checks for health care facility employees.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

Senate File 76, by committee on transportation, a bill for an act relating to the administration of the state department of transportation by allowing the reversion of operating funds for training and technology, making a standing appropriation, and providing for the nonreversion of certain railroad funds.

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

Senate File 230, by committee on ways and means, a bill for an act updating the Iowa Code references to the Internal Revenue Code, extending the loss carryback period for farm net operating losses, providing certain tax credits to estates and trusts, and providing an effective date and a retroactive applicability date.

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

Senate File 324, by committee on commerce, a bill for an act relating to certain franchise agreements and the rights and responsibilities of the parties under such agreements.

Read first time and referred to committee on **commerce and regulation**.

Senate File 338, by committee on commerce, a bill for an act relating to access privileges to certain buildings and structures by certified local exchange carriers and franchised cable television providers.

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

Senate File 399, by committee on ways and means, a bill for an act relating to tax exemptions for livestock-related pollution-control or recycling property.

Read first time and referred to committee on **ways and means**.

Senate File 406, by committee on commerce, a bill for an act relating to entities and subject matter under the regulatory authority of the insurance division, including securities, business opportunities, cemetery merchandise and residential service contracts, providing for fees, and establishing penalties.

Read first time and referred to committee on **commerce and regulation**.

CONSIDERATION OF BILLS

Regular Calendar

House File 433, a bill for an act relating to the exclusion of certain transactions involving a public utility or common carrier from the applicability of the consumer credit code, with report of committee recommending amendment and passage, was taken up for consideration.

Rants of Woodbury offered amendment H-1080 filed by the committee on commerce and regulation as follows:

H-1080

- 1 Amend House File 433 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 537.3310, subsection 5, Code

5 1999, is amended to read as follows:

6 5. Subsections 1 through 4 do not apply to a the
7 following:

8 a. a membership camping contract which is subject
9 to the requirements of chapter 557B.

10 b. a contract for wireless communications service.

11 For purposes of this subsection, "wireless
12 communications service" means as defined in section
13 34A.7A, subsection 4. However, this subsection shall

14 not be interpreted as prohibiting a consumer from
15 canceling a contract where the terms of the agreement

16 entered into have not been met by the provider of the
17 wireless communications service."

Rants of Woodbury offered the following amendment H-1151, to the committee amendment H-1080, filed by him and moved its adoption:

H-1151

1 Amend the amendment, H-1080, to House File 433 as
2 follows:

3 1. Page 1, line 10, by inserting after the word
4 "service" the following: "which is effective for a
5 period of no more than twenty-four months in
6 duration".

Amendment H-1151, to the committee amendment H-1080, was adopted.

Kreiman of Davis rose on a point of order that the committee amendment H-1080, as amended, was not germane.

The Speaker ruled the point well taken and the committee amendment H-1080, as amended, not germane.

Rants of Woodbury asked for unanimous consent to suspend the rules to consider the committee amendment H-1080, as amended.

Objection was raised.

Rants of Woodbury moved to suspend the rules to consider the committee amendment H-1080, as amended.

A non-record roll call was requested.

The ayes were 51, nays 39.

The motion prevailed.

Rants of Woodbury moved the adoption of the committee amendment H-1080, as amended.

The committee amendment H-1080, as amended, was adopted.

Eddie of Buena Vista in the chair at 9:36 a.m.

Rants of Woodbury 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. 433)

The ayes were, 55:

Alons	Barry	Baudler	Blodgett
Boal	Boddicker	Bogges	Bradley
Brauns	Brunkhorst	Carroll	Cataldo
Cohoon	Corbett, Spkr.	Cormack	Dix
Dolecheck	Drake	Ford	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Huser	Jager
Jenkins	Johnson	Kettering	Klemme
Larson	Lord	Martin	Metcalf
Millage	Raecker	Rants	Rayhons
Siegrist	Sukup	Sunderbruch	Teig
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Wise	Eddie,	
		Presiding.	

The nays were, 42:

Arnold	Bell	Bukta	Burnett
Chapman	Davis	Doderer	Dotzler
Drees	Falck	Fallon	Foege
Frevert	Garman	Holveck	Jochum
Kreiman	Kuhn	Larkin	Mascher
May	Mertz	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Stevens	Taylor
Thomas	Warnstadt	Weigel	Welter
Whitead	Witt		

Absent or not voting, 3:

Chiodo

Connors

Jacobs

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Nelson of Marshall on request of Gipp of Winneshiek.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 433** 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 March 24, 1999, amended and passed the following bill in which the concurrence of the House is asked:

House File 136, a bill for an act relating to the criminal offenses that require registration as provided in the sex offender registry law and providing an effective date.

Also: That the Senate has on March 24, 1999, amended and passed the following bill in which the concurrence of the House is asked:

House File 571, a bill for an act relating to the deposit of public funds and the conditions which must be met by a savings and loan association or savings bank to be eligible to receive such deposits, and providing an effective date.

Also: That the Senate has on March 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 277, a bill for an act relating to hospital clinical privileges of a physician assistant or advanced registered nurse practitioner.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 10:26 a.m., until the fall of the gavel.

The House resumed session at 11:43 a.m., Speaker Corbett in the chair.

RULES SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend the rules for the immediate consideration of House File 743.

Appropriations Calendar

House File 743, a bill for an act relating to the establishment of an Iowa early intervention block grant program, providing for a school improvement technology block grant program, and making appropriations, was taken up for consideration.

Grundberg 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. 743)

The ayes were, 90:

Alons	Arnold	Baudler	Bell
Blodgett	Boal	Boggess	Bradley
Brauns	Brunkhorst	Bukta	Burnett
Carroll	Cataldo	Cohon	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Frevert	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, 2:

Boddicker Garman

Absent or not voting, 8:

Barry	Chapman	Chiodo	Connors
Jacobs	Jager	Jenkins	Nelson

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 743** be immediately messaged to the Senate.

On motion by Siegrist of Pottawattamie the House was recessed at 12:30 p.m., until 1:15 p.m.

AFTERNOON SESSION

The House reconvened at 1:18 p.m., Speaker pro tempore Rants in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-two members present, thirty-eight absent.

CONSIDERATION OF BILLS

Regular Calendar

House File 721, a bill for an act relating to the Iowa egg council by providing for its administration and membership, and providing an effective date, was taken up for consideration.

Boggess of Taylor 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. 721)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Cohon	Corbett, Spkr.	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter
Raecker	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Rants,		
	Presiding		

The nays were, none.

Absent or not voting, 6:

Chiodo	Connors	Drees	Heaton
Jacobs	Nelson		

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 721** be immediately messaged to the Senate.

House File 472, a bill for an act relating to burial sites on private property, with report of committee recommending passage, was taken up for consideration.

Fallon of Polk asked and received unanimous consent to withdraw amendment H-1069 filed by him and Carroll of Poweshiek on March 10, 1999.

RULE 31.8 SUSPENDED

Brauns of Muscatine asked and received unanimous consent to suspend Rule 31.8, relating to the timely filing of amendments, for the consideration of amendment H-1210 filed by him, Carroll of Poweshiek and Fallon of Polk from the floor as follows:

H-1210

- 1 Amend House File 472 as follows:
- 2 1. Page 1, by striking lines 14 through 26 and
- 3 inserting the following: "the owner of the property
- 4 shall permit the person reasonable ingress and egress
- 5 for the purposes of visiting the burial site, and the
- 6 governmental subdivision or agency shall notify the
- 7 owner of this obligation."
- 8 2. By renumbering as necessary.

Amendment H-1210 was adopted.

Brauns of Muscatine 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. 472)

The ayes were, 93:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Cohoon	Corbett, Spkr.	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jager	Jenkins	Jochum
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalfe

Millage	Mundie	Murphy	Myers
O'Brien	Osterhaus	Parmenter	Raecker
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Rants, Presiding			

The nays were, none.

Absent or not voting, 7:

Chiodo	Connors	Drees	Heaton
Jacobs	Johnson	Nelson	

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Carroll of Poweshiek, until his return, on request of Siegrist of Pottawattamie.

House File 686, a bill for an act providing registration requirements and establishing a scope of authority for dental assistants, and providing an effective date, was taken up for consideration.

Whitead of Woodbury asked and received unanimous consent to withdraw amendment H-1120 filed by Whitead, et al., on March 18, 1999.

Blodgett of Cerro Gordo offered the following amendment H-1132 filed by him and moved its adoption:

H-1132

- 1 Amend House File 686 as follows:
- 2 1. Page 1, line 23, by striking the word
- 3 "subsection" and inserting the following:
- 4 "subsections".
- 5 2. Page 1, by inserting after line 25 the
- 6 following:

7 "NEW SUBSECTION. 6. Persons licensed to practice
8 nursing pursuant to chapter 152 who are exclusively
9 engaged in the practice of said profession."

Amendment H-1132 was adopted.

Parmenter of Story asked and received unanimous consent that amendments H-1153 and H-1174 be deferred.

Blodgett of Cerro Gordo offered the following amendment H-1154 filed by him and moved its adoption:

H-1154

1 Amend House File 686 as follows:
2 1. Page 2, by striking lines 28 through 30 and
3 inserting the following:
4 "3. Individuals employed as a dental assistant as
5 of July 1, 2000, shall be registered with the board
6 and receive a certificate of registration, and
7 individuals employed as a".

Amendment H-1154 was adopted.

Blodgett of Cerro Gordo asked and received unanimous consent to withdraw amendment H-1121 filed by him on March 18, 1999.

Metcalf of Polk offered the following amendment H-1155 filed by her and moved its adoption:

H-1155

1 Amend House File 686 as follows:
2 1. Page 3, line 2, by striking the word
3 "effective" and inserting the following: "adopted".

Amendment H-1155 was adopted.

Parmenter of Story asked and received unanimous consent to withdraw amendment H-1153, previously deferred, filed by him on March 22, 1999.

Parmenter of Story asked and received unanimous consent to withdraw amendment H-1174, previously deferred, filed by him on March 23, 1999.

Holmes of Scott 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. 686)

The ayes were, 82:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Bukta	Burnett
Cataldo	Chapman	Cohoon	Corbett, Spkr.
Cormack	Davis	Dix	Doderer
Dotzler	Drees	Eddie	Falck
Fallon	Foege	Ford	Garman
Gipp	Greiner	Grundberg	Hansen
Heaton	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kuhn	Larkin	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
O'Brien	Osterhaus	Parmenter	Raecker
Reynolds	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Rants,		
	Presiding		

The nays were, 13:

Brauns	Brunkhorst	Dolecheck	Drake
Frevert	Hahn	Hoffman	Kreiman
Larson	Lord	Rayhons	Richardson
Scherrman			

Absent or not voting, 5:

Carroll	Chiodo	Connors	Jacobs
Nelson			

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

House File 322, a bill for an act relating to liens arising out of contracts involving the care and feeding of livestock, and providing an effective date, was taken up for consideration.

Teig of Hamilton offered the following amendment H-1168 filed by him and moved its adoption:

H-1168

1 Amend House File 322 as follows:

2 1. By striking everything after the enacting
3 clause, and inserting the following:

4 "Section 1. NEW SECTION. 172C.1 DEFINITIONS.

5 As used in this chapter, unless the context
6 otherwise requires:

7 1. "Contract livestock facility" means an animal
8 feeding operation as defined in section 455B.161,
9 where livestock owned by a contractor is produced by a
10 contract producer who owns the animal feeding
11 operation. "Contract livestock facility" includes a
12 confinement feeding operation as defined in section
13 455B.161. However, a contract livestock facility does
14 not include a custom cattle feedlot as defined in
15 section 579A.1.

16 2. "Contract producer" means the owner of a
17 contract livestock facility who is paid by a
18 contractor for producing livestock owned by the
19 contractor at the contract livestock facility.

20 3. "Contractor" means a person who owns livestock
21 and pays a contract producer for producing the
22 livestock at a contract livestock facility owned by
23 the contract producer.

24 4. "Livestock" means beef cattle, dairy cattle,
25 sheep, or swine.

26 5. "Processor" means a person engaged in the
27 business of manufacturing goods from livestock,
28 including a person who is required to be licensed as a
29 dealer or broker as provided in chapter 172A.

30 6. "Produce" means to provide feed or services
31 relating to the care and feeding of livestock. If the
32 livestock is dairy cattle, "produce" includes milking
33 the dairy cattle.

34 7. "Production contract" means an oral or written
35 agreement executed by a contract producer and a
36 contractor who provides that a contract producer is to
37 receive payment for producing livestock owned by the
38 contractor at the contract producer's contract
39 livestock facility.

40 Sec. 2. NEW SECTION. 172C.2 PRODUCTION CONTRACTS
41 - CONFIDENTIALITY PROHIBITED.

42 A provision which is part of a production contract
43 is void, if the provision states that information
44 contained in the production contract is confidential.
45 The provision is void regardless of whether the
46 confidentiality provision is express or implied; oral

47 or written; required or conditional; contained in the
48 production contract, another production contract, or
49 in a related document, policy, or agreement. This
50 section does not affect other provisions of a

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1 production contract or a related document, policy, or
2 agreement which can be given effect without the voided
3 provision. This section does not require either party
4 to a production contract to divulge the information in
5 the production contract to another person.

6 Sec. 3. NEW SECTION. 172C.3 PRODUCTION CONTRACTS
7 REQUIRED TO BE FILED.

8 1. As used in this section, all of the following
9 apply:

10 a. A production contract is advertised if it is
11 presented or delivered to a contract producer,
12 regardless of whether it is part of an offer. A
13 production contract is executed if it is signed by the
14 contractor and contract producer or authorized
15 representatives and is still in force.

16 b. A production contract is advertised or executed
17 regardless of whether it is a new production contract
18 or the renewal or extension of a previous production
19 contract.

20 2. On or before March 31 of each year, a
21 contractor shall file with the secretary of state
22 types of production contracts that are advertised or
23 executed by the contractor. The production contracts
24 filed with the secretary of state shall not include
25 the printed name or signature of a contract producer.
26 A contractor shall not advertise or execute a
27 production contract, unless the contractor files that
28 type of production contract with the secretary of
29 state.

30 3. The secretary of state in consultation with the
31 attorney general shall adopt rules which provide for
32 all of the following:

33 a. Criteria for distinguishing types of production
34 contracts. The rules shall categorize the types of
35 production contracts that must be submitted to the
36 secretary of state under this section.

37 b. The manner in which a contractor must file
38 types of production contracts. The secretary of state
39 may require that the types of production contracts be
40 filed in an electronic format.

41 c. Exceptions to the filing requirement as
42 provided in this section. The secretary of state may
43 create an exception because of any of the following:

44 (1) The consideration owed by the contractor under
45 all production contracts executed by the contractor

46 and a contract producer is minimal.

47 (2) There is a family relationship between the
48 contractor and the contract producer.

49 (3) The contractor and the contract producer are
50 part of the same family farm entity or networking

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1 farmers entity as defined in section 10.1.

2 (4) The livestock is purchased for a purpose other
3 than for use by a processor.

4 4. The attorney general may provide an analysis of
5 filed production contracts in order to assist contract
6 producers in negotiating production contracts.
7 However, the secretary of state, in consultation with
8 the attorney general, may designate some information
9 contained in a production contract as confidential, if
10 such information is a confidential record under
11 section 22.7.

12 Sec. 4. NEW SECTION. 172C.4 ENFORCEMENT.

13 1. The attorney general's office is the primary
14 agency responsible for enforcing this chapter. The
15 secretary of state shall notify the attorney general's
16 office if the secretary of state has reason to believe
17 that a violation of section 172C.3 has occurred.

18 2. In enforcing the provisions of this chapter,
19 the attorney general may do all of the following:

20 a. Apply to the district court for an injunction
21 to do any of the following:

22 (1) Restrain a contractor from engaging in conduct
23 or practices in violation of this chapter.

24 (2) Require a contractor to comply with a
25 provision of this chapter.

26 b. Apply to district court for the issuance of a
27 subpoena to obtain a production contract for purposes
28 of enforcing this chapter.

29 c. Bring an action in district court to enforce
30 penalties provided in section 172C.5, including the
31 assessment and collection of civil penalties.

32 Sec. 5. NEW SECTION. 172C.5 PENALTIES.

33 1. A contractor who includes a confidentiality
34 provision in a production contract in violation of
35 section 172C.2 is guilty of a fraudulent practice as
36 provided in section 714.8.

37 2. A contractor who fails to file a timely or
38 complete production contract type as required in
39 section 172C.3 is subject to a civil penalty not to
40 exceed one thousand dollars. Each contract advertised
41 or executed in violation of section 172C.3 constitutes
42 a separate offense.

43 Sec. 6. Section 579A.1, subsections 2, 3, and 4,
44 Code 1999, are amended to read as follows:

- 45 2. "Custom cattle feedlot" means a feedlot where
46 cattle owned by a person are ~~subject to care and~~
47 ~~feeding performed~~ provided feed and care by another
48 person.
- 49 3. "Custom cattle feedlot operator" means the
50 owner of a custom cattle feedlot or ~~a person managing~~

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- 1 ~~the custom cattle feedlot, if the person is authorized~~
2 ~~by the owner to file and enforce a lien under this~~
3 ~~chapter the owner's personal representative.~~
- 4 4. "Feedlot" means ~~the same as defined in section~~
5 ~~172D-1 a lot, yard, corral, building, or other area in~~
6 which cattle are confined and fed and maintained for
7 forty-five days or more in any twelve-month period.
- 8 Sec. 7. Section 579A.1, Code 1999, is amended by
9 adding the following new subsection:
- 10 **NEW SUBSECTION. 4A. "Personal representative"**
11 means a person who is authorized by the owner of a
12 custom cattle feedlot to act on behalf of the owner,
13 including by executing an agreement, managing a custom
14 cattle feedlot, or filing and enforcing liens under
15 this chapter.
- 16 Sec. 8. Section 579A.2, subsection 1, Code 1999,
17 is amended to read as follows:
- 18 1. A custom cattle feedlot operator shall have a
19 lien upon the cattle and the identifiable cash
20 proceeds from the sale of the cattle for the amount of
21 the contract price for the feed and care of the
22 livestock cattle at the custom cattle feedlot agreed
23 upon pursuant to a written or oral agreement by the
24 custom cattle feedlot operator and the person who owns
25 the cattle, which may be enforced as provided in
26 section 579A.3.
- 27 Sec. 9. Section 579A.2, subsection 2, paragraph e,
28 Code 1999, is amended to read as follows:
- 29 e. The printed name and signature of the person
30 filing the form.
- 31 Sec. 10. Section 579A.2, subsection 3, Code 1999,
32 is amended to read as follows:
- 33 3. Except as provided in chapter 581, a lien
34 created under this section until preserved and a lien
35 preserved under this section is superior to and shall
36 have priority over a conflicting lien or security
37 interest in the cattle, including a lien or security
38 interest that was perfected prior to the creation of
39 the lien provided under this section.
- 40 Sec. 11. **NEW SECTION. 579A.4 WAIVERS**
41 **UNENFORCEABLE.**
- 42 A waiver of a right created by this subchapter,
43 including but not limited to, a waiver of the right to

44 file a lien pursuant to this subchapter is void and
45 unenforceable.

46 Sec. 12. NEW SECTION. 579A.5 ALTERNATE LIEN
47 PROCEDURE.

48 A person who is a custom cattle feedlot operator
49 may file and enforce a lien as a contract producer
50 under this chapter or chapter 579B, but not both.

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1 Sec. 13. NEW SECTION. 579B.1 DEFINITIONS.

2 As used in this chapter, unless the context
3 otherwise requires:

4 1. "Commodity" means livestock or a crop.

5 2. "Contract crop field" means farmland where a
6 crop owned by a contractor is produced by a contract
7 producer.

8 3. "Contract livestock facility" means an animal
9 feeding operation as defined in section 455B.161,
10 where livestock owned by a contractor is produced by a
11 contract producer who owns the animal feeding
12 operation. "Contract livestock facility" includes a
13 confinement feeding operation as defined in section
14 455B.161 or a feedlot as defined in section 172D.1,
15 including a custom cattle feedlot.

16 4. "Contract operation" means a contract livestock
17 facility or contract crop field.

18 5. "Contract producer" means the owner of a
19 contract operation who is paid by a contractor for
20 producing a commodity owned by the contractor at the
21 contract operation. A contract producer includes a
22 contract producer's personal representative.

23 6. "Contractor" means a person who pays a contract
24 producer for producing a commodity at a contract
25 operation owned by the contract producer.

26 7. "Crop" means any variety of alfalfa, barley,
27 buckwheat, corn, flax, millet, oats, rye, sorghum,
28 soybeans, or wheat, forage, or silage.

29 8. "Farmland" means the same as defined in section
30 352.2.

31 9. "Livestock" means beef cattle, dairy cattle,
32 sheep, or swine.

33 10. "Personal representative" means a person who
34 is authorized by a contract producer to act on behalf
35 of the contract producer, including by executing an
36 agreement, managing a contract operation, or filing
37 and enforcing a lien as provided in this chapter.

38 11. "Processor" means a person engaged in the
39 business of manufacturing goods from commodities,
40 including a person who is required to be licensed as a
41 dealer or broker as provided in chapter 172A.

42 12. "Produce" means to do any of the following:

- 43 a. Provide feed or services relating to the care
44 and feeding of livestock. If the livestock is dairy
45 cattle, "produce" includes milking the dairy cattle.
46 b. Provide for planting, raising, harvesting, and
47 storing crop. "Produce" includes preparing the soil
48 for planting and nurturing the crop by the application
49 of fertilizers or soil conditioners as defined in
50 section 200.3 or pesticides as defined in section

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- 1 206.2.
2 13. "Production contract" means an oral or written
3 agreement executed by a contract producer and a
4 contractor who provides that a contract producer is to
5 receive payment for producing a commodity owned by the
6 contractor at the contract producer's contract
7 operation.
8 Sec. 14. NEW SECTION. 579B.2 ESTABLISHMENT OF
9 LIEN - PRIORITY.
10 A contract producer who is a party to a production
11 contract shall have a lien as provided in this
12 section. The amount of the lien shall be the amount
13 owed to the contract producer pursuant to the terms of
14 the production contract, which may be enforced as
15 provided in section 579B.3.
16 1. a. If the production contract is for the
17 production of livestock, all of the following shall
18 apply:
19 (1) The lien shall be upon all of the following:
20 (a) Slaughter cattle, swine, or sheep and the
21 identifiable cash proceeds from the sale of the swine
22 or sheep.
23 (b) Dairy cattle and the identifiable cash
24 proceeds from the sale of milk produced by the dairy
25 cattle.
26 (2) The lien is created at the time the livestock
27 arrive at the contract livestock facility and
28 continues for one year after the livestock is no
29 longer under the authority of the contract producer.
30 For purposes of this section, livestock is no longer
31 under the authority of the contract producer when the
32 livestock leave the contract livestock facility.
33 b. If the production contract is for the
34 production of a crop, all of the following shall
35 apply:
36 (1) The lien shall be upon the crop and the
37 identifiable cash proceeds from the sale of the crop.
38 (2) The lien is created at the time the crop is
39 planted and continues for one year after the crop is
40 no longer under the authority of the contract
41 producer. For purposes of this section, a crop is no

42 longer under the authority of the contract producer
 43 when the crop or a warehouse receipt issued by a
 44 warehouse operator licensed under chapter 203C for
 45 grain from the crop is no longer under the custody or
 46 control of the contract producer.

47 2. In order to preserve the lien, the contract
 48 producer must file in the office of the secretary of
 49 state a lien statement on a form prescribed by the
 50 secretary of state. If the lien arises out of

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1 producing livestock or milk, the contract producer
 2 must file the lien within twenty days after the
 3 livestock arrive at the contract livestock facility.
 4 If the lien arises out of producing a crop, the
 5 contract producer must file the lien within twenty
 6 days after the crop is planted. The secretary of
 7 state shall charge a fee of not more than ten dollars
 8 for filing the statement. The secretary of state may
 9 adopt rules pursuant to chapter 17A for the electronic
 10 filing of the statements. The statement must include
 11 all of the following:

12 a. An estimate of the amount owed pursuant to the
 13 production contract.

14 b. The date when the livestock arrive at the
 15 contract livestock facility or the date when the crop
 16 was planted.

17 c. The estimated duration of the period when the
 18 commodity will be under the authority of the contract
 19 producer.

20 d. The name of the party to the production
 21 contract whose commodity is produced pursuant to the
 22 production contract.

23 e. The description of the location of the contract
 24 operation, by county and township.

25 f. The printed name and signature of the person
 26 filing the form.

27 4. Except as provided in chapter 581, a lien
 28 created under this section until preserved and a lien
 29 preserved under this section is superior to and shall
 30 have priority over a conflicting lien or security
 31 interest in the commodity, including a lien or
 32 security interest that was perfected prior to the
 33 creation of the lien provided under this section.

34 Sec. 15. NEW SECTION. 579B.3 ENFORCEMENT.

35 Before a commodity leaves the authority of the
 36 contract producer as provided in section 579B.2, the
 37 contract producer may foreclose a lien created in that
 38 section in the manner provided for the foreclosure of
 39 secured transactions as provided in sections 554.9504,
 40 554.9506, and 554.9507. After the commodity is no

41 longer under the authority of the contract producer,
 42 the contract producer may enforce the lien by
 43 commencing an action at law for the amount of the lien
 44 against either of the following:
 45 1. The holder of the identifiable cash proceeds
 46 from the sale of the commodity.
 47 2. The processor who has purchased the commodity
 48 within three days after the commodity is no longer
 49 under the authority of the contract producer.
 50 Sec. 16. NEW SECTION. 579B.4 WAIVERS

Page 8

1 UNENFORCEABLE.
 2 A waiver of a right created by this chapter,
 3 including but not limited to a waiver of the right to
 4 file a lien pursuant to this chapter, is void and
 5 unenforceable.
 6 Sec. 17. NEW SECTION. 579B.5 ALTERNATE LIEN
 7 PROCEDURE.
 8 A person who is a custom cattle feedlot operator as
 9 defined in section 579A.1 may file and enforce a lien
 10 as a contract producer under this chapter or chapter
 11 579A, but not both.
 12 Sec. 18. Section 714.8, Code 1999, is amended by
 13 adding the following new subsection:
 14 NEW SUBSECTION. 17. A contractor who includes a
 15 confidentiality provision in a production contract in
 16 violation of section 172C.2.
 17 Sec. 19. EFFECTIVE DATE. This Act, being deemed
 18 of immediate importance, takes effect upon enactment."
 19 2. Title page, by striking lines 1 and 2 and
 20 inserting the following: "An Act relating to
 21 production contracts, providing penalties, and
 22 providing an effective".

Amendment H-1168 was adopted, placing amendment H-1100 filed by Frevert of Palo Alto, et al., on March 16, 1999, out of order.

Teig of Hamilton 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. 322)

The ayes were, 94:

- | | | | |
|--------|----------|--------|------------|
| Alons | Arnold | Barry | Baudler |
| Bell | Blodgett | Boal | Boddicker |
| Bogges | Bradley | Brauns | Brunkhorst |

Bukta	Burnett	Cataldo	Chapman
Cohoon	Corbett, Spkr.	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holveck	Horbach	Houser	Huseman
Huser	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter
Raecker	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Rants, Presiding		

The nays were, none.

Absent or not voting, 6:

Carroll	Chiodo	Connors	Holmes
Jacobs	Nelson		

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate:
House Files 472 and 322.

Speaker Corbett in the chair at 2:35 p.m.

House File 476, a bill for an act relating to the exercise of the power of eminent domain and to condemnation proceedings and providing for the Act's applicability, was taken up for consideration.

Fallon of Polk offered amendment H-1189 filed by him and Witt of Black Hawk as follows:

H-1189

- 1 Amend House File 476 as follows:
- 2 1. Page 1, by inserting after line 21, the
- 3 following:
- 4 "___ "Century farm" means a farm in which at
- 5 least forty acres of such farm have been held in
- 6 continuous ownership by the same family for one
- 7 hundred years or more."
- 8 2. Page 2, inserting after line 7, the following:
- 9 "Sec. NEW SECTION. 6A.22 CONDEMNATION OF
- 10 CENTURY FARMS PROHIBITED.
- 11 The acquisition of a century farm by condemnation
- 12 is prohibited except for acquisition of a right of way
- 13 for existing roads and highways for the maintenance,
- 14 safety improvement, upgrade, or expansion of such
- 15 existing roads and highways."
- 16 3. By renumbering and correcting internal
- 17 references as necessary.

Fallon of Polk offered the following amendment H-1202, to amendment H-1189, filed by him from the floor and moved its adoption:

H-1202

- 1 Amend the amendment, H-1189, to House File 476 as
- 2 follows:
- 3 1. Page 1, line 14, by striking the words
- 4 "upgrade, or expansion" and inscrting the following:
- 5 "or upgrade".

Amendment H-1202, to amendment H-1189, was adopted.

Fallon of Polk moved the adoption of amendment H-1189, as amended.

Amendment H-1189, as amended, was adopted.

Fallon of Polk offered the following amendment H-1184 filed by him and moved its adoption:

H-1184

- 1 Amend House File 476 as follows:
- 2 1. Page 1, line 25, by inserting after the word
- 3 "funds," the following: "construction of artificial
- 4 lakes, establishment of recreational lake districts,".

A non-record roll call was requested.

The ayes were 37, nays 50.

Amendment H-1184 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Wise of Lee, until his return, on request of Jochum of Dubuque.

Warnstadt of Woodbury offered the following amendment H-1087 filed by him and Whitead of Woodbury and moved its adoption:

H-1087

- 1 Amend House File 476 as follows:
- 2 1. Page 1, line 29, by inserting after the word
- 3 "land" the following: "located outside the
- 4 incorporated boundaries of a city".
- 5 2. Page 19, line 3, by inserting after the word
- 6 "area" the following: "and located outside the
- 7 incorporated boundaries of a city".
- 8 3. Page 19, line 18, by inserting after the word
- 9 "area" the following: "and outside the incorporated
- 10 boundaries of a city".

A non-record roll call was requested.

The ayes were 23, nays 42.

Amendment H-1087 lost.

Fallon of Polk offered the following amendment H-1188 filed by him and Witt of Black Hawk and moved its adoption:

H-1188'

- 1 Amend House File 476 as follows:
- 2 1. Page 1, line 30, by inserting after the word
- 3 "condemnation." the following: "However, agricultural
- 4 land may be condemned for purposes of construction of
- 5 recreational trails if there is no other land at a
- 6 feasible location owned by a willing seller."

Amendment H-1188 lost.

Houser of Pottawattamie offered amendment H-1116 filed by him as follows:

H-1116

1 Amend House File 476 as follows:

2 1. Page 1, line 33, by inserting after the figure

3 "403.17," the following: "or to an industry if the
4 economic development board has approved the use of
5 eminent domain under section 15.104, subsection 9,".

6 2. Page 2, line 24, by striking the word "that"
7 and inserting the following: "than".

8 3. Page 6, line 6, by inserting after the word
9 "filing." the following: "After filing and indexing,
10 the county recorder shall file a copy of the
11 application with the office of secretary of state.
12 PARAGRAPH DIVIDED."

13 4. Page 6, line 35, by striking the word
14 "regular" and inserting the following: "ordinary".

15 5. Page 8, line 26, by striking the words "or
16 tenant" and inserting the following: "or tenant".

17 6. Page 8, line 28, by striking the words "or
18 tenant's" and inserting the following: "or tenant's".

19 7. Page 8, line 35, by striking the words "or
20 tenant" and inserting the following: "or tenant".

21 8. Page 9, line 1, by inserting after the word
22 "owner" the following: "or tenant".

23 9. Page 9, line 3, by inserting after the word
24 "owner's" the following: "or tenant's".

25 10. Page 10, by inserting after line 16 the
26 following:

27 "Sec. ____ Section 6B.38, Code 1999, is amended by
28 adding the following new unnumbered paragraph:
29 NEW UNNUMBERED PARAGRAPH. The county recorder
30 shall file a copy of the sheriff's statement required
31 by section 6B.35, subsection 5, with the office of the
32 secretary of state."

33 11. Page 14, by inserting after line 27, the
34 following:

35 "Sec. ____ NEW SECTION. 9.2A RECORDS RELATING TO
36 CONDEMNATION.

37 9.2A RECORDS RELATING TO CONDEMNATION.

38 The secretary of state shall receive and preserve
39 in the secretary's office all papers transmitted to
40 the secretary in relation to condemnation and shall
41 keep an alphabetical list of acquiring agencies in a
42 book provided for that purpose, in which shall be
43 entered the name of the acquiring agency, the county
44 in which the real property is located, and the date

45 the condemnation application was filed.
46 Sec.____. Section 15.104, Code 1999, is amended by
47 adding the following new subsection:
48 NEW SUBSECTION. 9. Review all applications
49 submitted by cities requesting approval for the city
50 to exercise eminent domain authority over agricultural

Page 2

1 land and determine whether the use of such authority
2 is necessary for the placement of an industry in the
3 community. The application may only include land
4 located for at least three years within the
5 incorporated boundaries of the city.
6 Approval of an application by a city to exercise
7 the right of eminent domain to acquire agricultural
8 land for an industry may be granted for a specific
9 land area upon a finding of public necessity. When
10 making a determination of public necessity, the board
11 shall consider all of the following:
12 a. The feasibility of acquiring the agricultural
13 land by methods other than condemnation.
14 b. The public cost and public benefit from
15 locating the industry on the agricultural land.
16 c. The existence of willing sellers at other
17 feasible locations in the state.
18 d. The ability to adapt the industry development
19 plans to avoid the use of condemnation.
20 e. The existence of a specific industry to be
21 located on the agricultural land.
22 f. The amount of land requested to be condemned
23 compared to the total amount of land needed for the
24 project.
25 If a city acquires property by condemnation, or by
26 otherwise exercising the power of eminent domain, and
27 that property is later sold by the city for more than
28 the acquisition price paid to the landowner, the city
29 shall pay to the landowner from whom the property was
30 acquired the difference between the price at which it
31 was acquired and the price at which it was sold by the
32 city less the cost of any improvements made to the
33 land by the city.
34 For purposes of this subsection, "industry" means
35 the same as defined in section 260E.2."
36 12. Page 18, by inserting after line 34, the
37 following:
38 "Sec.____. Section 331.602, subsection 24, Code
39 1999, is amended to read as follows:
40 24. Record papers, statements, and certificates
41 relating to the condemnation of property as provided
42 in section 6B.38, and carry out duties related to the
43 filing of certain condemnation documents with the

44 office of secretary of state.

45 13. Page 19, line 5, by inserting after the word
46 "condemnation" the following: "or unless the economic
47 development board approves the use of condemnation
48 under section 15.104, subsection 9, for the purposes
49 of locating an industry".

50 14. Page 19, line 19, by inserting after the word

Page 3

1 "condemnation" the following: "or unless the economic
2 development board approves the use of condemnation
3 under section 15.104, subsection 9, for the purposes
4 of locating an industry".

5 15. By renumbering as necessary.

Houser of Pottawattamie asked and received unanimous consent that amendments H-1207 and H-1208, both filed by him from the floor, be deferred.

Blodgett of Cerro Gordo offered amendment H-1198 filed by him from the floor, to amendment H-1116, and requested division as follows:

H-1198

1 Amend the amendment, H-1116, to House File 476 as
2 follows:

H-1198A

3 1. Page 1, by striking lines 3 through 5, and
4 inserting the following: ""403.17," the following:
5 "or to development of industry as defined in section
6 260E.2,""

H-1198B

7 2. Page 1, by inserting after line 32, the
8 following:

9 " . Page 14, by inserting after line 27, the
10 following:

11 "Sec. . NEW SECTION. 6B.59 SALE OF ACQUIRED
12 PROPERTY - REIMBURSEMENT TO LANDOWNER.

13 If an acquiring agency acquires property by
14 condemnation, or by otherwise exercising the power of
15 eminent domain, and that property is later sold by the
16 acquiring agency for more than the acquisition price
17 paid to the landowner, the acquiring agency shall pay
18 to the landowner from whom the property was acquired

19 the difference between the price at which it was
 20 acquired and the price at which it was sold by the
 21 acquiring agency less the cost of any improvements
 22 made to the land by the acquiring agency."

H-1198C

23 3. By striking page 1, line 46 through page 2,
 24 line 35.

H-1198A

25 4. Page 2, by striking lines 46 through 49, and
 26 inserting the following: "'condemnation" the
 27 following: "or unless the land is to be acquired for
 28 development of industry as defined in section
 29 260E.2".
 30 5. Page 3, by striking lines 1 through 4, and
 31 inserting the following: "'condemnation" the
 32 following: "or unless the land is to be acquired for
 33 development of industry as defined in section
 34 260E.2".

Blodgett of Cerro Gordo moved the adoption of amendment H-1198A, to amendment H-1116.

Roll call was requested by Thomas of Clayton and Greiner of Washington.

On the question "Shall amendment H-1198A, to amendment H-1116, be adopted?" (H.F. 476)

The ayes were, 32:

Blodgett	Bradley	Bukta	Cataldo
Chapman	Cohoon	Cormack	Dotzler
Drees	Grundberg	Hansen	Holmes
Huser	Jenkins	Jochum	Larkin
Larson	Martin	Metcalf	Millage
Murphy	Raecker	Shoultz	Siegrist
Sunderbruch	Taylor	Teig	Thomson
Van Fossen	Warnstadt	Whitead	Mr. Speaker Corbett

The nays were, 60:

Alons	Arnold	Barry	Baudler
Bell	Boal	Boddicker	Boggess
Brauns	Brunkhorst	Burnett	Carroll
Davis	Dix	Dolecheck	Drake

Eddie	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greiner	Hahn	Heaton	Hoffman
Holveck	Horbach	Houser	Huseman
Jager	Johnson	Kettering	Klemme
Kreiman	Kuhn	Mascher	May
Mertz	Mundie	O'Brien	Osterhaus
Parmenter	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Stevens
Sukup	Thomas	Tyrrell	Van Engelenhoven
Weidman	Weigel	Welter	Witt

Absent or not voting, 8:

Chiodo	Connors	Doderer	Jacobs
Lord	Myers	Nelson	Wise

Amendment H-1198A lost.

Fallon of Polk offered the following amendment H-1186, to amendment H-1116, filed by him and moved its adoption:

H-1186

- 1 Amend the amendment, H-1116, to House File 476, as
- 2 follows:
- 3 1. Page 1, by striking lines 2 through 5.
- 4 2. By striking page 1, line 46, through page 2,
- 5 line 35.
- 6 3. By striking page 2, line 45, through page 3,
- 7 line 4.

A non-record roll call was requested.

The ayes were 5, nays 45.

Amendment H-1186 lost.

Huser of Polk offered the following amendment H-1159, to amendment H-1116, filed by her and moved its adoption:

H-1159

- 1 Amend the amendment, H-1116, to House File 476 as
- 2 follows:
- 3 1. Page 1, by inserting after line 14 the
- 4 following:
- 5 " _____. Page 7, by inserting after line 8 the
- 6 following:

7 "Sec. __. Section 6B.4, Code 1999, is amended by
 8 adding the following new unnumbered paragraph:
 9 NEW UNNUMBERED PARAGRAPH. A compensation
 10 commission appointed pursuant to this section is a
 11 governmental body as defined in section 21.2 and its
 12 meetings shall be conducted in compliance with chapter
 13 21. Notice published by the sheriff pursuant to
 14 section 6B.11 shall constitute public notice of the
 15 meeting pursuant to section 21.4."

16 __. Page 8, by inserting after line 7 the
 17 following:

18 "Sec. __. Section 6B.11, Code 1999, is amended to
 19 read as follows:

20 **6B.11 FILING OF NOTICES AND RETURN OF SERVICE.**

21 Notices, immediately after the service thereof,
 22 shall, with proper return of service endorsed thereon
 23 or attached thereto, be filed with the sheriff. The
 24 sheriff shall at once cause the commissioners to be
 25 notified of the day and hour when they will be
 26 required to proceed with the appraisal. The notice
 27 to the commissioners shall also be published by the
 28 sheriff pursuant to section 331.305."

Amendment H-1159, to amendment H-1116, was adopted.

Blodgett of Cerro Gordo moved the adoption of amendment H-1198B, to amendment H-1116.

Amendment H-1198B, to amendment H-1116, was adopted placing amendment H-1203, filed by Houser of Pottawattamie from the floor, to amendment H-1116, out of order.

Blodgett of Cerro Gordo moved the adoption of amendment H-1198C, to amendment H-1116.

Roll call was requested by Greiner of Washington and Dix of Butler.

On the question "Shall amendment H-1198C, to amendment H-1116, be adopted?" (H.F. 476)

The ayes were, 33:

Alons	Blodgett	Cataldo	Chapman
Cohoon	Cormack	Dotzler	Drees
Foege	Ford	Frevort	Grundberg
Heaton	Jenkins	Jochum	Larkin
Larson	Martin	Mascher	Metcalf

Millage	Murphy	Osterhaus	Scherrman
Shoultz	Siegrist	Sunderbruch	Taylor
Thomson	Warnstadt	Whitead	Witt
Mr. Speaker Corbett			

The nays were, 58:

Arnold	Barry	Baudler	Bell
Boal	Boddicker	Bogges	Bradley
Brauns	Brunkhorst	Bukta	Burnett
Carroll	Davis	Dix	Dolecheck
Drake	Eddie	Falck	Fallon
Garman	Gipp	Greiner	Hahn
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jager
Johnson	Kettering	Klemme	Kreiman
Kuhn	Lord	May	Mertz
Mundie	O'Brien	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Schrader	Stevens	Sukup	Teig
Thomas	Tyrrell	Van Engelenhoven	Weidman
Weigel	Welter		

Absent or not voting, 9:

Chiodo	Connors	Doderer	Hansen
Jacobs	Myers	Nelson	Van Fossen
Wise			

Amendment H-1198C lost.

Siegrist of Pottawattamie asked and received unanimous consent that House File 476 be deferred and that the bill retain its place on the calendar. (Amendment H-1116, as amended pending.)

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on the morning of March 24, 1999. Had I been present, I would have voted "aye" on House File 743.

BARRY of Harrison

I was necessarily absent from the House chamber on March 23, 1999. Had I been present, I would have voted "aye" on House File 732.

BOAL of Polk

I was necessarily absent from the House chamber on March 24, 1999. Had I been present, I would have voted "aye" on House Files 322 and 686.

CARROLL of Poweshiek

I was necessarily absent from the House chamber on March 22 through March 24, 1999. Had I been present, I would have voted "aye" on House Joint Resolution 13, House Files 234, 375, 448, 532, 620, 624, 647, 672, 687, 689, 696, 707, 708, 732, 743 and Senate Files 203, 283 and 361.

JENKINS of Black Hawk

I was necessarily absent from the House chamber on March 23, 1999. Had I been present, I would have voted "aye" on House Files 620, 649, 687, 689, 696, 707, 708, 710 and Senate File 203.

STEVENS of Dickinson

SPECIAL PRESENTATION

Drake of Pottawattamie presented to the House Leslie Allensworth, National Vice President of Public Relations; Joy Larson, State President; Emily Kinsor, State Vice President; Melissa Earles, State Student Body Chair; Advisors, Veva Larson and Janice Halupnick, from the FHA.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

One hundred third grade students from Clear Creek Elementary, Clear Lake, accompanied by Judy Allen, Mrs. Uhlenhop, Mrs. Wiegman and Jeff Nicholas. By Blodgett of Cerro Gordo.

Twelve high school students from Waverly-Shell Rock High School, Waverly, accompanied by Mr. Halvorson. By Brunkhorst of Bremer and Dix of Butler.

Senior high government students from Eddyville-Blakesburg High School, accompanied by their principal Chuck Elbert. By Davis of Wapello, Greiner of Washington and Van Engelenhoven of Mahaska.

Forty-one seventh grade students from Pella Christian School, Pella, accompanied by Mr. DeBoef and Mr. Hartman. By Van Engelenhoven of Mahaska.

Students from North High School, Sioux City, accompanied by Mrs. Lucus. By Warnstadt of Woodbury and Whitead of Woodbury.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\503 Don Tang, Iowa City – For celebrating his 86th birthday.
- 1999\504 Frank Buckingham, Cherokee – For being named 1999 Media Sports Person of the Year.
- 1999\505 Phillip Greco, Fairfield – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\506 Rose Hrdlicka, Fort Dodge – For celebrating her 100th birthday.
- 1999\507 Arlene Hunter, Lake View – For celebrating her 93rd birthday.
- 1999\508 Roy and Bonnie Swalwell Eilert, Newton – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 533 Reassigned

Appropriations: Greiner, Chair; Jacobs and Mertz.

House File 610 Reassigned

Appropriations: Barry, Chair; Murphy and Nelson.

Senate File 210 Reassigned

Appropriations: Gipp, Chair; Cormack and Warnstadt.

Senate File 294 Reassigned

Judiciary: Larson, Chair; Baudler and Parmenter.

Senate File 309 Reassigned

Judiciary: Larson, Chair; Davis and Kreiman.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 252 Ways and Means

Relating to the classification of apartments in condominiums for purposes of property taxation.

H.S.B. 253 Ways and Means

Relating to the sales and use tax exemption for the sale or rental of farm machinery and equipment as it relates to grain dryers.

H.S.B. 254 Appropriations

Relating to and making appropriations for agriculture and natural resources and providing effective dates.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON COMMERCE AND REGULATION

Senate File 249, a bill for an act relating to the operation and regulation of insurance companies, including the treatment of certain confidential information by the commissioner, the operation of certain types of insurance companies, and the rights and duties of insurance companies under certain policies issued in this state.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 1999.

Senate File 410, a bill for an act providing for the regulation of viatical settlement contracts when sold as investments.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 1999.

COMMITTEE ON HUMAN RESOURCES

Senate File 194, a bill for an act relating to acceptable accreditation of psychiatric medical institutions for children for the purpose of licensing.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1194** March 23, 1999.

Senate File 248, a bill for an act relating to acquired immune deficiency syndrome, providing penalties, and providing for a repeal.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 1999.

COMMITTEE ON JUDICIARY

Senate File 150, a bill for an act concerning judicial administration.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1196** March 23, 1999.

Senate File 303, a bill for an act requiring that the clerk of the district court confirm that notice has been given to required parties prior to the filing of a nonstatutory lien.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 1999.

AMENDMENTS FILED

H—1194	S.F.	194	Committee on Human Resources
H—1195	H.F.	224	Senate Amendment
H—1196	S.F.	150	Committee on Judiciary
H—1197	H.F.	476	Blodgett of Cerro Gordo
H—1199	S.F.	52	Davis of Wapello
H—1200	H.F.	427	Davis of Wapello
H—1201	H.F.	700	Shoultz of Black Hawk
H—1204	S.F.	216	Sukup of Franklin
H—1205	H.F.	136	Senate Amendment
H—1206	H.F.	571	Senate Amendment
H—1209	H.F.	476	Huser of Polk
H—1211	H.F.	476	Houser of Pottawattamie
H—1212	H.F.	499	Kreiman of Davis
H—1213	H.F.	499	Kreiman of Davis
H—1214	H.F.	499	Kreiman of Davis
H—1215	H.F.	499	Kreiman of Davis
H—1216	H.F.	499	Kreiman of Davis
H—1217	H.F.	499	Kreiman of Davis
H—1218	H.F.	499	Kreiman of Davis
H—1219	H.F.	737	Huser of Polk
H—1220	H.F.	737	Taylor of Linn
H—1221	H.F.	476	Witt of Black Hawk
			Fallon of Polk
H—1222	H.F.	476	Fallon of Polk
H—1223	H.F.	476	Blodgett of Cerro Gordo
H—1224	H.F.	586	Witt of Black Hawk
H—1225	H.F.	698	Cataldo of Polk
H—1226	H.F.	698	O'Brien of Boone
H—1227	H.F.	723	Cormack of Webster
H—1228	H.F.	476	Houser of Pottawattamie
H—1229	H.F.	737	Murphy of Dubuque
H—1230	H.F.	737	Alons of Sioux

H—1231	H.F.	737	Huser of Polk Richardson of Warren Thomas of Clayton
H—1232	H.F.	655	Grundberg of Polk
H—1233	H.F.	682	Barry of Harrison Kreiman of Davis
H—1234	H.F.	737	Murphy of Dubuque
H—1235	H.F.	589	Metcalf of Polk
H—1236	H.F.	737	Ford of Polk
H—1237	H.F.	675	Grundberg of Polk Brunkhorst of Bremer Mascher of Johnson
H—1238	H.F.	737	Shoultz of Black Hawk Ford of Polk
H—1239	H.F.	737	Ford of Polk
			Weigel of Chickasaw Murphy of Dubuque
			Shoultz of Black Hawk Chapman of Linn

On motion by Siegrist of Pottawattamie the House adjourned at 4:25 p.m., until 8:45 a.m., Thursday, March 25, 1999.

JOURNAL OF THE HOUSE

Seventy-fourth Calendar Day - Forty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 25, 1999

The House met pursuant to adjournment at 8:53 a.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Lester "Buck" Terlouw, retired pastor from the Reformed Church in America and Chaplain for the State of Iowa American Legion, Cantril.

The Journal of Wednesday, March 24, 1999 was approved.

SPECIAL PRESENTATION

Prior to convening the Honorable Dan Boddicker state representative from Cedar County and his friend Mitch Smith from Cedar Rapids, performed jazz and blues music in the House chamber.

The House expressed its appreciation.

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 March 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 275, a bill for an act requiring the department of human services to establish certification or licensing standards for children's centers.

Also: That the Senate has on March 24, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 404, a bill for an act relating to a relationship involving real estate licensees and real estate clients, and establishing restrictions on the payment of commissions or other consideration.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

Senate File 277, by committee on state government, a bill for an act relating to hospital clinical privileges of a physician assistant or advanced registered nurse practitioner.

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

Senate File 304, by committee on human resources, a bill for an act providing for conditional employment pending the outcome of background checks for health care facility employees.

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

The House stood at ease at 9:00 a.m., until the fall of the gavel.

The House resumed session at 9:16 a.m., Speaker pro tempore Rants in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Connors of Polk on request of Schrader of Marion; Chiodo of Polk on request of Cataldo of Polk.

CONSIDERATION OF BILLS

Regular Calendar

House File 706, a bill for an act establishing the criminal offense of laser pointer harassment against a law enforcement officer, and providing a penalty, was taken up for consideration.

Davis of Wapello offered the following amendment H-1113 filed by him and Kreiman of Davis and moved its adoption:

H-1113

- 1 Amend House File 706 as follows:
- 2 1. Page 1, lines 4 and 5, by striking the words
- 3 "a law enforcement officer" and inserting the
- 4 following: "another person".
- 5 2. Page 1, line 6, by striking the words "a law

- 6 enforcement officer" and inserting the following:
 7 "another person".
 8 3. Title page, line 2, by striking the words
 9 "against a law enforcement officer".

Amendment H-1113 was adopted.

Davis of Wapello 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. 706)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Bukta
Burnett	Carroll	Cataldo	Chapman
Cohoon	Corbett, Spkr.	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Foege	Ford	Frevert	Garman
Gipp	Greiner	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Welter	Whitead	Wise
Witt	Rants, Presiding		

The nays were, 3:

Brunkhorst	Fallon	Weigel
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Absent or not voting, 3:

Chiodo	Connors	Grundberg
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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.

House File 474, a bill for an act relating to the powers and duties of county treasurers by amending Code sections pertaining to special assessments, certain motor vehicle ownership transfers, tax statement addresses, tax redemption, and tax clearance statements for mobile homes, and providing effective date and applicability date provisions, was taken up for consideration.

Van Engelenhoven of Mahaska 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. 474)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Cohoon	Corbett, Spkr.	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Rants, Presiding			

The nays were, none.

Absent or not voting, 3:

Chiodo

Connors

Grundberg

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

House File 343, a bill for an act providing for the collection of moneys by a county board of supervisors arising out of the construction of a drainage improvement within a railroad right-of-way, with report of committee recommending passage, was taken up for consideration.

Mertz of Kossuth 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. 343)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Bukta
Burnett	Carroll	Cataldo	Chapman
Cohoon	Corbett, Spkr.	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Rants, Presiding

The nays were, none.

Absent or not voting, 4:

Brunkhorst

Chiodo

Connors

Grundberg

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 706, 474 and 343.**

House File 714, a bill for an act relating to alternative forms of identification to be attached to a petition in an action for seeking a name change, was taken up for consideration.

Kettering of Sac 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. 714)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chapman
Cohoon	Corbett, Spkr.	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrell	Van Engelenhoven	Van Fossen

Warnstadt
Wise

Weidman
Witt

Welter
Rants,
Presiding

Whitead

The nays were, none.

Absent or not voting, 5:

Brauns
Weigel

Chiodo

Connors

Grundberg

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 residency requirements for county, city, and school district elective offices, was taken up for consideration.

Fallon of Polk offered amendment H-1078 filed by him and Reynolds of Van Buren as follows:

H-1078

- 1 Amend House File 590 as follows:
- 2 1. Page 1, by inserting after line 17 the
- 3 following:
- 4 "Sec. ____ Section 39.22, Code 1999, is amended by
- 5 adding the following new subsection:
- 6 NEW SUBSECTION. 3. A township officer must be a
- 7 resident of the township for a period of time
- 8 beginning with the date the candidate files an
- 9 affidavit of candidacy for the township office to the
- 10 date of the election at which the office is to be
- 11 filled. The township officer shall actually reside in
- 12 the township for which the person was elected for the
- 13 duration of the term of office."
- 14 2. By renumbering as necessary.

Huser of Polk offered the following amendment H-1142, to amendment H-1078, filed by her and moved its adoption:

H-1142

- 1 Amend the amendment, H-1078, to House File 590, as
- 2 follows:
- 3 1. Page 1, by inserting after line 3 the
- 4 following:
- 5 ""Sec. ____ Section 39.21, Code 1999, is amended
- 6 by adding the following new subsection:

7 NEW SUBSECTION. 5. Township trustees as provided
8 in section 39.22.

9 Sec. ___. Section 39.21, Code 1999, is amended by
10 adding the following new subsection:

11 NEW SUBSECTION. 6. Township clerk as provided in
12 section 39.22.

13 Sec. ___. Section 39.22, subsection 2, Code 1999,
14 is amended to read as follows:

15 2. BY ELECTION. If the county board of
16 supervisors does not have the power provided under
17 subsection 1 to fill the offices of trustee and clerk
18 within a township by appointment, then the offices of
19 township trustee and township clerk shall be filled by
20 election on a nonpartisan basis. Township trustees
21 and the township clerk, in townships which do not
22 include a city, shall be elected by the voters of the
23 entire township. In townships which include a city,
24 the officers shall be elected by the voters of the
25 township who reside outside the corporate limits of
26 the city, but a township officer may be a resident of
27 the city.

28 a. TOWNSHIP OFFICERS. The election of township
29 officers shall take place at the general election on
30 ballots which shall not reflect a nominee's political
31 affiliation. Nomination shall be made by petition in
32 accordance with chapter 45. The petition form shall
33 be furnished by the county commissioner of elections
34 and shall be filed with the county commissioner of
35 elections. A plurality is sufficient to elect the
36 township officers, and no primary election for the
37 offices shall be held.

38 a. b. TOWNSHIP TRUSTEES. Township trustees shall
39 be elected biennially to succeed those whose terms of
40 office expire on the first day of January following
41 the election which is not a Sunday or legal holiday.
42 The term of office of each elected township trustee is
43 four years, except as provided in subsection 1 for
44 initial terms following restoration of the election
45 process.

46 b. c. TOWNSHIP CLERK. At the general election
47 held in the year 1990 and every four years thereafter,
48 in each civil township one township clerk shall be
49 elected who shall hold office for the term of four
50 years."

Page 2

1 2. Page 1, by inserting after line 13 the
2 following:

3 "Sec. ___. Section 43.53, Code 1999, is amended to
4 read as follows:

5 43.53 NOMINEES FOR SUBDIVISION OFFICE - WRITE-IN

6 CANDIDATES.

7 The nominee of each political party for any office
8 to be filled by the voters of any ~~township or other~~
9 political subdivision within the county shall be the
10 person receiving the highest number of votes cast in
11 the primary election by the voters of that party for
12 the office. That person shall appear as the party's
13 candidate for the office on the general election
14 ballot. A person whose name is not printed on the
15 official primary ballot shall not be declared
16 nominated as a candidate for such office in the
17 general election unless that person receives at least
18 five votes. Nomination of a candidate for the office
19 of county supervisor elected from a district within
20 the county shall be governed by section 43.52 and not
21 by this section.

22 Sec. __. Section 49.37, subsection 3, Code 1999,
23 is amended to read as follows:

24 3. The commissioner shall arrange the partisan
25 county offices on the ballot with the board of
26 supervisors first, followed by the other county
27 offices ~~and township offices~~ in the same sequence in
28 which they appear in sections 39.17 and 39.22.

29 Nonpartisan offices, with the township offices first,
30 shall be listed after partisan offices."

31 __. Page 1, by inserting after line 27 the
32 following:

33 "Sec. __. Section 43.21, Code 1999, is repealed."

34 __. Title page, line 2, by inserting after the
35 word "offices" the following: "and relating to
36 election of township officers"."

Amendment H-1142 was adopted.

Fallon of Polk moved the adoption of amendment H-1078, as amended.

Amendment H-1078, as amended, was adopted.

Dix of Butler asked and received unanimous consent that House File 590 be deferred and that the bill retain its place on the calendar.

Speaker Corbett in the chair at 10:06 a.m.

House File 501, a bill for an act relating to the imposition of mandatory minimum fines upon conviction of certain felonies, was taken up for consideration.

Larson of Linn offered the following amendment H-1169 filed by him and moved its adoption:

H-1169

- 1 Amend House File 501 as follows:
- 2 1. Page 1, by inserting after line 19 the
- 3 following:
- 4 "Sec. ____ Section 702.11, Code 1999, is amended
- 5 to read as follows:
- 6 702.11 FORCIBLE FELONY.
- 7 1. A "forcible felony" is any felonious child
- 8 endangerment, assault, murder, sexual abuse,
- 9 kidnapping, robbery, arson in the first degree, or
- 10 burglary in the first degree. ~~However, sexual~~
- 11 2. Notwithstanding subsection 1, the following
- 12 offenses are not forcible felonies:
- 13 a. Willful injury in violation of section 708.4,
- 14 subsection 2.
- 15 b. Sexual abuse in the third degree committed
- 16 between spouses, ~~sexual,~~
- 17 c. Sexual abuse in violation of section 709.4,
- 18 subsection 2, paragraph "c", subparagraph (4), ~~or~~
- 19 sexual,
- 20 d. Sexual exploitation by a counselor or therapist
- 21 in violation of section 709.15, is not a "forcible
- 22 felony".
- 23 Sec. ____ Section 708.2, Code 1999, is amended by
- 24 adding the following new subsection:
- 25 NEW SUBSECTION. 3A. A person who commits an
- 26 assault, as defined in section 708.1, and who causes
- 27 serious injury, is guilty of a class "D" felony."
- 28 2. Page 1, by inserting after line 33 the
- 29 following:
- 30 "Sec. ____ Section 708.4, Code 1999, is amended to
- 31 read as follows:
- 32 708.4 WILLFUL INJURY.
- 33 Any person who does an act which is not justified
- 34 and which is intended to cause ~~and does cause~~ serious
- 35 injury to another commits a the following:
- 36 1. A class "C" felony, if the person causes
- 37 serious injury to another.
- 38 2. A class "D" felony, if the person causes bodily
- 39 injury to another."
- 40 3. Title page, by striking line 1 and inserting
- 41 the following: "An Act relating to the definitions
- 42 and penalties applicable to".
- 43 4. Title page, line 2, by inserting after the
- 44 word "felonies" the following: ", by making changes
- 45 related to the offenses of assault and willful injury
- 46 and making changes in the mandatory minimum penalties

- 47 for certain felony offenses".
48 5. By renumbering as necessary.

Amendment H-1169 was adopted.

RULE 31.8 SUSPENDED

Kreiman of Davis asked and received unanimous consent to suspend Rule 31.8, relating to the timely filing of amendments, for the consideration of amendment H-1240 filed by him from the floor as follows:

H-1240

- 1 Amend House File 501 as follows:
2 1. Page 2, by inserting after line 13 the
3 following:
4 "Sec. ____ Section 902.9, unnumbered paragraph 2,
5 Code 1999, is amended to read as follows:
6 The criminal penalty surcharge required by section
7 911.2 shall be added to a fine imposed on a class "C"
8 or class "D" felon, as provided by that section, and
9 is not a part of or subject to the maximums set in
10 this section. However, a fine shall not be imposed in
11 a class "C" or "D" felony, if the court finds that the
12 payment of a fine would create an undue burden on the
13 felon's family."
14 2. By renumbering as necessary.

Carroll of Poweshiek in the chair at 10:24 a.m.

Amendment H-1240 lost.

House File 501 was temporarily deferred.

SPECIAL PRESENTATION

Witt of Black Hawk introduced to the House Police Officers Keith Lemka and Kurt Schreiber, recipients of the Governor's Award for Valor, given for their heroic rescue efforts.

The House resumed consideration of House File 501.

Davis of Wapello 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. 501)

The ayes were, 66:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Cataldo	Cohoon	Corbett, Spkr.	Cormack
Davis	Dix	Dolecheck	Drake
Eddie	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Johnson	Kettering	Klemme
Larkin	Larson	Lord	Martin
Metcalf	Millage	Mundie	Myers
Nelson	O'Brien	Raecker	Rants
Rayhons	Siegrist	Sukup	Sunderbruch
Teig	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Welter
Wise	Carroll, Presiding		

The nays were, 31:

Bukta	Burnett	Chapman	Doderer
Dotzler	Drees	Falck	Fallon
Foege	Ford	Frevert	Holveck
Jochum	Kreiman	Kuhn	Mascher
May	Mertz	Murphy	Osterhaus
Parmenter	Reynolds	Richardson	Schrader
Shoultz	Stevens	Taylor	Thomas
Weigel	Whitead	Witt	

Absent or not voting, 3:

Chiodo	Connors	Scherrman
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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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cataldo of Polk, until his return, on request of Schrader of Marion.

The House resumed consideration of House File 590, previously deferred.

Dix of Butler 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:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Cohoon	Corbett, Spkr.
Cormack	Davis	Dix	Dolecheck
Drake	Eddie	Fallon	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Myers	Nelson	O'Brien
Parmenter	Raecker	Rants	Reynolds
Richardson	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Carroll, Presiding

The nays were, 11:

Chapman	Doderer	Dotzler	Drees
Falck	Foege	Jochum	Murphy
Osterhaus	Scherrman	Shoultz	

Absent or not voting, 5:

Cataldo	Chiodo	Connors	Rayhons
Schrader			

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

HOUSE FILE 300 WITHDRAWN

Cormack of Webster asked and received unanimous consent to withdraw House File 300 from further consideration by the House.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: House Files 714, 501 and 590.

House File 676, a bill for an act amending provisions in the "Iowa Agricultural Industry Finance Act," was taken up for consideration.

Dolecheck of Ringgold 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. 676)

The ayes were, 84:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Cohoon	Corbett, Spkr.	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Eddie	Falck
Foegen	Frevert	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Fossen	Warnstadt	Weidman
Welter	Whitead	Wise	Carroll, Presiding

The nays were, 12:

Burnett	Chapman	Drees	Fallon
Ford	Garman	Holveck	Jochum
Shoultz	Van Engelenhoven	Weigel	Witt

Absent or not voting, 4:

Cataldo	Chiodo	Connors	Schrader
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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 484 WITHDRAWN

Teig of Hamilton asked and received unanimous consent to withdraw House File 484 from further consideration by the House.

House File 688, a bill for an act providing for the designation of a state poet laureate, was taken up for consideration.

Reynolds of Van Buren 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. 688)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Chapman	Cphoon
Corbett, Spkr.	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup

Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Carroll, Presiding

The nays were, 2:

Greiner	Johnson
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Absent or not voting, 6:

Cataldo	Chiodo	Connors	Eddie
Horbach	Rants		

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

HOUSE FILE 384 WITHDRAWN

Reynolds of Van Buren asked and received unanimous consent to withdraw House File 384 from further consideration by the House.

House File 705, a bill for an act to change the penalties for the criminal offense of accommodation involving marijuana, was taken up for consideration.

Sukup of Franklin 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. 705)

The ayes were, 90:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Chapman	Cohoon	Corbett, Spkr.
Cormack	Davis	Dix	Dolecheck
Dotzler	Drake	Eddie	Falck
Foege	Ford	Frevert	Garman
Gipp	Greiner	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman

Kuhn	Larkin	Larson	Lord
Martin	May	Mertz	Metcalf
Millage	Mundie	Murphy	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Carroll, Presiding		

The nays were, 5:

Burnett	Doderer	Fallon	Mascher
Myers			

Absent or not voting, 5:

Cataldo	Chiodo	Connors	Drees
Grundberg			

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 676, 688 and 705.**

House File 521, a bill for an act relating to the licensure and operation of employment agencies and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Dolecheck of Ringgold offered the following amendment H-1192 filed by Dotzler of Black Hawk and moved its adoption:

H-1192

- 1 Amend House File 521 as follows:
- 2 1. Page 2, line 24, by inserting after the word
- 3 "employee" the following: "or an application of an
- 4 employee".

Amendment H-1192 was adopted.

Dolecheck of Ringgold offered the following amendment H-1193 filed by Dotzler of Black Hawk and moved its adoption:

H-1193

- 1 Amend House File 521 as follows:
- 2 1. Page 3, line 20, by striking the word
- 3 "willfully".
- 4 2. Page 3, line 21, by striking the word
- 5 "willfully".

Amendment H-1193 was adopted.

Dolecheck of Ringgold 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. 521)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Chapman	Cohoon
Corbett, Spkr.	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Carroll, Presiding			

The nays were, none.

Absent or not voting, 3:

Cataldo

Chiodo

Connors

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 521** be immediately messaged to the Senate.

Appropriations Calendar

House File 737, a bill for an act relating to and making appropriations to the department for the blind, the Iowa state civil rights commission, the department of elder affairs, the Iowa department of public health, the department of human rights, the governor's alliance on substance abuse, and the commission of veterans affairs, and providing an effective date, was taken up for consideration.

Gipp of Winneshiek asked and received unanimous consent that **House File 737** be deferred and that the bill retain its place on the calendar.

The House stood at ease at 11:55 a.m., until the fall of the gavel.

The House resumed session at 12:58 p.m., Carroll of Poweshiek in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed fifty-two members present, forty-eight absent.

The House resumed consideration of **House File 737**, previously deferred.

Murphy of Dubuque offered the following amendment H-1234 filed by him and moved its adoption:

H-1234

1 Amend House File 737 as follows:

2 1. Page 3, line 22, by inserting after the word

3 "abuse" the following: "in the department of public

4 safety".

5 2. Page 17, by inserting after line 11 the

6 following:

7 "Sec. ____ Section 80E.1, subsection 1, Code 1999,

8 is amended to read as follows:

9 1. A The position of drug enforcement and abuse

10 prevention coordinator is established within the

11 department of public safety. The drug enforcement and

12 abuse prevention coordinator shall be appointed by the

13 governor, subject to confirmation by the senate, and

14 shall serve at the pleasure of the governor. The

15 governor shall fill a vacancy in the office in the

16 same manner as the original appointment was made. The

17 coordinator shall be selected primarily for

18 administrative ability. The coordinator shall not be

19 selected on the basis of political affiliation and

20 shall not engage in political activity while holding

21 the office. The salary of the coordinator shall be

22 fixed by the governor.

23 Sec. ____ Section 80E.1, subsection 2, paragraph

24 a, Code 1999, is amended to read as follows:

25 a. Coordinate and monitor all statewide narcotics

26 enforcement efforts, operate and supervise the

27 governor's alliance on substance abuse, coordinate and

28 monitor all state and federal substance abuse

29 treatment grants and programs, coordinate and monitor

30 all statewide substance abuse prevention and education

31 programs in communities and schools, and engage in

32 such other related activities as required by law. The

33 coordinator shall work in coordinating the efforts of

34 the department of corrections, the department of

35 education, the Iowa department of public health, the

36 department of public safety, and the department of

37 human services. The coordinator shall assist in the

38 development and implementation of local and community

39 strategies to fight substance abuse, including local

40 law enforcement, education, and treatment activities."

41 3. By renumbering as necessary.

Roll call was requested by Murphy of Dubuque and Shultz of Black Hawk.

On the question "Shall amendment H-1234 be adopted?" (H.F. 737)

The ayes were, 41:

Bell	Bukta	Burnett	Cataldo
Chapman	Cohoon	Doderer	Dotzler
Drees	Falck	Fallon	Foege
Ford	Frevert	Holveck	Huser
Jochum	Kreiman	Kuhn	Larkin
Mascher	May	Mertz	Mundie
Murphy	Myers	O'Brien	Osterhaus
Parmenter	Reynolds	Scherrman	Schrader
Shoultz	Stevens	Taylor	Thomas
Warnstadt	Weigel	Whitead	Wise
Witt			

The nays were, 53:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Corbett, Spkr.
Cormack	Davis	Dix	Dolecheck
Drake	Eddie	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Jacobs	Jager
Jenkins	Johnson	Kettering	Klemme
Larson	Lord	Metcalf	Millage
Nelson	Raecker	Rants	Rayhons
Sunderbruch	Teig	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Welter
Carroll, Presiding			

Absent or not voting, 6:

Chiodo	Connors	Martin	Richardson
Siegrist	Sukup		

Amendment H-1234 lost.

Huser of Polk asked and received unanimous consent that amendment H-1219 be deferred.

Murphy of Dubuque offered the following amendment H-1229 filed by him and moved its adoption:

H-1229

1 Amend House File 737 as follows:

2 1. Page 13, by inserting after line 3 the
3 following:

4 "15. DEPUTY MEDICAL EXAMINER.

5 For establishing the position of deputy medical
6 examiner within the department of public health, and
7 for not more than the following full-time equivalent
8 positions:

9	\$	175,000
10	FTEs	1.00"

11 2. Page 18, by inserting after line 5 the
12 following:

13 "Sec. ____ Section 691.5, Code 1999, is amended to
14 read as follows:

15 691.5 STATE MEDICAL EXAMINER.

16 The position of state medical examiner is created
17 under the control, direction, and supervision of the
18 ~~commissioner of public safety~~ director of the
19 department of public health. ~~The commissioner of~~
20 ~~public safety~~ director of the department of public
21 health may assign the office of the state medical
22 examiner to a division or bureau within the public
23 ~~safety~~ health department. Other state agencies shall
24 cooperate with the state medical examiner in the use
25 of state-owned facilities when appropriate for the
26 performance of nonadministrative duties of the state
27 medical examiner. The state medical examiner shall be
28 a physician and surgeon or osteopathic physician and
29 surgeon, be licensed to practice medicine in the state
30 of Iowa, and possess special knowledge in forensic
31 pathology. The state medical examiner shall be
32 appointed by and serve at the pleasure of the
33 ~~commissioner of public safety~~ director of the
34 department of public health. The state medical
35 examiner may be a faculty member of the college of
36 medicine or the college of law at the University of
37 Iowa, and any of the examiner's assistants or staff
38 may be members of the faculty or staff of the college
39 of medicine or the college of law at the University of
40 Iowa.

41 Sec. ____ Section 691.6, subsection 3, Code 1999,
42 is amended to read as follows:

43 3. To adopt rules pursuant to chapter 17A, and
44 subject to the approval of the ~~commissioner of public~~
45 ~~safety~~ director of the department of public health,
46 regarding the manner and techniques to be employed
47 while conducting autopsies; the nature, character, and
48 extent of investigations to be made in cases of
49 homicide or suspected homicide necessary to allow a
50 medical examiner to render a full and complete

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- 1 analysis and report; the format and matters to be
 2 contained in all reports rendered by medical
 3 examiners; and all other things necessary to carry out
 4 this section. All county medical examiners and peace
 5 officers are subject to the rules.
 6 Sec. __. Section 691.7, Code 1999, is amended to
 7 read as follows:
 8 691.7 COMMISSIONER OR DIRECTOR TO ACCEPT FEDERAL
 9 OR PRIVATE GRANTS.
 10 The commissioner of public safety may accept
 11 federal or private funds or grants to aid in the
 12 establishment or operation of the state criminalistics
 13 laboratory, and the ~~commissioner of public safety~~
 14 director of the department of public health or the
 15 board of regents may accept federal or private funds
 16 or grants to aid in the establishment or operation of
 17 the position of state medical examiner."
 18 3. By renumbering as necessary.

Roll call was requested by Murphy of Dubuque and Shoultz of Black Hawk.

On the question "Shall amendment H-1229 be adopted?" (H.F. 737)

The ayes were, 41:

Bell	Bukta	Burnett	Cataldo
Chapman	Cohoon	Doderer	Dotzler
Drees	Falck	Fallon	Foege
Ford	Frevert	Holveck	Huser
Jochum	Kreiman	Kuhn	Larkin
Mascher	May	Mertz	Mundie
Murphy	Myers	O'Brien	Osterhaus
Parmenter	Reynolds	Scherrman	Schrader
Shoultz	Stevens	Taylor	Thomas
Warnstadt	Weigel	Whitead	Wise
Witt			

The nays were, 55:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Corbett, Spkr.
Cormack	Davis	Dix	Dolecheck
Drake	Eddie	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Horbach
Huseman	Jacobs	Jager	Jenkins

Johnson	Kettering	Klemme	Larson
Lord	Martin	Metcalf	Millage
Nelson	Raecker	Rants	Rayhons
Siegrist	Sukup	Sunderbruch	Teig
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Welter	Carroll,	
		Presiding	

Absent or not voting, 4:

Chiodo	Connors	Houser	Richardson
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Amendment H-1229 lost.

Taylor of Linn asked and received unanimous consent to withdraw amendment H-1220 filed by him on March 24, 1999.

Alons of Sioux offered the following amendment H-1230 filed by him and moved its adoption:

H-1230

- 1 Amend House File 737 as follows:
- 2 1. Page 17, by inserting after line 1 the
- 3 following:
- 4 "e. Of the full-time equivalent positions
- 5 authorized pursuant to this subsection, filling 88.30
- 6 full-time equivalent positions shall be contingent
- 7 upon the termination of the existing Iowa veterans
- 8 home contract for dietary services, and the hiring of
- 9 state employees to perform dietary services at the
- 10 Iowa veterans home."

Amendment H-1230 was adopted.

Shoultz of Black Hawk offered the following amendment H-1238 filed by him and Ford of Polk and moved its adoption:

H-1238

- 1 Amend House File 737 as follows:
- 2 1. Page 18, line 21, by inserting after the word
- 3 "services." the following: "The department shall
- 4 expend no less than three percent of its gambling
- 5 treatment program advertising budget, for the fiscal
- 6 year beginning July 1, 1999, and ending June 30, 2000,
- 7 for advertisements specifically targeted at ethnic and
- 8 minority groups."

Speaker Corbett in the chair at 1:20 p.m.

Roll call was requested by Shoultz of Black Hawk and Siegrist of Pottawattamie.

On the question "Shall amendment H-1238 be adopted?" (H.F. 737)

The ayes were, 41:

Bell	Bukta	Burnett	Cataldo
Chapman	Cohoon	Doderer	Dotzler
Drees	Falck	Fallon	Foege
Ford	Frevert	Holveck	Huser
Jochum	Kreiman	Kuhn	Larkin
Mascher	May	Mertz	Mundie
Murphy	Myers	O'Brien	Osterhaus
Parmenter	Reynolds	Scherrman	Schrader
Shoultz	Stevens	Taylor	Thomas
Warnstadt	Weigel	Whitehead	Wise
Witt			

The nays were, 56:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Carroll
Cormack	Davis	Dix	Dolecheck
Drake	Eddie	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Jacobs	Jager
Jenkins	Johnson	Kettering	Klemme
Larson	Lord	Martin	Metcalf
Millage	Nelson	Raecker	Rants
Rayhons	Siegrist	Sukup	Sunderbruch
Teig	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Welter	Mr. Speaker Corbett

Absent or not voting, 3:

Chiodo	Connors	Richardson
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Amendment H-1238 lost.

Ford of Polk offered the following amendment H-1236 filed by him and moved its adoption:

H-1236

- 1 Amend House File 737 as follows:
 2 1. Page 18, by striking lines 23 through 29 and
 3 inserting the following: "year beginning July 1,
 4 1999, and ending June 30, 2000, of the amount of the
 5 tax revenue received by the state racing and gaming
 6 commission pursuant to section 99D.15, subsections 1,
 7 3, and 4, equal to three-tenths of one percent of the
 8 gross sum wagered by the pari-mutuel method, \$60,000
 9 is appropriated to the department of human rights to
 10 be used for the establishment of the status of
 11 southeast Asians/Pacific Islanders division, and
 12 remaining amounts are appropriated to the Iowa
 13 department of public health for the public health
 14 nursing program."

Roll call was requested by Ford of Polk and Chapman of Linn.

On the question "Shall amendment H-1236 be adopted?" (H.F. 737)

The ayes were, 40:

Bell	Bukta	Burnett	Cataldo
Chapman	Cohoon	Doderer	Dotzler
Drees	Falck	Foege	Ford
Frevert	Holveck	Huser	Jochum
Kreiman	Kuhn	Larkin	Mascher
May	Mertz	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter
Reynolds	Scherrman	Schrader	Shoultz
Stevens	Taylor	Thomas	Warnstadt
Weigel	Whitead	Wise	Witt

The nays were, 57:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Carroll
Cormack	Davis	Dix	Dolecheck
Drake	Eddie	Fallon	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Horbach	Houser	Huseman	Jacobs
Jager	Jenkins	Johnson	Kettering
Klemme	Larson	Lord	Martin
Metcalf	Millage	Nelson	Raecker
Rants	Rayhons	Siegrist	Sukup
Sunderbruch	Teig	Thomson	Tyrell

Van Engelenhoven	Van Fossen	Weidman	Welter
Mr. Speaker			
Corbett			

Absent or not voting, 3:

Chiodo	Connors	Richardson
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Amendment H-1236 lost.

Weigel of Chickasaw offered amendment H-1239 filed by Ford of Polk, et al., as follows:

H-1239

- 1 Amend House File 737 as follows:
- 2 1. Page 18, by striking lines 22 through 29 and
- 3 inserting the following:
- 4 "Sec. ____ GAMBLING TREATMENT FUND DEPOSITS.
- 5 1. For the fiscal year beginning July 1, 1999, and
- 6 ending June 30, 2000, an amount of the tax revenue
- 7 received by the state racing and gaming commission
- 8 pursuant to section 99D.15, subsections 1, 3, and 4,
- 9 equal to four-tenths of one percent of the gross sum
- 10 wagered by the pari-mutuel method shall be deposited
- 11 into the gambling treatment fund in addition to the
- 12 other revenue deposited under law.
- 13 2. Amounts deposited into the gambling treatment
- 14 fund pursuant to this section in excess of three-
- 15 tenths of one percent of the gross sum wagered by the
- 16 pari-mutuel method are appropriated as follows:
- 17 a. To the Iowa department of public health for the
- 18 establishment of an interpreter program within the
- 19 department:
- 20 \$ 250,000
- 21 b. To the department of human rights for the
- 22 displaced homemaker program:
- 23 \$ 60,000
- 24 Of the funds appropriated in this lettered
- 25 paragraph, \$10,000 shall be utilized by the status of
- 26 women division of the department of human rights to
- 27 conduct a gender-based equity study.
- 28 c. To the department of human rights to be
- 29 utilized by the Latino affairs division:
- 30 \$ 30,000
- 31 d. To the department of human rights to be
- 32 utilized by the status of African-Americans division:
- 33 \$ 30,000
- 34 e. To the department of management for allocation
- 35 to the seven federally funded independent living
- 36 centers in Iowa in equal amounts:

37	\$ 125,000
38 f. To the department of human rights for deposit	
39 in the community grant fund established in section	
40 232.190:	
41	\$ 100,000
42 g. To the department of elder affairs for	
43 expansion of Alzheimer's support:	
44	\$ 80,000
45 h. To the commission of veterans affairs:	
46	\$ 25,000
47 i. To the Iowa department of public health for the	
48 public health nursing program:	
49	\$ 175,000
50 Amounts which remain after the appropriations in	

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1 the above lettered paragraphs are appropriated, in
2 addition to the appropriation in paragraph "i", to the
3 Iowa department of public health for the public health
4 nursing program. If the amount deposited into the
5 gambling treatment fund pursuant to this section in
6 excess of three-tenths of one percent of the gross sum
7 wagered by the pari-mutuel method is insufficient for
8 full funding of the appropriations, the appropriations
9 shall be prorated proportionately."
10 2. By renumbering as necessary.

Weigel of Chickasaw offered the following amendment H-1248, to
amendment H-1239, filed by Ford of Polk from the floor and moved
its adoption:

H-1248

1 Amend the amendment, H-1239, to House File 737, as
2 follows:
3 1. By striking page 1, line 2, through page 2,
4 line 10, and inserting the following:
5 "___ Page 18, by striking lines 22 through 29
6 and inserting the following:
7 "Sec. ___ GAMBLING TREATMENT FUND DEPOSITS.
8 1. a. For the fiscal year beginning July 1, 1999,
9 and ending June 30, 2000, an amount of the tax revenue
10 received by the state racing and gaming commission
11 pursuant to section 99D.15, subsections 1, 3, and 4,
12 equal to four-tenths of one percent of the gross sum
13 wagered by the pari-mutuel method shall be deposited
14 into the gambling treatment fund in addition to the
15 other revenue deposited under law.
16 b. Notwithstanding section 99E.10, subsection 1,
17 paragraph "a", for the fiscal year beginning July 1,

18 1999, and ending June 30, 2000, the amount of gross
 19 lottery revenue deposited in the gambling treatment
 20 fund in the office of the treasurer of state pursuant
 21 to section 99E.10, subsection 1, paragraph "a", shall
 22 be increased from three-tenths of one percent of gross
 23 lottery revenue to four-tenths of one percent of gross
 24 lottery revenue.

25 c. Notwithstanding section 99F.11, subsection 3,
 26 for the fiscal year beginning July 1, 1999, and ending
 27 June 30, 2000, the amount of adjusted gross receipts
 28 deposited into the gambling treatment fund pursuant to
 29 section 99F.11, subsection 3, shall be increased from
 30 three-tenths of one percent of adjusted gross receipts
 31 to four-tenths of one percent of adjusted gross
 32 receipts.

33 2. Amounts deposited into the gambling treatment
 34 fund pursuant to this section in excess of three-
 35 tenths of one percent of the gross sum wagered by the
 36 pari-mutuel method pursuant to subsection 1, paragraph
 37 "a", in excess of three-tenths of one percent of gross
 38 lottery revenue pursuant to subsection 1, paragraph
 39 "b", and in excess of three-tenths of one percent of
 40 adjusted gross receipts pursuant to subsection 1,
 41 paragraph "c", are appropriated as follows:

- 42 a. To the Iowa department of public health for the
 43 establishment of an interpreter program within the
 44 department:
 45\$ 250,000
- 46 b. To the department of human rights for the
 47 displaced homemaker program:
 48\$ 60,000
- 49 Of the funds appropriated in this lettered
 50 paragraph, \$10,000 shall be utilized by the status of

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1 women division of the department of human rights to
 2 conduct a gender-based equity study.

- 3 c. To the department of human rights to be
 4 utilized by the Latino affairs division:
 5\$ 30,000
- 6 d. To the department of human rights to be
 7 utilized by the status of African-Americans division:
 8\$ 30,000
- 9 e. To the department of management for allocation
 10 to the seven federally funded independent living
 11 centers in Iowa in equal amounts:
 12\$ 125,000
- 13 f. To the department of human rights for deposit
 14 in the community grant fund established in section
 15 232.190:
 16\$ 100,000

- 17 g. To the department of elder affairs for
- 18 expansion of Alzheimer's support:
- 19 \$ 80,000
- 20 h. To the commission of veterans affairs:
- 21 \$ 25,000
- 22 i. To the Iowa department of public health for the
- 23 public health nursing program:
- 24 \$ 175,000
- 25 Amounts which remain after the appropriations in
- 26 the above lettered paragraphs are appropriated, in
- 27 addition to the appropriation in paragraph "i", to the
- 28 Iowa department of public health for the public health
- 29 nursing program. If the amounts deposited into the
- 30 gambling treatment fund and appropriated pursuant to
- 31 this section are insufficient for full funding of the
- 32 appropriations, the appropriations shall be prorated
- 33 proportionately."
- 34 2. By renumbering as necessary.

Amendment H-1248 was adopted.

Ford of Polk moved the adoption of amendment H-1239, as amended.

Amendment H-1239, as amended, lost.

Huser of Polk offered the following amendment H-1231 filed by Huser, et al., and moved its adoption:

H-1231

- 1 Amend House File 737 as follows:
- 2 1. Page 19, by inserting after line 9 the
- 3 following:
- 4 "Sec. ____ OPERATING A MOTOR VEHICLE WHILE
- 5 INTOXICATED COURSE REQUIREMENT STUDY. The legislative
- 6 council is requested to establish an interim study
- 7 committee to evaluate courses required for persons who
- 8 have committed an operating a motor vehicle while
- 9 intoxicated offense. The study should include a
- 10 review of courses offered through the community
- 11 colleges, either alone or in conjunction with local
- 12 licensed substance abuse agencies, and include
- 13 consideration of the practice of combining juveniles
- 14 and adults in the same course, authorizing, and
- 15 ensuring the availability of expertise to offer
- 16 separate courses geared toward juveniles and adults,
- 17 the potential mixed message sent to recovering alcohol
- 18 or drug abusers who should be receiving a zero

- 19 tolerance for use directive, enrollment procedures,
 20 course fees and costs, and course evaluation."
 21 2. By renumbering as necessary.

Amendment H-1231 was adopted.

Huser of Polk asked and received unanimous consent to withdraw amendment H-1219 filed by her on March 24, 1999.

Nelson of Marshall 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. 737)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Cohoon	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raetker	Rants	Rayhons
Reynolds	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, 2:

Cormack Kreiman

Absent or not voting, 3:

Chiodo

Connors

Richardson

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 737** be immediately messaged to the Senate.

Regular Calendar

The House resumed consideration of **House File 476**, a bill for an act relating to the exercise of the power of eminent domain and to condemnation proceedings and providing for the Act's applicability, previously deferred, with amendment H-1116, as amended pending, found on pages 841 through 843 of the House Journal.

Witt of Black Hawk offered the following amendment H-1221, to amendment H-1116, filed by him and Fallon of Polk and moved its adoption:

H-1221

1 Amend the amendment, H-1116, to House File 476 as
2 follows:

3 1. Page 1, by inserting after line 1 the
4 following:

5 " ____ Page 1, line 33, by inserting after the
6 figure "403.17," the following: "or to a recreational
7 trail if the state transportation commission has
8 approved the use of eminent domain under section
9 307A.2, subsection 16, or if the natural resource
10 commission has approved the use of eminent domain
11 under section 455A.5, subsection 7, "."

12 2. Page 2, by inserting before line 36 the
13 following:

14 " ____ Page 17, by inserting after line 11 the
15 following:

16 "Sec. ____ Section 307A.2, Code 1999, is amended
17 by adding the following new subsection:

18 **NEW SUBSECTION.** 16. Review all applications
19 submitted by acquiring agencies requesting approval
20 for an acquiring agency to exercise eminent domain
21 authority over agricultural land for routing a

22 recreational trail and determine whether the use of
23 such authority is necessary for the routing of a
24 recreational trail.

25 Approval of an application by an acquiring agency
26 to exercise the right of eminent domain to acquire
27 agricultural land for a recreational trail may be
28 granted for a specific land area upon a finding of
29 public necessity. When making a determination of
30 public necessity, the commission shall consider all of
31 the following:

32 a. The feasibility of acquiring the agricultural
33 land by methods other than condemnation.

34 b. The public cost and public benefit of locating
35 the trail where it is most feasible to maintain or
36 enhance public safety.

37 c. The existence of willing sellers at other
38 locations in the area which locations would provide
39 the same level of public safety.

40 d. The ability to adapt the recreational trail
41 plans to avoid the use of condemnation.

42 For purposes of this subsection, "acquiring agency"
43 means the same as in section 6B.58."

44 3. Page 3, by inserting after line 4 the
45 following:

46 " ____ Page 21, by inserting after line 15 the
47 following:

48 "Sec. ____ Section 455A.5, Code 1999, is amended
49 by adding the following new subsection:

50 NEW SUBSECTION. 7. The commission shall review

Page 2

1 all applications submitted by acquiring agencies
2 requesting approval for an acquiring agency to
3 exercise eminent domain authority over agricultural
4 land for routing a recreational trail and shall
5 determine whether the use of such authority is
6 necessary for the routing of a recreational trail.

7 Approval of an application by an acquiring agency
8 to exercise the right of eminent domain to acquire
9 agricultural land for a recreational trail may be
10 granted for a specific land area upon a finding of
11 public necessity. When making a determination of
12 public necessity, the commission shall consider all of
13 the following:

14 a. The feasibility of acquiring the agricultural
15 land by methods other than condemnation.

16 b. The public cost and public benefit of locating
17 the trail where it is most feasible to maintain and
18 enhance public safety.

19 c. The existence of willing sellers at other
20 feasible locations in the area which locations would

- 21 provide the same level of public safety.
- 22 d. The ability to adapt the recreational trail
- 23 plans to avoid the use of condemnation.
- 24 For purposes of this subsection, "acquiring agency"
- 25 means the same as in section 6B.58."
- 26 4. By renumbering as necessary.

Amendment H-1221 lost.

Fallon of Polk asked and received unanimous consent to withdraw amendment H-1222, to amendment H-1116, filed by him on March 24, 1999.

Blodgett of Cerro Gordo asked and received unanimous consent to withdraw amendment H-1223, to amendment H-1116, filed by him on March 24, 1999.

Houser of Pottawattamie offered the following amendment H-1247, to amendment H-1116, filed by him from the floor and moved its adoption:

H-1247

- 1 Amend the amendment, H-1116, to House File 476 as
- 2 follows:
- 3 1. Page 2, by striking lines 3 through 5 and
- 4 inserting the following: "community."

Amendment H-1247 was adopted.

Houser of Pottawattamie offered the following amendment H-1211, to amendment H-1116, filed by him and moved its adoption:

H-1211

- 1 Amend the amendment, H-1116, to House File 476 as
- 2 follows:
- 3 1. Page 2, by striking lines 16 and 17.
- 4 2. By renumbering as necessary.

Amendment H-1211 was adopted.

Houser of Pottawattamie offered the following amendment H-1228, to amendment H-1116, filed by him and moved its adoption:

H-1228

- 1 Amend the amendment, H-1116, to House File 476 as
- 2 follows:
- 3 1. Page 2, by striking lines 25 through 33.

Amendment H-1228 was adopted.

Houser of Pottawattamie offered the following amendment H-1207, to amendment H-1116, filed by him and moved its adoption:

H-1207

- 1 Amend the amendment, H-1116, to House File 476 as
- 2 follows:
- 3 1. Page 1, by inserting after line 1, the
- 4 following:
- 5 " ____ . Page 1, by striking lines 5 through 8, and
- 6 inserting the following:
- 7 "a. "Agricultural land" means real property owned
- 8 by a person in tracts of ten acres or more and not
- 9 laid off into lots of less than ten acres or divided
- 10 by streets and alleys into parcels of less than ten
- 11 acres, and that is used for the production of
- 12 agricultural commodities. Such use of".
- 13 2. By renumbering as necessary.

Amendment H-1207 was adopted.

Houser of Pottawattamie asked and received unanimous consent to withdraw amendment H-1208, to amendment H-1116, filed by him on March 24, 1999.

On motion by Houser of Pottawattamie amendment H-1116, as amended, was adopted.

Blodgett of Cerro Gordo asked and received unanimous consent to withdraw amendment H-1197 filed by him on March 24, 1999, placing amendment H-1209 filed by Huser of Polk on March 24, 1999, out of order.

Fallon of Polk asked and received unanimous consent to withdraw amendment H-1187 filed by him on March 23, 1999.

Fallon of Polk offered amendment H-1190 filed by him as follows:

H-1190

1 Amend House File 476 as follows:

2 1. Page 17, by inserting after line 11, the
3 following:

4 "Sec. ___ Section 313.2A, Code 1999, is amended

5 to read as follows:

6 313.2A COMMERCIAL AND INDUSTRIAL HIGHWAYS.

7 1. PURPOSE. It is the purpose of this section to
8 enhance opportunities for the development and
9 diversification of the state's economy through the
10 identification and improvement of a network of
11 commercial and industrial highways and to provide
12 local jurisdictions with an important role in the
13 development of the network. The network shall consist
14 of interconnected routes which provide long distance
15 route continuity. The purpose of this highway network
16 shall be to improve the flow of commerce; to make
17 travel more convenient, safe, and efficient; and to
18 better connect Iowa with regional, national, and
19 international markets. Improvements to and expansions
20 to the network shall not be made unless local
21 governmental units affected by the network or by
22 proposed changes in the network are given the
23 opportunity to review, comment on, and consent to the
24 improvements or expansions. The state transportation
25 commission shall concentrate a major portion of its
26 annual construction budget on this network of
27 commercial and industrial highways. In order to
28 ensure the greatest possible availability of funds for
29 the improvement of the network, primary highway funds
30 shall not be spent beyond continuing maintenance for
31 improvements to route segments ~~that will be bypassed~~
32 ~~by the relocation of portions of~~ affected by the
33 commercial and industrial highway network.

34 2. NETWORK SELECTION. The commission shall
35 identify, within the primary road system, a network of
36 commercial and industrial highways.

37 a. In identifying the network, or proposed
38 improvements to or expansions of the network, the
39 commission shall conduct an impact analysis. The
40 commission shall provide persons affected by the
41 network or by proposed changes in the network with
42 opportunities to review and comment on the impact
43 analysis. The commission shall also provide for a
44 means of changing the impact analysis in response to
45 comments from persons affected by the network or by
46 proposed changes in the network.

47 b. The commission shall consider all of the
48 following factors in the identification of ~~this~~ the
49 network:

50 a. (1) The connection by the most direct routes

Page 2

1 feasible of major urban areas and regions of the state
2 to each other and to the national system of interstate
3 and defense highways and priority routes in adjacent
4 states, except that the use of existing transportation
5 corridors shall be a priority whenever possible.

6 b. (2) The existence of high volumes of total
7 traffic and commercial traffic.

8 e. (3) Long distance traffic movements.

9 d. (4) Area coverage and balance of spacing with
10 service to major growth centers within the state.

11 e. (5) Metropolitan area bypasses consistent with
12 local, metropolitan, or regional area plans
13 established through cooperation by the state
14 department of transportation and local officials.

15 (6) Local preferences for routes through rural
16 areas.

17 c. The commission, with assistance from the state
18 department of transportation, shall establish
19 procedures for all of the following:

20 (1) Conducting impact analyses for new routes or
21 proposed improvements to or expansions of the network
22 pursuant to paragraph "a".

23 (2) Review of impact analyses by persons affected
24 by the network or by proposed changes in the network,
25 including an opportunity to comment on and propose
26 changes to the impact analyses.

27 (3) Review of and consent to new routes or
28 proposed changes in the network by local governmental
29 units affected by the network, including a method of
30 appealing decisions concerning the network made by the
31 commission.

32 The network of commercial and industrial highways
33 shall not exceed two thousand five hundred miles
34 including municipal extensions of these highways.

35 3. STANDARDS. The state department of
36 transportation shall establish standards pertaining to
37 the specific location, design, and access control for
38 each segment of the commercial and industrial
39 highways. The state department of transportation
40 shall incorporate into the standards a priority for
41 cooperation with local governmental units affected by
42 the network and for consideration of the local
43 governmental units' preferences regarding the network.
44 The standards shall be distributed to the local
45 governmental units affected by the network and shall
46 be available to the public.

47 4. NETWORK DEVELOPMENT. In establishing
48 priorities for improvement projects, the state
49 department of transportation shall take into
50 consideration the following additional criteria:

Page 3

- 1 ~~urban area bypasses that improve urban or regional~~
 2 ~~accessibility or improve corridor travel;~~ projects
 3 consistent with local, regional, or metropolitan
 4 transportation plans established through cooperation
 5 by the department and local officials; preferences of
 6 local governmental units regarding proposed network
 7 changes; and the willingness of local officials to
 8 provide financial or other assistance for the
 9 development of projects."
 10 2. Title page, line 2, by inserting after the
 11 word "proceedings" the following: "and to procedures
 12 for establishing and making changes to the network of
 13 commercial and industrial highways,".
 14 3. By renumbering as necessary.

Houser of Pottawattamie rose on a point of order that amendment H-1190 was not germane.

The Speaker ruled the point well taken and amendment H-1190 not germane.

Houser of Pottawattamie 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. 476)

The ayes were, 70:

Alons	Arnold	Barry	Baudler
Bell	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Davis	Dix
Dolecheck	Dotzler	Drake	Eddie
Falck	Fallon	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jager	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larson	Lord
Mascher	May	Mertz	Mundie
O'Brien	Parmenter	Raecker	Rants
Rayhons	Reynolds	Schrader	Shoultz
Stevens	Sukup	Sunderbruch	Thomas
Thomson	Tyrrell	Van Engelenhoven	Warnstadt
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, 25:

Blodgett	Cataldo	Chapman	Cohon
Cormack	Doderer	Drees	Foega
Ford	Hansen	Jacobs	Jenkins
Jochum	Larkin	Martin	Metcalf
Millage	Murphy	Nelson	Osterhaus
Scherrman	Siegrist	Taylor	Teig
Van Fossen			

Absent or not voting, 4:

Chiodo	Connors	Richardson	Weidman
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Under the provision of Rule 76, conflict of interest, Myers of Johnson refrained from voting.

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

INTRODUCTION OF BILL

House File 746, by committee on appropriations, a bill for an act relating to and making appropriations for agriculture and natural resources and providing effective dates.

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

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 March 25, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 347, a bill for an act relating to rulemaking duties of the department of natural resources regarding baled solid waste.

Also: That the Senate has on March 25, 1999, amended and passed the following bill in which the concurrence of the House is asked:

House File 573, a bill for an act to change the penalties applicable to the possession, manufacture, or delivery of methamphetamine and other controlled substances, relating to the possession or control of adulterated or improperly labeled articles, providing for the reopening of certain sentences, and providing for restrictions on bail.

Also: That the Senate has on March 25, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 190, a bill for an act relating to the requirements for establishing and operating a city cable communication utility.

Also: That the Senate has on March 25, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 211, a bill for an act relating to eligibility of certain disabled persons under the optional services coverage category of medical assistance.

Also: That the Senate has on March 25, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 221, a bill for an act relating to welfare reform provisions involving the family investment program and individual development accounts.

Also: That the Senate has on March 25, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 228, a bill for an act authorizing school districts and nonpublic schools to perform certain criminal and abuse record checks.

Also: That the Senate has on March 25, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 292, a bill for an act providing for the designation of investigative information possessed by the board of educational examiners as privileged and confidential.

MICHAEL E. MARSHALL, Secretary

HOUSE FILE 724 REREFERRED

The Speaker announced that House File 724, previously referred to committee on **ways and means** was rereferred to committee on **appropriations**.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Wednesday, March 24, 1999. Had I been present, I would have voted "aye" on House Files 433, 686 and 743.

JACOBS of Polk

I was necessarily absent from the House chamber due to a funeral on Wednesday, March 25, 1999. Had I been present, I would have voted "aye" on House Files 322, 472, 686, 721 and 743.

NELSON of Marshall

I was necessarily absent from the House chamber on March 25, 1999. Had I been present, I would have voted "aye" on House Files 476 and 737.

RICHARDSON of Warren

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

A group of 4-H students from Linn County. By Speaker Corbett.

Seven alternative high school students from Northeast Iowa Community College, Calmar, accompanied by Linda Rosulek and LuAnn Ward. By Gipp of Winneshiek.

Sixty-two sixth grade students from Gladbrook-Reinbeck, Gladbrook, accompanied by Terri Luehring. By Horbach of Tama.

Forty-three Washington High School students from Vinton-Shellsburg School District, Vinton, accompanied by Gordy Nordgren and Sharyl Stulken. By Horbach of Tama.

Five alternative students from NICC/Western Dubuque, Peosta, accompanied by Julie Norbie and Kathy Koecke. By Scherrman of Dubuque. .

Fifty sixth grade students from Twin Cedars Elementary School, Bussey, accompanied by Mark Law. By Schrader of Marion.

Four Education Options students from New Hampton, accompanied by Dawn Shattuck Felton. By Weigel of Chickasaw.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\509 Jerry Slykhuis, Cedar Falls – For coaching his 400th boys basketball victory.
- 1999\510 Marla Conley, Cherokee – For being named Iowa's 1999 Pork All-American.
- 1999\511 Atia Wright, North High School, Des Moines – For receiving 2nd place in the African American History Month Essay Contest.
- 1999\512 April Sauls, Wallace Elementary School, Des Moines – For receiving 3rd place in the African American History Month Essay Contest.
- 1999\513 Nichole White, Harding Middle School, Des Moines – For receiving 3rd place in the African American History Month Essay Contest.
- 1999\514 An Le, Harding Middle School, Des Moines – For receiving 2nd place in the African American History Month Essay Contest.
- 1999\515 Ashton Sauls, Harding Middle School, Des Moines – For receiving 1st place in the African American History Month Essay Contest.
- 1999\516 Lottie Stepp, Fayette – For celebrating her 95th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 727

Ways and Means: Houser, Chair; Jenkins and Shultz.

Senate File 282 Reassigned

State Government: Brauns, Chair; Arnold and Larkin.

Senate File 305

Ways and Means: Teig, Chair; Houser and Kuhn.

Senate File 306

Human Resources: Boal, Chair; Burnett and Davis.

Senate File 308

Ways and Means: Teig, Chair; Houser and Jochum.

Senate File 324

Commerce and Regulation: Metcalf, Chair; Bradley and Chapman.

Senate File 399

Ways and Means: Teig, Chair; Frevert and Houser.

Senate File 406

Commerce and Regulation: Hoffman, Chair; Holmes and Weigel.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 252**

Ways and Means: Drake, Chair; Holmes and Weigel.

House Study Bill 253

Ways and Means: Jenkins, Chair; Drake and Kuhn.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 255 Ways and Means**

Relating to the budget certification deadline for school districts and providing an applicability date.

H.S.B. 256 Ways and Means

Relating to the treatment of transactions involving manufactured housing under the state sales and use taxes.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, relating to and making appropriations for agriculture and natural resources and providing effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 25, 1999.

COMMITTEE ON STATE GOVERNMENT

Senate Joint Resolution 2, a joint resolution relating to the designation of the Old State Historical Building as the Ola Babcock Miller State Office Building.

Fiscal Note is not required.

Recommended **Do Pass** March 24, 1999.

Senate File 106, a bill for an act providing for accessibility requirements for elevators and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1246** March 24, 1999.

Senate File 376, a bill for an act relating to the supervision of the office of state medical examiner, making an appropriation, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 24, 1999.

Pursuant to Rule 31.7, Senate File 376 was referred to the committee on appropriations.

COMMITTEE ON WAYS AND MEANS

Senate File 137, a bill for an act relating to funding for the arts by providing an Iowa individual income tax checkoff for the arts, making an appropriation, and providing a retroactive applicability date.

Fiscal Note is required.

Recommended **Do Pass** March 24, 1999.

Committee Bill (Formerly House Study Bill 22), exempting internet and other on-line services from the state sales, services, and use taxes.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 24, 1999.

Committee Bill (Formerly House Study Bill 105), relating to a sales tax exemption for the inputs purchased for use in a car wash and wax facility.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 24, 1999.

Committee Bill (Formerly House Study Bill 250), relating to the local option sales and services taxes and including an effective date and retroactive applicability provision.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 24, 1999.

AMENDMENTS FILED

H—1241	H.F.	661	Davis of Wapello
H—1242	H.F.	698	Cataldo of Polk
H—1243	H.F.	698	Larkin of Lee
H—1244	H.F.	698	Jochum of Dubuque
H—1245	H.F.	683	Boddicker of Cedar
H—1246	S.F.	106	Committee on State Government
H—1249	H.F.	424	Jacobs of Polk
H—1250	H.F.	704	Jacobs of Polk
H—1251	H.F.	745	Reynolds of Van Buren
			Bell of Jasper
			Burnett of Story
			Cohoon of Des Moines
			Dotzler of Black Hawk
			Falck of Fayette
			Foege of Linn
			Frevert of Palo Alto
			Huser of Polk
			Kreiman of Davis
			Larkin of Lee
			May of Worth
			Mundie of Webster
			Myers of Johnson
			Osterhaus of Jackson
			Richardson of Warren
			Schrader of Marion
			Taylor of Linn
			Warnstadt of Woodbury
			Shoultz of Black Hawk
			Bukta of Clinton
			Chapman of Linn
			Doderer of Johnson
			Drees of Carroll
			Fallon of Polk
			Ford of Polk
			Holveck of Polk
			Jochum of Dubuque
			Kuhn of Floyd
			Mascher of Johnson
			Mertz of Kossuth
			Murphy of Dubuque
			O'Brien of Boone
			Parmenter of Story
			Scherrman of Dubuque
			Stevens of Dickinson
			Thomas of Clayton

Whitead of Woodbury			Wise of Lee
Witt of Black Hawk			
H-1252	H.F.	745	Holveck of Polk
H-1253	H.F.	745	Reynolds of Van Buren
H-1254	H.F.	745	Jenkins of Black Hawk
			Dotzler of Black Hawk
H-1255	H.F.	745	Stevens of Dickinson
H-1256	H.F.	745	Dotzler of Black Hawk
H-1257	S.F.	335	Metcalf of Polk
H-1258	S.F.	115	Taylor of Linn
H-1259	H.F.	573	Senate Amendment
H-1260	H.F.	655	Houser of Pottawattamie
H-1261	H.F.	704	Jacobs of Polk
H-1262	H.F.	698	Jacobs of Polk
H-1263	H.F.	745	Weigel of Chickasaw
H-1264	H.F.	745	Murphy of Dubuque
H-1265	H.F.	675	Taylor of Linn
			Huser of Polk
			Dotzler of Black Hawk
H-1266	H.F.	698	Jochum of Dubuque
H-1267	H.F.	700	Shoultz of Black Hawk
H-1268	H.F.	720	Klemme of Plymouth

On motion by Siegrist of Pottawattamie the House adjourned at 3:25 p.m., until 9:00 a.m., Friday, March 26, 1999.

JOURNAL OF THE HOUSE

Seventy-fifth Calendar Day – Forty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 26, 1999

The House met pursuant to adjournment at 9:05 a.m., Cormack of Webster in the chair.

Prayer was offered by Jill Beni, legislative clerk for Heaton of Henry.

The Journal of Thursday, March 25, 1999 was approved.

INTRODUCTION OF BILLS

House File 747, by committee on ways and means, a bill for an act relating to the local option sales and services taxes and including an effective date and retroactive applicability provision.

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

House File 748, by committee on ways and means, a bill for an act exempting internet from the state sales, services, and use taxes.

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

House File 749, by committee on ways and means, a bill for an act relating to a sales tax exemption for the inputs purchased for use in a vehicle wash and wax facility.

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

House File 750, by Holveck, a bill for an act relating to emissions from motor vehicles and providing a penalty.

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

House File 751, by Grundberg, Houser, Martin, Fallon, Boggess, Bradley, and Dolecheck, a bill for an act providing an individual and

corporate income tax credit for the new construction of certain housing units.

Read first time and referred to committee on **ways and means**.

House File 752, by Drees, a bill for an act providing an individual income tax checkoff for an Iowa barn foundation fund and providing a retroactive applicability date.

Read first time and referred to committee on **ways and means**.

House File 753; by Jacobs, a bill for an act relating to comprehensive planning and land development by cities and certain counties, city zoning, and city development actions.

Read first time and referred to committee on **local government**.

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 March 25, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 392, a bill for an act relating to telecommunications systems or services which may be provided by a city utility, establishing certain requirements on such city, and including effective date and retroactive applicability provisions.

Also: That the Senate has on March 25, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 393, a bill for an act providing for the joint construction or acquisition, furnishing, operation, and maintenance of public buildings by counties, cities, fire districts, and school districts.

Also: That the Senate has on March 25, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 441, a bill for an act providing an exemption from certain requirements of self-insured accident and health insurance plans provided by school corporations.

Also: That the Senate has on March 25, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 460, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, other properly related matters, and providing effective dates.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

Senate File 190, by Lundby, a bill for an act relating to the requirements for establishing and operating a city cable communication utility.

Read first time and referred to committee on **commerce and regulation**.

Senate File 211, by Jensen, a bill for an act relating to eligibility of certain persons with disabilities under the optional services coverage category of medical assistance.

Read first time and referred to committee on **human resources**.

Senate File 221, by committee on human resources, a bill for an act relating to welfare reform provisions involving the family investment program and individual development accounts.

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

Senate File 228, by committee on education, a bill for an act authorizing school districts and nonpublic schools to perform certain criminal and abuse record checks.

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

Senate File 275, by committee on human resources, a bill for an act requiring the department of human services to establish certification or licensing standards for children's centers.

Read first time and referred to committee on **human resources**.

Senate File 292, by committee on education, a bill for an act providing for the designation of investigative information possessed by the board of educational examiners as privileged and confidential.

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

Senate File 404, by committee on commerce, a bill for an act relating to a relationship involving real estate licensees and real estate clients, and establishing restrictions on the payment of commissions or other consideration.

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

COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

CIVIL RIGHTS COMMISSION

The Annual Report, pursuant to Chapter 7A, Code of Iowa.

HEALTHY AND WELL KIDS IN IOWA

The Annual Report, pursuant to Chapter 514I.5(g), Code of Iowa.

CERTIFICATE OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that a certificate of recognition has been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

1999\517 Kelly Linquist, Fonda – For being named one of the top two youth volunteers in the Prudential Spirit of Community Awards.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 255

Ways and Means: Holmes, Chair; Jenkins and Richardson.

House Study Bill 256

Ways and Means: Jenkins, Chair; Larson and Myers.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON TRANSPORTATION

Senate File 352, a bill for an act relating to reflective devices on slow-moving vehicles.

Fiscal Note is not required.

Recommended **Do Pass** March 25, 1999.

AMENDMENTS FILED

H—1269	H.F.	745	Heaton of Henry
H—1270	H.F.	745	Gipp of Winneshiek
H—1271	S.F.	187	Mundie of Webster
H—1272	H.F.	655	Heaton of Henry
H—1273	H.F.	745	Metcalf of Polk

On motion by Gipp of Winneshiek the House adjourned at 9:10 a.m., until 1:00 p.m., Monday, March 29, 1999.

JOURNAL OF THE HOUSE

Seventy-eighth Calendar Day - Forty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 29, 1999

The House met pursuant to adjournment at 1:15 p.m., Speaker pro tempore Rants in the chair.

Prayer was sung by Harriet Vande Hoef, the wife of former state representative Richard Vande Hoef, Sibley.

The Journal of Friday, March 26, 1999 was approved.

THE PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Cub Scouts from Den 8, accompanied by James Payton, Cubmaster; Carol Schultes, Committee Chairperson; and Den Leaders, Doug Buchanan and Marilyn Gibbons. They were the guests of the Honorable Todd Taylor, state representative from Linn County.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Connors of Polk on request of Schrader of Marion.

SENATE MESSAGES CONSIDERED

Senate File 392, by committee on commerce, a bill for an act relating to telecommunications systems or services which may be provided by a city utility, establishing certain requirements on such city, and including effective date and retroactive applicability provisions.

Read first time and referred to committee on **commerce and regulation**.

Senate File 393, by committee on education, a bill for an act providing for the joint construction or acquisition, furnishing,

operation, and maintenance of public buildings by counties, cities, fire districts, and school districts.

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

Senate File 428, by committee on state government, a bill for an act relating to the authority of cities and counties to adopt rent control ordinances.

Read first time and referred to committee on **state government.**

Senate File 460, by committee on appropriations, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, other properly related matters, and providing effective dates.

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

ADOPTION OF HOUSE MEMORIAL RESOLUTION 13

Warnstadt of Woodbury offered the following House Memorial Resolution 13 and moved its adoption:

HOUSE MEMORIAL RESOLUTION 13

Whereas, The Honorable Donovan W. Burington, of Woodbury County, Iowa, who was a member of the Forty-sixth general assembly, passed away March 30, 1998; Now Therefore,

Be It Resolved by the House of Representatives, That a committee of three be appointed by the Speaker of the House to prepare suitable resolutions commemorating his life, character and service to the state.

The motion prevailed and the Speaker appointed as such committee Warnstadt of Woodbury, Rants of Woodbury and Whitead of Woodbury.

TEACHER OF THE DAY

Representative Foege of Linn presented to the House, Arlene Brant, teacher of Marion Independent Schools.

ADOPTION OF SENATE CONCURRENT RESOLUTION 5

Klemme of Plymouth called up for consideration Senate Concurrent Resolution 5, relating to a biennial memorial session, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF SENATE CONCURRENT RESOLUTION 6

Siegrist of Pottawattamie called up for consideration Senate Concurrent Resolution 6, relating to Pioneer Lawmakers, and moved its adoption.

The motion prevailed and the resolution was adopted.

MEMORIAL COMMITTEE APPOINTED

Speaker Corbett announced the appointment of the following members to serve on the memorial committee in accordance with Senate Concurrent Resolution 5: The Honorable Ralph Klemme, Chair; the Honorable Carmine Boal; the Honorable William Dotzler and the Honorable Dolores Mertz.

SENATE AMENDMENT CONSIDERED

Sukup of Franklin called up for consideration **House File 573**, a bill for an act to change the penalties applicable to the possession, manufacture, or delivery of methamphetamine and other controlled substances, relating to the possession or control of adulterated or improperly labeled articles, providing for the reopening of certain sentences, and providing for restrictions on bail, amended by the Senate, and moved that the House concur in the following Senate amendment H-1259:

H-1259

- 1 Amend House File 573 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 13, by striking the words and
- 4 figures "subsections 3 and 4" and inserting the
- 5 following: "subsection 4".
- 6 2. Page 1, line 14, by striking the words "are

- 7 amended" and inserting the following: "is amended".
 8 3. By striking page 1, line 15, through page 2,
 9 line 5.
 10 4. Page 3, by striking lines 6 through 10, and
 11 inserting the following: "probation shall require
 12 submission to random drug testing. If the person
 13 fails a drug test, the court may transfer the person's
 14 placement to any appropriate placement permissible
 15 under the court order."
 16 5. Page 3, by striking lines 19 through 23, and
 17 inserting the following: "shall require submission to
 18 random drug testing. If the person fails a drug test,
 19 the court may transfer the person's placement to any
 20 appropriate placement permissible under the court
 21 order."
 22 6. By renumbering, relettering, or redesignating
 23 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1259.

Sukup of Franklin 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. 573)

The ayes were, 91:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chapman
Chiodo	Cohoon	Corbett, Spkr.	Cormack
Davis	Dix	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Foege	Ford	Frevert	Garman
Gipp	Greiner	Hahn	Hansen
Heaton	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Raecker	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Siegrist	Stevens	Sukup	Sunderbruch

Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Rants, Presiding	

The nays were, 6:

Burnett	Doderer	Fallon	Mascher
Parmenter	Shoultz		

Absent or not voting, 3:

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Concurrent Resolutions 5 and 6 and House File 573.**

Regular Calendar

House File 711, a bill for an act concerning the imposition of a drug abuse resistance education surcharge for criminal alcohol beverage control offenses, was taken up for consideration.

Bell of Jasper 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. 711)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Corbett, Spkr.
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Frevort	Garman	Gipp

Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Witt	Rants, Presiding		

The nays were, none.

Absent or not voting, 2:

Connors Wise

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

HOUSE FILE 453 WITHDRAWN

Bell of Jasper asked and received unanimous consent to withdraw House File 453 from further consideration by the House.

House File 713, a bill for an act relating to protective orders for domestic abuse, was taken up for consideration.

Boddicker of Cedar asked and received unanimous consent to withdraw amendment H-1143 filed by him and Witt of Black Hawk on March 22, 1999.

Barry of Harrison 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. 713)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Bukta
Burnett	Carroll	Cataldo	Chapman
Chiodo	Cohoon	Corbett, Spkr.	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Rants, Presiding			

The nays were, none.

Absent or not voting, 3:

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: House Files 711 and 713.

House File 716, a bill for an act relating to the recording of trials before a magistrate, was taken up for consideration.

Kreiman of Davis 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. 716)

The ayes were, 99:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Corbett, Spkr.
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Rants,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Connors

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 716** be immediately messaged to the Senate.

House File 723, a bill for an act prohibiting the mistreatment of animals and providing for penalties, was taken up for consideration.

Cormack of Webster offered amendment H-1227 filed by him as follows:

H-1227

1 Amend House File 723 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 717.1, Code 1999, is amended
5 by adding the following new subsections:

6 NEW SUBSECTION. 0A. "Animal" means the same as
7 defined in section 717A.1.

8 NEW SUBSECTION. 1A. "Licensed mental health
9 counselor" means a person licensed to practice mental
10 health counseling under chapters 147 and 154D.

11 NEW SUBSECTION. 7. "Warden" means animal warden
12 as defined in section 162.2.

13 Sec. 2. Section 717.1A, unnumbered paragraph 1,
14 Code 1999, is amended to read as follows:

15 A person is guilty of livestock abuse if the person
16 intentionally injures, maims, disfigures, or destroys
17 livestock owned by another person, in any manner,
18 including, but not limited to, intentionally doing any
19 of the following: administering drugs or poisons to
20 the livestock, or disabling the livestock by using a
21 firearm or trap by any means that causes pain or
22 suffering in a manner inconsistent with customary
23 animal husbandry practices. A person guilty of
24 livestock abuse commits an aggravated misdemeanor.

25 This section shall not apply to any of the following:

26 Sec. 3. Section 717.1A, subsection 1, Code 1999,
27 is amended by striking the subsection.

28 Sec. 4. Section 717.2, subsection 1, paragraph c,
29 Code 1999, is amended by striking the paragraph.

30 Sec. 5. Section 717.2, subsection 2, Code 1999, is
31 amended by striking the subsection.

32 Sec. 6. NEW SECTION. 717.3 REPORTING REQUIRED.

33 1. A person shall immediately report an incident
34 involving a violation of section 717B.2 or 717B.3 to a
35 law enforcement officer, if all of the following
36 apply:

37 a. The person is any of the following:

38 (1) A warden.

39 (2) A veterinarian licensed pursuant to chapter
40 169.

41 (3) An employee of the department of agriculture
42 and land stewardship who regularly inspects the

- 43 premises of agricultural operations.
- 44 (4) An employee of the division of child and
45 family services of the department of human services or
46 a person who provides child welfare services as
47 provided in section 235.1.
- 48 b. The person witnesses or has other credible
49 evidence of any of the following:
- 50 (1) A violation of section 717B.2 or 717B.3.

Page 2

- 1 (2) Conditions or incidents that have caused
2 livestock prolonged suffering in a manner inconsistent
3 with customary animal husbandry practices.
- 4 2. If there is reasonable grounds to believe that
5 there is a violation of section 717B.2 or 717B.3, a
6 law enforcement officer shall conduct an investigation
7 and report any violation to the county attorney.
- 8 Sec. 7. NEW SECTION. 717.4 PENALTIES.
- 9 1. a. Any person who commits livestock abuse as
10 provided in section 717.1A, is guilty of a class "D"
11 felony.
- 12 b. The following penalties shall apply to any
13 person who commits livestock neglect as provided in
14 section 717.2:
- 15 (1) Except as provided in subparagraph (2), a
16 person who negligently or intentionally commits
17 livestock neglect is guilty of a simple misdemeanor.
- 18 (2) A person who intentionally commits the offense
19 of livestock neglect which results in serious injury
20 to or the death of livestock is guilty of an
21 aggravated misdemeanor for the first offense and a
22 class "D" felony for the second and subsequent
23 offenses. A person is not guilty of more than one
24 offense of livestock neglect, punishable as provided
25 in this subparagraph, when care or sustenance is not
26 provided to multiple head of livestock during any
27 period of uninterrupted neglect.
- 28 2. If a person is guilty of a class "D" felony as
29 provided in this section, the sentencing order shall
30 provide for all of the following:
- 31 a. The person shall participate in counseling
32 according to the terms ordered by the court. The
33 counseling shall be provided by a licensed mental
34 health counselor appointed or approved by the court.
35 The costs of counseling shall be paid by the person
36 and may be taxed as court costs. If the court
37 determines that the person is unable to make payment,
38 the court may order that the costs be paid in full or
39 in part from the county treasury.
- 40 b. The person shall not own, keep, or care for
41 livestock or any animal for a suspensory period as

42 provided in this paragraph. The suspensory period
43 shall be for not less than five years and not more
44 than ten years as ordered by the court. If the person
45 is not incarcerated, the suspensory period shall begin
46 on the date of sentencing. If the person is
47 incarcerated, the suspensory period shall begin on the
48 date that the person's incarceration ends. A person
49 who violates a suspensory period condition is guilty
50 of a serious misdemeanor.

Page 3

1 c. The person shall pay reasonable costs of the
2 investigation and prosecution of the case as ordered
3 by the court. The person shall also pay expenses
4 incurred in maintaining the livestock as ordered by
5 the court, unless the expenses have been paid pursuant
6 to section 717.5.

7 Sec. 8. NEW SECTION. 717.6 FORFEITURE.

8 If a person is guilty of a class "D" felony as
9 provided in section 717.4, all livestock or any animal
10 owned by the person shall be forfeited to the state,
11 to the extent that the livestock or animal has not
12 been disposed of as provided in section 717.5 or
13 717B.5. The livestock or any animal shall be seized
14 and forfeited in the same manner as provided in
15 chapter 809A. Livestock or animals which are
16 destroyed shall be destroyed only by a humane method,
17 including euthanasia as defined in section 162.2.

18 Sec. 9. Section 717B.1, Code 1999, is amended by
19 adding the following new subsections:

20 NEW SUBSECTION. 3A. "Licensed mental health
21 counselor" means a person licensed to practice mental
22 health counseling under chapters 147 and 154D.

23 NEW SUBSECTION. 3B. "Livestock" means the same as
24 defined in section 717.1.

25 NEW SUBSECTION. 6. "Warden" means the same as
26 animal warden as defined in section 162.2.

27 Sec. 10. Section 717B.2, unnumbered paragraph 1,
28 Code 1999, is amended to read as follows:

29 A person is guilty of animal abuse if the person
30 intentionally injures, maims, disfigures, or destroys
31 an animal owned by another person by any means, in any
32 a manner, including intentionally poisoning the animal
33 inconsistent with customary animal husbandry
34 practices. A person guilty of animal abuse is guilty
35 of an aggravated misdemeanor. This section shall not
36 apply to any of the following:

37 Sec. 11. Section 717B.2, subsection 1, Code 1999,
38 is amended by striking the subsection.

39 Sec. 12. Section 717B.3, subsection 1, Code 1999,
40 is amended to read as follows:

41 1. A person who impounds or confines, in any
42 place; an animal is guilty of animal neglect, if the
43 person does any of the following: fails to supply the
44 animal during confinement with a sufficient quantity
45 of food or water; fails to provide a confined dog or
46 cat with adequate shelter; or ~~tortures, deprives of~~
47 ~~the animal~~ necessary sustenance, ~~mutilates, beats, or~~
48 ~~kills an animal by any means which causes unjustified~~
49 ~~pain, distress, or suffering.~~

50 Sec. 13. Section 717B.3, subsection 3, Code 1999,

Page 4

1 is amended by striking the subsection.

2 Sec. 14. NEW SECTION. 717B.3A REPORTING
3 REQUIRED.

4 1. A person shall immediately report an incident
5 or condition involving a violation of section 717B.2
6 or 717B.3 to a law enforcement officer, if all of the
7 following apply:

8 a. The person is any of the following:

9 (1) A warden.

10 (2) A veterinarian licensed pursuant to chapter
11 169.

12 (3) An employee of the department of agriculture
13 and land stewardship who regularly inspects commercial
14 establishments as provided in chapter 162.

15 (4) An employee of the division of child and
16 family services of the department of human services or
17 a person who provides child welfare services as
18 provided in section 235.1.

19 b. The person witnesses or has other credible
20 evidence of any of the following:

21 (1) A violation of section 717B.2 or 717B.3.

22 (2) Conditions or incidents that have caused
23 animals prolonged suffering.

24 2. If there is reasonable grounds to believe that
25 there is a violation of this section, a law
26 enforcement officer shall conduct an investigation and
27 report any violation to the county attorney.

28 Sec. 15. NEW SECTION. 717B.4A PENALTIES.

29 1. a. Any person who commits animal abuse as
30 provided in section 717B.2 is guilty of a class "D"
31 felony.

32 b. The following penalties shall apply to any
33 person who commits animal neglect as provided in
34 section 717B.3:

35 (1) Except as provided in subparagraph (2) a
36 person who negligently or intentionally commits animal
37 neglect is guilty of a simple misdemeanor.

38 (2) A person who intentionally commits animal
39 neglect which results in serious injury to or the

40 death of an animal is guilty of an aggravated
41 misdemeanor for the first offense and a class "D"
42 felony for the second and subsequent offenses.
43 2. If a person is guilty of an aggravated
44 misdemeanor or class "D" felony, as provided in this
45 section, the sentencing order shall provide for all of
46 the following:
47 a. The person shall participate in counseling
48 according to the terms ordered by the court. The
49 counseling shall be provided by a licensed mental
50 health counselor appointed or approved by the court.

Page 5

1 The costs of counseling shall be paid by the person
2 and may be taxed as court costs. If the court
3 determines that the person is unable to make payment,
4 the court may order that the costs be paid in full or
5 in part from the county treasury.
6 b. The person shall not own, keep, or care for an
7 animal or any livestock for a suspensory period as
8 provided in this paragraph. The suspensory period
9 shall be for not less than five years and not more
10 than ten years as ordered by the court. If the person
11 is not incarcerated, the suspensory period shall begin
12 on the date of sentencing. If the person is
13 incarcerated, the suspensory period shall begin on the
14 date that the person's incarceration ends. A person
15 who violates a suspensory period condition is guilty
16 of a serious misdemeanor.
17 c. The person shall pay reasonable costs of the
18 investigation and prosecution of the case as ordered
19 by the court. The person shall also pay expenses
20 incurred in maintaining the animal as ordered by the
21 court, unless the expenses have been paid pursuant to
22 section 717B.5.
23 Sec. 16. NEW SECTION. 717B.5A FORFEITURE.
24 If a person is guilty of a class "D" felony as
25 provided in section 717B.4A, all animals or livestock
26 owned by the person shall be forfeited to the state,
27 to the extent that the animals or livestock have not
28 been disposed of as provided in section 717.5 or
29 717B.5. The animals or livestock shall be seized and
30 forfeited in the same manner as provided in chapter
31 809A. Animals or livestock which are destroyed shall
32 be destroyed only by a humane method, including
33 euthanasia as defined in section 162.2."

Speaker Corbett in the chair at 2:05 p.m.

Grundberg of Polk offered amendment H-1275, to amendment H-1227, filed by her from the floor as follows:

H-1275

- 1 Amend the amendment, H-1227, to House File 723, as
- 2 follows:
- 3 1. Page 1, by inserting after line 3 the
- 4 following:
- 5 ""Sec. . NEW SECTION. 99B.22 USE OF IMMATURE
- 6 ANIMALS AS AWARDS OR PRIZES PROHIBITED - PENALTY.
- 7 1. As used in this section "immature animal" means
- 8 an animal not old enough to reproduce, including but
- 9 not limited to a bunny, chick, kitten, or puppy.
- 10 2. A person licensed to conduct games of skill,
- 11 games of chance, or raffles pursuant to this chapter
- 12 shall not offer to give or give an immature animal as
- 13 a prize, gift, or door prize as a part of the conduct
- 14 of a game of skill, chance, or raffle.
- 15 3. The department shall adopt rules, pursuant to
- 16 chapter 17A, prohibiting a licensee under this chapter
- 17 from awarding or giving an immature animal as a gift,
- 18 prize, or door prize.
- 19 4. A person who violates this section or a rule
- 20 adopted pursuant to this section is guilty of a simple
- 21 misdemeanor.""
- 22 2. By renumbering as necessary.

Shultz of Black Hawk rose on a point of order that amendment H-1275, to amendment H-1227, was not germane.

The Speaker ruled the point well taken and amendment H-1275, to amendment H-1227, not germane.

Davis of Wapello offered amendment H-1274, to amendment H-1227, filed by him, Cormack of Webster, Jager of Black Hawk, Kettering of Sac, Stevens of Dickinson, Reynolds of Van Buren, Myers of Johnson, and Dotzler of Black Hawk from the floor as follows:

H-1274

- 1 Amend the amendment, H-1227, to House File 723, as
- 2 follows:
- 3 1. Page 2, by striking lines 36 through 39 and
- 4 inserting the following: "and may be taxed as court
- 5 costs."
- 6 2. Page 2, line 41, by striking the words
- 7 "livestock or".

- 8 3. Page 2, line 43, by striking the word "five"
9 and inserting the following: "three".
- 10 4. Page 3, line 9, by striking the words "all
11 livestock or any" and inserting the following:
12 "each".
- 13 5. Page 3, line 11, by striking the words
14 "livestock or".
- 15 6. Page 3, line 12, by striking the figure and
16 word "717.5 or".
- 17 7. Page 3, line 13, by striking the words
18 "livestock or any".
- 19 8. Page 3, line 15, by striking the words
20 "Livestock or animals which are" and inserting the
21 following: "An animal which is".
- 22 9. Page 3, by striking lines 23 and 24.
- 23 10. Page 5, by striking lines 2 through 5 and
24 inserting the following: "and may be taxed as court
25 costs."
- 26 11. Page 5, lines 6 and 7, by striking the words
27 "an animal or any livestock" and inserting the
28 following: "any animal".
- 29 12. Page 5, line 9, by striking the word "five"
30 and inserting the following: "three".
- 31 13. Page 5, line 25, by striking the words "all
32 animals or livestock" and inserting the following:
33 "each animal".
- 34 14. Page 5, line 27, by striking the words
35 "animals or livestock have" and inserting the
36 following: "animal has".
- 37 15. Page 5, line 28, by striking the figure and
38 word "717.5 or".
- 39 16. Page 5, line 29, by striking the words
40 "animals or livestock" and inserting the following:
41 "animal".
- 42 17. Page 5, line 31, by striking the words
43 "Animals or livestock which are" and inserting the
44 following: "An animal which is".
- 45 18. By renumbering as necessary.

Siegrist of Pottawattamie asked and received unanimous consent that House File 723 be deferred and that the bill retain its place on the calendar. (Amendment H-1227 and amendment H-1274, to amendment H-1227, pending.)

House File 741, a bill for an act relating to the authorization requirements for psychiatric medical institutions for children and providing an effective date, was taken up for consideration.

Van Engelenhoven of Mahaska asked and received unanimous consent that House File 741 be deferred and that the bill retain its place on the calendar.

INTRODUCTION OF BILL

House File 754, by committee on human resources, a bill for an act relating to individual and group accident and sickness insurance, nonprofit health service plans, health maintenance organizations, and Medicare supplemental insurance policies, by mandating coverage for anesthesia and certain hospital charges associated with the provision of dental care services.

Read first time and referred to committee on **commerce and regulation**.

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 March 29, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 679, a bill for an act relating to drawing the Sac and Fox Indian settlement precinct in Tama county.

Also: That the Senate has on March 29, 1999, amended and passed the following bill in which the concurrence of the House is asked:

House File 721, a bill for an act relating to the Iowa egg council by providing for its administration and membership, and providing an effective date.

Also: That the Senate has on March 29, 1999, passed the following resolution in which the concurrence of the House is asked:

Senate Joint Resolution 12, a joint resolution to nullify an administrative rule of the secretary of state concerning preparation of descriptions of constitutional amendments and statewide public measures and providing an effective date.

Also: That the Senate has on March 29, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 264, a bill for an act relating to the regulatory authority of the natural resource commission on the Sac and Fox tribe of the Mississippi in Iowa settlement in Tama county.

Also: That the Senate has on March 29, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 457, a bill for an act relating to the Iowa educational savings plan trust, and including an effective date and retroactive applicability provision.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

Senate File 441, by committee on education, a bill for an act providing an exemption from certain requirements of self-insured accident and health insurance plans provided by school corporations.

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

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 29th day of March, 1999: House Files 200, 299, and 332.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Six Buena Vista students from the Denison campus, accompanied by their instructor Don Hoeman and his wife, Fola. By Hoffman of Crawford.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\518 Ona and Oscar Lamphier, Arlington – For celebrating their 60th wedding anniversary.
- 1999\519 Fern Freeman, Independence – For celebrating her 102nd birthday.
- 1999\520 William Fick, Oelwein – For celebrating his 80th birthday.
- 1999\521 Barbara Cunningham, Shenandoah – For receiving the Charles F. Martin Award from the Iowa State Education Association.
- 1999\522 Lawrence Heller, Dunlap – For celebrating his 80th birthday.
- 1999\523 Edna Hunt, Logan – For celebrating her 82nd birthday.
- 1999\524 Mr. and Mrs. Charles Seifert, DeWitt – For celebrating their 50th wedding anniversary.
- 1999\525 David Rottinghaus, Charles City – For his numerous basketball accomplishments – being named MVP of the North East Iowa Conference, First Team 1998; Second Team All-State 1998; Broke the school record for most points in a single game with 46; Broke the school record for most points in a season with 583; Broke the school record for most 3-pointers in a single game with 10.
- 1999\526 Ella and Frank Herald, Chariton – For celebrating their 60th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

House File 221 Reassigned

Appropriations: Millage, Chair; Dix and Mascher.

House File 724

Appropriations: Millage, Chair; Dix and Murphy.

Senate File 76

Appropriations: Sukup, Chair; Cormack and Taylor.

Senate File 211

Human Resources: Witt, Chair; Boddicker and Grundberg.

Senate File 275

Human Resources: Boal, Chair; Burnett and Martin.

Senate File 430

Appropriations: Millage, Chair; Dix and Taylor.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON STATE GOVERNMENT

Senate File 282, a bill for an act relating to practices and procedures of the department of general services, regulating state purchasing of recycled paper, modifying an appropriation to the department, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 1999.

COMMITTEE ON TRANSPORTATION

Senate File 398, a bill for an act relating to the requirements for issuance of intermediate driver's licenses and full driver's licenses.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1277** March 25, 1999.

Senate File 407, a bill for an act relating to registration of all-terrain vehicles and snowmobiles and providing for and applying penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1278** March 25, 1999.

AMENDMENTS FILED

H-1276	H.F.	703	Richardson of Warren Eddie of Buena Vista Houser of Pottawattamie Huser of Polk
H-1277	S.F.	398	Committee on Transportation
H-1278	S.F.	407	Committee on Transportation
H-1279	H.F.	675	Warnstadt of Woodbury
H-1280	H.F.	675	Nelson of Marshall Grundberg of Polk

H—1281	H.F.	574	Huser of Polk Brauns of Muscatine
H—1282	H.F.	721	Senate Amendment
H—1283	H.F.	744	Shoultz of Black Hawk
H—1284	H.F.	745	Bogges of Taylor
H—1285	S.F.	276	Frevert of Palo Alto
H—1286	H.F.	745	Warnstadt of Woodbury
H—1287	S.F.	187	Kettering of Sac
H—1288	H.F.	745	Murphy of Dubuque
H—1289	H.F.	745	Frevert of Palo Alto Scherrman of Dubuque
H—1290	H.F.	744	Thomas of Clayton
H—1291	H.F.	682	Kreiman of Davis
H—1292	H.F.	664	Houser of Pottawattamie Myers of Johnson

On motion by Siegrist of Pottawattamie the House adjourned at 2:45 p.m., until 8:45 a.m., Tuesday, March 30, 1999.

JOURNAL OF THE HOUSE

Seventy-ninth Calendar Day - Fiftieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 30, 1999

The House met pursuant to adjournment at 8:45 a.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Steve Pike, pastor of Martelle Christian Church, Martelle.

The Journal of Monday, March 29, 1999 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Connors of Polk on request of Schrader of Marion.

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 March 29, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 214, a bill for an act relating to forestry and forest resource support, sale of trees and shrubs in the state nursery stock, and making appropriations.

Also: That the Senate has on March 29, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 301, a bill for an act relating to grandparent and great-grandparent visitation rights.

Also: That the Senate has on March 29, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 395, a bill for an act relating to the department of corrections by providing for purchases from Iowa prison industries, the study of inmate worker safety issues, the establishment of a criminal offense for attempts to escape, the crediting of time served by inmates, inmate work program agreements, the revolving farm fund,

and deductions from inmate work program earnings, standards for the employment of probation and parole officers, and making penalties applicable.

Also: That the Senate has on March 29, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 437, a bill for an act relating to notification regarding mechanics' liens.

Also: That the Senate has on March 29, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 451, a bill for an act relating to the payment of the legal defense costs of indigent persons, expanding the duties of the state public defender, and providing for the appointment and removal of certain state public defender personnel.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 8:50 a.m., until the fall of the gavel.

The House resumed session at 9:18 a.m., Speaker Corbett in the chair.

SENATE MESSAGES CONSIDERED

Senate Joint Resolution 12, by committee on rules and administration, a joint resolution to nullify an administrative rule of the secretary of state concerning preparation of descriptions of constitutional amendments and statewide public measures and providing an effective date.

Read first time and referred to committee on **administration and rules**.

Senate File 264, by committee on natural resources and environment, a bill for an act relating to the regulatory authority of the natural resource commission on the Sac and Fox tribe of the Mississippi in Iowa settlement in Tama county.

Read first time and referred to committee on **natural resources**.

Senate File 457, by committee on ways and means, a bill for an act relating to the Iowa educational savings plan trust, and including an effective date and retroactive applicability provision.

Read first time and referred to committee on **ways and means**.

CONSIDERATION OF BILLS
Regular Calendar

House File 675, a bill for an act relating to schools and school districts by affecting boiler and steam vessel maintenance and monitoring, the regular school calendar, superintendent licensure and qualifications, and school breakfast programming, was taken up for consideration.

Taylor of Linn offered amendment H-1265 filed by Taylor, et al., as follows:

H-1265

- 1 Amend House File 675 as follows:
- 2 1. Page 1, by striking lines 1 through 5.
- 3 2. Title page, line 2, by striking the words
- 4 "boiler and steam vessel maintenance and monitoring,".
- 5 3. By renumbering as necessary.

Nelson of Marshall offered the following amendment H-1280, to amendment H-1265, filed by her and Grundberg of Polk and moved its adoption:

H-1280

- 1 Amend the amendment, H-1265, to House File 675 as
- 2 follows:
- 3 1. Page 1, by striking lines 2 through 5 and
- 4 inserting the following:
- 5 "1. Page 1, line 3, by inserting after the word
- 6 "requirements" the following: "on a school district
- 7 that are"."

A non-record roll call was requested.

The ayes were 43, nays 35.

Amendment H-1280 was adopted.

Taylor of Linn asked and received unanimous consent that amendment H-1265, as amended, be deferred.

Rants of Woodbury offered the following amendment H-1161 filed by him and moved its adoption:

H-1161

- 1 Amend House File 675 as follows:
- 2 1. Page 1, line 17, by inserting after the word
- 3 "superintendent" the following: "employed by a school
- 4 district with an actual enrollment of nine thousand or
- 5 more students".
- 6 2. Page 1, line 18, by inserting after the word
- 7 "superintendent" the following: "who is exempt from
- 8 the licensing requirements of this chapter".

Amendment H-1161 was adopted.

Mascher of Johnson offered amendment H-1138 filed by her and Wise of Lee, and requested division as follows:

H-1138

- 1 Amend House File 675 as follows:

H-1138A

- 2 1. Page 1, by striking lines 6 through 24.

H-1138B

- 3 2. Page 2, by striking lines 15 through 32.
- 4 3. Title page, lines 3 and 4, by striking the
- 5 words "superintendent licensure and qualifications,".
- 6 4. By renumbering as necessary.

Mascher of Johnson asked and received unanimous consent to withdraw amendment H-1138B.

Mascher of Johnson moved the adoption of amendment H-1138A.

Klemme of Plymouth in the chair at 10:00 a.m.

Amendment H-1138A was adopted, placing amendment H-1161, previously adopted, out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Holveck of Polk, until his return, on request of Schrader of Marion.

Grundberg of Polk offered amendment H-1237 filed by Grundberg, et al., as follows:

H-1237

- 1 Amend House File 675 as follows:
- 2 1. By striking page 1, line 25 through page 2,
- 3 line 14.
- 4 2. Page 2, line 30, by striking the words
- 5 "~~superintendent principal~~" and inserting the
- 6 following: "superintendent".
- 7 3. Page 2, lines 31 and 32, by striking the words
- 8 "~~principal a superintendent~~" and inserting the
- 9 following: "a principal".
- 10 4. Page 5, by striking lines 6 through 31.
- 11 5. Title page, lines 2 and 3, by striking the
- 12 words "the regular school calendar,".
- 13 6. By renumbering as necessary.

Rayhons of Hancock asked and received unanimous consent to withdraw amendment H-1297, to amendment H-1237, filed by him and Bukta of Clinton from the floor on March 30, 1999.

The House stood at ease at 10:08 a.m., until the fall of the gavel.

The House resumed session at 10:55 a.m., Speaker Corbett in the chair.

Division of amendment H-1237 was requested as follows:

Lines 2 and 3, and lines 10 through 12, Division A.

Lines 4 through 9, Division B.

Grundberg of Polk moved the adoption of amendment H-1237A.

Amendment H-1237A lost.

Grundberg of Polk offered the following amendment H-1135 filed by her and moved its adoption:

H-1135

- 1 Amend House File 675 as follows:
- 2 1. Page 2, by inserting after line 14 the
- 3 following:
- 4 "Sec. ____ Section 279.44, Code 1999, is amended

5 to read as follows:

6 279.44 ENERGY AUDITS.

7 1. Between July 1, 1986 and June 30, 1991, and on
8 a staggered annual basis each five years thereafter,
9 the board of directors of each school district shall
10 file with the department of natural resources, on
11 forms prescribed by the department of natural
12 resources, the results of an energy audit of the
13 buildings owned and leased by the school district.
14 The energy audit shall be conducted under rules
15 adopted by the department of natural resources
16 pursuant to chapter 17A. The department of natural
17 resources may waive the requirement for the initial
18 and subsequent energy audits for school districts that
19 submit evidence that energy audits were conducted
20 prior to January 1, 1987 and energy consumption for
21 the district is at an adjusted statewide average or
22 below.

23 ~~This section takes effect only if funds have been~~
24 ~~made available to a school district or community~~
25 ~~college to pay the costs of the energy audit.~~
26 2. The provisions of subsection 1 and section
27 473.13A shall not apply to school districts or
28 community colleges unless the costs of conducting the
29 energy audits are fully funded by the state."

30 2. By renumbering as necessary.

Amendment H-1135 was adopted.

Grundberg of Polk moved the adoption of amendment H-1237B.

Amendment H-1237B was adopted.

Nelson of Marshall offered the following amendment H-1158 filed
by her and moved its adoption:

H-1158

1 Amend House File 675 as follows:

2 1. Page 3, line 12, by inserting after the word
3 "school" the following: "four or more hours each
4 school day".

5 2. Page 3, line 13, by inserting after the word
6 "program." the following: "School districts may
7 provide school breakfast and lunch programs for other
8 students."

Amendment H-1158 was adopted.

Warnstadt of Woodbury offered amendment H-1107 filed by him as follows:

H-1107

- 1 Amend House File 675 as follows:
- 2 1. Page 3, by striking line 18 and inserting the
3 following: "center within the school district, shall
4 notify the parent, guardian, or legal or actual
5 custodian of a child enrolled in the district of the
6 school district's intention to develop and implement a
7 plan to provide school breakfast programs only in
8 certain attendance centers, and of the time and place
9 of a public hearing to be held on the proposed plan.
10 The school district shall conduct a public hearing
11 during which the school district's proposed plan shall
12 be described, and at which the parent, guardian, or
13 legal or actual custodian of an affected student shall
14 have an opportunity to comment on the proposed plan.
15 If the department approves a plan submitted by a
16 school district in accordance with paragraph "c", and
17 the school district proposes to make substantive
18 changes to the plan in a succeeding school year, the
19 board of directors of the school district shall meet
20 the notification and public hearing requirements of
21 this paragraph in the succeeding school year.
22 c. The board of directors of a school district
23 that wishes to provide access to a school breakfast
24 program in accordance with paragraph "b", shall
25 annually submit to".
- 26 2. Page 4, line 33, by inserting after the word
27 "section," the following: "The school district shall
28 comply with the notification and public hearing
29 requirements of subsection 2, paragraph "b", prior to
30 submitting a plan to the department."

Warnstadt of Woodbury offered the following amendment H-1279, to amendment H-1107, filed by him and moved its adoption:

H-1279

- 1 Amend the amendment, H-1107, to House File 675, as
2 follows:
- 3 1. Page 1, by striking lines 8 through 14 and
4 inserting the following: "certain attendance
5 centers."
- 6 2. Page 1, line 20, by striking the words "and
7 public hearing".
- 8 3. Page 1, by striking line 21 and inserting the
9 following: "this paragraph."

10 4. Page 1, line 28, by striking the words "and
11 public hearing".

Amendment H-1279 was adopted.

Warnstadt of Woodbury moved the adoption of amendment H-1107, as amended.

Amendment H-1107, as amended, was adopted.

Taylor of Linn moved the adoption of amendment H-1265, previously deferred, as amended.

Amendment H-1265, as amended, was adopted, placing amendment H-1296 filed by Rayhons of Hancock and Bukta of Clinton from the floor, out of order.

Nelson of Marshall 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. 675)

The ayes were, 91:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Cormack
Davis	Dix	Doderer	Dolecheck
Drake	Drees	Eddie	Falck
Fallon	Foege	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Scherrman	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen

Warnstadt
Wise

Weidman
Witt

Weigel
Mr. Speaker
Corbett

Welter

The nays were, 7:

Dotzler
Schrader

Ford
Taylor

Murphy
Whitead

Richardson

Absent or not voting, 2:

Connors

Holveck

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 675** be immediately messaged to the Senate.

House File 655, a bill for an act relating to mental health, mental retardation, and other developmental disabilities and providing an effective date, was taken up for consideration.

Houser of Pottawattamie offered the following amendment H-1260 filed by him and moved its adoption:

H-1260

- 1 Amend House File 655 as follows:
- 2 1. Page 2, by inserting after line 23 the
- 3 following:
- 4 "Sec. __. Section 331.438, subsection 4,
- 5 paragraph b, subparagraph (4), Code 1999, is amended
- 6 to read as follows:
- 7 (4) A member who is not a legislator shall have
- 8 expenses and other costs paid by the state or the
- 9 county entity that the member represents. The
- 10 committee shall ~~establish terms for its members~~, elect
- 11 officers, adopt operating procedures, and meet as
- 12 deemed necessary by the committee. Terms of office
- 13 for the appointed voting members of the committee are
- 14 three years and shall be staggered. A vacancy on the
- 15 committee shall be filled in the same manner as the
- 16 original appointment."
- 17 2. Page 2, line 33, by inserting after the word
- 18 "process." the following: "In considering the allowed

19 growth recommendation process, the task force shall
 20 review the divergence between unmet needs in the
 21 service delivery system and county expenditure trends
 22 and shall make specific recommendations as to how
 23 allowed growth funding can best be distributed to
 24 address services that are not adequately funded and
 25 population groups that are not served or are
 26 underserved."

27 3. Page 3, by striking lines 11 through 14 and
 28 inserting the following: "beginning on July 1, 1999.
 29 The terms of the two members appointed by the
 30 community services affiliate of the Iowa state
 31 association of counties shall commence July 1, 1999.
 32 This section takes effect June 30, 1999."

33 4. By renumbering as necessary.

Amendment H-1260 was adopted.

Grundberg of Polk offered amendment H-1232 filed by her as follows:

H-1232

1 Amend House File 655 as follows:

2 1. Page 6, by inserting after line 25 the
 3 following:

4 "DIVISION ____
 5 THIRD-PARTY PAYMENT - MENTAL HEALTH TREATMENT
 6 Sec. ____ NEW SECTION. 514C.14 COMPARABLE
 7 COVERAGE FOR MENTAL HEALTH TREATMENT.

8 1. Notwithstanding section 514C.6, a policy or
 9 contract providing for third-party payment or
 10 prepayment of health or medical expenses shall provide
 11 coverage benefits for services for clinical disorders
 12 related to mental health which shall be on terms and
 13 conditions which are comparable to the terms and
 14 conditions for coverage benefits provided for other
 15 health or medical disorders under the policy or
 16 contract.

17 2. For purposes of this section, clinical
 18 disorders related to mental health for which coverage
 19 benefits are to be provided under this section are
 20 biological brain diseases including schizophrenia,
 21 schizoaffective disorder, major depressive disorder,
 22 bipolar disorder, paranoia and other psychotic
 23 disorders, obsessive-compulsive disorder, panic
 24 disorder, and pervasive developmental disorder or
 25 autism.

26 3. This section applies to the following classes
 27 of third-party payment provider contracts or policies
 28 delivered, issued for delivery, continued, or renewed

- 29 in this state on or after July 1, 1999:
- 30 a. Individual or group accident and sickness
31 insurance providing coverage on an expense-incurred
32 basis.
- 33 b. An individual or group hospital or medical
34 service contract issued pursuant to chapter 509, 514,
35 or 514A.
- 36 c. An individual or group health maintenance
37 organization contract regulated under chapter 514B.
- 38 d. An individual or group Medicare supplemental
39 policy, unless coverage pursuant to such policy is
40 preempted by federal law.
- 41 e. Any other entity engaged in the business of
42 insurance, risk transfer, or risk retention, which is
43 subject to the jurisdiction of the commissioner.
- 44 f. An organized delivery system licensed by the
45 director of public health."
- 46 2. By renumbering as necessary.

Hahn of Muscatine rose on a point of order that amendment H-1232 was not germane.

The Speaker ruled the point well taken and amendment H-1232 not germane.

Grundberg of Polk asked for unanimous consent to suspend the rules to consider amendment H-1232.

Objection was raised.

Grundberg of Polk moved to suspend the rules to consider amendment H-1232.

A non-record roll call was requested.

Rule 75 was invoked.

The ayes were 52, nays 45.

The motion to suspend the rules prevailed.

Siegrist of Pottawattamie asked and received unanimous consent that House File 655 be deferred and that the bill be placed on the unfinished business calendar. (Amendment H-1232 pending)

House File 700, a bill for an act relating to the liability for unpaid rates or charges of a city utility or enterprise service for water, sewage, and solid waste services, was taken up for consideration.

Shoultz of Black Hawk offered amendment H-1201 filed by him as follows:

H-1201

- 1 Amend House File 700 as follows:
- 2 1. Page 1, line 33, by inserting after the word
- 3 "after" the following: "associated with such water
- 4 service".

Metcalf of Polk offered the following amendment H-1304, to amendment H-1201, filed by her from the floor and moved its adoption:

H-1304

- 1 Amend the amendment, H-1201, to House File 700, as
- 2 follows:
- 3 1. Page 1, by inserting after line 4, the
- 4 following:
- 5 " . Page 2, by striking lines 6 through 10 and
- 6 inserting the following: "deposit. A written notice
- 7 shall contain the name of the tenant responsible for
- 8 charges, address of the residential rental property
- 9 that the tenant is to occupy, and the date that the
- 10 occupancy begins. A change in tenant shall require a
- 11 new written notice ~~and deposit to be given to the city~~
- 12 utility or enterprise within ten business days of the
- 13 change in tenant. When the tenant moves from".
- 14 . Page 2, line 14, by inserting after the word
- 15 "property." the following: "A change in the ownership
- 16 of the residential rental property shall require
- 17 written notice of such change to be given to the city
- 18 utility or enterprise within ten business days of the
- 19 completion of the change of ownership."
- 20 2. By renumbering as necessary.

Amendment H-1304 was adopted.

Shoultz of Black Hawk moved the adoption of amendment H-1201, as amended.

Amendment H-1201, as amended, was adopted.

Kreiman of Davis asked and received unanimous consent that amendment H-1152 be deferred.

Shoultz of Black Hawk asked and received unanimous consent to withdraw amendment H-1267 filed by him on March 25, 1999.

Kreiman of Davis offered the following amendment H-1152, previously deferred, filed by him and Sukup of Franklin and moved its adoption:

H-1152

- 1 Amend House File 700 as follows:
- 2 1. Page 2, by striking lines 2 and 3 and
- 3 inserting the following: "A city utility or
- 4 enterprise may require a deposit not exceeding the
- 5 usual cost of ninety days of water service is to".

Amendment H-1152 was adopted.

Sukup of Franklin 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. 700)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Chiodo
Cohoon	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Raecker	Rants	Rayhons	Reynolds
Scherrman	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven

Van Fossen
Whitead

Warnstadt
Wise

Weidman
Witt

Welter
Mr. Speaker
Corbett

The nays were, 6:

Chapman
Schrader

Garman
Weigel

Parmenter

Richardson

Absent or not voting, 2:

Cataldo

Connors

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 700** 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 March 30, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 284, a bill for an act providing for the liability of a person with supervisory or other administrative responsibilities over an individual who the person knew or was informed committed sexual abuse of a child.

Also: That the Senate has on March 30, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 405, a bill for an act limiting the liability of financial institutions for certain actions arising out of the failure of information technology as the result of a year 2000 problem.

Also: That the Senate has on March 30, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 408, a bill for an act relating to drug and alcohol testing of private sector employees and prospective employees pursuant to an employer's drug and alcohol testing program.

Also: That the Senate has on March 30, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 413, a bill for an act providing for access to a safe deposit box on the death of the owner or lessee of such box, and exempting state banks from liability associated with such access.

Also: That the Senate has on March 30, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 419, a bill for an act applying certain veterinary practice requirements to persons providing veterinary medical services, owning a veterinary clinic, or practicing veterinary medicine.

Also: That the Senate has on March 30, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 448, a bill for an act relating to the purchase of certain parcels with delinquent taxes by a city or county, and providing effective and applicability dates.

MICHAEL E. MARSHALL, Secretary

House File 424, a bill for an act relating to a relationship involving real estate licensees and real estate clients, and establishing restrictions on the payment of commissions or other consideration, with report of committee recommending passage, was taken up for consideration.

Jacobs of Polk offered the following amendment H-1249 filed by her and moved its adoption:

H-1249

- 1 Amend House File 424 as follows:
- 2 1. By striking page 1, line 26, through page 2,
- 3 line 4, and inserting the following:
- 4 "(3) A corporation pursuant to paragraph "b".
- 5 b. A broker may pay a commission to a corporation
- 6 which is wholly owned, or owned with a spouse, by a
- 7 salesperson or broker associate employed by or
- 8 otherwise associated with the broker, if all of the
- 9 following conditions are met:
- 10 (1) The corporation does not engage in real estate
- 11 transactions as a third-party agent or in any other
- 12 activity requiring a license under this chapter.
- 13 (2) The employing broker is not relieved of any
- 14 obligation to supervise the employed licensee or any
- 15 other requirement of this chapter or the rules adopted
- 16 pursuant to this chapter.
- 17 (3) The employed broker associate or salesperson
- 18 is not relieved from any personal civil liability for
- 19 any licensed activities by interposing the corporate.

- 20 form."
 21 2. Page 2, line 7, by striking the words "person
 22 or".
 23 3. Page 2, by inserting after line 14 the
 24 following:
 25 "3. A licensee shall not request a referral fee
 26 after a bona fide offer to purchase is accepted.
 27 4. A licensee shall not request a referral fee
 28 after a bona fide listing agreement has been signed."
 29 4. Page 2, by striking lines 20 through 22.
 30 5. By renumbering as necessary.

Amendment H-1249 was adopted.

SENATE FILE 404 SUBSTITUTED FOR HOUSE FILE 424

Jacobs of Polk asked and received unanimous consent to substitute Senate File 404 for House File 424.

Senate File 404, a bill for an act relating to a relationship involving real estate licensees and real estate clients, and establishing restrictions on the payment of commissions or other consideration, was taken up for consideration.

Jacobs 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?" (S.F. 404)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Chapman
Chiodo	Cohoon	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage

Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, none.

Absent or not voting, 2:

Cataldo Connors

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

HOUSE FILE 424 WITHDRAWN

Jacobs of Polk asked and received unanimous consent to withdraw House File 424 from further consideration by the House.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 404** be immediately messaged to the Senate.

House File 661, a bill for an act relating to the offense of sexual abuse in the third degree, providing related definitions, and applying penalties, was taken up for consideration.

Davis of Wapello offered the following amendment H-1241 filed by him and moved its adoption:

H-1241

- 1 Amend House File 661 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section 709.1, Code 1999, is amended
- 5 to read as follows:
- 6 709.1 SEXUAL ABUSE DEFINED.
- 7 Any sex act between persons is sexual abuse by
- 8 either of the ~~participants~~ persons when the act is

9 performed with the other participant person in any of
10 the following circumstances:

11 1. The act is done by force or against the will of
12 the other. If the consent or acquiescence of the
13 other is procured by threats of violence toward any
14 person or if the act is done while the other is under
15 the influence of a drug inducing sleep or is otherwise
16 in a state of unconsciousness, the act is done against
17 the will of the other.

18 2. Such other participant person is suffering from
19 a mental defect or incapacity which precludes giving
20 consent, or lacks the mental capacity to know the
21 right and wrong of conduct in sexual matters.

22 3. Such other participant person is a child."

23 2. Page 1, by striking lines 14 through 35 and
24 inserting the following:

25 "Sec. ____ Section 709.3, Code 1999, is amended to
26 read as follows:

27 709.3 SEXUAL ABUSE IN THE SECOND DEGREE.

28 A person commits sexual abuse in the second degree
29 when the person commits sexual abuse under any of the
30 following circumstances:

31 1. During the commission of sexual abuse the
32 person displays in a threatening manner a dangerous
33 weapon, or uses or threatens to use force creating a
34 substantial risk of death or serious injury to any
35 person.

36 2. The other participant person is under the age
37 of twelve.

38 3. The person is aided or abetted by one or more
39 persons and the sex act is committed by force or
40 against the will of the other participant person
41 against whom the sex act is committed.

42 Sexual abuse in the second degree is a class "B"
43 felony.

44 Sec. ____ Section 709.4, Code 1999, is amended to
45 read as follows:

46 709.4 SEXUAL ABUSE IN THE THIRD DEGREE.

47 A person commits sexual abuse in the third degree
48 when the person performs a sex act under any of the
49 following circumstances:

50 1. The act is done by force or against the will of

Page 2

1 the other participant person, whether or not the other
2 participant person is the person's spouse or is
3 cohabiting with the person.

4 2. The act is between persons who are not at the
5 time cohabiting as husband and wife and if any of the
6 following are true:

7 a. The other participant person is suffering from

8 a mental defect or incapacity which precludes giving
9 consent.

10 b. The other participant person is twelve or
11 thirteen years of age.

12 c. The other participant person is fourteen or
13 fifteen years of age and any of the following are
14 true:

15 (1) The person is a member of the same household
16 as the other participant person.

17 (2) The person is related to the other participant
18 person by blood or affinity to the fourth degree.

19 (3) The person is in a position of authority over
20 the other participant person and uses that authority
21 to coerce the other participant person to submit.

22 (4) The person is five or more years older than
23 the other participant person.

24 3. The act is performed while the other
25 participant person is under the influence of a
26 controlled substance, which may include but is not
27 limited to flunitrazepam, and all of the following are
28 true:

29 ~~a. The controlled substance, which may include but~~
30 ~~is not limited to flunitrazepam, has been consumed by~~
31 ~~or administered to the other participant without the~~
32 ~~other participant's knowledge.~~

33 ~~b. a. The controlled substance, which may include~~
34 ~~but is not limited to flunitrazepam, prevents the~~
35 ~~other participant person from consenting to the act.~~

36 ~~e. b. The person performing the act knows or~~
37 ~~reasonably should have known that the other~~
38 ~~participant person was under the influence of the~~
39 ~~controlled substance, which may include but is not~~
40 ~~limited to flunitrazepam.~~

41 4. The act is performed while the other person is
42 mentally incapacitated, physically incapacitated, or
43 physically helpless.

44 Sexual abuse in the third degree is a class "C"
45 felony.

46 Sec. ____ Section 709.5, Code 1999, is amended to
47 read as follows:

48 709.5 RESISTANCE TO SEXUAL ABUSE.

49 Under the provisions of this chapter it shall not
50 be necessary to establish physical resistance by a

Page 3

1 participant person in order to establish that an act
2 of sexual abuse was committed by force or against the
3 will of the participant person. However, the
4 circumstances surrounding the commission of the act
5 may be considered in determining whether or not the
6 act was done by force or against the will of the

- 7 other."
 8 3. Title page, lines 1 and 2, by striking the
 9 words "in the third degree".
 10 4. By renumbering as necessary.

Amendment H-1241 was adopted.

Davis of Wapello 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. 661)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Chapman
Chiodo	Cphoon	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hansen	Heaton	Hoffman	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Mr. Speaker Corbett

The nays were, none.

Absent or not voting, 4:

Cataldo	Connors	Hahn	Holmes
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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.

INTRODUCTION OF BILLS

House File 755, by committee on ways and means, a bill for an act relating to the time limit when property omitted from assessment may be assessed and when a taxpayer may receive a refund for erroneous property taxes paid and including an effective date provision.

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

House File 756, by committee on appropriations, a bill for an act relating to the creation of a recruiting our own targeted students loan repayment program and fund under the control of the college student aid commission, and providing an effective date.

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

House File 757, by committee on ways and means, a bill for an act relating to the payment and allocation of the real estate transfer tax.

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

SENATE MESSAGES CONSIDERED

Senate File 214, by committee on natural resources and environment, a bill for an act relating to forestry and forest resource support, sale of trees and shrubs in the state nursery stock, and making appropriations.

Read first time and referred to committee on **natural resources**.

Senate File 284, by committee on human resources, a bill for an act providing for the liability of a person with supervisory or other administrative responsibilities over an individual who the person knew or was informed committed sexual abuse of a child.

Read first time and referred to committee on **human resources**.

Senate File 301, by committee on human resources, a bill for an act relating to grandparent and great-grandparent visitation rights.

Read first time and referred to committee on **human resources**.

Senate File 395, by committee on judiciary, a bill for an act relating to the department of corrections by providing for purchases from Iowa prison industries, the study of inmate worker safety issues, the establishment of a criminal offense for attempts to escape, the crediting of time served by inmates, inmate work program agreements, the revolving farm fund, and deductions from inmate work program earnings, standards for the employment of probation and parole officers, and making penalties applicable.

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

Senate File 405, by committee on commerce, a bill for an act limiting the liability of certain persons for certain actions arising out of the failure of information technology as the result of a year 2000 problem.

Read first time and referred to committee on **commerce and regulation**.

Senate File 408, by committee on business and labor relations, a bill for an act relating to drug and alcohol testing of private sector employees and prospective employees pursuant to an employer's drug and alcohol testing program.

Read first time and referred to committee on **labor and industrial relations**.

Senate File 419, by committee on state government, a bill for an act applying certain veterinary practice requirements to persons providing veterinary medical services, owning a veterinary clinic, or practicing veterinary medicine.

Read first time and referred to committee on **state government**.

Senate File 437, by committee on judiciary, a bill for an act relating to notification regarding mechanics' liens.

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

Senate File 448, by committee on local government, a bill for an act relating to the purchase of certain parcels with delinquent taxes by a city or county, and providing effective and applicability dates.

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

Senate File 451, by committee on judiciary, a bill for an act relating to the payment of the legal defense costs of indigent persons, expanding the duties of the state public defender, and providing for the appointment and removal of certain state public defender personnel.

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

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 661** be immediately messaged to the Senate.

On motion by Gipp of Winneshiek, the House was recessed at 12:34 p.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:00 p.m., Carroll of Poweshiek in the chair.

INTRODUCTION OF BILLS

House File 758, by committee on ways and means, a bill for an act relating to the authority of counties and cities to require storm shelters in mobile home parks, providing a property tax exemption, and providing an applicability date.

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

House File 759, by committee on appropriations, a bill for an act relating to teacher shortage areas and the board of educational examiners, establishing a teacher shortage forgivable loan and fund, providing for teacher recruitment and preparation, alternative licensure of content area specialists, and a task force to study the use

of retired professionals as mentors and teacher aides, making an appropriation, and providing an effective date.

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

SENATE MESSAGE CONSIDERED

Senate File 413, by committee on commerce, a bill for an act providing for access to a safe deposit box on the death of the owner or lessee of such box, and exempting state banks and credit unions from liability associated with such access.

Read first time and referred to committee on **commerce and regulation**.

SPECIAL PRESENTATION

Stevens of Dickinson presented to the House the Iowa Mother of the Year, Ruby Hermeier, representing American Mothers Inc. She was accompanied by her husband, Pastor Gene Hermeier and Merium Jensen the 1978 Young Mother of the Year.

SENATE FILE 393 REFERRED

The Speaker announced that Senate File 393, previously **passed on file** was referred to committee on **local government**.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 22 through March 25, 1999. Had I been present, I would have voted "aye" on House Joint Resolution 13, House Files 234, 322, 343, 375, 448, 472, 474, 476, 501, 521, 532, 590, 620, 624, 647, 649, 672, 676, 686, 687, 688, 689, 696, 705, 706, 707, 708, 710, 714, 721, 732, 737, 743, Senate Files 203, 283, 361 and "nay" on House File 433.

CHIODO of Polk

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 30th day of March, 1999: House Files 164, 182 and 222.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirty-three students from Camanche Middle School, Camanche, accompanied by Willard Larsen. By Bradley of Clinton.

Twenty seventh grade students from Sully Christian School, Sully, accompanied by Scott Roose. By Carroll of Poweshiek.

Fifteen students from Sully Christian School, Sully, accompanied by Scott Roose, Merl Van Zante, Candy Van Zante, Georgia Slings, and Sue Engbers. By Carroll of Poweshiek.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\527 Florence Molesworth, Ottumwa – For celebrating her 96th birthday.
- 1999\528 Dorothy and Don Grimm, Waterloo – For celebrating their 50th wedding anniversary.
- 1999\529 Helen Jirak, New Hampton – For celebrating her 90th birthday.
- 1999\530 Floyd Fanning, Nemaha – For celebrating his 90th birthday.
- 1999\531 Bessie Mae Mills, Waterloo – For celebrating her 84th birthday.
- 1999\532 Hazel Fleming, Waterloo – For celebrating her 85th birthday.

- 1999\533 Lyle and Sally Garnett, Carlisle – For celebrating their 54th wedding anniversary.
- 1999\534 Don and Rubene Fromknecht, Galva – For celebrating their 63rd wedding anniversary.
- 1999\535 Rubene Fromknecht, Galva – For celebrating her 85th birthday.
- 1999\536 Helen Stiffler, Norwalk – For celebrating her 80th birthday.
- 1999\537 Opal Siefke, Pierson – For celebrating her 80th birthday.
- 1999\538 Fae and Dana Niceswanger, Sac City – For celebrating their 64th wedding anniversary.
- 1999\539 Meghan Minner, Boone – For winning first-place in the 8-9th grade judging category in the statewide Write Women Back Into History Essay Contest.
- 1999\540 Caroline Dvorsky, Iowa City – For receiving the Youth Art Month Award for April, 1999.
- 1999\541 Zenita Ash, West Union – For celebrating her 80th birthday.
- 1999\542 Joel Bartz, Monona – For being named to the Iowa All-Academic Basketball First Team.
- 1999\543 Erin Kuehl, Elkader – For receiving the Star Chapter Farmer Award.
- 1999\544 Ethel Hensing, Vinton – For celebrating her 93rd birthday.
- 1999\545 Rose Rutherford, Manilla – For celebrating her 87th birthday.
- 1999\546 Grace Durnan, Clermont – For celebrating her 80th birthday.

SUBCOMMITTEE ASSIGNMENTS

Senate File 190

Commerce and Regulation: Jenkins, Chair; Metcalf and Wise.

Senate File 193

Judiciary: Boddicker, Chair; Kreiman and Raecker.

Senate File 214

Natural Resources: Weidman, Chair; Kettering and Richardson.

Senate File 228

Education: Grundberg, Chair; Mascher and Nelson.

Senate File 264

Natural Resources: Dotzler, Chair; Huseman and O'Brien.

Senate File 292

Education: Dolecheck, Chair; Foege and Sunderbruch.

Senate File 392

Commerce and Regulation: Jenkins, Chair; Metcalf and Wise.

Senate File 395

Judiciary: Kettering, Chair; Larson and Shoultz.

Senate File 419

State Government: Holmes, Chair; Houser and Taylor.

Senate File 437

Judiciary: Sukup, Chair; Kreiman and Larson.

Senate File 451

Judiciary: Larson, Chair; Chapman and Millage.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, relating to appropriations for the Department of Human Services and including other provisions and appropriations involving human services and health care, and providing effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 29, 1999.

Committee Bill (Formerly House File 463), relating to the creation of a recruiting our own targeted students loan repayment program and fund under the control of the college student aid commission, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 1999.

Committee Bill (Formerly House File 610), relating to child care provisions administered by the department of human services and to the terminology used to describe child care, making an appropriation of civil penalties, and including an effective date and applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 29, 1999.

Committee Bill (Formerly House File 625), relating to teacher shortage areas and the board of educational examiners, establishing a teacher shortage forgivable loan and fund, providing for teacher recruitment and preparation, and a task force to study the use of retired professionals as mentors and teacher aides, making an appropriation, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 29, 1999.

COMMITTEE ON COMMERCE AND REGULATION

Senate File 8, a bill for an act relating to coverage under a policy or contract providing for third-party payment or prepayment of health or medical expenses by providing coverage for costs associated with equipment, supplies, and education for the treatment of diabetes.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1305** March 25, 1999.

COMMITTEE ON HUMAN RESOURCES

Senate File 211, a bill for an act relating to eligibility of certain persons with disabilities under the optional services coverage category of medical assistance.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1999.

Senate File 287, a bill for an act relating to child welfare provisions involving foster home damages, voluntary foster care placements of children with mental retardation or other developmental disability, release of child abuse information, and annual group foster care and decategorization plans, and providing a contingent effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1999.

Senate File 306, a bill for an act providing for recognition of high quality child day care providers.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1999.

COMMITTEE ON JUDICIARY

Senate File 294, a bill for an act relating to lifetime registration for certain sex offenders, the performance of sex offender risk assessments, and the procedures for dissemination of registry information to agencies and the public.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1308** March 25, 1999.

Senate File 309, a bill for an act relating to the interception of communications and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 25, 1999.

COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

Senate File 146, a bill for an act relating to worker and public safety and protection laws administered by the labor services division of Iowa workforce development.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1999.

COMMITTEE ON NATURAL RESOURCES

Senate File 264, a bill for an act relating to the regulatory authority of the natural resource commission on the Sac and Fox tribe of the Mississippi in Iowa settlement in Tama county.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1999.

Senate File 313, a bill for an act prohibiting the sale or distribution of purple loosestrife.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1999.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House File 534), relating to the authority of counties and cities to require storm shelters in mobile home parks, providing a property tax exemption, and providing a retroactive applicability date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 29, 1999.

Committee Bill (Formerly House File 535), relating to the time limit when property omitted from assessment may be assessed and when a taxpayer may receive a refund for erroneous property taxes paid and including an effective date provision.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 1999.

Committee Bill (Formerly House File 572), relating to the payment and allocation of the real estate transfer tax.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 1999.

AMENDMENTS FILED

H—1293	H.F.	655	Houser of Pottawattamie
H—1294	H.F.	723	Davis of Wapello
H—1295	H.F.	723	Warnstadt of Woodbury
H—1298	H.F.	703	Kuhn of Floyd
H—1299	H.F.	682	Barry of Harrison
H—1300	H.F.	745	Murphy of Dubuque
			Jochum of Dubuque
H—1301	H.F.	697	Foege of Linn
H—1302	S.F.	137	Foege of Linn
H—1303	H.F.	719	Boddicker of Cedar
H—1305	S.F.	8	Committee on Commerce and Regulation
H—1306	H.F.	734	Heaton of Henry
			Blodgett of Cerro Gordo
H—1307	H.F.	723	Doderer of Johnson
			Mascher of Johnson
			Kreiman of Davis
			Burnett of Story
			Garman of Story
			Jochum of Dubuque
H—1308	S.F.	294	Committee on Judiciary

H-1309	H.F.	719	Kreiman of Davis
H-1310	H.F.	719	Kreiman of Davis
H-1311	H.F.	719	Kreiman of Davis
H-1312	H.F.	741	Dolecheck of Ringgold Chapman of Linn
H-1313	H.F.	746	Jochum of Dubuque
H-1314	H.F.	746	Millage of Scott Greiner of Washington
H-1315	H.F.	746	Falck of Fayette Burnett of Story
H-1316	H.F.	746	O'Brien of Boone Mertz of Kossuth
H-1317	H.F.	746	Scherrman of Dubuque
H-1318	H.F.	746	Murphy of Dubuque
H-1319	H.F.	746	Murphy of Dubuque
H-1320	H.F.	746	Falck of Fayette
H-1321	H.F.	746	Thomas of Clayton
H-1322	H.F.	112	Richardson of Warren
H-1323	H.J.R.	12	Brunkhorst of Bremer
H-1324	H.F.	745	Boggess of Taylor
H-1325	H.F.	695	Thomson of Linn
H-1326	H.F.	698	Jacobs of Polk Martin of Scott
H-1327	H.F.	698	Jacobs of Polk Martin of Scott
H-1328	H.F.	698	Jacobs of Polk Martin of Scott
H-1329	S.F.	194	Blodgett of Cerro Gordo
H-1330	H.F.	709	Blodgett of Cerro Gordo
H-1331	H.F.	698	Jacobs of Polk Martin of Scott

On motion by Siegrist of Pottawattamie the House adjourned at 4:15 p.m., until 8:45 a.m., Wednesday, March 31, 1999.

JOURNAL OF THE HOUSE

Eightieth Calendar Day - Fifty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 31, 1999

The House met pursuant to adjournment at 8:45 a.m., Speaker pro tempore Rants in the chair.

Prayer was offered by the Honorable Clarence Hoffman, state representative from Crawford County.

The Journal of Tuesday, March 30, 1999 was approved.

INTRODUCTION OF BILL

House File 760, by committee on appropriations, a bill for an act relating to appropriations for the department of human services and including other provisions and appropriations involving human services and health care, and providing effective dates.

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

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 March 30, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 179, a bill for an act relating to requests and hearings for correction and expungement of child abuse information.

Also: That the Senate has on March 30, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 192, a bill for an act relating to open containers in motor vehicles and providing a penalty.

Also: That the Senate has on March 30, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 253, a bill for an act concerning reporting requirements for real estate conveyances relating to the identification of wells, disposal sites for solid waste, underground storage tanks, and hazardous waste, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Connors of Polk on request of Schrader of Marion.

CONSIDERATION OF BILLS Regular Calendar

House File 703, a bill for an act relating to membership of county compensation boards, was taken up for consideration.

Richardson of Warren offered the following amendment H-1276 filed by Richardson, et al., and moved its adoption:

H-1276

- 1 Amend House File 703 as follows:
- 2 1. Page 1, line 12, by striking the letter "a."
- 3 2. By striking page 1, line 18, through page 2,
- 4 line 2.
- 5 3. Page 2, by striking lines 23 through 34 and
- 6 inserting the following: "county compensation board.
- 7 In determining the final compensation schedule if the
- 8 board of supervisors ~~wishes to~~ may accept or reduce
- 9 the amount of the recommended compensation schedule,
- 10 ~~the amount of the salary increase proposed for each~~
- 11 ~~elected county officer shall be reduced an equal~~
- 12 ~~percentage. If the compensation board is created~~
- 13 pursuant to".

Roll call was requested by Cormack of Webster and Martin of Scott.

On the question "Shall amendment H-1276 be adopted?" (H.F. 703)

The ayes were, 52:

Bell	Blodgett	Boal	Bogges
Bradley	Bukta	Burnett	Carroll

Cataldo	Chiodo	Cohoon	Davis
Dix	Dotzler	Drees	Eddie
Falck	Ford	Frevert	Gipp
Greiner	Heaton	Hoffman	Holveck
Houser	Huseman	Huser	Jager
Jochum	Kettering	Klemme	Kreiman
Kuhn	Larkin	Mascher	May
Mertz	Mundie	Murphy	Myers
O'Brien	Osterhaus	Parmenter	Reynolds
Richardson	Scherrman	Shoultz	Stevens
Sukup	Van Engelenhoven	Wise	Rants, Presiding

The nays were, 47:

Alons	Arnold	Barry	Baudler
Boddicker	Brauns	Brunkhorst	Chapman
Corbett, Spkr.	Cormack	Doderer	Dolecheck
Drake	Fallon	Foege	Garman
Grundberg	Hahn	Hansen	Holmes
Horbach	Jacobs	Jenkins	Johnson
Larson	Lord	Martin	Metcalf
Millage	Nelson	Raecker	Rayhons
Schrader	Siegrist	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Witt	

Absent or not voting, 1:

Connors

Amendment H-1276 was adopted.

Kuhn of Floyd asked and received unanimous consent to withdraw amendment H-1298 filed by him on March 30, 1999.

Eddie 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. 703)

The ayes were, 77:

Alons	Barry	Baudler	Bell
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chiodo

Cohoon	Corbett, Spkr.	Cormack	Davis
Dix	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Ford
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Myers	Nelson
O'Brien	Raecker	Rayhons	Reynolds
Richardson	Siegrist	Stevens	Sunderbruch
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Welter	Wise
Rants, Presiding			

The nays were, 21:

Arnold	Chapman	Doderer	Dolecheck
Foege	Frevert	Garman	Jochum
Larson	Murphy	Osterhaus	Parmenter
Scherrman	Schrader	Shoultz	Taylor
Warnstadt	Weidman	Weigel	Whitead
Witt			

Absent or not voting, 2:

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

MOTION TO RECONSIDER WITHDRAWN (House File 375)

Chapman of Linn asked and received unanimous consent to withdraw the motion to reconsider **House File 375**, a bill for an act eliminating the requirement that information relating to open-end credit accounts and credit cards be filed with the treasurer of state, filed by her on March 23, 1999.

House File 634, a bill for an act relating to expenditure of moneys from the primary road fund for dust control on certain roads, was taken up for consideration.

Heaton of Henry 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. 634)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Corbett, Spkr.
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Rants, Presiding			

The nays were, none.

Absent or not voting, 3:

Connors	Greiner	Sukup
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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 404 WITHDRAWN

Heaton of Henry asked and received unanimous consent to withdraw House File 404 from further consideration by the House.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 703 and 634.**

The House resumed consideration of **House File 741**, a bill for an act relating to the authorization requirements for psychiatric medical institutions for children and providing an effective date, previously deferred on March 29, 1999, was taken up for consideration.

Dolecheck of Ringgold offered the following amendment H-1312 filed by him and Chapman of Linn and moved its adoption:

H-1312

- 1 Amend House File 741 as follows:
- 2 1. Page 1, by striking lines 25 through 33 and
- 3 inserting the following: "135C. ~~Unless a psychiatric~~
- 4 ~~institution was accredited to provide psychiatric~~
- 5 ~~services by the joint commission on the accreditation~~
- 6 ~~of health care organizations under the commission's~~
- 7 ~~consolidated standards for residential settings prior~~
- 8 ~~to June 1, 1989, the department of human services~~
- 9 ~~shall not approve an application for a license under~~
- 10 ~~this chapter until the federal health care financing~~
- 11 ~~administration has approved a state Title XIX plan~~
- 12 ~~amendment to include coverage of services in a~~
- 13 ~~psychiatric medical institution for children."~~
- 14 2. Page 3, by striking lines 6 through 16 and
- 15 inserting the following:
- 16 ~~8. 10.~~ A psychiatric institution licensed prior to
- 17 ~~January July 1, 1996 1999~~, may exceed the number of
- 18 beds authorized under ~~subsections 5 and subsection~~ 6
- 19 if the excess beds are used to provide services funded
- 20 from a source other than the medical assistance
- 21 program under chapter 249A. Notwithstanding
- 22 subsections 4, 5, and 6, the provision of services
- 23 using ~~such those~~ excess beds does not require a
- 24 certificate of need or a review by the department of
- 25 human services."

Amendment H-1312 was adopted.

Van Engelenhoven of Mahaska 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. 741)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Corbett, Spkr.
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Rants,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Connors Sukup

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 741** be immediately messaged to the Senate.

House File 680, a bill for an act relating to the establishment of a community college governance task force, was taken up for consideration.

Wise of Lee asked and received unanimous consent to withdraw amendment H-1090 filed by him and Nelson of Marshall on March 16, 1999.

Wise of Lee offered the following amendment H-1146 filed by him and Nelson of Marshall and moved its adoption:

H-1146

- 1 Amend House File 680 as follows:
- 2 1. Page 1, by striking lines 2 through 5 and
- 3 inserting the following: "legislative council is
- 4 requested to establish an interim task force
- 5 consisting of members of both political parties from
- 6 both houses of the general assembly, the office of the
- 7 governor, the boards of directors of the community
- 8 colleges, the Iowa association of community college
- 9 presidents, and the division of community colleges and
- 10 workforce preparation of the department of
- 11 education,".
- 12 2. Page 1, by striking lines 22 through 24 and
- 13 inserting the following: "section in a report to the
- 14 general assembly on or about December 1,".

Amendment H-1146 was adopted.

Nelson of Marshall 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. 680)

The ayes were, 93:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Cataldo	Chapman
Chiodo	Cohoon	Corbett, Spkr.	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Falck
Fallon	Foege	Ford	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord

Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Welter	Whitead	Wise	Witt
Rants,			
Presiding			

The nays were, 4:

Eddie	Frevert	Shoultz	Weigel
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Absent or not voting, 3:

Carroll	Connors	Jager
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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 664, a bill for an act creating an adult mental health, mental retardation, and developmental disabilities services funding decategorization pilot project, was taken up for consideration.

Houser of Pottawattamie offered the following amendment H-1292 filed by him and Myers of Johnson and moved its adoption:

H-1292

- 1 Amend House File 664 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. NEW SECTION. 331.440A ADULT MENTAL
- 5 HEALTH, MENTAL RETARDATION, AND DEVELOPMENTAL
- 6 DISABILITIES SERVICES FUNDING DECATEGORIZATION PILOT
- 7 PROJECT.
- 8 1. DEFINITIONS. For the purposes of this section,
- 9 unless the context requires otherwise:
- 10 a. "Department" means the department of human
- 11 services.
- 12 b. "Pilot project areas" means the pilot project
- 13 created under this section involving the three-county
- 14 or multicounty single entry point process
- 15 administrative areas designated in accordance with
- 16 this section.
- 17 c. "Target population" means any person who is a

18 legal resident of a pilot project county and meets

19 both of the following conditions:

20 (1) The person is eighteen years of age or older.

21 However, a person who is more than sixty-four years of
22 age who requires full-time nursing facility care shall
23 not be included in the target population.

24 (2) The person is eligible for assistance under
25 the pilot project county management plan approved
26 under section 331.439.

27 2. PURPOSE. The purpose of the pilot project is
28 to improve outcomes for service consumers by allowing
29 pilot project counties to administer overall projected
30 funding from state and federal sources together with
31 other available funding, and by reducing or
32 eliminating unnecessary barriers associated with
33 funding sources, and thereby to creatively meet the
34 divergent, individual needs of service consumers in
35 the community.

36 3. PROJECT ESTABLISHED. The department of human
37 services shall establish a pilot project for
38 decategorizing the public funding for adult mental
39 health, mental retardation, and developmental
40 disabilities services in accordance with this section.
41 The pilot project shall include the three-county
42 single entry point process administrative areas
43 designated for decategorization planning under 1997
44 Iowa Acts, chapter 169, section 13. Under the pilot
45 project, a projected funding amount for a fiscal year
46 shall be developed for each of the three
47 administrative areas, from the funding sources
48 designated in this section. The projected funding
49 amount for a fiscal year, manner of payment, and other
50 provisions of the pilot project shall be delineated in

Page 2

1 contracts between the department and the counties
2 involved in the pilot project.

3 4. COUNTY MANAGEMENT PLAN. The counties
4 participating in the pilot project shall amend their
5 county management plans approved under section 331.439
6 to be applicable to the period of the pilot project.

7 Unless a change in federal or state funding provisions
8 reduces the availability of funding, a pilot project
9 county's management plan eligibility provisions shall
10 not be more restrictive than the provisions in effect
11 as of June 30, 1999. The amended county management
12 plans shall address the service needs of the
13 populations served under the funding sources included
14 in the pilot project beginning with the applicable
15 phase.

16 For purposes of determining the financial

17 responsibility of a pilot project county, a legal
18 resident includes anyone living in the county at the
19 time services or other support are provided who is a
20 member of the target population. A legal resident
21 includes but is not limited to a person who is
22 homeless or living in a homeless shelter. However, if
23 an individual resides in a pilot project county as a
24 result of placement or referral for services or other
25 support by another county or another state, financial
26 responsibility remains with the other county or other
27 state.

28 5. COUNTY RESPONSIBILITIES.

29 a. A county participating in the pilot project is
30 responsible to provide or pay for services and other
31 support to appropriately address the needs of the
32 target population attributable to that county. This
33 responsibility includes accountability for clinical,
34 administrative, and fiscal functions.

35 b. A pilot project area may choose among
36 alternative approaches in administering services under
37 the pilot project. The alternative approaches include
38 but are not limited to any of the following:

39 (1) A case rate approach to purchase of services.

40 (2) A fee-for-service purchasing approach with an
41 emphasis on flexible, creative services.

42 (3) A mixed model involving both case rate and
43 fee-for-service approaches.

44 c. A pilot project area shall provide data and
45 other reports as provided in the contract with the
46 department.

47 d. Moneys received by a county under the pilot
48 project shall be deposited in the county's services
49 fund. Moneys received that remain unencumbered or
50 unobligated at the close of the fiscal year shall

Page 3

1 remain available to be used to benefit the county's
2 target population in the succeeding fiscal year.

3 e. Receipt and expenditures of moneys under the
4 pilot project shall be subject to examination during
5 the regular audit of the pilot project area counties
6 performed in accordance with chapter 11.

7 6. FUNDING - PHASES. The department shall
8 negotiate with the pilot project areas to identify the
9 projected funding amount to be provided to the areas
10 for a fiscal year. The projected funding amount shall
11 be determined in accordance with a pilot project
12 area's relative share of the statewide expenditures
13 for services and other support paid by the funding
14 sources included in the pilot project plus the related
15 administrative expenses. Unless the commencement

16 dates are delayed due to a determination by the
17 oversight committee, the pilot project funding shall
18 be implemented in two phases with the first phase to
19 commence July 1, 2000, and the second phase to
20 commence July 1, 2001, as provided in paragraph "d".

21 Both phases of the pilot project shall end December
22 31, 2003. The phases of the pilot project shall be
23 implemented as follows:

24 a. In the first phase, the department and the
25 pilot project areas shall negotiate the specific
26 projected funding amounts to be provided to each area.
27 The department and the pilot project areas shall
28 provide any data or other information necessary to
29 accurately develop the projected amounts. The funding
30 amount for the first phase shall be determined by
31 December 30, 1999.

32 b. In the first phase, the mental health services
33 funding sources for the pilot project areas shall
34 include but are not limited to all of the following:

35 (1) The state share of the costs of care in the
36 state mental health institutes.

37 (2) The mental health portion of any federal grant
38 funding administered through the United States
39 department of health and human services.

40 (3) Federal social services block grant funding.

41 (4) State case funding.

42 (5) State funding for the purchase of local
43 services for persons with mental illness where the
44 client has no established county of legal settlement.

45 (6) State supplementary assistance funding.

46 (7) To the extent allowed by the federal
47 government, the mental health portion of federal
48 funding provided for vocational rehabilitation of
49 individuals with disabilities.

50 c. In the first phase, the mental retardation and

Page 4

1 other developmental disabilities services funding
2 sources for the pilot project areas shall include but
3 are not limited to all of the following:

4 (1) State and federal medical assistance funding
5 for home and community-based waiver services to
6 persons with mental retardation.

7 (2) The state share of the costs of care in the
8 state hospital-schools.

9 (3) State and federal medical assistance payments
10 for intermediate care facilities for persons with
11 mental retardation services.

12 (4) Federal social services block grant funding.

13 (5) State funding for the purchase of local
14 services for persons with mental retardation and other

15 developmental disabilities where the client has no
16 established county of legal settlement.

17 (6) State supplementary assistance funding.

18 (7) To the extent allowed by the federal
19 government, the mental retardation and other
20 developmental disabilities portion of federal funding
21 provided for vocational rehabilitation of persons with
22 disabilities.

23 d. In the second phase, all other medical
24 assistance funding for mental health services for the
25 pilot project areas shall be incorporated into the
26 annual projected funding amount. Implementation of
27 the second phase shall be subject to enactment by the
28 general assembly of an implementation authorization.

29 7. OVERSIGHT COMMITTEE.

30 a. An oversight committee shall be established to
31 provide general oversight of the pilot project and the
32 risk pool and to perform the duties outlined in this
33 subsection. The oversight committee shall consist of
34 the following members:

35 (1) At least one service consumer, one service
36 provider, and one county supervisor from each of the
37 three pilot project areas, designated by the county
38 board of supervisors.

39 (2) An individual designated by the governor.

40 (3) One individual designated by the division of
41 medical services of the department of human services
42 and one individual designated by the division of
43 mental health and developmental disabilities of the
44 department of human services.

45 (4) An individual designated by the legislative
46 council. If the individual designated by the
47 legislative council is a member of the general
48 assembly, that member shall be a nonvoting member.

49 b. The oversight committee shall have the
50 following duties and responsibilities:

Page 5

1 (1) The oversight committee may make a
2 determination that implementation by the department of
3 human services of a significant funding provision such
4 as the rehabilitation option for persons with chronic
5 mental illness or a waiver under the medical
6 assistance program or another good cause reason
7 justifies delay of the implementation of the pilot
8 project phases as provided in subsection 6. If such a
9 determination is made, the department of human
10 services and pilot project counties shall delay
11 implementation of the pilot project phases until a
12 date identified by the oversight committee.

13 (2) The oversight committee shall arrange for an

14 independent evaluation of the pilot project in
15 accordance with subsection 9.

16 (3) The oversight committee shall provide
17 assistance to the pilot project counties, the
18 department of human services, and other interested
19 persons concerning implementation of the pilot
20 project.

21 (4) The oversight committee shall perform
22 functions for the risk pool in accordance with
23 subsection 8.

24 8. RISK POOL. In order to augment assistance from
25 the risk pool of the property tax relief fund for
26 which the pilot project counties may be eligible under
27 section 426B.5, the pilot project administrative areas
28 shall create and commit funding to a pilot project
29 risk pool. The pilot project risk pool shall be used
30 to cover unexpected costs resulting from an
31 unanticipated event such as a legal settlement
32 requirement or need for an exceptionally costly set of
33 services or other support. Funding shall be committed
34 on the basis of a percentage of the pilot project
35 counties overall budget for services under the
36 counties' management plan with an annual maximum
37 percentage for each area and an overall combined
38 percentage maximum, as determined by the pilot project
39 counties in consultation with the oversight committee.
40 Expenditure of this risk pool funding shall be subject
41 to authorization by the oversight committee.

42 9. OUTCOMES AND EVALUATION.

43 a. In consultation with the oversight committee,
44 the pilot project participants and the department
45 shall agree on a set of outcomes and indicators to
46 measure the effect of the pilot project upon the
47 system of care in those counties. The department and
48 pilot project areas shall annually report to the
49 governor and general assembly by December 15 on the
50 implementation status of the pilot project and the

Page 6

1 performance on the indicators. The report shall
2 include any findings identified by the oversight
3 committee.

4 b. The oversight committee shall arrange for an
5 independent evaluation of the pilot project. The
6 evaluation shall assess the quality of services as
7 well as the cost-effectiveness of the pilot project.
8 The evaluation shall include a focus on special
9 populations such as persons who are homeless or who
10 have multiple disabilities or service needs.

11 c. A final report concerning the pilot project
12 shall be submitted by the department and the pilot

13 project areas to the governor and general assembly.
14 It is the intent of the general assembly to use that
15 report to determine whether to continue the pilot
16 project, revise it, terminate it, or implement the
17 pilot project provisions or a similar approach
18 statewide.

19 10. LAW - RULES - IMPLEMENTATION.

20 a. If a provision of state law or administrative
21 rule is in conflict with a provision of this section,
22 the provision of this section shall prevail. State
23 law and administrative rules governing the funding
24 sources specified in this section are not applicable
25 to use of the funding by the pilot project counties.

26 b. The department shall amend the medical
27 assistance state plan and apply for federal waivers as
28 necessary to implement the provisions of this section.

29 c. The department shall amend its contract for
30 managed behavioral health care under medical
31 assistance as necessary to implement the second phase
32 of the pilot project and for the medical assistance-
33 eligible persons covered under that contract to
34 instead be covered by the pilot project counties.

35 d. The pooling of funding sources and the
36 provision of services under this pilot project and
37 implementation of a risk pool as authorized in this
38 section is not insurance and is not subject to
39 regulation under chapters 505 through 523C.

40 e. The department of human services shall amend
41 the state medical assistance plan, implement federal
42 waivers, or take other actions as necessary for the
43 pilot project areas to be able to draw federal funding
44 for the start-up and other costs to implement the
45 pilot project.

46 f. The department shall give consideration to
47 implementing a rehabilitation option under the medical
48 assistance program for persons with chronic mental
49 illness.

50 g. The requirements of this section may be adapted

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1 as necessary to comply with federal law, regulation,
2 or other requirements in order to assure federal
3 financial participation in the pilot project."

4 2. By renumbering as necessary.

Amendment H-1292 was adopted.

Houser of Pottawattamie 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. 664)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boguess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Corbett, Spkr.
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Rants, Presiding		

The nays were, none.

Absent or not voting, 2:

Connors Larkin

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: House Files 680 and 664.

House File 683, a bill for an act relating to mediation services related to custody, visitation, and support of a child, was taken up for consideration.

Boddicker of Cedar asked and received unanimous consent to withdraw amendment H-1162 filed by him on March 23, 1999.

Boddicker of Cedar offered the following amendment H-1163 filed by him and Chapman of Linn and moved its adoption:

H-1163

1 Amend House File 683 as follows:

2 1. Page 1, by striking lines 24 through 27, and
3 inserting the following: "any dissolution of marriage
4 action or other domestic relations action. This
5 provision shall not".

6 2. Page 2, line 17, by inserting after the word
7 "administrator." the following: "The qualifications
8 established pursuant to subsection 4 shall not require
9 that a mediator be licensed to practice any other
10 profession."

11 3. Page 2, by striking line 25.

12 4. Page 2, line 26, by striking the word "shall"
13 and inserting the following: "a. Shall".

Amendment H-1163 was adopted.

Boddicker of Cedar offered the following amendment H-1245 filed by him and moved its adoption:

H-1245

1 Amend House File 683 as follows:

2 1. Page 1, line 28, by inserting after the word
3 "apply" the following: "if the action involves a
4 child support or medical support obligation enforced
5 by the child support recovery unit. This provision
6 shall not apply".

Amendment H-1245 was adopted.

Kreiman of Davis offered the following amendment H-1092 filed by him and moved its adoption:

H-1092

- 1 Amend House File 683 as follows:
- 2 1. By striking page 3, line 33, through page 4,
- 3 line 11.
- 4 2. By renumbering as necessary.

Carroll of Poweshiek in the chair at 10:40 a.m.

Roll call was requested by Kreiman of Davis and Doderer of Johnson.

On the question "Shall amendment H-1092 be adopted?" (H.F. 683)

The ayes were, 46:

Bell	Bukta	Burnett	Cataldo
Chapman	Chiodo	Cohoon	Doderer
Dotzler	Drees	Falck	Foege
Ford	Frevert	Garman	Holveck
Huser	Jochum	Kreiman	Kuhn
Larkin	Martin	Mascher	May
Mertz	Metcalf	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Stevens	Taylor
Thomas	Warnstadt	Weigel	Whitead
Wise	Witt		

The nays were, 53:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Corbett, Spkr.
Cormack	Davis	Dix	Dolecheck
Drake	Eddie	Fallon	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Jacobs	Jager
Jenkins	Johnson	Kettering	Klemme
Larson	Lord	Millage	Raecker
Rants	Rayhons	Siegrist	Sukup
Sunderbruch	Teig	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Welter
Carroll, Presiding			

Absent or not voting, 1:

Connors

Amendment H-1092 lost.

Siegrist of Pottawattamie asked and received unanimous consent that House File 683 be deferred and that the bill retain its place on the calendar.

House File 734, a bill for an act establishing an Iowa drug prior authorization review panel within the department of human services and providing an effective date, was taken up for consideration.

Blodgett of Cerro Gordo offered amendment H-1306 filed by him and Heaton of Henry as follows:

H-1306

- 1 Amend House File 734 as follows:
- 2 1. Page 1, lines 1 and 2, by striking the words
- 3 "PRIOR AUTHORIZATION REVIEW PANEL" and inserting the
- 4 following: "UTILIZATION REVIEW COUNCIL".
- 5 2. Page 1, by striking lines 3 through 6, and
- 6 inserting the following:
- 7 "1. A drug utilization review council is
- 8 established within the department. The meetings of
- 9 the council are subject to chapter 21. However, those
- 10 portions of a meeting pertaining to matters of client
- 11 and provider confidentiality are exempt under section
- 12 21.5, and the council shall provide prior notice to
- 13 the public of portions of any meeting which will be
- 14 conducted in closed session.
- 15 2. The council shall consist of the following
- 16 members:"
- 17 3. Page 1, line 10, by striking the word
- 18 "recommended" and inserting the following:
- 19 "designated".
- 20 4. Page 1, line 11, by striking the word
- 21 "recommended" and inserting the following:
- 22 "designated".
- 23 5. Page 1, line 16, by striking the word
- 24 "recommended" and inserting the following:
- 25 "designated".
- 26 6. Page 1, line 18, by striking the word
- 27 "recommended" and inserting the following:
- 28 "designated".
- 29 7. Page 1, line 20, by striking the word
- 30 "recommended" and inserting the following:

31 "designated".
32 8. Page 1, line 22, by striking the word
33 "recommended" and inserting the following:
34 "designated".
35 9. Page 1, by striking lines 24 through 26, and
36 inserting the following:
37 "3. The members of the council shall".
38 10. Page 2, by striking lines 2 through 7, and
39 inserting the following:
40 "4. The members of the council shall serve two-
41 year terms and shall not serve more than two
42 consecutive terms. The director of human services
43 shall ensure that council membership meets the
44 requirements of sections 69.16 and 69.16A with regard
45 to original membership and subsequent membership.
46 Vacancies shall be filled by the original designating
47 organization and in the manner of the original
48 designation. Members of the council shall receive a
49 per diem and expenses in accordance with section 7E.6,
50 subsection 1."

Page 2

1 11. Page 2, by striking line 8, and inserting the
2 following:
3 "5. The drug utilization review council shall make
4 recommendations to the council on human services
5 pursuant to".
6 12. Page 2, line 13, by striking the word
7 "department" and inserting the following: "council".
8 13. Page 2, line 15, by striking the word
9 "department" and inserting the following: "council".
10 14. Page 2, line 16, by striking the word "panel"
11 and inserting the following: "council on human
12 services".
13 15. Page 2, line 17, by inserting after the word
14 "care," the following: "and".
15 16. Page 2, by striking line 19, and inserting
16 the following: "patients."
17 17. Page 2, line 20, by striking the word "panel"
18 and inserting the following: "council".
19 18. Page 2, by striking line 21, and inserting
20 the following: "only be added to the listing
21 following adoption by rule by the council on human
22 services pursuant to chapter 17A."
23 19. Page 2, line 23, by striking the word "panel"
24 and inserting the following: "council".
25 20. Page 2, by striking lines 32 through 34 and
26 inserting the following:
27 "c. Include any recommendations of the drug
28 utilization review council in a notice of intended
29 action under chapter 17A."

- 30 21. Page 3, by striking lines 6 and 7, and
31 inserting the following:
32 "f. Provide administrative support to the drug
33 utilization review council.
34 8. Within the first quarter of the state fiscal
35 year beginning July 1, 1999, the drug utilization
36 review council shall conduct a review of all the drugs
37 for which prior authorization is required to determine
38 if the drugs should remain on the listing and shall
39 report its findings to the council on human services
40 and to the general assembly by December 1, 1999. The
41 drug utilization review council shall subsequently
42 conduct such an annual review within the first quarter
43 of the state fiscal year and shall report its findings
44 to the council on human services and to the general
45 assembly by October 1 of each fiscal year."
46 22. Page 3, line 11, by striking the word "July"
47 and inserting the following: "September".
48 23. Page 3, line 12, by striking the word "panel"
49 and inserting the following: "drug utilization review
50 council".

Page 3

- 1 24. Title page, line 1, by striking the words
2 "prior authorization review panel" and inserting the
3 following: "utilization review council".
4 25. By renumbering as necessary.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-1334, to amendment H-1306, filed by him from the floor.

Heaton of Henry offered the following amendment H-1341, to amendment H-1306, filed by him from the floor and moved its adoption:

H-1341

- 1 Amend the amendment, H-1306, to House File 734 as
2 follows:
3 1. Page 1, line 4, by striking the word "COUNCIL"
4 and inserting the following: "COMMISSION".
5 2. Page 1, by striking lines 7 through 16 and
6 inserting the following:
7 "'1. The department shall continue to contract
8 with the peer review organization, with which the
9 department held a contract to carry out the duties of
10 the drug utilization review commission as of June 30,
11 1999, in order to carry out the duties of the

12 commission after that date. The meetings of the
13 commission are subject to chapter 21, including the
14 closed session provisions which allow the commission
15 to conduct closed sessions pursuant to section 21.5
16 for reasons including but not limited to matters of
17 client and provider confidentiality. A member of the
18 commission shall not receive any gift, as defined in
19 section 68B.2, from a manufacturer or agent of a
20 manufacturer of a drug or product which may be subject
21 to review by the commission.

22 2. The commission shall consist of the following
23 members:"

24 3. Page 1, by striking lines 29 through 34 and
25 inserting the following:

26 "___ Page 1, by striking lines 20 through 23 and
27 inserting the following:

28 "d. One institution-based pharmacist, designated
29 by the Iowa pharmacy association.

30 e. One community-based pharmacist, designated by
31 the Iowa pharmacy association."

32 4. Page 1, by striking line 37 and inserting the
33 following:

34 ""3. The members of the commission shall".

35 5. Page 1, by striking lines 40 through 50 and
36 inserting the following:

37 ""4. The members of the commission shall serve
38 three-year terms and shall not serve more than two
39 consecutive terms. The director of human services
40 shall ensure that commission membership meets the
41 requirements of sections 69.16 and 69.16A with regard
42 to original membership and subsequent membership.
43 Vacancies shall be filled by the original designating
44 organization and in the manner of the original
45 designation. Members of the commission shall receive
46 compensation as provided under the contract entered
47 into by the department pursuant to subsection 1".

48 6. Page 2, line 3, by striking the word "council"
49 and inserting the following: "commission".

50 7. page 2, line 7, by striking the word "council"

Page 2

1 and inserting the following: "commission".

2 8. Page 2, line 9, by striking the word "council"

3 and inserting the following: "commission".

4 9. Page 2, line 18, by striking the word

5 "council" and inserting the following: "commission".

6 10. Page 2, line 24, by striking the word

7 "council" and inserting the following: "commission".

8 11. Page 2, line 28, by striking the word

9 "council" and inserting the following: "commission".

10 12. Page 2, by striking lines 32 and 33.

- 11 13. Page 2, line 34, by striking the figure "8"
 12 and inserting the following: ""8".
 13 14. Page 2, line 36, by striking the word
 14 "council" and inserting the following: "commission".
 15 15. Page 2, line 41, by striking the word
 16 "council" and inserting the following: "commission".
 17 16. Page 2, line 50, by striking the word
 18 "council" and inserting the following: "commission".
 19 17. Page 3, by striking lines 1 through 3 and
 20 inserting the following:
 21 "___ Title page, by striking lines 1 and 2, and
 22 inserting the following: "An Act relating to the drug
 23 utilization review commission and providing an"."

Amendment H-1341 was adopted.

Blodgett of Cerro Gordo moved the adoption of amendment H-1306, as amended.

Amendment H-1306, as amended, was adopted.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-1175 filed by Heaton, et al., on March 23, 1999.

Blodgett of Cerro Gordo 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. 734)

The ayes were, 52:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunckhorst	Cataldo
Corbett, Spkr.	Cormack	Davis	Dix
Dolecheck	Drake	Eddie	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Holmes	Huseman	Jacobs
Jager	Jenkins	Johnson	Kettering
Klemme	Larson	Lord	Martin
Metcalf	Millage	Raecker	Rants
Rayhons	Siegrist	Sukup	Sunderbruch
Teig	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Welter	Carroll, Presiding

The nays were, 46:

Bell	Bukta	Burnett	Chapman
Chiodo	Cohoon	Doderer	Dotzler
Drees	Falck	Fallon	Foege
Ford	Frevert	Garman	Hoffman
Holveck	Houser	Huser	Jochum
Kreiman	Kuhn	Larkin	Mascher
May	Mertz	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Stevens	Taylor
Thomas	Warnstadt	Weigel	Whitead
Wise	Witt		

Absent or not voting, 2:

Connors Horbach

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 734** be immediately messaged to the Senate.

On motion by Siegrist of Pottawattamie, the House was recessed at 12:25 p.m., until 2:30 p.m.

AFTERNOON SESSION

The House reconvened at 2:35 p.m., Speaker Corbett in the chair.

INTRODUCTION OF BILL

House File 761, by committee on appropriations, a bill for an act relating to child care provisions administered by the department of human services and to the terminology used to describe child care, and including effective dates and applicability provisions.

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

SENATE MESSAGES CONSIDERED

Senate File 179, by King, a bill for an act relating to requests and hearings for correction and expungement of child abuse information.

Read first time and referred to committee on **human resources**.

Senate File 192, by committee on judiciary, a bill for an act relating to open containers in motor vehicles and providing a penalty.

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

Senate File 253, by committee on natural resources and environment, a bill for an act concerning reporting requirements for real estate conveyances relating to the identification of wells, disposal sites for solid waste, underground storage tanks, and hazardous waste, and providing an effective date.

Read first time and referred to committee on **environmental protection**.

HOUSE FILE 99 WITHDRAWN

Kettering of Sac asked and received unanimous consent to withdraw House File 99 from further consideration by the House.

CONSIDERATION OF BILLS

Regular Calendar

House File 351, a bill for an act relating to required conditions applying to agreements to provide private industry employment for inmates of correctional institutions, with report of committee recommending passage, was taken up for consideration.

Horbach of Tama 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. 351)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Chapman	Chiodo
Cohoon	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Eddie	Falk	Fallon
Foegen	Ford	Frevert	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Mr. Speaker Corbett

The nays were, 1:

Bogges

Absent or not voting, 3:

Cataldo Connors Heaton

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 351** be immediately messaged to the Senate.

The House resumed consideration of **House File 723**, a bill for an act prohibiting the mistreatment of animals and providing for penalties, previously deferred on March 29, 1999. (Amendment H-1227 found on pages 913-917 of the House Journal, and

amendment H-1274, to amendment H-1227, found on pages 918-919 of the House Journal, pending.)

Davis of Wapello asked and received unanimous consent to withdraw amendment H-1274, to amendment H-1227, filed by him on March 29, 1999.

Mascher of Johnson offered amendment H-1307, to amendment H-1227, filed by Doderer of Johnson, et al., as follows:

H-1307

1 Amend the amendment, H-1227, to House File 723, as
2 follows:

3 1. Page 1, by inserting after line 3 the
4 following:

5 "Sec. ____ Section 708.2A, Code 1999, is amended
6 by striking subsections 2 through 5, and inserting the
7 following in lieu thereof:

8 1. A person who commits domestic abuse assault is
9 guilty of a class "D" felony.

10 Sec. ____ Section 708.2A, subsection 6, paragraph
11 a, Code 1999, is amended by striking the paragraph.

12 Sec. ____ Section 708.2A, subsection 6, paragraph
13 b, Code 1999, is amended to read as follows:

14 b. A person convicted of violating ~~subsection 4~~
15 this section shall be sentenced as provided under
16 section 902.9, subsection 4, committed to the custody
17 of the director of the department of corrections, and
18 shall be assessed a fine of at least seven hundred
19 fifty dollars. The person shall be denied parole or
20 work release until the person has served a minimum of
21 one year of the person's sentence. Notwithstanding
22 section 901.5, subsection 3, and section 907.3,
23 subsection 3, the person cannot receive a suspended or
24 deferred sentence or a deferred judgment; however, the
25 person sentenced shall receive credit for any time the
26 person was confined in a jail or detention facility
27 following arrest.

28 Sec. ____ Section 708.2A, subsection 9, Code 1999,
29 is amended to read as follows:

30 9. ~~In addition to the mandatory minimum term of~~
31 ~~confinement imposed by subsection 6, paragraph "a",~~
32 ~~the~~ The court shall order a person convicted under
33 ~~subsection 2 or 3~~ this section to participate in a
34 batterers' treatment program as required under section
35 708.2B. In addition, as a condition of deferring
36 judgment or sentence pursuant to section 907.3, the
37 court shall order the person to participate in a

38 batterers' treatment program. The clerk of the
 39 district court shall send a copy of the judgment or
 40 deferred judgment to the judicial district department
 41 of correctional services."
 42 2. Page 5, by inserting after line 33 the
 43 following:
 44 " ____ Title page, line 1, by inserting before the
 45 word "animals" the following: "persons and"."

Cormack of Webster rose on a point of order that amendment H-1307, to amendment H-1227, was not germane.

The Speaker ruled the point well taken and amendment H-1307, to amendment H-1227, not germane.

Schrader of Marion asked for unanimous consent to suspend the rules to consider amendment H-1307.

Objection was raised.

Schrader of Marion moved to suspend the rules to consider amendment H-1307.

Roll call was requested by Doderer of Johnson and Cormack of Webster.

Rule 75 was invoked.

On the question "Shall the rules be suspended to consider amendment H-1307, to amendment H-1227?" (H.F. 723)

The ayes were, 77:

Alons	Arnold	Baudler	Bell
Boal	Boddicker	Bogges	Bukta
Burnett	Cataldo	Chapman	Chiodo
Cohoon	Davis	Doderer	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Greiner	Grundberg	Hansen
Hoffman	Holveck	Horbach	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Martin
Mascher	May	Mertz	Metcalf
Mundie	Murphy	Myers	Nelson

O'Brien	Osterhaus	Parmenter	Raecker
Rants	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Whitead	Wise
Witt			

The nays were, 21:

Barry	Blodgett	Bradley	Brauns
Brunkhorst	Carroll	Cormack	Dix
Dolecheck	Gipp	Hahn	Heaton
Holmes	Houser	Johnson	Lord
Rayhons	Siegrist	Tyrrell	Welter
Mr. Speaker			
Corbett			

Absent or not voting, 2:

Connors Millage

The motion prevailed and the rules were suspended.

Mascher of Johnson moved the adoption of amendment H-1307, to amendment H-1227.

Amendment H-1307 was adopted.

Davis of Wapello offered the following amendment H-1294, to amendment H-1227, filed by him and moved its adoption:

H-1294

- 1 Amend the amendment, H-1227, to House File 723, as
- 2 follows:
- 3 1. Page 1, by striking lines 6 and 7.
- 4 2. Page 1, line 21, by inserting after the word
- 5 "causes" the following: "unjustified".
- 6 3. Page 1, by striking line 22, and inserting the
- 7 following: "suffering. A person is not guilty of
- 8 livestock abuse, if the person acts in a manner
- 9 consistent with customary".
- 10 4. Page 1, line 33, by striking the words "shall
- 11 immediately" and inserting the following: "may".
- 12 5. Page 1, line 34, by striking the figures and
- 13 word "717B.2 or 717B.3" and inserting the following:
- 14 "717.1A or 717.2".
- 15 6. By striking page 1, line 49 through page 2,

- 16 line 3, and inserting the following: "evidence of a
17 violation of section 717.1A or 717.2."
- 18 7. Page 2, by striking line 5 and inserting the
19 following: "there is a violation of section 717.1A or
20 717.2, a".
- 21 8. Page 2, by striking lines 36 through 39 and
22 inserting the following: "and may be taxed as court
23 costs."
- 24 9. By striking page 2, line 40, through page 3,
25 line 3, and inserting the following:
26 " _____. The person shall pay expenses".
- 27 10. Page 3, by striking lines 7 through 17.
- 28 11. Page 3, by striking lines 23 and 24.
- 29 12. Page 3, by striking lines 31 through 34 and
30 inserting the following: "an animal ~~owned by another~~
31 ~~person, in any manner, including intentionally~~
32 poisoning the animal means that causes unjustified
33 pain or suffering. A person is not guilty of animal
34 abuse, if the person acts in a manner consistent with
35 customary animal husbandry. A person guilty of animal
36 abuse is guilty".
- 37 13. Page 4, line 4, by striking the words "shall
38 immediately" and inserting the following: "may".
- 39 14. Page 4, by striking lines 20 through 23 and
40 inserting the following: "evidence of a violation of
41 section 717B.2 or 717B.3".
- 42 15. Page 5, by striking lines 2 through 5 and
43 inserting the following: "and may be taxed as court
44 costs."
- 45 16. Page 5, lines 6 and 7, by striking the words
46 "an animal or any livestock" and inserting the
47 following: "any animal".
- 48 17. Page 5, line 9, by striking the word "five"
49 and inserting the following: "three".
- 50 18. Page 5, by striking lines 17 through 19 and

Page 2

- 1 inserting the following:
2 " _____. The person shall pay expenses".
- 3 19. Page 5, line 25, by striking the words "all
4 animals or livestock" and inserting the following:
5 "each animal".
- 6 20. Page 5, line 27, by striking the words
7 "animals or livestock have" and inserting the
8 following: "animal has".
- 9 21. Page 5, line 28, by striking the figure and
10 word "717.5 or".
- 11 22. Page 5, line 29, by striking the words
12 "animals or livestock" and inserting the following:
13 "animal".
- 14 23. Page 5, line 31, by striking the words

- 15 "Animals or livestock which are" and inserting the
 16 following: "An animal which is".
 17 24. By renumbering as necessary.

Amendment H-1294 was adopted.

Warnstadt of Woodbury asked and received unanimous consent to withdraw amendment H-1295, to amendment H-1227, filed by him on March 30, 1999.

Cormack of Webster moved the adoption of amendment H-1227, as amended.

Amendment H-1227, as amended, was adopted.

Gipp of Winneshiek in the chair at 3:43 p.m.

Davis of Wapello 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. 723)

The ayes were, 64:

Bell	Blodgett	Boal	Bradley
Brauns	Bukta	Burnett	Cataldo
Chiodo	Cphoon	Cormack	Davis
Dix	Doderer	Dotzler	Falck
Foege	Ford	Frevert	Greiner
Grundberg	Hansen	Holveck	Horbach
Jacobs	Jager	Jenkins	Jochum
Kuhn	Larkin	Larson	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Reynolds	Richardson
Scherrman	Schrader	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Thomas
Thomson	Van Fossen	Warnstadt	Weigel
Whitead	Wise	Witt	Gipp, Presiding

The nays were, 35:

Alons	Arnold	Barry	Baudler
Boddicker	Boggess	Brunkhorst	Carroll

Chapman	Corbett, Spkr.	Dolecheck	Drake
Drees	Eddie	Fallon	Garman
Hahn	Heaton	Hoffman	Holmes
Houser	Huseman	Huser	Johnson
Kettering	Klemme	Kreiman	Lord
Rayhons	Shoultz	Teig	Tyrrell
Van Engelenhoven	Weidman	Welter	

Absent or not voting, 1:

Connors

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

Speaker Corbett in the chair at 4:26 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sukup of Franklin, for the remainder of the day, on request of Siegrist of Pottawattamie.

House File 693, a bill for an act relating to the offense of operating a watercraft while intoxicated and providing penalties and other related matters, was taken up for consideration.

Jager of Black Hawk 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.

Rule 75 was invoked.

On the question "Shall the bill pass?" (H.F. 693)

The ayes were, 49:

Alons	Barry	Baudler	Bell
Boal	Bogges	Brauns	Bukta
Burnett	Cormack	Davis	Dix
Doderer	Falck	Fallon	Foege
Ford	Frevert	Grundberg	Hansen
Hoffman	Holmes	Holveck	Jacobs
Jager	Jenkins	Klemme	Kreiman
Kuhn	Larson	Lord	Martin

Mascher	Mertz	Millage	Mundie
Myers	O'Brien	Parmenter	Raecker
Rants	Reynolds	Siegrist	Stevens
Sunderbruch	Thomson	Warnstadt	Witt
Mr. Speaker Corbett			

The nays were, 48:

Arnold	Blodgett	Boddicker	Bradley
Brunkhorst	Carroll	Cataldo	Chapman
Chiodo	Cohoon	Dolecheck	Dotzler
Drake	Drees	Eddie	Garman
Gipp	Greiner	Hahn	Heaton
Horbach	Houser	Huseman	Huser
Jochum	Johnson	Kettering	Larkin
May	Metcalf	Murphy	Nelson
Osterhaus	Rayhons	Richardson	Scherrman
Schrader	Shoultz	Taylor	Thomas
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Weigel	Welter	Whitead	Wise

Absent or not voting, 3:

Connors	Sukup	Teig
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The bill having failed to receive a constitutional majority was declared to have failed to pass the House.

The House resumed consideration of **House File 683**, a bill for an act relating to mediation services related to custody, visitation, and support of a child, previously deferred.

RULE 31.8 SUSPENDED

Boddicker of Cedar asked and received unanimous consent to suspend Rule 31.8, relating to the timely filing of amendments, for consideration of amendment H-1356 filed by him from the floor as follows:

H-1356

- 1 Amend House File 683 as follows:
- 2 1. Page 3, by inserting after line 32, by
- 3 following:
- 4 "10. The court administrators shall coordinate the
- 5 provision of mediation services under this section."

6 2. By renumbering as necessary.

On motion by Boddicker of Cedar amendment H-1356 was adopted.

RULE 31.8 SUSPENDED

Chapman of Linn asked and received unanimous consent to suspend Rule 31.8, relating to the timely filing of amendments, for consideration of amendment H-1357 filed by her from the floor as follows:

H-1357

- 1 Amend House File 683 as follows:
- 2 1. Page 4, by striking lines 12 and 13.

On motion by Chapman of Linn amendment H-1357 was adopted.

Boddicker 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. 683)

The ayes were, 84:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chiodo
Cohoon	Cormack	Davis	Dix
Dolecheck	Drake	Drees	Eddie
Falck	Fallon	Ford	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Siegrist
Stevens	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Welter
Whitead	Wise	Witt	Mr. Speaker
			Corbett

The nays were, 12:

Burnett	Chapman	Doderer	Dotzler
Foege	Frevert	Holveck	Kreiman
Parmenter	Schrader	Shoultz	Weigel

Absent or not voting, 4:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 683** be immediately messaged to the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cataldo of Polk, for the remainder of the day, on request of Schrader of Marion.

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 March 31, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 743, a bill for an act relating to the establishment of an Iowa early intervention block grant program, providing for a school improvement technology block grant program, and making appropriations.

Also: That the Senate has on March 31, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 462, a bill for an act relating to veterans' benefits, veterans preference, veterans' claims, reimbursement for military service tax exemption, and providing a penalty and applicability date.

Also: That the Senate has on March 31, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 463, a bill for an act exempting property owned and operated by an Indian housing authority from property tax and including an effective date.

MICHAEL E. MARSHALL, Secretary

Appropriations Calendar

House File 745, a bill for an act appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, and the public employment relations board, making related statutory changes, and providing an effective date, was taken up for consideration.

The House stood at ease at 5:52 p.m., until the fall of the gavel.

The House resumed session at 6:15 p.m., Speaker Corbett in the chair.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-1269 filed by him on March 26, 1999.

Bogges of Taylor offered the following amendment H-1270 filed by Gipp of Winneshiek and moved its adoption:

H-1270

- 1 Amend House File 745 as follows:
- 2 1. Page 1, by striking lines 16 and 17 and
- 3 inserting the following:
- 4 "..... \$ 1,754,984
- 5FTEs 25.75"
- 6 2. Page 2, by striking lines 5 and 6 and
- 7 inserting the following:
- 8 "..... \$ 452,252
- 9FTEs 5.00"
- 10 3. Page 3, line 3, by striking the words "The
- 11 department" and inserting the following: "Upon
- 12 enactment, the department".
- 13 4. Page 3, by inserting after line 12 the
- 14 following: "The department may expend up to \$150,000
- 15 from the strategic investment fund to enhance or
- 16 upgrade the human resource recruitment web site."
- 17 5. Page 4, by striking lines 12 and 13 and
- 18 inserting the following:
- 19 "..... \$ 848,038
- 20FTEs 10.50"

Amendment H-1270 was adopted.

Stevens of Dickinson offered the following amendment H-1255 filed by him and moved its adoption:

H-1255

- 1 Amend House File 745 as follows:
- 2 1. Page 1, by striking line 29 and inserting the
- 3 following:
- 4 "..... \$ 4,345,209"
- 5 2. Page 1, line 31, by striking the figure
- 6 "\$350,000" and inserting the following: "\$700,000".

Amendment H-1255 was adopted.

Boguess of Taylor asked and received unanimous consent to withdraw amendment H-1284 filed by her on March 29, 1999.

Murphy of Dubuque asked and received unanimous consent that amendment H-1264 be deferred.

Warnstadt of Woodbury offered the following amendment H-1286 filed by him and moved its adoption:

H-1286

- 1 Amend House File 745 as follows:
- 2 1. Page 2, by inserting after line 34 the
- 3 following: "The department shall transfer \$50,000 of
- 4 the moneys appropriated under this paragraph "e" to
- 5 the tourism division to be used for purposes of
- 6 planning and coordinating with local and state
- 7 agencies, other states, and the federal national parks
- 8 service, to administer activities and programs leading
- 9 up to and through the celebrating of the Lewis and
- 10 Clark bicentennial of 2003 through 2006."

Amendment H-1286 lost.

Holveck of Polk offered the following amendment H-1252 filed by him and moved its adoption:

H-1252

- 1 Amend House File 745 as follows:
- 2 1. Page 4, by striking lines 14 through 18.

Amendment H-1252 lost.

Jenkins of Black Hawk offered the following amendment H-1254 filed by him and Dotzler of Black Hawk and moved its adoption:

H-1254

- 1 Amend House File 745 as follows:
- 2 1. Page 11, by striking line 18 and inserting the
- 3 following:
- 4 "..... \$ 746,591"

Amendment H-1254 was adopted.

Reynolds of Van Buren offered the following amendment H-1251 filed by Reynolds, et al., and moved its adoption:

H-1251

- 1 Amend House File 745 as follows:
- 2 1. Page 11, by striking lines 30 and 31 and
- 3 inserting the following:
- 4 "..... \$ 3,113,983
- 5FTEs 98.00"

Roll call was requested by Reynolds of Van Buren and Siegrist of Pottawattamie.

On the question "Shall amendment H-1251 be adopted?" (H.F. 745)

The ayes were, 42:

Bell	Bukta	Burnett	Chapman
Chiodo	Cohoon	Doderer	Dotzler
Drees	Falck	Fallon	Foegel
Ford	Frevert	Holveck	Huser
Jochum	Kreiman	Kuhn	Larkin
Mascher	May	Mertz	Mundie
Murphy	Myers	O'Brien	Osterhaus
Parmenter	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Stevens	Taylor
Thomas	Warnstadt	Weigel	Whitead
Wise	Witt		

The nays were, 53:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Carroll
Cormack	Davis	Dix	Dolecheck
Drake	Eddie	Garman	Gipp
Greiner	Hansen	Heaton	Hoffman
Holmes	Horbach	Houser	Huseman
Jacobs	Jager	Jenkins	Johnson

Kettering	Klemme	Larson	Lord
Martin	Metcalf	Millage	Nelson
Raecker	Rants	Rayhons	Siegrist
Sunderbruch	Teig	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Welter
Mr. Speaker			
Corbett			

Absent or not voting, 5:

Cataldo	Connors	Grundberg	Hahn
Sukup			

Amendment H-1251 lost.

Reynolds of Van Buren offered the following amendment H-1253 filed by her and moved its adoption:

H-1253

- 1 Amend House File 745 as follows:
- 2 1. Page 11, by striking lines 30 and 31 and
- 3 inserting the following:
- 4 ".....\$ 3,271,708
- 5FTEs 99.00"

Roll call was requested by Holveck of Polk and Rants of Woodbury.

On the question "Shall amendment H-1253 be adopted?" (H.F. 745)

The ayes were, 41:

Bell	Bukta	Burnett	Chapman
Chiodo	Cohoon	Dotzler	Drees
Falck	Fallon	Foege	Ford
Frevert	Holveck	Huser	Jochum
Kreiman	Kuhn	Larkin	Mascher
May	Mertz	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Stevens	Taylor	Thomas
Warnstadt	Weigel	Whitead	Wise
Witt			

The nays were, 54:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Carroll

Cormack	Davis	Dix	Dolecheck
Drake	Eddie	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Holmes	Horbach	Houser
Huseman	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Larson
Lord	Martin	Metcalf	Millage
Nelson	Raecker	Rants	Rayhons
Siegrist	Sunderbruch	Teig	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Welter	Mr. Speaker		
	Corbett		

Absent or not voting, 5:

Cataldo	Connors	Doderer	Hoffman
Sukup			

Amendment H-1253 lost.

Boggess of Taylor offered the following amendment H-1324 filed by her and moved its adoption:

H-1324

- 1 Amend House File 745 as follows:
- 2 1. Page 12, line 7, by striking the words
- 3 "industrial services" and inserting the following:
- 4 "workers' compensation".

Amendment H-1324 was adopted.

Dotzler of Black Hawk offered the following amendment H-1256 filed by him and moved its adoption:

H-1256

- 1 Amend House File 745 as follows:
- 2 1. Page 13, by striking lines 19 through 25 and
- 3 inserting the following: "the state."

Amendment H-1256 lost.

Frevert of Palo Alto offered amendment H-1289 filed by her and Scherrman of Dubuque as follows:

H-1289

1 Amend House File 745 as follows:

2 1. Page 16, by inserting after line 24 the
3 following:

4 "Sec. 100. Section 12.34, Code 1999, is amended to
5 read as follows:

6 12.34 LINKED INVESTMENTS – LIMITATIONS – RULES
7 – MATURITY AND RENEWAL OF CERTIFICATES.

8 1. The treasurer of state may invest up to the
9 lesser of ~~sixty-eight~~ one hundred fifty million
10 dollars or ten percent of the balance of the state
11 pooled money fund in certificates of deposit in
12 eligible lending institutions ~~pursuant to as provided~~
13 in this division. The moneys invested pursuant to
14 this section shall be used as follows:

15 a. The treasurer of state may invest the first
16 sixty-eight million dollars to support programs
17 provided in this division other than the emergency
18 assistance linked deposit program for swine or cattle
19 producers provided in section 12.43A.

20 b. The treasurer of state shall invest the
21 remaining amount to support the emergency assistance
22 linked deposit program for swine or cattle producers
23 as provided in section 12.43A. The treasurer of state
24 shall not make the investment unless a market
25 emergency exists. If a market emergency exists, the
26 treasurer of state shall make the investment
27 immediately. For purposes of this paragraph, a market
28 emergency exists as follows:

29 (1) For swine, a market emergency exists when the
30 market price paid in this state and southern Minnesota
31 for swine per hundredweight on a live basis is less
32 than thirty dollars for thirty consecutive days,
33 according to market news reports published by the
34 agricultural marketing service of the United States
35 department of agriculture.

36 (2) For cattle, a market emergency exists when the
37 market price paid in the midwest and high plains
38 states for cattle per hundredweight on a live basis is
39 less than fifty-six dollars for thirty consecutive
40 days, according to market news reports published by
41 the agricultural marketing service of the United
42 States department of agriculture.

43 2. The treasurer of state shall adopt rules
44 pursuant to chapter 17A to administer this division.
45 The treasurer of state shall consult with the
46 department of agriculture and land stewardship in
47 adopting rules for the administration of the emergency
48 assistance linked deposit program for swine or cattle
49 producers.

50 3. Certificates of deposit placed by the treasurer

Page 2

1 of state on or after July 1, 1996, pursuant to this
2 division may be renewed at the option of the treasurer
3 of state. The initial certificate of deposit for a
4 given borrower shall have a maturity of one year and
5 may be renewed for eight additional one-year periods.
6 Sec. 101. NEW SECTION. 12.43A EMERGENCY
7 ASSISTANCE LINKED DEPOSIT PROGRAM FOR SWINE OR CATTLE
8 PRODUCERS.

9 1. As used in this section, unless the context
10 otherwise requires:

11 a. "Actively engaged in farming" means the same as
12 defined in section 10.1.

13 b. "Farming" means the same as defined in section
14 9H.1.

15 2. The treasurer of state shall adopt rules to
16 implement an emergency assistance linked deposit
17 program for swine or cattle producers. The purpose of
18 the program is to increase the availability of lower
19 cost loans to provide emergency financial assistance
20 to farmers threatened with financial calamity due to
21 the market price of swine or cattle.

22 3. The loan shall be subject to all of the
23 following:

24 a. In order to qualify as an eligible borrower,
25 all of the following must apply:

26 (1) The applicant must be a resident of this
27 state.

28 (2) The applicant for the loan must be actively
29 engaged in farming in this state.

30 (3) If the market emergency exists because of the
31 market price paid for swine, the applicant must not
32 have marketed more than five thousand swine during the
33 last twelve months. If the market emergency exists
34 because of the market price paid for cattle, the
35 applicant must not have marketed more than one
36 thousand cattle during the last twelve months.

37 (4) If the market emergency exists because of the
38 market price paid for swine, the applicant must not
39 have provided for the care and feeding of swine under
40 contract. If the market emergency exists because of
41 the market price paid for cattle, the applicant must
42 not have provided for the care and feeding of cattle
43 under contract.

44 (5) The applicant must not have received a loan
45 under this program during the previous twelve months.

46 b. The purpose of the loan must be used to support
47 farming operations on an emergency basis, and may be
48 used to refinance existing debt.

49 4. The maximum loan amount that an eligible
50 borrower may receive under this program is one hundred

Page 3

- 1 thousand dollars."
 2 2. Page 17, by inserting after line 14 the
 3 following:
 4 "3. Sections 100 and 101, relating to linked
 5 investments."
 6 3. By renumbering as necessary.

Millage of Scott rose on a point of order that amendment H-1289 was not germane.

The Speaker ruled the point well taken and amendment H-1289 not germane.

Frevert of Palo Alto asked for unanimous consent to suspend the rules to consider amendment H-1289.

Objection was raised.

Frevert of Palo Alto moved to suspend the rules to consider amendment H-1289.

Roll call was requested by Murphy of Dubuque and Shoultz of Black Hawk.

Rule 75 was invoked.

On the question "Shall the rules be suspended to consider amendment H-1289?" (H.F. 745)

The ayes were, 42:

Bell	Bukta	Burnett	Chapman
Chiodo	Cohoon	Dotzler	Drees
Falck	Fallon	Foege	Ford
Frevert	Holveck	Huser	Jochum
Klemme	Kreiman	Kuhn	Larkin
Mascher	May	Mertz	Mundie
Murphy	Myers	O'Brien	Osterhaus
Parmenter	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Stevens	Taylor
Thomas	Warnstadt	Weigel	Whitead
Wise	Witt		

The nays were, 54:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Carroll
Cormack	Davis	Dix	Dolecheck
Drake	Eddie	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Jacobs	Jager
Jenkins	Johnson	Kettering	Larson
Lord	Martin	Metcalf	Millage
Nelson	Raecker	Rants	Rayhons
Siegrist	Sunderbruch	Teig	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Welter	Mr. Speaker		
	Corbett		

Absent or not voting, 4:

Cataldo	Connors	Doderer	Sukup
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The motion to suspend the rules lost.

Weigel of Chickasaw offered the following amendment H-1263 filed by him and moved its adoption:

H-1263

- 1 Amend House File 745 as follows:
- 2 1. Page 17, by striking line 7 and inserting the
- 3 following: "sex, physical disability, familial
- 4 status, or population if the applicant is a
- 5 municipality."

Amendment H-1263 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Doderer of Johnson on request of Jochum of Dubuque.

Metcalf of Polk asked and received unanimous consent to withdraw amendment H-1273 filed by her on March 26, 1999.

The House resumed consideration of amendment H-1264, previously deferred, as follows:

H-1264

- 1 Amend House File 745 as follows:
- 2 1. Page 2, by striking line 33 and inserting the
- 3 following:
- 4 ".....\$ 6,712,345"

Murphy of Dubuque asked and received unanimous consent to withdraw amendment H-1288, to amendment H-1264, filed by him on March 29, 1999.

Murphy of Dubuque asked and received unanimous consent to withdraw amendment H-1300, to amendment H-1264, filed by him and Jochum of Dubuque on March 30, 1999.

Murphy of Dubuque offered the following amendment H-1364, to amendment H-1264, filed by him and Jochum of Dubuque from the floor, and moved its adoption:

H-1364

- 1 Amend the amendment, H-1264, to House File 745 as
- 2 follows:
- 3 1. Page 1, by striking line 4 and inserting the
- 4 following:
- 5 "".....\$ 6,196,174
- 6 ____ Page 2, by inserting after line 34 the following:
- 7 "The department shall allocate \$200,000 from the moneys
- 8 appropriated under this paragraph "e" for a child care facility
- 9 assistance program. The program shall provide loans and grants
- 10 for the construction, expansion, or renovation of child care
- 11 centers licensed pursuant to section 237A.2. The department, in
- 12 consultation with the department of human services and the
- 13 department of workforce development, shall adopt rules pursuant
- 14 to chapter 17A to administer this program."

Amendment H-1364 was adopted.

Murphy of Dubuque moved the adoption of amendment H-1264, as amended.

Amendment H-1264, as amended, lost.

Bogges of Taylor 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. 745)

The ayes were, 91:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Chapman
Chiodo	Cphoon	Cormack	Davis
Dix	Dolecheck	Dotzler	Drake
Eddie	Falck	Foege	Ford
Frevert	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, 5:

Drees	Fallon	Garman	Kreiman
Millage			

Absent or not voting, 4:

Cataldo	Connors	Doderer	Sukup
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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 297 WITHDRAWN

Boddicker of Cedar asked and received unanimous consent to withdraw House File 297 from further consideration by the House.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 745** be immediately messaged to the Senate.

MOTIONS TO RECONSIDER
(House File 693)

I move to reconsider the vote by which House File 693 failed to pass the House on March 31, 1999.

BRUNKHORST of Bremer

(House File 693)

I move to reconsider the vote by which House File 693 failed to pass the House on March 31, 1999.

GARMAN of Story

(House File 723)

I move to reconsider the vote by which House File 723 passed the House on March 31, 1999.

DIX of Butler

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 30, 1999, he approved and transmitted to the Secretary of State the following bills:

House File 299, an act relating to applications for motor vehicle registration and issuance of certificate of title.

House File 332, an act relating to energy conservation including making appropriations of petroleum overcharge funds.

Senate File 283, an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-one seventh grade students from Walnut Community School, Walnut, accompanied by Candace Aeckerle. By Drake of Pottawattamie.

Sixty students from Hubbard-Radcliffe Community School, accompanied by Mrs. Ona Lettow. By Teig of Hamilton.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\547 Esther Schenck, Estherville – For celebrating her 90th birthday.
- 1999\548 Dutch and Tillie Eckard, Spirit Lake – For celebrating their 60th wedding anniversary.
- 1999\549 Jean Rooney-Oleson, Ringsted – For being named Pheasants Forever Button Paint Artist of the Year.
- 1999\550 Florence O'Conner, Lawler – For celebrating her 90th birthday.
- 1999\551 Chris Steege, Fredericksburg – For being named to the 1999 Boys' All-State Team.
- 1999\552 Barbara and Lyle Craft, Ottumwa – For celebrating their 50th wedding anniversary.
- 1999\553 Emmett Van Veen, Ottumwa – For receiving the Silver Beaver Award, the highest award presented to Scout leaders by the Boy Scouts of America.
- 1999\554 Agnes Brooker, Winterset – For celebrating her 97th birthday.
- 1999\555 Kristin Volk, New Hampton Community High School – For being named to the Class 3A Girls' 1st Team All-State.
- 1999\556 Katie Kosters, Crestwood High School – For being named to the Class 3A Girls' 2nd Team All-State.

1999\557 New Hampton Community High School Wrestling Team, New Hampton – For winning 2nd place in the Class 2A Team Dual Meet State Wrestling Tournament.

SUBCOMMITTEE ASSIGNMENTS

Senate File 101

Appropriations: Garman, Chair; Bell and Cormack.

Senate File 179

Human Resources: Boddicker, Chair; Carroll and Foege.

Senate File 192

Judiciary: Baudler, Chair; Kreiman and Larson.

Senate File 284

Human Resources: Boddicker, Chair; Davis and Kreiman.

Senate File 301

Human Resources: Boddicker, Chair; Boal and Foege.

Senate File 405

Commerce and Regulation: Jacobs, Chair; Chido and Jenkins.

Senate File 413

Commerce and Regulation: Johnson, Chair; Chido and Holmes.

Senate File 441

Education: Carroll, Chair; Boal and Stevens.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 257 Ways and Means

Relating to the local option sales and services tax and the local option school infrastructure tax by providing for a uniform one percent tax rate, notification by sending a copy of the ballot nexus requirements for both taxes, a distribution formula, a permanent provision for imposing the local sales and services tax when a city is located in multiple counties, and providing for imposition or repeal of the tax in annexed areas.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON COMMERCE AND REGULATION

Senate File 190, a bill for an act relating to the requirements for establishing and operating a city cable communication utility.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1999.

Senate File 324, a bill for an act relating to certain franchise agreements and the rights and responsibilities of the parties under such agreements.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1335** March 30, 1999.

Senate File 392, a bill for an act relating to telecommunications systems or services which may be provided by a city utility, establishing certain requirements on such city, and including effective date and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1336** March 30, 1999.

Senate File 406, a bill for an act relating to entities and subject matter under the regulatory authority of the insurance division, including securities, business opportunities, cemetery merchandise and residential service contracts, providing for fees, and establishing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1337** March 30, 1999.

COMMITTEE ON ECONOMIC DEVELOPMENT

Senate File 449, a bill for an act relating to public policy involving the use of the English language and assistance to legal immigrants and foreign nationals and providing a future repeal.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1999.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly House Study Bill 251), urging the United States Environmental Protection Agency to take specific actions relating to gasoline sulfur levels and regulation of vehicle emissions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 30, 1999.

COMMITTEE ON JUDICIARY

Senate File 101, a bill for an act relating to the offense of promoting or possessing contraband in prisons and juvenile facilities and establishing penalties.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H-1350** March 30, 1999.

Pursuant to Rule 31.7, **Senate File 101** was referred to the committee on appropriations.

Senate File 209, a bill for an act establishing a uniform standard for determination of death.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1345** March 30, 1999.

Senate File 367, a bill for an act adopting the Uniform Child Custody Jurisdiction and Enforcement Act.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1999.

Senate File 421, a bill for an act to extend the jurisdiction of the juvenile court to include adoption and termination of parental rights proceedings.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1999.

Senate File 429, a bill for an act relating to notification of forfeited and cancelled mechanic's liens, challenging a mechanic's lien, and providing a remedy.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1999.

Senate File 437, a bill for an act relating to notification regarding mechanics' liens.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1999.

Senate File 451, a bill for an act relating to the payment of the legal defense costs of indigent persons, expanding the duties of the state public defender, and providing for the appointment and removal of certain state public defender personnel.

Fiscal Note is required.

Recommended **Do Pass** March 30, 1999.

COMMITTEE ON LOCAL GOVERNMENT

Senate File 186, a bill for an act providing that a county enterprise includes housing for persons who are elderly or persons with physical disabilities.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1340** March 30, 1999.

Senate File 337, a bill for an act relating to landlords' and tenants' relations, by providing notice requirements, establishing a tenant's duty to properly maintain utility facilities, and providing for other properly related matters and an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1339** March 30, 1999.

Senate File 393, a bill for an act providing for the joint construction or acquisition, furnishing, operation, and maintenance of public buildings by counties, cities, fire districts, and school districts.

Fiscal Note is not required.

Recommended **Do Pass** March 30, 1999.

COMMITTEE ON STATE GOVERNMENT

Senate File 254, a bill for an act relating to the emergency management division of the department of public defense by authorizing fees for radiological detection equipment maintenance services, by authorizing financial assistance to local governments for emergency management purposes, by directing a report to the general assembly by the division director, and by providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 31, 1999.

Senate File 323, a bill for an act relating to the use of professional designations by audiologists and speech pathologists.

Fiscal Note is not required.

Recommended **Do Pass** March 31, 1999.

RESOLUTIONS FILED

HCR 17, by Mertz, a concurrent resolution to urge that the United States Congress enact and the United States Department of Agriculture implement measures necessary in order to allow the interstate sale of meat and poultry products by state-inspected establishments.

Laid over under **Rule 25**.

HCR 18, by Huser, Gipp, Thomas, Falck, Sunderbruch, Teig, and Jager, a concurrent resolution requesting establishment of a legislative interim study committee to review the authority and responsibilities of townships as a unit of local government in this state.

Referred to committee on **local government**.

HR 10, by Grundberg, Wise, and Siegrist, a resolution congratulating members of the All-Iowa Community College Academic Team.

Laid over under **Rule 25**.

HR 11, by Rayhons, a resolution to encourage the boards of directors of school districts to adopt a policy designating Wednesday evening as family night.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1332	H.F.	746	Thomas of Clayton
H—1333	H.F.	112	Richardson of Warren
H—1335	S.F.	324	Committee on Commerce and Regulation
H—1336	S.F.	392	Committee on Commerce and Regulation

H—1337	S.F.	406	Committee on Commerce and Regulation
H—1338	H.F.	698	Jacobs of Polk
H—1339	S.F.	337	Committee on Local Government
H—1340	S.F.	186	Committee on Local Government
H—1342	H.F.	698	O'Brien of Boone
H—1343	H.F.	698	Cataldo of Polk
H—1344	H.F.	698	Jochum of Dubuque
H—1345	S.F.	209	Committee on Judiciary
H—1346	H.F.	682	Kreiman of Davis
H—1347	H.F.	730	Foege of Linn
H—1348	S.F.	338	Raecker of Polk
H—1349	H.F.	698	Jochum of Dubuque
H—1350	S.F.	101	Committee on Judiciary
H—1351	H.F.	698	Chiodo of Polk
H—1352	H.F.	758	Richardson of Warren
H—1353	H.F.	758	Whitead of Woodbury
H—1354	H.F.	758	Whitead of Woodbury
H—1355	H.F.	759	Millage of Scott Hansen of Pottawattamie
H—1358	H.F.	747	Shoultz of Black Hawk Jenkins of Black Hawk Schrader of Marion Hoffman of Crawford Holmes of Scott
H—1359	H.F.	746	Ford of Polk
H—1360	H.F.	758	Jenkins of Black Hawk Hoffman of Crawford Myers of Johnson Shoultz of Black Hawk
H—1361	S.F.	449	Witt of Black Hawk
H—1362	S.F.	449	Witt of Black Hawk
H—1363	H.F.	747	Dix of Butler

On motion by Siegrist of Pottawattamie the House adjourned at 8:10 p.m., until 9:30 a.m., Thursday, April 1, 1999.

JOURNAL OF THE HOUSE

Eighty-first Calendar Day – Fifty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 1, 1999

The House met pursuant to adjournment at 9:33 a.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Justin C. May, pastor of the Akron First Church of Christ, Akron.

The Journal of Wednesday, March 31, 1999 was approved.

PETITIONS FILED

The following petitions were received and placed on file:

By Davis of Wapello, from seven constituents of the 93rd district favoring a fuel quality standard for Iowa.

By Frevert of Palo Alto, from sixty-two constituents favoring a fuel quality standard for Iowa.

By Gipp of Winneshiek, from over fifty constituents from northeast Iowa, favoring a fuel quality standard for Iowa.

By Thomas of Clayton, from forty-eight constituents favoring a fuel quality standard for Iowa, supporting an increase in ethanol production raising the value of corn, supporting energy independence by using a renewable resource grown here in Iowa and support for Senate File 400.

By Tyrrell of Iowa, from forty-five residents of Iowa favoring the establishment of a fuel quality standard as proposed in Senate File 400.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cataldo of Polk, until his arrival, on request of Kreiman of Davis; Tyrrell of Iowa on request of Siegrist of Pottawattamie.

INTRODUCTION OF BILL

House Joint Resolution 14, by Siegrist, a joint resolution to nullify an administrative rule of the secretary of state concerning preparation of descriptions of constitutional amendments and state-wide public measures and providing an effective date.

Read first time and referred to committee on **administration and rules**.

SENATE MESSAGES CONSIDERED

Senate File 462, by committee on ways and means, a bill for an act relating to veterans' benefits, veterans preference, veterans' claims, reimbursement for military service tax exemption, and providing a penalty and applicability date.

Read first time and referred to committee on **ways and means**.

Senate File 463, by committee on ways and means, a bill for an act exempting property owned and operated by an Indian housing authority from property tax and including an effective date.

Read first time and referred to committee on **ways and means**.

SENATE AMENDMENTS CONSIDERED

Baudler of Adair called up for consideration **House File 209**, a bill for an act relating to increasing the penalty for eluding or attempting to elude an official law enforcement vehicle, amended by the Senate, and moved that the House concur in the following Senate amendment H-1148:

H-1148

- 1 Amend House File 209 as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 2, by striking lines 4 through 8.

The motion prevailed and the House concurred in the Senate amendment H-1148.

Baudler of Adair 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. 209)

The ayes were, 91:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Foege	Ford	Frevert	Garman
Gipp	Greiner	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Siegrist
Stevens	Sukup	Sunderbruch	Teig
Thomas	Thomson	Van Engelenhoven	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, 5:

Chapman	Fallon	Murphy	Shoultz
Taylor			

Absent or not voting, 4:

Cataldo	Grundberg	Tyrrell	Van Fossen
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Eddie of Buena Vista in the chair at 9:45 a.m.

Barry of Harrison called up for consideration **House File 136**, a bill for an act relating to the criminal offenses that require registration as provided in the sex offender registry law and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment H-1205:

H-1205

- 1 Amend House File 136, as passed by the House, as
- 2 follows:
- 3 1. Page 1, by inserting after line 20 the
- 4 following:
- 5 "Sec. ____ Section 692A.13, Code 1999, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 8A. A criminal or juvenile
- 8 justice agency shall not initiate affirmative public
- 9 notification regarding an individual who has been
- 10 convicted of kidnapping or false imprisonment, and the
- 11 crime did not involve attempted sexual abuse or sexual
- 12 abuse, and the person has not committed another
- 13 offense that would require the person to register."
- 14 2. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1205.

Barry of Harrison 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. 136)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Chapman
Chiodo	Cohoon	Connors	Corbett, Spkr.
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach

Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Van Engelenhoven	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Eddie, Presiding			

The nays were, none.

Absent or not voting, 3:

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

MOTION TO RECONSIDER WITHDRAWN (House File 723)

Dix of Butler asked and received unanimous consent to withdraw the motion to reconsider House File 723, a bill for an act prohibiting the mistreatment of persons and animals and providing for penalties, filed by him on March 31, 1999.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 723, 209 and 136.**

SENATE AMENDMENTS CONSIDERED

Dix of Butler called up for consideration **House File 224**, a bill for an act relating to qualifications of commissioners for a city, county, or joint memorial hospital, amended by the Senate, and moved that the House concur in the following Senate amendment H-1195:

H-1195

1 Amend House File 224, as passed by the House, as
2 follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 37.9, unnumbered paragraphs 1
6 and 5, Code 1999, are amended to read as follows:
7 When the proposition to erect any such building or
8 monument has been carried by a majority vote, the
9 board of supervisors or the city council, as the case
10 may be, shall appoint a commission consisting of five
11 or seven members, in the manner and with the
12 qualifications provided in this chapter, which shall
13 have charge and supervision of the erection of the
14 building or monument, and when erected, the management
15 and control of the building or monument.

16 Commencing with the commissioners appointed to take
17 office after January 1, 1952, ~~one commissioner shall~~
18 ~~be appointed for a term of one year, two commissioners~~
19 ~~shall be appointed for a term of two years, and two~~
20 ~~commissioners shall be appointed for a term of three~~
21 ~~years, or in each instance until a successor is~~
22 ~~appointed and qualified~~ the terms of office of the
23 commissioners shall be staggered so that all
24 commissioners' terms will not end in the same year.
25 Thereafter, the successors in each instance shall hold
26 office for a term of three years or until a successor
27 is appointed and qualified."

28 2. Page 1, by inserting after line 8 the
29 following:

30 "Sec. ____ Section 347.9, Code 1999, is amended to
31 read as follows:

32 347.9 TRUSTEES - APPOINTMENT - TERMS OF OFFICE.

33 When it has been determined by the voters of a
34 county to establish a county public hospital, the
35 board shall appoint seven trustees chosen from among
36 the resident citizens of the county with reference to
37 their fitness for office, and not more than four of
38 the trustees shall be residents of the city at which
39 the hospital is located. The trustees shall hold
40 office until the following general election, at which
41 time their successors shall be elected, two for a term
42 of two years, two for four years, and three for six
43 years, and they shall determine by lot their
44 respective terms, and thereafter their successors
45 shall be elected for regular terms of six years each.
46 A person or spouse of a person with medical or special
47 staff privileges in the county public hospital or who
48 receives direct or indirect compensation in an amount
49 greater than one thousand five hundred dollars in a
50 calendar year from the county public hospital or

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1 direct or indirect compensation in an amount greater
2 than one thousand five hundred dollars in a calendar
3 year from a person contracting for services with the
4 hospital shall not be eligible to serve as a trustee
5 for that county public hospital.

6 Sec. ____ Section 347.12, unnumbered paragraph 3,
7 Code 1999, is amended to read as follows:

8 The secretary of the hospital board of trustees
9 shall file monthly on or before the tenth thirtieth
10 day of each month with such board a complete statement
11 of all receipts and disbursements from all funds
12 during the preceding month, and also the balance
13 remaining on hand in such funds at the close of the
14 period covered by said statement.

15 Sec. ____ Section 347.13, subsection 7, Code 1999,
16 is amended by striking the subsection.

17 Sec. ____ Section 347.13, subsection 11, Code
18 1999, is amended by striking the subsection and
19 inserting in lieu thereof the following:

20 11. Make available to the board of supervisors a
21 statement of all receipts and expenditures from the
22 preceding fiscal year.

23 Sec. ____ Section 347.14, subsection 11, Code
24 1999, is amended to read as follows:

25 11. Do all things necessary for the management,
26 control and government of said hospital and exercise
27 all the rights and duties pertaining to hospital
28 trustees generally, including but not limited to
29 authorizing delivery of any health care service,
30 assisted or independent living service, or other
31 ancillary service, unless such rights of hospital
32 trustees generally are specifically denied by this
33 chapter, or unless such duties are expressly charged
34 by this chapter.

35 Sec. ____ Section 347.14, Code 1999, is amended by
36 adding the following new subsection:

37 NEW SUBSECTION. 16. Borrow moneys to be secured
38 solely by hospital revenues for the purposes of
39 improvement, maintenance, or replacement of the
40 hospital or for hospital equipment.

41 Sec. ____ Section 347.30, Code 1999, is amended to
42 read as follows:

43 347.30 NOTICE AND HEARING.

44 A county or city hospital shall serve notice and
45 hold a public hearing before selling or leasing any
46 real property pursuant to sections 347.28 and 347.29.
47 The notice shall definitely describe the property,
48 indicate the date and location of the hearing, and
49 shall be published by at least one insertion each week
50 for two consecutive weeks in a newspaper having

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1 general circulation in the county where the property
2 is located. The hearing shall not take place prior to
3 two weeks after the second publication.

4 A county or city hospital shall serve notice before
5 selling or leasing any personal property pursuant to
6 sections 347.28 and 347.29. The notice shall
7 definitely describe the property and shall be
8 published by at least one insertion each week for two
9 consecutive weeks in a newspaper having general
10 circulation in the county where the property is
11 located.

12 Sec. ___ Section 347A.1, unnumbered paragraph 1,
13 Code 1999, is amended to read as follows:

14 A county having a population less than one hundred
15 fifty thousand may issue revenue bonds for a county
16 hospital as provided in section 331.461, subsection 2,
17 paragraph "e". The administration and management of
18 the hospital shall be vested in a board of hospital
19 trustees consisting of five or seven members
20 appointed. Appointments for a five-member board shall
21 be made by the board of supervisors from among the
22 resident citizens of the county with reference to
23 their fitness for office, and not more than two of the
24 trustees shall be residents of the same township.

25 Expansion from a five-member to a seven-member board
26 of trustees shall occur only on approval of a majority
27 of the five-member board of trustees. The five-member
28 board of trustees shall appoint members to the
29 additional vacancies; one appointee shall serve until
30 the succeeding general election and the other
31 appointee shall serve until the second succeeding
32 general election at which times successors shall be
33 elected.

34 Sec. ___ Section 392.6, unnumbered paragraph 2,
35 Code 1999, is amended to read as follows:

36 Cities maintaining an institution as provided for
37 in this section which have a board of trustees
38 consisting of three members may by ordinance increase
39 the number of members to five or seven and provide for
40 the appointment of one of the additional member in the
41 expansion to a five-member board or two additional
42 members in the expansion to a seven-member board until
43 the next succeeding general or city election, and for
44 the appointment of the one or two other additional
45 member members until the second succeeding general or
46 city election. Thereafter, the terms of office of
47 such additional members shall be four years. However,
48 if a city has adopted an ordinance which increases the
49 number of members of the board of trustees to five or
50 seven members and the terms of office of four of the

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- 1 five members or six of the seven members end in the
 2 same year, the date of expiration of the term of one
 3 of the four members or two of the six members, to be
 4 determined by lot, shall be extended by an additional
 5 two years."
 6 3. Title page, by striking lines 1 and 2 and
 7 inserting the following: "An Act relating to the
 8 qualifications and terms of commissioners and the
 9 management and operation of certain public hospitals."
 10 4. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1195.

Dix of Butler 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. 224)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Corbett, Spkr.	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huser	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Van Engelenhoven	Warnstadt	Weidman	Weigel
Whitead	Wise	Witt	Eddie, Presiding

The nays were, none.

Absent or not voting, 4:

Millage Tyrrell Van Fossen Welter

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

Chapman of Linn called up for consideration **House File 571**, a bill for an act relating to the deposit of public funds and the conditions which must be met by a savings and loan association or savings bank to be eligible to receive such deposits, and providing an effective date, amended by the Senate, and moved that the House concur in the following Senate amendment H-1206:

H-1206

- 1 Amend House File 571, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 5, line 23, by inserting after the word
- 4 "Iowa," the following: "or the U.S. central credit
- 5 union".

The motion prevailed and the House concurred in the Senate amendment H-1206.

Chapman of Linn 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. 571)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Corbett, Spkr.	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck

Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Van Engelenhoven	Warnstadt	Weidman	Weigel
Whitead	Wise	Witt	Eddie, Presiding

The nays were, none.

Absent or not voting, 4:

Millage	Tyrrell	Van Fossen	Welter
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 224 and 571.**

RULES SUSPENDED

Gipp of Winneshiek asked and received unanimous consent to suspend the rules for the immediate consideration of House Resolution 10.

ADOPTION OF HOUSE RESOLUTION 10

Wise of Lee called up for consideration House Resolution 10, a resolution congratulating members of the All-Iowa Community College Academic Team, and moved its adoption.

The motion prevailed and the resolution was adopted.

HOUSE FILES PLACED ON THE UNFINISHED BUSINESS CALENDER

Siegrist of Pottawattamie asked and received unanimous consent that the following House Files be placed on the unfinished business calendar:

House File 248	House File 715
House File 266	House File 720
House File 344	House File 728
House File 413	House File 730
House File 444	House File 733
House File 447	House File 740
House File 499	House File 744
House File 515	House File 746
House File 516	House File 747
House File 589	House File 748
House File 608	House File 749
House File 626	House File 755
House File 632	House File 756
House File 650	House File 757
House File 657	House File 758
House File 677	House File 759
House File 695	House File 760
House File 698	House File 761
House File 702	

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 30, 1999, he approved and transmitted to the Secretary of State the following bill:

House File 200, an act relating to special registration plates for motor vehicles.

Also: That on March 31, 1999, he approved and transmitted to the Secretary of State the following bills:

House File 164, an act concerning the open meetings statute by permitting the awarding of appellate attorney fees for a successful action involving the statute.

House File 222, an act relating to crime victim rights.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Fifth grade students from Martensdale-St. Marys, accompanied by teachers and parents. By Schrader of Marion.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\558 Darlene and Ken Harsch, Ottumwa – For celebrating their 56th wedding anniversary.
- 1999\559 Ann Philips, Estherville – For being named to the All Iowa Academic Team.
- 1999\560 Mildred F. Jackson, Ottumwa – For celebrating her 89th birthday.
- 1999\561 Sara Walraven, Emmetsburg – For being named to the All Iowa Academic Team.

SUBCOMMITTEE ASSIGNMENTS

House Concurrent Resolution 18 (Committee of the whole)

Local Government: Houser, Chair; Alons, Arnold, Brauns, Burnett, Carroll, Connors, Dix, Fallon, Eddie, Hahn, Klemme, Kuhn, Mundie, Reynolds, Richardson, Van Engelenhoven, Weidman, Welter and Whitead.

Senate Joint Resolution 12

Administration and Rules: Siegrist, Chair; Carroll and Myers.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 257

Ways and Means: Rants, Chair; Jenkins and Shultz.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

H.S.B. 258 Ways and Means

Establishing a strategic tourism advancement reserve program and a strategic tourism advancement reserve bond program with funds for each, making appropriations, and including an effective date.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 366, a bill for an act making a supplemental appropriation for the fiscal year beginning July 1, 1998, for replacement of certain embedded chips in the technology and equipment of state departments and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 31, 1999.

COMMITTEE ON COMMERCE AND REGULATION

Senate File 95, a bill for an act relating to mandatory motor vehicle proof of financial responsibility by requiring such proof when a motor vehicle subject to registration in this state is operated on a parking lot.

Fiscal Note is not required.

Recommended **Do Pass** April 1, 1999.

Senate File 405, a bill for an act limiting the liability of certain persons for certain actions arising out of the failure of information technology as the result of a year 2000 problem.

Fiscal Note is not required.

Recommended **Do Pass** April 1, 1999.

Senate File 413, a bill for an act providing for access to a safe deposit box on the death of the owner or lessee of such box, and exempting state banks and credit unions from liability associated with such access.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1380** April 1, 1999.

COMMITTEE ON ECONOMIC DEVELOPMENT

Senate File 280, a bill for an act providing for investments by banks in Iowa agricultural industry finance corporations.

Fiscal Note is not required.

Recommended **Do Pass** April 1, 1999.

COMMITTEE ON EDUCATION

Senate File 228, a bill for an act authorizing school districts and nonpublic schools to perform certain criminal and abuse record checks.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1365** March 31, 1999.

Senate File 292, a bill for an act providing for the designation of investigative information possessed by the board of educational examiners as privileged and confidential.

Fiscal Note is not required.

Recommended **Do Pass** March 31, 1999.

Senate File 441, a bill for an act providing an exemption from certain requirements of self-insured accident and health insurance plans provided by school corporations.

Fiscal Note is not required.

Recommended **Do Pass** March 31, 1999.

COMMITTEE ON HUMAN RESOURCES

Senate File 275, a bill for an act requiring the department of human services to establish certification or licensing standards for children's centers.

Fiscal Note is not required.

Recommended **Do Pass** April 1, 1999.

Senate File 284, a bill for an act providing for the liability of a person with supervisory or other administrative responsibilities over an individual who the person knew or was informed committed sexual abuse of a child.

Fiscal Note is not required.

Recommended **Do Pass** April 1, 1999.

RESOLUTION FILED

HCR 19, by committee on environmental protection, a concurrent resolution urging the United States Environmental Protection Agency to take specific actions relating to gasoline sulfur levels and regulation of vehicle emissions.

Referred to committee on **transportation**.

AMENDMENTS FILED

H-1365	S.F.	228	Committee on Education
H-1366	S.F.	449	O'Brien of Boone
H-1367	S.F.	449	Dotzler of Black Hawk
H-1368	S.F.	449	Dotzler of Black Hawk
H-1369	S.F.	449	Weigel of Chickasaw
H-1370	S.F.	449	Dotzler of Black Hawk
H-1371	H.F.	746	Frevert of Palo Alto
H-1372	S.F.	337	Huser of Polk Carroll of Poweshiek
H-1373	H.F.	677	Huser of Polk
H-1374	S.F.	437	Larson of Linn
H-1375	S.F.	449	Jochum of Dubuque
H-1376	S.F.	449	Jochum of Dubuque
H-1377	S.F.	449	Jochum of Dubuque
H-1378	S.F.	449	Jochum of Dubuque
H-1379	S.F.	115	Nelson of Marshall Sukup of Franklin
H-1380	S.F.	413	Committee on Commerce and Regulation
H-1381	S.F.	313	Greiner of Washington
H-1382	S.F.	449	Jochum of Dubuque Dotzler of Black Hawk

On motion by Siegrist of Pottawattamie the House adjourned at 10:30 a.m., until 1:00 p.m., Monday, April 5, 1999.

JOURNAL OF THE HOUSE

Eighty-fifth Calendar Day - Fifty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 5, 1999

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

Prayer was offered by Reverend Tom Dettmer, pastor of Bethany Lutheran Church, Spencer.

The Journal of Thursday, April 1, 1999 was approved.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Newton High School A Cappella Choir. They were the guests of the Honorable Paul Bell, state representative from Jasper County.

SPECIAL PRESENTATION

Prior to convening twenty-four select juniors and seniors from Newton High School, directed by Dina Else, performed before the House. This group has received a Division I rating at state contests with a perfect score for the past two years.

The House rose and expressed its appreciation.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Garman of Story, until her arrival, on request of Siegrist of Pottawattamie.

TEACHERS OF THE DAY

Representative Stevens of Dickinson presented to the House Donna Harris, teacher at Okoboji school.

Representative Hoffman of Crawford presented to the House, Virgie Henningsen, teacher at Denison school.

The House stood at ease at 1:25 p.m., until the fall of the gavel.

The House resumed session at 3:55 p.m., Speaker Corbett in the chair.

QUORUM CALL

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

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 5, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 38, a bill for an act eliminating references to an obsolete federal requirement relating to the attachment of an adoption information form to an adoption petition and decree.

Also: That the Senate has on April 5, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 403, a bill for an act relating to the fingerprinting of persons or juveniles who have been arrested or taken into custody and changing the procedures for the collection of a criminal disposition report.

MICHAEL E. MARSHALL, Secretary

CONSIDERATION OF BILLS Unfinished Business Calendar

House File 515, a bill for an act relating to the duties of a guardian ad litem appointed to represent a child in juvenile court proceedings, was taken up for consideration.

SENATE FILE 193 SUBSTITUTED FOR HOUSE FILE 515

Boddicker of Cedar asked and received unanimous consent to substitute Senate File 193 for House File 515.

Senate File 193, a bill for an act relating to the duties of a guardian ad litem appointed to represent a child in juvenile court proceedings, was taken up for consideration.

Boddicker 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?" (S.F. 193)

The ayes were, 99:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Cohoon	Connors	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, none.

Absent or not voting, 1:

Chiodo

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

HOUSE FILE 515 WITHDRAWN

Boddicker of Cedar asked and received unanimous consent to withdraw House File 515 from further consideration by the House.

House File 266, a bill for an act providing for a change in the composition requirement for nurses on the Iowa board of nursing examiners, was taken up for consideration.

SENATE FILE 99 SUBSTITUTED FOR HOUSE FILE 266

Bradley of Clinton asked and received unanimous consent to substitute Senate File 99 for House File 266.

Senate File 99, a bill for an act providing for a change in the composition requirement for nurses on the Iowa board of nursing examiners, was taken up for consideration.

Bradley of Clinton 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?" (S.F. 99)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Cohoon	Connors	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs

Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, none.

Absent or not voting, 2:

Chiodo Parmenter

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

HOUSE FILE 266 WITHDRAWN

Bradley of Clinton asked and received unanimous consent to withdraw House File 266 from further consideration by the House.

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 193 and 99.**

House File 444, a bill for an act relating to access privileges to certain buildings and structures by certified local exchange carriers and franchised cable television providers, was taken up for consideration.

Raecker of Polk offered amendment H-1108 filed by him as follows:

H-1108

1 Amend House File 444 as follows:

- 2 1. Page 1, by inserting after line 32 the
3 following:
4 "3A. A provider, or the owner or manager of a
5 commercial building or multiple-unit residential
6 building, or a condominium association or board of
7 directors of such association may bring an action in a
8 court of competent jurisdiction to determine whether
9 compensation for the direct costs of providing repairs
10 is required under this section, and if so, the amount
11 of the reasonable compensation that should be paid by
12 the provider. Bringing an action under this
13 subsection shall not delay or prevent a provider from
14 establishing points of attachment and providing
15 service to a customer or subscriber located within the
16 commercial building, multiple-unit residential
17 building, or condominium when that customer or
18 subscriber has placed an order for, or requested,
19 service from the provider."
20 2. By renumbering as necessary.

Siegrist of Pottawattamie asked and received unanimous consent that House File 444 be deferred and that the bill retain its place on the calendar. (Amendment H-1108 pending.)

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 5, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 144, a bill for an act relating to the distribution of moneys held in trust for a participant in the certified school to career program.

Also: That the Senate has on April 5, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 349, a bill for an act eliminating requirements relating to the department of natural resources adopting rules requiring public water systems to test source water.

Also: That the Senate has on April 5, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 387, a bill for an act relating to confidentiality for certain taxpayer communications.

Also: That the Senate has on April 5, 1999, amended and passed the following bill in which the concurrence of the House is asked:

House File 497, a bill for an act relating to certain programs and public health issues under the purview of the Iowa department of public health.

Also: That the Senate has on April 5, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 518, a bill for an act relating to the fire safety provisions applicable to a bed and breakfast inn.

Also: That the Senate has on April 5, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 633, a bill for an act restricting the awarding of child visitation rights to a parent convicted of murder in the first degree of the other parent.

Also: That the Senate has on April 5, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 659, a bill for an act establishing the crime of identity theft and providing penalties.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 4:15 p.m., until the fall of the gavel.

The House resumed session at 5:02 p.m., Speaker Corbett in the chair.

The House resumed consideration of House File 444 and amendment H-1108 found on page 1030-1031 of the House Journal.

Raecker of Polk moved the adoption of amendment H-1108.

Amendment H-1108 was adopted.

SENATE FILE 338 SUBSTITUTED FOR HOUSE FILE 444

Raecker of Polk asked and received unanimous consent to substitute Senate File 338 for House File 444.

Senate File 338, a bill for an act relating to access privileges to certain buildings and structures by certified local exchange carriers and franchised cable television providers, was taken up for consideration.

Raecker of Polk offered the following amendment H-1348 filed by him and moved its adoption:

H-1348

- 1 Amend Senate File 338, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, lines 2 and 3, by striking the words
- 4 "for the direct costs of providing repairs" and
- 5 inserting the following: "other than that provided
- 6 for under subsection 3".

Amendment H-1348 was adopted.

Raecker 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?" (S.F. 338)

The ayes were, 99:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Drees
Eddie	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greiner	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, none.

Absent or not voting, 1:

Grundberg

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

HOUSE FILE 444 WITHDRAWN

Raecker of Polk asked and received unanimous consent to withdraw House File 444 from further consideration by the House.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 338** be immediately messaged to the Senate.

House File 344, a bill for an act establishing a time limit for disallowance or reduction of motor vehicle warranty claims, relating to establishment of motor vehicle service or warranty facilities, and making a penalty applicable, was taken up for consideration.

SENATE FILE 149 SUBSTITUTED FOR HOUSE FILE 344.

Jager of Black Hawk asked and received unanimous consent to substitute Senate File 149 for House File 344.

Senate File 149, a bill for an act establishing a time limit for disallowance or reduction of motor vehicle warranty claims, relating to establishment of motor vehicle service or warranty facilities, and making a penalty applicable, was taken up for consideration.

Jager of Black Hawk offered the following amendment H-1103 filed by him and moved its adoption:

H-1103

- 1 Amend Senate File 149 as follows:
- 2 1. Page 1, line 19, by inserting after the word
- 3 "vehicles" the following: ", except motor homes,".

Amendment H-1103 was adopted.

Jager of Black Hawk 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?" (S.F. 149)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker Corbett			

The nays were, 1:

Drees

Absent or not voting, 2:

Jenkins

Van Fossen

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

HOUSE FILE 344 WITHDRAWN

Jager of Black Hawk asked and received unanimous consent to withdraw House File 344 from further consideration by the House.

House File 413, a bill for an act relating to the description of disabilities of individuals receiving vocational rehabilitation services, was taken up for consideration.

SENATE FILE 173 SUBSTITUTED FOR HOUSE FILE 413

Lord of Dallas asked and received unanimous consent to substitute Senate File 173 for House File 413.

Senate File 173, a bill for an act relating to the description of disabilities of individuals receiving vocational rehabilitation services, was taken up for consideration.

Lord of Dallas 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?" (S.F. 173)

The ayes were, 99:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Cormack	Davis	Dix	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz

Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, none.

Absent or not voting, 1:

Doderer

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

HOUSE FILE 413 WITHDRAWN

Lord of Dallas asked and received unanimous consent to withdraw House File 413 from further consideration by the House.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 149 and 173.**

Regular Calendar

Senate File 216, a bill for an act relating to the commitment of sexually violent predators, by changing the deadline for filing a petition by the attorney general; providing for waiver or continuance of the probable cause hearing; granting greater enforcement power to the prosecuting attorney; extending the time to hold a trial; establishing supervised release for sexually violent persons who have been rehabilitated; providing for the preservation of certain child abuse reports; and providing the department of justice with access to such reports, with report of committee recommending amendment and passage, was taken up for consideration.

Sukup of Franklin offered the following amendment H-1150 filed by the committee on judiciary and moved its adoption:

H-1150

- 1 Amend Senate File 216, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 6, by striking lines 9 through 15 and
- 4 inserting the following:
- 5 "b. Data sealed in accordance with this section
- 6 shall be expunged eight years after the date the data
- 7 was sealed. However, if the report data and the
- 8 disposition data involve child abuse as defined in
- 9 section 232.68, subsection 2, paragraphs "c" and "e",
- 10 the data shall not be expunged for a period of thirty
- 11 years. Sealed data shall be made available to the
- 12 department of justice upon request if the prosecutor's
- 13 review committee is reviewing records or if a
- 14 prosecuting attorney has filed a petition to commit a
- 15 sexually violent predator under chapter 229A.
- 16 Sec. ____ EFFECTIVE DATE. This Act, being deemed
- 17 of immediate importance, takes effect upon enactment."
- 18 2. Title page, line 8, by striking the words "and
- 19 providing" and inserting the following: "providing".
- 20 3. Title page, line 9, by inserting after the
- 21 word "reports" the following: "; and providing an
- 22 effective date".

The committee amendment H-1150 was adopted.

Sukup of Franklin offered the following amendment H-1204 filed by him and moved its adoption:

H-1204

- 1 Amend Senate File 216 as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, line 5, by striking the words "is
- 4 authorized," and inserting the following: "or
- 5 attorney general is authorized upon the occurrence of
- 6 a recent overt act, or upon receiving written notice
- 7 pursuant to section 229A.3, or".
- 8 2. Page 2, line 10, by inserting after the word
- 9 "prosecuting attorney" the following: "or attorney
- 10 general".
- 11 3. Page 2, line 18, by inserting after the word
- 12 "attorney" the following: "or attorney general".
- 13 4. Page 2, line 24, by inserting after the word
- 14 "attorney" the following: "or attorney general".
- 15 5. Page 2, line 29, by inserting after the word
- 16 "attorney" the following: "or attorney general".

Amendment H-1204 was adopted.

Sukup of Franklin 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?" (S.F. 216)

The ayes were, 98:

Alons	Arnold	Barry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chapman
Chiodo	Cohoon	Connors	Cormack
Davis	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomas	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Mr. Speaker		
	Corbett		

The nays were, none.

Absent or not voting, 2:

Blodgett Dix

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 216** be immediately messaged to the Senate.

Senate File 106, a bill for an act providing for accessibility requirements for elevators and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Bradley of Clinton offered the following amendment H-1246 filed by the committee on state government and moved its adoption:

H-1246

- 1 Amend Senate File 106, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 18 and 19 and
- 4 inserting the following: "standards set forth in
- 5 section 104A.6. In every covered multiple-dwelling-
- 6 unit".
- 7 2. Page 1, line 21, by striking the words "shall
- 8 meet".
- 9 3. Page 1, line 22, by striking the words "shall
- 10 be met" and inserting the following: "shall be met".
- 11 4. Page 1, by striking lines 23 through 26 and
- 12 inserting the following: "However, this chapter shall
- 13 not apply to a building, or to structures or
- 14 facilities within the building, if the primary use of
- 15 the building is to serve as a place of worship."
- 16 5. Title page, line 1, by striking the word
- 17 "elevators" and inserting the following: "church
- 18 buildings".

The committee amendment H-1246 was adopted, placing amendment H-1076, out of order filed by Bradley of Clinton, et al., on March 11, 1999.

Bradley of Clinton 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?" (S.F. 106)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chapman
Chiodo	Cohoon	Connors	Cormack
Davis	Doderer	Dolecheck	Dotzler

Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Corbett			

The nays were, none.

Absent or not voting, 3:

Blodgett	Dix	Jenkins
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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.

Unfinished Business Calendar

House File 728, a bill for an act relating to the purchase of certain parcels with delinquent taxes by a city or county, and providing effective and applicability dates, was taken up for consideration.

SENATE FILE 448 SUBSTITUTED FOR HOUSE FILE 728

Huser of Polk asked and received unanimous consent to substitute Senate File 448 for House File 728.

Senate File 448, a bill for an act relating to the purchase of certain parcels with delinquent taxes by a city or county, and providing effective and applicability dates, was taken up for consideration.

Huser 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?" (S.F. 448)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chapman
Chiodo	Cohoon	Connors	Cormack
Davis	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker			
Corbett			

The nays were, none.

Absent or not voting, 3:

Blodgett	Dix	Raecker
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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 FILES 728 AND 467 WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw House Files 728 and 467 from further consideration by the House.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: Senate Files 106 and 448.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 1, 1999. Had I been present, I would have voted "aye" on House Files 136 and 209.

CATALDO of Polk

I was necessarily absent from the House chamber on April 5, 1999. Had I been present, I would have voted "aye" on Senate Files 99 and 193.

CHIODO of Polk

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 5th day of April, 1999: House Files 347, 443, 573, 588 and 679.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Report adopted.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 1, 1999, he approved and transmitted to the Secretary of State the following bill:

House File 182, an act expanding the criminal code definition of serious injury to include certain injuries to children.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Fifty sixth grade students from Indianola Middle School, Indianola, accompanied by Dave Brighton and Deb Haugen. By Richardson of Warren.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

STATE COURT ADMINISTRATOR

A Savings Report from usage of the ICN network, pursuant to Chapter 8D.10, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\562 Irene and Kelly Tobin, New Market – For receiving the 1999 Master Farmer Award.
- 1999\563 Associated General Contractors of Iowa, Des Moines – For receiving an award from the Associated General Contractors of America for the “Best Infrastructure Awareness Campaign”.
- 1999\564 Washington Demons and Coach Monte Davis, Washington – For winning the 1999 Class 3-A Iowa State Girls’ Basketball Tournament.
- 1999\565 Alex Ross, Mt. Pleasant – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\566 Reed Wenstrand, Mt. Pleasant – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\567 Janice and LeRoy Deuhr, Sioux City – For celebrating their 50th wedding anniversary.

1999\568 Marcella and Joseph Waack, De Witt – For celebrating their 50th wedding anniversary.

1999\569 Hinreka Bartels, Lytton – For celebrating her 90th birthday.

1999\570 Russell Hicks, Sac City – For celebrating his 85th birthday.

SUBCOMMITTEE ASSIGNMENTS

House Joint Resolution 14

Administration and Rules: Siegrist, Chair; Carroll and Myers.

Senate File 376

Appropriations: Nelson, Chair; Bell and Garman.

Senate File 462

Ways and Means: Houser, Chair; Larson and Myers.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Committee Bill, an act relating to State government technology and operations, by making and relating to appropriations to the Iowa Communications Network for support of certain Part III users, making appropriations to various entities for other technology-related purposes, providing for the procurement of information technology, providing for the use of the network, providing for electronic access to public information by creating an IowAccess Network, authorizing fees, and providing an effective date.

Fiscal Note is not required.

Recommended Amend and Do Pass April 5, 1999.

COMMITTEE ON JUDICIARY

Senate File 189, a bill for an act to change the penalty for and to reclassify certain misdemeanors.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1394** April 1, 1999.

Senate File 192, a bill for an act relating to open containers in motor vehicles and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** April 1, 1999.

Senate File 395, a bill for an act relating to the department of corrections by providing for purchases from Iowa prison industries, the study of inmate worker safety issues, the establishment of a criminal offense for attempts to escape, the crediting of time served by inmates, inmate work program agreements, the revolving farm fund, and deductions from inmate work program earnings, standards for the employment of probation and parole officers, and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1391** April 1, 1999.

RESOLUTIONS FILED

HCR 20, by Cohoon, a concurrent resolution designating December 15, 1999, as Bill of Rights Day.

Referred to committee on **state government**.

HR 12, by Sukup, Nelson, Corbett, Siegrist, Burnett, Alons, Arnold, Barry, Baudler, Bell, Blodgett, Boal, Boddicker, Boggess, Bradley, Brauns, Brunkhorst, Bukta, Carroll, Cataldo, Chapman, Chiodo, Cohoon, Connors, Cormack, Davis, Dix, Doderer, Dolecheck, Dotzler, Drake, Drees, Eddie, Falck, Fallon, Foege, Ford, Frevert, Garman, Gipp, Greiner, Grundberg, Hahn, Hansen, Heaton, Hoffman, Holmes, Holveck, Horbach, Houser, Huseman, Huser, Jacobs, Jager, Jenkins, Jochum, Johnson, Kettering, Klemme, Kreiman, Kuhn, Larkin, Larson, Lord, Martin, Mascher, May, Mertz, Metcalf, Millage, Mundie, Murphy, Myers, O'Brien, Osterhaus, Parmenter, Raecker, Rants, Rayhons, Reynolds, Richardson, Scherrman, Schrader, Shoultz, Stevens, Sunderbruch, Taylor, Teig, Thomas, Thomson, Tyrrell, Van Engelenhoven, Van Fossen, Warnstadt, Weidman, Weigel, Welter, Whitead, Wise, and Witt, a resolution congratulating the Iowa State Cyclones Wrestling Team.

Laid over under **Rule 25**.

HR13, by Sukup, Nelson, Corbett, Siegrist, Burnett, Alons, Arnold, Barry, Baudler, Bell, Blodgett, Boal, Boddicker, Boggess, Bradley, Brauns, Brunkhorst, Bukta, Carroll, Cataldo, Chapman, Chiodo, Cohoon, Connors, Cormack, Davis, Dix, Doderer, Dolecheck, Dotzler, Drake, Drees, Eddie, Falck, Fallon, Foegen, Ford, Frevert, Garman, Gipp, Greiner, Grundberg, Hahn, Hansen, Heaton, Hoffman, Holmes, Holveck, Horbach, Houser, Huseman, Huser, Jacobs, Jager, Jenkins, Jochum, Johnson, Kettering, Klemme, Kreiman, Kuhn, Larkin, Larson, Lord, Martin, Mascher, May, Mertz, Metcalf, Millage, Mundie, Murphy, Myers, O'Brien, Osterhaus, Parmenter, Raecker, Rants, Rayhons, Reynolds, Richardson, Scherrman, Schrader, Shoultz, Stevens, Sunderbruch, Taylor, Teig, Thomas, Thomson, Tyrrell, Van Engelenhoven, Van Fossen, Warnstadt, Weidman, Weigel, Welter, Whitehead, Wise, and Witt, a resolution congratulating the Iowa State Cyclones Women's Basketball Team.

Laid over under Rule 25.

AMENDMENTS FILED

H—1383	S.F.	449	Stevens of Dickinson
H—1384	H.F.	746	Greiner of Washington
H—1385	H.F.	760	Murphy of Dubuque
H—1386	H.F.	759	Frevert of Palo Alto
H—1387	H.F.	760	Murphy of Dubuque
H—1388	H.F.	760	Murphy of Dubuque
H—1389	H.F.	760	Murphy of Dubuque
H—1390	S.F.	429	Parmenter of Story
H—1391	S.F.	395	Committee on Judiciary
H—1392	S.F.	405	Chiodo of Polk
H—1393	S.F.	115	Dotzler of Black Hawk
H—1394	S.F.	189	Committee on Judiciary
H—1395	S.F.	449	Fallon of Polk
H—1396	H.F.	746	Murphy of Dubuque
H—1397	H.F.	746	Scherrman of Dubuque
H—1398	H.F.	760	Jochum of Dubuque
H—1399	S.F.	248	Millage of Scott
H—1400	S.F.	405	Chiodo of Polk
H—1401	S.F.	437	Millage of Scott Shoultz of Black Hawk Myers of Johnson
H—1402	S.F.	449	Fallon of Polk

H—1403	S.F.	449	Fallon of Polk
H—1404	S.F.	449	Fallon of Polk
H—1405	H.F.	497	Senate Amendment
H—1406	H.F.	746	Frevert of Palo Alto
			Stevens of Dickinson
			Osterhaus of Jackson
			Scherrman of Dubuque
			Weigel of Chickasaw
			Shoultz of Black Hawk
			Bukta of Clinton
			Doderer of Johnson
			Falck of Fayette
			Witt of Black Hawk
			Burnett of Story
			Holveck of Polk
			Jochum of Dubuque
			Myers of Johnson
			Kreiman of Davis
			Drees of Carroll
H—1407	H.F.	746	Kuhn of Floyd
			Weigel of Chickasaw
			Kreiman of Davis
H—1408	H.F.	760	Millage of Scott
H—1409	H.F.	760	Foege of Linn
H—1410	H.F.	760	Foege of Linn
H—1411	H.F.	760	Foege of Linn
H—1412	H.F.	760	Foege of Linn
H—1413	S.F.	407	Blodgett of Cerro Gordo
H—1414	S.F.	395	Millage of Scott
H—1415	H.F.	761	Barry of Harrison
H—1416	H.F.	746	Mundie of Webster
H—1417	H.F.	746	Scherrman of Dubuque
H—1418	H.F.	746	Scherrman of Dubuque
H—1419	S.F.	276	Chapman of Linn
H—1420	H.F.	758	Richardson of Warren
H—1421	H.F.	746	Murphy of Dubuque
H—1422	S.F.	287	Carroll of Poweshiek
H—1423	H.F.	760	Osterhaus of Jackson
H—1424	H.F.	760	Osterhaus of Jackson

JOURNAL OF THE HOUSE

Eighty-sixth Calendar Day – Fifty-fourth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 6, 1999

The House met pursuant to adjournment at 8:50 a.m., Speaker Corbett in the chair.

Prayer was offered by Reverend Richard Harken, pastor of First Presbyterian Church, Boone.

The Journal of Monday, April 5, 1999 was approved.

PETITIONS FILED

The following petitions were received and placed on file:

By Boddicker of Cedar, from thirty-two constituents of the 39th district favoring a fuel quality standard for Iowa.

By Falck of Fayette, from ten constituents favoring a fuel quality standard for Iowa.

By Schrader of Marion, from sixty constituents favoring a fuel quality standard for Iowa.

By Tyrrell of Iowa, from one hundred twelve residents of Iowa opposing elimination of the veterans property tax credit.

By Weigel of Chickasaw, from sixteen constituents favoring a fuel quality standard including ethanol.

HOUSE FILES REFERRED TO COMMITTEE

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be referred to the committees as listed:

House File 112
House File 125
House File 163

Local Government
State Government
Local Government

House File 184	Local Government
House File 204	State Government
House File 233	State Government
House File 261	Transportation
House File 283	Transportation
House File 306	Transportation
House File 346	Local Government
House File 348	Local Government
House File 421	Labor and Industrial Relations
House File 427	Judiciary
House File 446	Commerce and Regulation
House File 450	Economic Development
House File 503	Local Government
House File 537	Local Government
House File 574	Local Government
House File 609	Education
House File 635	Transportation
House File 678	Human Resources
House File 681	Human Resources
House File 682	Judiciary
House File 694	State Government
House File 699	Agriculture
House File 701	Transportation
House File 704	State Government
House File 709	Human Resources
House File 712	Judiciary
House File 717	Labor and Industrial Relations
House File 719	Judiciary
House File 722	Labor and Industrial Relations
House File 729	Agriculture
House File 736	Human Resources

On motion by Siegrist of Pottawattamie the House was recessed at 8:55 a.m., until 9:30 a.m.

MORNING SESSION

The House reconvened at 9:43 a.m., Speaker Corbett in the chair.

CONSIDERATION OF BILLS
Unfinished Business Calendar

House File 589, a bill for an act relating to the transfer of real estate, the filing of a release of mortgage, and providing a remedy, was taken up for consideration.

SENATE FILE 335 SUBSTITUTED FOR HOUSE FILE 589

Bradley of Clinton asked and received unanimous consent to substitute Senate File 335 for House File 589.

Senate File 335, a bill for an act relating to the transfer of real estate, the filing of a release of mortgage, and providing a remedy, was taken up for consideration.

Metcalf of Polk asked and received unanimous consent to withdraw amendment H-1257 filed by her on March 25, 1999.

Bradley of Clinton 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?" (S.F. 335)

The ayes were, 99:

Alons	Arnold	Baudler	Bell
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chapman
Chiodo	Cohoon	Connors	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds

Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, none.

Absent or not voting, 1:

Barry

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

HOUSE FILE 589 WITHDRAWN

Bradley of Clinton asked and received unanimous consent to withdraw House File 589 from further consideration by the House.

House File 626, a bill for an act concerning the workforce development department, by providing for the establishment of a workforce development corporation, expenses for members of the regional advisory board to the workforce development board, authority to charge fees for certain services of the department, and Iowa conservation corps employee rights, was taken up for consideration.

SENATE FILE 281 SUBSTITUTED FOR HOUSE FILE 626

Hoffman of Crawford asked and received unanimous consent to substitute Senate File 281 for House File 626.

Senate File 281, a bill for an act concerning the workforce development department, by providing for the establishment of a workforce development corporation, expenses for members of the regional advisory board to the workforce development board, authority to charge fees for certain services of the department, and Iowa conservation corps employee rights, was taken up for consideration.

Hoffman of Crawford 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?" (S.F. 281)

The ayes were, 99:

Alons	Arnold	Baudler	Bell
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chapman
Chiodo	Cohoon	Connors	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Mr. Speaker	
		Corbett	

The nays were, none.

Absent or not voting, 1:

Barry

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

HOUSE FILE 626 WITHDRAWN

Hoffman of Crawford asked and received unanimous consent to withdraw House File 626 from further consideration by the House.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: Senate Files 335 and 281.

RULES SUSPENDED

Siegrist of Pottawattamie asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 366.

Eddie of Buena Vista in the chair at 10:02 a.m.

Appropriations Calendar

Senate File 366, a bill for an act making a supplemental appropriation for the fiscal year beginning July 1, 1998, for replacement of certain embedded chips in the technology and equipment of state departments and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Millage of Scott 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?" (S.F. 366)

The ayes were, 82:

Alons	Arnold	Baudler	Bell
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chiodo
Connors	Corbett, Spkr.	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Falck	Foege	Ford
Garman	Gipp	Greiner	Hahn
Hansen	Heaton	Hoffman	Holmes
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Lord
Martin	Mascher	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter

Raecker	Rants	Rayhons	Reynolds
Scherrman	Schrader	Shoultz	Siegrist
Stevens	Sukup	Sunderbruch	Taylor
Teig	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Weigel	Welter
Witt	Eddie, Presiding		

The nays were, 15:

Chapman	Cohoon	Drees	Fallon
Frevert	Holveck	Kreiman	Kuhn
Larkin	May	Richardson	Thomas
Warnstadt	Whitead	Wise	

Absent or not voting, 3:

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 366** be immediately messaged to the Senate.

Regular Calendar

Senate File 102, a bill for an act relating to nonsubstantive Code corrections, with report of committee recommending amendment and passage, was taken up for consideration.

Bell of Jasper offered the following amendment H-1115 filed by the committee on judiciary and moved its adoption:

H-1115

- 1 Amend Senate File 102, as passed by the Senate, as
- 2 follows:
- 3 1. Page 9, by striking lines 1 through 4.
- 4 2. By renumbering as necessary.

The committee amendment H-1115 was adopted.

Bell of Jasper 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?" (S.F. 102)

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Boal	Boddicker	Boggess	Bradley
Brauns	Brunkhorst	Bukta	Burnett
Carroll	Cataldo	Chapman	Chiodo
Cohoon	Connors	Corbett, Spkr.	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Eddie, Presiding			

The nays were, none.

Absent or not voting, 3:

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

Senate File 248, a bill for an act relating to acquired immune deficiency syndrome, providing penalties, and providing for a repeal, with report of committee recommending passage, was taken up for consideration.

Millage of Scott offered the following amendment H-1399 filed by him and moved its adoption:

H-1399

- 1 Amend Senate File 248, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 11, by striking lines 31 through 34 and
- 4 inserting the following:
- 5 "___ Prior to obtaining a sample for the purpose
- 6 of performing an HIV-related test, the subject of the
- 7 test shall be provided with preliminary counseling
- 8 which includes but is not limited to an explanation of
- 9 the test, an explanation of the nature of AIDS and
- 10 AIDS-related conditions, an explanation of the
- 11 procedures to be followed, and information regarding
- 12 HIV infection and risk reduction. At any time that".

A non-record roll call was requested.

The ayes were 56, nays 15.

Amendment H-1399 was adopted.

Blodgett of Cerro Gordo 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?" (S.F. 248)

The ayes were, 100:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boguess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Corbett, Spkr.	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Falck	Fallon	Foegen
Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Horbach	Houser	Huseman	Huser
Jacobs	Jager	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz

Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Eddie, Presiding

The nays were, none.

Absent or not voting, none.

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

HOUSE FILE 681 WITHDRAWN

Blodgett of Cerro Gordo asked and received unanimous consent to withdraw House File 681 from further consideration by the House.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: Senate Files 102 and 248.

Senate File 224, a bill for an act relating to proceedings before the utilities board and the provision of competitive utility services by allocating costs incurred by the utilities board and the office of consumer advocate to certain persons in certain proceedings related to providing competitive utility services, and by providing for the certification of competitive natural gas providers and aggregators, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Dix of Butler 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?" (S.F. 224)

The ayes were, 97:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Corbett, Spkr.	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Drees	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Mascher
May	Mertz	Metcalf	Millage
Mundie	Murphy	Myers	Nelson
O'Brien	Osterhaus	Parmenter	Raecker
Rants	Rayhons	Reynolds	Richardson
Scherrman	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Eddie, Presiding			

The nays were, none.

Absent or not voting, 3:

Holmes Martin Schrader

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

Senate File 190, a bill for an act relating to the requirements for establishing and operating a city cable communication utility, with report of committee recommending passage, was taken up for consideration.

Jenkins of Black Hawk 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?" (S.F. 190)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boguess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chapman	Chiodo	Cohoon	Connors
Corbett, Spkr.	Cormack	Davis	Dix
Doderer	Dolecheck	Dotzler	Drake
Falck	Fallon	Foege	Ford
Frevert	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Holveck	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Kreiman	Kuhn	Larkin
Larson	Lord	Martin	Mascher
May	Mertz	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Eddie, Presiding

The nays were, none.

Absent or not voting, 4:

Drees	Klemme	Metcalf	Schrader
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The bill having received a constitutional majority was declared to have passed the House and the title 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 6, 1999, passed the following bill in which the concurrence of the Senate was asked:

House File 208, a bill for an act establishing a southern Iowa development and conservation authority, specifying membership, powers, and duties, creating a southern Iowa development and conservation fund, and providing for other properly related matters.

Also: That the Senate has on April 6, 1999, passed the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 11, a concurrent resolution requesting the United States Congress to prevent the federal government from attempting to recoup Medicaid payments from the state tobacco litigation settlement agreement moneys, and to allow the states to keep all settlement moneys, without offset.

MICHAEL E. MARSHALL, Secretary

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 224 and 190.**

HOUSE FILE 233 WITHDRAWN

Frevert of Palo Alto asked and received unanimous consent to withdraw House File 233 from further consideration by the House.

Senate File 303, a bill for an act requiring that the clerk of the district court confirm that notice has been given to required parties prior to the filing of a nonstatutory lien, with report of committee recommending passage, was taken up for consideration.

Ford 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?" (S.F. 303)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chapman
Chiodo	Cohoon	Connors	Corbett, Spkr.
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Falck
Fallon	Foege	Ford	Frevert
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Holveck	Horbach	Houser
Huseman	Huser	Jacobs	Jager

Jenkins	Jochum	Johnson	Kettering
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Eddie, Presiding

The nays were, none.

Absent or not voting, 4:

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

Senate File 233, a bill for an act relating to the preservation of records held by financial institutions, with report of committee recommending passage, was taken up for consideration.

Jacobs 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?" (S.F. 233)

The ayes were, 95:

Alons	Arnold	Barry	Bell
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Bukta
Burnett	Carroll	Cataldo	Chapman
Chiodo	Cohoon	Connors	Corbett, Spkr.
Cormack	Davis	Dix	Doderer
Dolecheck	Dotzler	Drake	Falck
Fallon	Foege	Ford	Frevrt
Garman	Gipp	Greiner	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Kreiman
Kuhn	Larkin	Larson	Lord

Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Eddie, Presiding	

The nays were, none.

Absent or not voting, 5:

Baudler	Drees	Grundberg	Klemme
Schrader			

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 303 and 233.**

Speaker Corbett in the chair at 10:58 a.m.

Unfinished Business Calendar

House File 758, a bill for an act relating to the authority of counties and cities to require storm shelters in mobile home parks, providing a property tax exemption, and providing an applicability date, was taken up for consideration.

Whitead of Woodbury offered the following amendment H-1353 filed by him and moved its adoption:

H-1353

- 1 Amend House File 758 as follows:
- 2 1. Page 1, line 5, by inserting after the figure
- 3 "1999" the following: ", or at a mobile home park
- 4 existing on July 1, 1999, if a majority of the adult
- 5 residents of the mobile home park file a petition

6 requesting the construction of a storm shelter".
7 2. Page 2, line 3, by inserting after the figure
8 "1999" the following: ", or at a mobile home park
9 existing on July 1, 1999, if a majority of the adult
10 residents of the mobile home park file a petition
11 requesting the construction of a storm shelter".

Amendment H-1353 lost.

Richardson of Warren offered the following amendment H-1420
filed by him and moved its adoption:

H-1420

1 Amend House File 758 as follows:
2 1. Page 1, line 19, by inserting after the word
3 "park." the following: "However, the ordinance may
4 require that the storm shelter is centrally located or
5 not more than twelve hundred feet from any mobile
6 home."
7 2. Page 1, line 21, by striking the word "five"
8 and inserting the following: "seven".
9 3. Page 2, line 17, by inserting after the word
10 "park." the following: "However, the ordinance may
11 require that the storm shelter is centrally located or
12 not more than twelve hundred feet from any mobile
13 home."
14 4. Page 2, line 19, by striking the word "five"
15 and inserting the following: "seven".

Amendment H-1420 was adopted.

Jenkins of Black Hawk offered the following amendment H-1360
filed by Jenkins, et al., and moved its adoption:

H-1360

1 Amend House File 758 as follows:
2 1. Page 1, by striking lines 18 and 19.
3 2. Page 2, by striking lines 16 and 17.
4 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 52, nays 37.

Amendment H-1360 was adopted, placing lines 2 through 6 and lines 9 through 13 of amendment H-1420 (previously adopted) out of order.

Whitead of Woodbury offered the following amendment H-1354 filed by him and moved its adoption:

H-1354

- 1 Amend House File 758 as follows:
- 2 1. Page 1, by striking line 28 and inserting the
- 3 following:
- 4 "b. The rental agreement for a mobile home park
- 5 space shall include a provision stating that the
- 6 mobile home park has a storm shelter, an evacuation
- 7 plan, or neither a storm shelter or an evacuation
- 8 plan.
- 9 c. For the purposes of this subsection:"
- 10 2. Page 2, by striking line 26 and inserting the
- 11 following:
- 12 "b. The rental agreement for a mobile home park
- 13 space shall include a provision stating that the
- 14 mobile home park has a storm shelter, an evacuation
- 15 plan, or neither a storm shelter or an evacuation
- 16 plan.
- 17 c. For the purposes of this subsection:"
- 18 3. Title page, line 2, by inserting after the
- 19 word "parks," the following: "providing notice of
- 20 disaster plans or shelters in rental agreements,".

A non-record roll call was requested.

The ayes were 30, nays 45.

Amendment H-1354 lost.

Richardson of Warren offered the following amendment H-1352 filed by him and moved its adoption:

H-1352

- 1 Amend House File 758 as follows:
- 2 1. Page 3, by inserting after line 18 the
- 3 following:
- 4 "Sec. __. NONAPPLICABILITY. Section 25B.7 does
- 5 not apply to section 3 of this Act."

Amendment H-1352 was adopted.

Richardson of Warren 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. 758)

The ayes were, 77:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Carroll	Cataldo	Chapman
Chiodo	Cohoon	Connors	Cormack
Davis	Dix	Dolecheck	Drake
Eddie	Gipp	Greiner	Hahn
Hansen	Heaton	Holmes	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jochum	Johnson	Kettering
Klemme	Kuhn	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Richardson
Scherrman	Schrader	Siegrist	Stevens
Sunderbruch	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Welter	Wise	Witt
Mr. Speaker			
Corbett			

The nays were, 17:

Burnett	Doderer	Dotzler	Drees
Falck	Fallon	Foege	Frevort
Hoffman	Holveck	Kreiman	Larkin
Reynolds	Shoultz	Taylor	Weigel
Whitead			

Absent or not voting, 6:

Ford	Garman	Grundberg	Jenkins
Nelson	Sukup		

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 758** be immediately messaged to the Senate.

On motion by Siegrist of Pottawattamie the House was recessed at 12:02 p.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:07 p.m., Speaker Corbett in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed fifty-three members present, forty-seven absent.

CONSIDERATION OF BILLS

Regular Calendar

Senate File 392, a bill for an act relating to telecommunications systems or services which may be provided by a city utility, establishing certain requirements on such city, and including effective date and retroactive applicability provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Jenkins of Black Hawk offered the following amendment H-1336 filed by the committee on commerce and regulation and moved its adoption:

H-1336

- 1 Amend Senate File 392, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, line 5, by striking the words "systems
- 4 and services" and inserting the following: "that
- 5 portion of a system or service".

The committee amendment H-1336 was adopted, placing amendment H-1438 filed by Jenkins of Black Hawk from the floor, out of order.

Jenkins of Black Hawk 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?" (S.F. 392)

The ayes were, 89:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Cataldo	Chiodo
Cohoon	Connors	Cormack	Davis
Dix	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Foegel
Ford	Frevert	Garman	Gipp
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Holveck
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Martin	Mascher
May	Mertz	Metcalf	Millage
Mundie	Myers	Nelson	O'Brien
Osterhaus	Raecker	Rants	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Mr. Speaker Corbett			

The nays were, 5:

Chapman	Doderer	Fallon	Parmenter
Thomas			

Absent or not voting, 6:

Carroll	Horbach	Lord	Murphy
Rayhons	Thomson		

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

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that Senate File 392 be immediately messaged to the Senate.

Unfinished Business Calendar

House File 746, a bill for an act relating to and making appropriations for agriculture and natural resources and providing effective dates, was taken up for consideration.

Gipp of Winneshiek asked and received unanimous consent that House File 746 be deferred and that the bill retain its place on the calendar.

The House stood at ease at 1:27 p.m., until the fall of the gavel.

The House resumed session at 2:53 p.m., Speaker Corbett in the chair.

INTRODUCTION OF BILL

House File 762, by committee on appropriations, a bill for an act relating to state government technology and operations, by making and relating to appropriations to the Iowa communications network for the support of certain Part III users, making appropriations to various entities for other technology-related purposes, providing for the procurement of information technology, providing for the use of the network, providing for electronic access to public information by creating an IowAccess network, authorizing fees, and providing an effective date.

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

The House resumed consideration of House File 746.

Greiner of Washington offered amendment H-1384 filed by her as follows:

H-1384

- 1 Amend House File 746 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "DIVISION I"
- 5 2. Page 1, line 13, by striking the figure
- 6 "2,112,222" and inserting the following: "2,137,161".
- 7 3. Page 1, line 14, by striking the figure
- 8 "46.88" and inserting the following: "47.88".

- 9 4. Page 2, by inserting after line 10 the
10 following:
11 "() Of the amount appropriated in this paragraph
12 "a", \$24,939 shall be used to support one full-time
13 equivalent position on contract basis for six part-
14 time staff to perform functions related to livestock
15 market news reporting."
- 16 5. Page 3, line 3, by striking the figure "81.00"
17 and inserting the following: "83.00".
- 18 6. Page 3, line 13, by striking the figure
19 "793,419" and inserting the following: "806,666".
- 20 7. Page 3, by inserting after line 13, the
21 following:
22 "Of the amount appropriated in this paragraph "b",
23 \$13,247 shall be used to support one full-time
24 equivalent position to operate the switchboard and
25 perform other clerical duties within the feed bureau."
- 26 8. Page 3, line 15, by striking the figure
27 "1,226,757" and inserting the following: "1,248,514".
- 28 9. Page 3, line 16, by inserting before the word
29 "Of" the following: "(1)".
- 30 10. Page 3, by inserting after line 19, the
31 following:
32 "(2) Of the amount appropriated in this paragraph
33 "c", \$21,757 shall be used to support one full-time
34 equivalent position who is a temporary employee to
35 assist with the administration of pesticide
36 certification examinations."
- 37 11. Page 5, by inserting before line 24 the
38 following:
39 "DIVISION II"
- 40 12. Page 6, line 23, by striking the figure
41 "195.28" and inserting the following: "195.73".
- 42 13. Page 7, line 15, by striking the figure
43 "4,899,821" and inserting the following: "4,941,285".
- 44 14. Page 7, line 16, by striking the figure
45 "241.50" and inserting the following: "242.50".
- 46 15. Page 7, by inserting after line 16 the
47 following:
48 " _____. Of the amount appropriated in paragraph "a",
49 not more than \$1,000,000 shall be used by the
50 department to carry out the provisions of the federal

Page 2

- 1 Clean Air Act, including amendments to the Act, and
2 regulations adopted pursuant to the Act by the United
3 States environmental protection agency."
- 4 16. Page 7, line 33, by striking the figure
5 "99,269" and inserting the following: "140,733".
- 6 17. Page 9, line 9, by striking the figure
7 "343.58" and inserting the following: "344.18".

- 8 18. Page 11, by inserting before line 25 the
 9 following:
 10 "DIVISION III"
 11 19. Page 11, line 34, by striking the figure
 12 "275,211" and inserting the following: "281,606".
 13 20. Page 12, by inserting before line 29 the
 14 following:
 15 "DIVISION IV"
 16 21. Page 14, by inserting before line 35 the
 17 following:
 18 "DIVISION V"
 19 22. Page 16, by inserting before line 11 the
 20 following:
 21 "DIVISION VI"
 22 23. Page 17, by inserting before line 2 the
 23 following:
 24 "DIVISION VII"
 25 24. By renumbering as necessary.

Murphy of Dubuque offered the following amendment H-1396, to amendment H-1384, filed by him and moved its adoption:

H-1396

- 1 Amend the amendment, H-1384, to House File 746, as
 2 follows:
 3 1. Page 1, line 6, by striking the figure
 4 "2,137,161" and inserting the following: "2,229,519".

Roll call was requested by Murphy of Dubuque and Greiner of Washington.

On the question "Shall amendment H-1396, to amendment H-1384, be adopted?" (H.F. 746)

The ayes were, 42:

Bell	Bukta	Burnett	Chapman
Chiodo	Cohoon	Connors	Doderer
Dotzler	Drees	Falck	Fallon
Foege	Frevert	Holveck	Huser
Jochum	Kreiman	Kuhn	Larkin
Mascher	May	Mertz	Mundie
Murphy	Myers	O'Brien	Osterhaus
Parmenter	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Stevens	Taylor
Thomas	Warnstadt	Weigel	Whitead
Wise	Witt		

The nays were, 54:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Carroll	Cormack
Davis	Dix	Dolecheck	Drake
Eddie	Garman	Gipp	Greiner
Hahn	Hansen	Heaton	Hoffman
Holmes	Horbach	Houser	Huseman
Jacobs	Jager	Jenkins	Johnson
Kettering	Klemme	Larson	Lord
Martin	Metcalf	Millage	Nelson
Raecker	Rants	Rayhons	Siegrist
Sukup	Sunderbruch	Teig	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Welter	Mr. Speaker Corbett		

Absent or not voting, 4:

Brunkhorst	Cataldo	Ford	Grundberg
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Amendment H-1396 lost.

Murphy of Dubuque offered the following amendment H-1421, to amendment H-1384, filed by him and moved its adoption:

H-1421

- 1 Amend the amendment, H-1384, to House File 746 as
- 2 follows:
- 3 1. Page 1, line 8, by striking the figure "47.88"
- 4 and inserting the following: "48.88".
- 5 2. Page 1, by inserting after line 15 the
- 6 following:
- 7 "___". Page 2, line 21, by striking the figure
- 8 "4,110,954" and inserting the following: "4,152,418".
- 9 "___". Page 2, line 22, by striking the figure
- 10 "123.00" and inserting the following: "125.00"."

Roll call was requested by Murphy of Dubuque and Greiner of Washington.

On the question "Shall amendment H-1421, to amendment H-1384, be adopted?" (H.F. 746)

The ayes were, 42:

Bell	Bukta	Burnett	Chapman
Chiодо	Cohoon	Connors	Doderer
Dotzler	Drees	Falck	Fallon
Foege	Frevert	Holveck	Huser
Jochum	Kreiman	Kuhn	Larkin
Mascher	May	Mertz	Mundie
Murphy	Myers	O'Brien	Osterhaus
Parmenter	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Stevens	Taylor
Thomas	Warnstadt	Weigel	Whitead
Wise	Witt		

The nays were, 54:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Carroll	Cormack
Davis	Dix	Dolecheck	Drake
Eddie	Garman	Gipp	Greiner
Hahn	Hansen	Heaton	Hoffman
Holmes	Horbach	Houser	Huseman
Jacobs	Jager	Jenkins	Johnson
Kettering	Klemme	Larson	Lord
Martin	Metcalf	Millage	Nelson
Raecker	Rants	Rayhons	Siegrist
Sukup	Sunderbruch	Teig	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Welter	Mr. Speaker		
	Corbett		

Absent or not voting, 4:

Brunkhorst	Cataldo	Ford	Grundberg
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Amendment H-1421 lost.

Scherrman of Dubuque asked and received unanimous consent to withdraw amendment H-1397, to amendment H-1384, filed by him on April 5, 1999.

Scherrman of Dubuque offered the following amendment H-1418, to amendment H-1384, filed by him and moved its adoption:

H-1418

- 1 Amend the amendment, H-1384, to House File 746, as
- 2 follows:
- 3 1. Page 1, line 43, by striking the figure

- 4 "4,941,285" and inserting the following: "5,112,443".
 5 2. Page 2, by inserting after line 3, the
 6 following:
 7 "___". Page 7, line 29, by striking the figure
 8 "370,000" and inserting the following: "392,000".
 9 3. Page 2, line 5, by striking the figure
 10 "140,733" and inserting the following: "289,891".

Amendment H-1418 lost.

Murphy of Dubuque offered the following amendment H-1436, to amendment H-1384, filed by him from the floor and moved its adoption:

H-1436

- 1 Amend the amendment, H-1384, to House File 746, as
 2 follows:
 3 1. Page 1, line 45, by striking the figure
 4 "242.50" and inserting the following: "243.50".

Roll call was requested by Murphy of Dubuque and Greiner of Washington.

On the question "Shall amendment H-1436, to amendment H-1384, be adopted?" (H.F. 746)

The ayes were, 43:

Arnold	Bell	Bukta	Burnett
Chapman	Chiodo	Cohoon	Connors
Doderer	Dotzler	Drees	Falck
Fallon	Foege	Frevert	Holveck
Huser	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Mundie	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Stevens
Taylor	Thomas	Warnstadt	Weigel
Whitead	Wise	Witt	

The nays were, 54:

Alons	Barry	Baudler	Blodgett
Boal	Boddicker	Boguess	Bradley
Brauns	Brunkhorst	Carroll	Cormack
Davis	Dix	Dolecheck	Drake
Eddie	Garman	Gipp	Greiner
Hahn	Hansen	Heaton	Hoffman

Holmes	Horbach	Houser	Huseman
Jacobs	Jager	Jenkins	Johnson
Kettering	Klemme	Larson	Lord
Martin	Metcalf	Millage	Nelson
Raecker	Rants	Rayhons	Siegrist
Sukup	Sunderbruch	Teig	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Welter	Mr. Speaker		
	Corbett		

Absent or not voting, 3:

Cataldo	Ford	Grundberg
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Amendment H-1436 lost.

Greiner of Washington offered the following amendment H-1435, to amendment H-1384, filed by her from the floor and moved its adoption:

H-1435

- 1 Amend the amendment, H-1384, to House File 746, as
- 2 follows:
- 3 1. Page 1, by striking line 49 and inserting the
- 4 following: "at least \$1,350,000 shall be used by
- 5 the".

Amendment H-1435 was adopted.

Dotzler of Black Hawk offered the following amendment H-1437, to amendment H-1384, filed by him from the floor and moved its adoption:

H-1437

- 1 Amend the amendment, H-1384, to House File 746, as
- 2 follows:
- 3 1. Page 2, by inserting after line 15 the
- 4 following:
- 5 " ____ Page 13, by striking lines 18 through 24
- 6 and inserting the following: "this section. The
- 7 department"".

A non-record roll call was requested.

The ayes were 36, nays 47.

Amendment H-1437 lost.

Greiner of Washington moved the adoption of amendment H-1384, as amended.

Amendment H-1384, as amended, was adopted, placing the following amendments out of order:

H-1318 filed by Murphy of Dubuque on March 30, 1999.

H-1319 filed by Murphy of Dubuque on March 30, 1999.

H-1317 filed by Scherrman of Dubuque on March 30, 1999.

Frevert of Palo Alto offered amendment H-1406 filed by Frevert, et al., as follows:

H-1406

1 Amend House File 746 as follows:

2 1. Page 2, line 10, by inserting after the word
3 "reporting." the following: "The amount allocated
4 under this subparagraph is contingent upon the
5 implementation of chapter 172C, as enacted in this
6 Act."

7 2. Page 16, by inserting after line 11 the
8 following:

9 "Sec. 100. Section 22.7, Code 1999, is amended by
10 adding the following new subsection:

11 **NEW SUBSECTION. 38.** Information revealing the
12 name of a person who sells livestock to a packer as
13 reported to the department of agriculture and land
14 stewardship pursuant to section 172C.2

15 **Sec. 101. NEW SECTION. 172C.1 DEFINITIONS.**

16 1. "Department" means the department of
17 agriculture and land stewardship.

18 2. "Livestock" means live cattle, swine, or sheep.

19 3. "Packer" means a person who is engaged in the
20 business of slaughtering livestock or receiving,
21 purchasing, or soliciting livestock for slaughter, if
22 the meat products of the slaughtered livestock which
23 are directly or indirectly to be offered for resale or
24 for public consumption and the meat products have a
25 total annual value of ten million dollars or more. As
26 used in this chapter, "packer" includes an agent of
27 the packer engaged in buying or soliciting livestock
28 for slaughter on behalf of a packer. "Packer" does
29 not include a frozen food locker plant regulated under
30 chapter 172.

31 **Sec. 102. NEW SECTION. 172C.2 PURCHASE REPORTS.**

32 1. A packer shall file purchase reports which

33 include information relating to the purchase of
34 livestock as required by the department. The reports
35 shall be completed in the manner prescribed by the
36 department. The department may require that purchase
37 reports be filed in an electronic format. Rules
38 adopted by the department may provide that the
39 information contained in a purchase report include
40 volume of daily purchases, and the weight, grade, and
41 price paid for livestock, including all premiums,
42 discounts, or adjustments. If the livestock are
43 purchased pursuant to contract, the department may
44 require that information in the purchase report be
45 categorized by the type of contract, which may include
46 contracts commonly referred to as formula contracts,
47 risk managed contracts, ledger contracts, or cash
48 contracts. The purchase reports shall allow the
49 department to compare prices paid under contract with
50 cash market prices. A purchase report required under

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1 this section shall at least include information for
2 all of the following:
3 a. Livestock purchased or committed to delivery on
4 the business day previous to the date that the report
5 is filed.
6 b. Livestock slaughtered on the two business days
7 previous to the date that the report is filed, or
8 earlier, if required by the department.
9 2. The department may enter into an agreement with
10 the United States department of agriculture or any
11 private marketing service in order to disseminate
12 information contained in purchase reports filed under
13 this section.
14 3. The department, in consultation with the office
15 of attorney general, shall designate information in
16 purchase reports that reveals the name of a livestock
17 seller as confidential pursuant to section 22.7.
18 Sec. 103. **NEW SECTION.** 172C.3 PURCHASE NOTICE.
19 A packer shall post a purchase notice which
20 includes information relating to the purchase of
21 livestock as required by the department. Rules
22 adopted by the department may provide that the
23 information contained in the posted notice include a
24 summary of information required to be filed in
25 purchase reports as provided in section 172C.2. The
26 information in the purchase notice shall appear in a
27 format that can be immediately understood by a
28 reasonable person familiar with selling livestock.
29 The notice shall be posted in a conspicuous place at
30 the point of delivery in a manner as prescribed by the
31 department. The packer shall communicate the

32 information contained in the purchase notice by
33 electronic means, including telephone upon request by
34 a livestock seller.

35 Sec. 104. NEW SECTION. 172C.4 CONFIDENTIALITY
36 PROHIBITED.

37 1. On and after the effective date of this Act, a
38 packer shall not include a provision in a contract for
39 the purchase of livestock providing that information
40 contained in the contract is confidential.

41 2. A provision which is part of a contract for the
42 purchase of livestock executed after the effective
43 date of this Act for the purchase of livestock is
44 void, if the provision states that information
45 contained in the contract is confidential. The
46 provision is void regardless of whether the
47 confidentiality provision is express or implied; oral
48 or written; required or conditional; contained in the
49 contract, another contract, or in a related document,
50 policy, or agreement. This section does not affect

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1 other provisions of a contract or a related document,
2 policy, or agreement which can be given effect without
3 the voided provision. This section does not require
4 either party to the contract to divulge the
5 information in the contract to another person.

6 Sec. 105. NEW SECTION. 172C.5 RULES.
7 The department, in consultation with the office of
8 attorney general, shall adopt rules necessary in order
9 to administer this chapter. The department may
10 establish different rules according to the species of
11 livestock subject to purchase pursuant to
12 section 172C.2 or a purchase notice pursuant to
13 section 172C.3.

14 Sec. 106. NEW SECTION. 172C.6 ENFORCEMENT.

15 1. The attorney general's office is the primary
16 agency responsible for enforcing this chapter. The
17 department shall notify the attorney general's office
18 if the department has reason to believe that a
19 violation of section 172C.4 has occurred.

20 2. In enforcing the provisions of this chapter,
21 the attorney general may do all of the following:

22 a. Apply to the district court for an injunction
23 to do any of the following:

24 (1) Restrain a packer from engaging in conduct or
25 practices in violation of this chapter.

26 (2) Require a packer to comply with a provision of
27 this chapter.

28 b. Apply to district court for the issuance of a
29 subpoena to obtain contracts, documents, or other
30 records for purposes of enforcing this chapter.

31 c. Bring an action in district court to enforce
32 penalties provided in this chapter, including the
33 assessment and collection of civil penalties.
34 3. The attorney general shall have access to all
35 information reported by packers pursuant to section
36 172C.2, regardless of whether the information is
37 confidential. The attorney general may use the
38 information in order to enforce this chapter or submit
39 the information to a federal agency in a legal action
40 against a packer.

41 Sec. 107. NEW SECTION. 172C.7 PENALTIES.

42 1. A packer who fails to file a timely, accurate,
43 or complete purchase report as required pursuant to
44 section 172C.2 is subject to a civil penalty of not
45 more than five thousand dollars.

46 2. A packer who fails to post a timely, accurate,
47 or complete purchase notice or communicate information
48 contained in the purchase notice to a livestock seller
49 upon request as required pursuant to section 172C.3 is
50 subject to a civil penalty of not more than one

Page 4

1 thousand dollars.

2 3. A packer who includes a confidentiality
3 provision in a contract with a livestock seller in
4 violation of section 172C.4 is guilty of a fraudulent
5 practice as provided in section 714.8."

6 3. Page 17, by inserting after line 1 the
7 following:

8 "Sec. 108. Section 714.8, Code 1999, is amended by
9 adding the following new subsection:

10 NEW SUBSECTION. 17. A packer who includes a
11 confidentiality provision in a contract with a
12 livestock seller in violation of section 172C.3.

13 Sec. 200. APPLICABILITY. A packer shall provide
14 purchasing reports to the department of agriculture
15 and land stewardship as required in section 172C.2, as
16 enacted in this Act, and shall post a purchase notice
17 and communicate information contained in the purchase
18 notice to livestock sellers as provided in section
19 172C.3, as enacted in this Act, for each species of
20 livestock as defined in section 172C.1, as enacted in
21 this Act, upon adoption of rules governing that
22 species by the department."

23 4. Page 17, by inserting after line 9 the
24 following:

25 "___ Sections 101 through 108, amending section
26 22.7, subsection 38, enacting sections 172C.1 through
27 172C.7, and amending section 714.8, subsection 17,
28 relating to packer regulations.

29 ___ Section 200, relating to packer regulations."

Klemme of Plymouth rose on a point of order that amendment H-1406 was not germane.

The Speaker ruled the point well taken and amendment H-1406 not germane.

Frevert of Palo Alto asked for unanimous consent to suspend the rules to consider amendment H-1406.

Objection was raised.

Frevert of Palo Alto moved to suspend the rules to consider amendment H-1406.

Roll call was requested by Murphy of Dubuque and Siegrist of Pottawattamie.

On the question "Shall the rules be suspended to consider amendment H-1406?" (H.F. 746)

The ayes were, 44:

Bell	Bukta	Burnett	Cataldo
Chapman	Chiodo	Cohoon	Connors
Doderer	Dotzler	Drees	Falck
Fallon	Foegen	Ford	Frevert
Holveck	Huser	Jochum	Kreiman
Kuhn	Larkin	Mascher	May
Mertz	Mundie	Murphy	Myers
O'Brien	Osterhaus	Parmenter	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Stevens	Taylor	Thomas	Warnstadt
Weigel	Whitead	Wise	Witt

The nays were, 54:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Carroll
Cormack	Davis	Dolecheck	Drake
Eddie	Garman	Gipp	Greiner
Grundberg	Hahn	Heaton	Hoffman
Holmes	Horbach	Houser	Huseman
Jacobs	Jager	Jenkins	Johnson
Kettering	Klemme	Larson	Lord
Martin	Metcalf	Millage	Nelson
Raecker	Rants	Rayhons	Siegrist

Sukup
Tyrrell
Welter

Sunderbruch
Van Engelenhoven
Mr. Speaker
Corbett

Teig
Van Fossen

Thomson
Weidman

Absent or not voting, 2:

Dix Hansen

The motion to suspend the rules lost.

Thomas of Clayton offered the following amendment H-1332 filed by him and moved its adoption:

H-1332

- 1 Amend House File 746 as follows:
- 2 1. Page 3, line 2, by striking the figure
- 3 "926,703" and inserting the following: "1,001,571".
- 4 2. Page 3, line 6, by striking the figure
- 5 "150,000" and inserting the following: "224,868".

Amendment H-1332 lost.

Jochum of Dubuque offered the following amendment H-1313 filed by her and moved its adoption:

H-1313

- 1 Amend House File 746 as follows:
- 2 1. Page 7, line 32, by inserting after the word
- 3 "department." the following: "In carrying out its on-
- 4 site inspections, persons occupying the full-time
- 5 equivalent positions authorized in this paragraph
- 6 shall ensure that unformed manure storage structures
- 7 which are part of confinement feeding operations do
- 8 not emit airborne pollutants in excess of standards as
- 9 shall be established by rules adopted by the
- 10 department regulating levels of gases containing
- 11 compounds which produce odor or may have a deleterious
- 12 effect upon human health, including but not limited to
- 13 hydrogen sulfide, ammonia, methane, and any class of
- 14 mercaptan."

A non-record roll call was requested.

The ayes were 40, nays 49.

Amendment H-1313 lost.

Scherrman of Dubuque offered the following amendment H-1417 filed by him and moved its adoption:

H-1417

- 1 Amend House File 746 as follows:
- 2 1. Page 12, line 7, by striking the figure
- 3 "900,600" and inserting the following: "1,000,600".

Amendment H-1417 lost.

Frevert of Palo Alto asked and received unanimous consent to withdraw amendment H-1371 filed by her on April 1, 1999.

Mundie of Webster offered the following amendment H-1416 filed by him and moved its adoption:

H-1416

- 1 Amend House File 746 as follows:
- 2 1. Page 15, by inserting after line 12 the
- 3 following:
- 4 "Sec. ___ LIVESTOCK CONTRACTING STUDY. The
- 5 legislative council is requested to establish an
- 6 interim committee to study issues relating to
- 7 practices involving contracts for the production and
- 8 marketing of livestock, including but not limited to
- 9 contracts executed by packers and cooperative
- 10 associations. The interim committee shall report the
- 11 findings and recommendations of its study, including
- 12 any proposed legislation, as required by the
- 13 legislative council prior to the 2000 Session of the
- 14 Seventy-eighth General Assembly."
- 15 2. By renumbering as necessary.

Roll call was requested by Murphy of Dubuque and Myers of Johnson.

On the question "Shall amendment H-1416 be adopted?" (H.F. 746)

The ayes were, 45:

Arnold
Cataldo

Bell
Chiodo

Bukta
Cohon

Burnett
Connors

Cormack	Doderer	Dotzler	Drees
Falck	Fallon	Foege	Ford
Frevert	Garman	Holveck	Huser
Jochum	Kreiman	Kuhn	Mascher
May	Mertz	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Stevens	Taylor	Thomas
Warnstadt	Weigel	Whitead	Wise
Witt			

The nays were, 53:

Alons	Barry	Baudler	Blodgett
Boal	Boddicker	Bogges	Bradley
Brauns	Brunkhorst	Carroll	Davis
Dix	Dolecheck	Drake	Eddie
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Horbach	Houser	Huseman	Jacobs
Jager	Jenkins	Johnson	Kettering
Klemme	Larson	Lord	Martin
Metcalf	Millage	Nelson	Raecker
Rants	Rayhons	Siegrist	Sukup
Sunderbruch	Teig	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Welter
Mr. Speaker			
Corbett			

Absent or not voting, 2:

Chapman Larkin

Amendment H-1416 lost.

O'Brien of Boone offered the following amendment H-1316 filed by him and Mertz of Kossuth and moved its adoption:

H-1316

- 1 Amend House File 746 as follows:
- 2 1. Page 15, by striking lines 24 through 28.
- 3 2. By renumbering as necessary.

Roll call was requested by Greiner of Washington and Gipp of Winneshiek.

On the question "Shall amendment H-1316 be adopted?" (H.F. 746)

The ayes were, 40:

Bell	Bukta	Burnett	Chiodo
Cohoon	Connors	Doderer	Dotzler
Drees	Falck	Fallon	Foegel
Ford	Frevert	Holveck	Huser
Kreiman	Kuhn	Larkin	May
Mertz	Mundie	Murphy	Myers
O'Brien	Osterhaus	Parmenter	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Stevens	Taylor	Thomas	Warnstadt
Weigel	Whitead	Wise	Witt

The nays were, 55:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges.
Brauns	Brunkhorst	Carroll	Cormack
Davis	Dix	Dolecheck	Drake
Eddie	Garman	Gipp	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Houser
Huseman	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Lord
Martin	Mascher	Metcalf	Millage
Nelson	Raecker	Rants	Rayhons
Siegrist	Sukup	Sunderbruch	Teig
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Welter	Mr. Speaker	
		Corbett	

Absent or not voting, 5:

Bradley	Cataldo	Chapman	Jochum
Larson			

Amendment H-1316 lost.

Greiner of Washington offered the following amendment H-1314 filed by her and Millage of Scott and moved its adoption:

H-1314

- 1 Amend House File 746 as follows:
- 2 1. Page 16, by inserting after line 10 the
- 3 following:
- 4 "Sec. __. MONEYS ORIGINATING FROM THE EXCISE TAX
- 5 ON THE SALE OF MOTOR FUEL USED IN WATERCRAFT.
- 6 Notwithstanding section 452A.79, for the fiscal year
- 7 beginning July 1, 1999, and ending June 30, 2000, the
- 8 first six hundred eleven thousand three hundred eleven

- 9 dollars derived from the excise tax on the sale of
 10 motor fuel used in watercraft shall be deposited in
 11 the general fund of the state. The moneys in excess
 12 of six hundred eleven thousand three hundred eleven
 13 dollars shall be deposited in the rebuild Iowa
 14 infrastructure fund. The amount of moneys required to
 15 be deposited pursuant to this section shall be in lieu
 16 of the moneys required to be deposited pursuant to
 17 section 452A.79. All other provisions in section
 18 452A.79 shall continue to apply."
 19 2. Page 16, by striking lines 12 through 25.
 20 3. By renumbering as necessary.

Amendment H-1314 was adopted.

Thomas of Clayton offered the following amendment H-1321 filed by him and moved its adoption:

H-1321

- 1 Amend House File 746 as follows:
 2 1. Page 16, by inserting after line 10 the
 3 following:
 4 "Sec. ____ FINDINGS. The general assembly finds
 5 that due to an inadequate number of department of
 6 natural resources' forestry staff, an extensive
 7 backlog of requests for forester assistance exists;
 8 that a substantial number of unfunded timber
 9 management cost share project requests have been made;
 10 that an inadequate amount of timber stand improvement
 11 has been completed; that current and future woodland
 12 owners exhibit a general lack of timber management
 13 education; that turnover of woodland owners will
 14 significantly increase in the next twenty years; that
 15 managed timberland in Iowa could produce three times
 16 more volume in half the time with improved information
 17 and education; and that due to the long time frame for
 18 timber development, many landowners are unable to
 19 invest abundant personal finances in timber
 20 development."
 21 2. Page 16, by inserting before line 26 the
 22 following:
 23 "Sec. ____ Section 456A.20, Code 1999, is amended
 24 to read as follows:
 25 456A.20 LIMITATION ON NURSERY STOCK - EXCEPTION.
 26 1. All funds Moneys appropriated to the department
 27 which are used in growing or handling nursery stock
 28 shall be used for growing or handling of the nursery
 29 stock for distribution only on state-owned lands.
 30 However, the department may ~~produce~~ do any of the
 31 following:

32 a. Produce and sell ~~at private sale~~ game cover
 33 packets and trees for erosion control, ~~may produce at~~
 34 private sale.
 35 b. Produce trees for a demonstration windbreak in
 36 each township in the state, ~~and may dispose,~~
 37 c. Dispose of growing trees under a departmental
 38 plan of distribution.

39 2. The department shall deposit a portion of the
 40 moneys that it receives from selling trees and shrubs
 41 as provided in this section to the forestry management
 42 and enhancement fund as created in section 456A.21A.
 43 The amount deposited in the fund shall equal five
 44 cents for each coniferous tree and ten cents for each
 45 hardwood tree and shrub received from the sales.

46 Sec. . NEW SECTION. 456A.21A FORESTRY
 47 MANAGEMENT AND ENHANCEMENT FUND.

48 1. A forestry management and enhancement fund is
 49 created in the state treasury under the control of the
 50 department's forests and forestry division created in

Page 2

1 section 455A.7. The fund is composed of moneys
 2 deposited into the fund pursuant to section 456A.20,
 3 moneys appropriated by the general assembly, and
 4 moneys available to and obtained or accepted by the
 5 division or the department from the United States or
 6 private sources for placement in the fund.

7 2. Moneys in the fund are subject to an annual
 8 audit by the auditor of state. The fund is subject to
 9 warrants written by the director of revenue and
 10 finance, drawn upon the written requisition of the
 11 division.

12 3. The fund shall be used exclusively to support
 13 the management and enhancement of forests, including
 14 woodlands or timber stands in this state, on private
 15 lands in cooperation with the owners of those lands.
 16 The department shall use moneys in the fund to support
 17 the following full-time equivalent positions in
 18 addition to those supported from the general fund of
 19 the state:

20 a. Four forestry technicians who shall serve
 21 regions of the state as designated by the division.

22 b. One professional forester who shall serve the
 23 southwest region of the state.

24 4. The commission may adopt rules pursuant to
 25 chapter 17A to administer this section.

26 5. Section 8.33 shall not apply to moneys in the
 27 fund. Notwithstanding section 12C.7, moneys earned as
 28 income, including as interest, from the fund shall
 29 remain in the fund until expended as provided in this

30 section."

31 3. By renumbering as necessary.

Amendment H-1321 was adopted.

Ford of Polk offered the following amendment H-1359 filed by him and moved its adoption:

H-1359

1 Amend House File 746 as follows:

2 1. Page 16, by inserting after line 10 the
3 following:

4 "Sec. __. PUBLICATION OF FARM PROGRAMS.

5 1. As used in this section, "farm programs"
6 includes, but is not limited to, financial incentive
7 programs established within the division of soil
8 conservation of the department of agriculture and land
9 stewardship as provided in section 161A.70 and the
10 beginning farmer loan program administered by the
11 agricultural development authority as provided in
12 section 175.12.

13 2. The department shall publicize the availability
14 of farm programs to women and minority persons. The
15 department shall disseminate the information
16 electronically or by publishing printed brochures for
17 distribution to locations and institutions serving
18 farmers, including departmental offices, financial
19 institutions participating in farm programs, and soil
20 and water conservation district offices.

21 3. The department shall cooperate with private
22 institutions and public agencies in order to carry out
23 this section, including the department of economic
24 development and the United States department of
25 agriculture."

26 2. By renumbering as necessary.

Amendment H-1359 was adopted.

Kuhn of Floyd asked and received unanimous consent that amendment H-1407 be deferred.

Burnett of Story asked and received unanimous consent to withdraw amendment H-1315 filed by her and Falck of Fayette on March 30, 1999.

Falck of Fayette asked and received unanimous consent to withdraw amendment H-1320 filed by him on March 30, 1999.

Kuhn of Floyd asked and received unanimous consent that amendment H-1407 be deferred.

RULE 31.8 SUSPENDED

Millage of Scott asked and received unanimous consent to suspend Rule 31.8, relating to the timely filing of amendments, for consideration of amendment H-1439 filed by him from the floor as follows:

H-1439

1 Amend House File 746 as follows:

2 1. Page 14, by inserting after line 34 the
3 following:

4 "Sec. 100. DEPARTMENT OF NATURAL RESOURCES -
5 GENERAL FUND SICK LEAVE PAYOUT. There is appropriated
6 from the general fund of the state to the department
7 of natural resources for the fiscal year beginning
8 July 1, 1998, and ending June 30, 1999, the following
9 amount, or so much thereof as is necessary, to be used
10 for the purpose designated:

11 For the value of sick leave payout that needs to be
12 paid out due to retirement of personnel in the parks
13 and preserves division:
14 \$ 200,000

15 Sec. 200. DEPARTMENT OF NATURAL RESOURCES - FISH
16 AND GAME PROTECTION FUND SICK LEAVE PAYOUT. There is
17 appropriated from the state fish and game protection
18 fund created in section 456A.17 to the department of
19 natural resources for the fiscal year beginning July
20 1, 1998, and ending June 30, 1999, the following
21 amount, or so much thereof as is necessary, to be used
22 for the purpose designated:

23 For the value of sick leave pay that needs to be
24 paid out due to retirement of personnel in the fish
25 and wildlife division:
26 \$ 150,000"

27 2. Page 17, by inserting after line 9 the
28 following:

29 " ____ Section 100, relating to department of
30 natural resources general fund sick leave payout.
31 ____ Section 200, relating to department of
32 natural resources fish and game protection fund sick
33 leave payout."
34 3. By renumbering as necessary.

On motion by Millage of Scott amendment H-1439 was adopted.

Kuhn of Floyd offered amendment H-1407 filed by Kuhn, et al, previously deferred, as follows:

H-1407

- 1 Amend House File 746 as follows:
- 2 1. Page 16, by inserting after line 11 the
- 3 following:
- 4 "Sec. NEW SECTION. 214A.2A MOTOR VEHICLE
- 5 FUEL REQUIREMENTS.
- 6 A retail dealer shall not offer for sale in this
- 7 state a motor vehicle fuel that contains methyl
- 8 tertiary butyl ether."
- 9 2. By renumbering as necessary.

Kreiman of Davis offered the following amendment H-1475, to amendment H-1407, filed by him from the floor and moved its adoption:

H-1475

- 1 Amend the amendment, H-1407, to House File 746 as
- 2 follows:
- 3 1. Page 1, by inserting after line 1 the
- 4 following:
- 5 " NEW SECTION. 214A.2A MOTOR VEHICLE
- 6 following:
- 7 "Sec. NEW SECTION. 214A.2A MOTOR VEHICLE
- 8 FUEL REQUIREMENTS.
- 9 1. Prior to January 1, 2000, a retail dealer shall
- 10 not offer for sale in this state a motor vehicle fuel
- 11 that contains more than one percent of methyl tertiary
- 12 butyl ether."
- 13 2. On and after January 1, 2000, a retail dealer
- 14 shall not offer for sale in this state a motor vehicle
- 15 fuel that contains more than trace amounts of methyl
- 16 tertiary butyl ether as provided by rules adopted by
- 17 the department. The department shall adopt rules
- 18 necessary in order to ensure that methyl tertiary
- 19 butyl ether does not cause a threat to the public
- 20 health or environment by contaminating groundwater or
- 21 surface water in this state.""
- 22 2. Page 1, by striking lines 2 through 8.

Amendment H-1475 was adopted placing amendments H-1474 filed by Bradley of Clinton, Brunkhorst of Bremer, Gipp of Winneshiek and Myers of Johnson from the floor, and amendment H-1473 filed by Kreiman of Davis from the floor, out of order.

Greiner of Washington rose on a point of order that amendment H-1407, as amended, was not germane.

The Speaker ruled the point well taken and amendment H-1407, as amended, not germane.

Kuhn of Floyd asked for unanimous consent to suspend the rules to consider amendment H-1407, as amended.

Objection was raised.

Kuhn of Floyd moved to suspend the rules to consider amendment H-1407, as amended.

Roll call was requested by Kuhn of Floyd and Brunkhorst of Bremer.

Rule 75 was invoked.

On the question "Shall the rules be suspended to consider amendment H-1407, as amended?" (H.F. 746)

The ayes were, 44:

Arnold	Bell	Bukta	Burnett
Cataldo	Chiodo	Cohoon	Doderer
Dotzler	Drees	Falck	Fallon
Foeger	Ford	Frevert	Holveck
Huser	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Mundie	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Stevens
Taylor	Thomas	Thomson	Warnstadt
Weigel	Whitead	Wise	Witt

The nays were, 53:

Alons	Barry	Baudler	Blodgett
Boal	Boddicker	Boggess	Bradley
Brauns	Brunkhorst	Carroll	Cormack
Davis	Dix	Dolecheck	Eddie
Garman	Gipp	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Horbach	Houser	Huseman
Jacobs	Jager	Jenkins	Johnson
Kettering	Klemme	Larson	Lord

Martin	Metcalf	Millage	Nelson
Raecker	Rants	Rayhons	Siegrist
Sukup	Sunderbruch	Teig	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Welter
Mr. Speaker			
Corbett			

Absent or not voting, 3:

Chapman	Connors	Drake
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The motion to suspend the rules lost.

Greiner of Washington 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. 746)

The ayes were, 57:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Carroll
Cormack	Davis	Dix	Dolecheck
Drake	Eddie	Ford	Garman
Gipp	Greiner	Grundberg	Hahn
Hansen	Heaton	Hoffman	Holmes
Horbach	Houser	Huseman	Jacobs
Jager	Jenkins	Johnson	Kettering
Klemme	Larson	Lord	Martin
Metcalf	Millage	Nelson	Raecker
Rants	Rayhons	Siegrist	Sukup
Sunderbruch	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Welter
Mr. Speaker			
Corbett			

The nays were, 41:

Bell	Bukta	Burnett	Cataldo
Chiodo	Cohoon	Doderer	Dotzler
Drees	Falck	Fallon	Foege
Frevert	Holveck	Huser	Jochum
Kreiman	Kuhn	Larkin	Mascher
May	Mertz	Mundie	Murphy
Myers	O'Brien	Osterhaus	Parmenter
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Stevens	Taylor	Warnstadt

Weidman
Witt

Weigel

Whitead

Wise

Absent or not voting, 2:

Chapman

Connors

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **House File 746** be immediately messaged to the Senate.

Regular Calendar

Senate File 115, a bill for an act relating to alcohol testing of private sector employees and prospective employees and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Taylor of Linn offered the following amendment H-1258 filed by him and moved its adoption:

H-1258

- 1 Amend Senate File 115, as passed by the Senate, as
- 2 follows:
- 3 1. By striking page 2, line 18, through page 3,
- 4 line 5, and inserting the following:
- 5 "(2) Notwithstanding any provision of this section
- 6 to the contrary, alcohol testing, including initial
- 7 and confirmatory testing, may be conducted pursuant to
- 8 rules adopted by the Iowa department of public health.
- 9 The rules shall be consistent with regulations adopted
- 10 by the United States department of transportation
- 11 governing alcohol testing as contained in 49 C.F.R.,
- 12 pt. 40.
- 13 Sec. __. Section 730.5, subsection 7, paragraph
- 14 g, Code 1999, is amended to read as follows:
- 15 g. A medical review officer shall, prior to the
- 16 results being reported to an employer, review and
- 17 interpret any confirmed positive test results,
- 18 including both quantitative and qualitative test
- 19 results, to ensure that the chain of custody is
- 20 complete and sufficient on its face and that any

21 information provided by the individual pursuant to
 22 paragraph "c", subparagraph (2), is considered.
 23 However, this paragraph shall not apply to alcohol
 24 testing conducted pursuant to paragraph "f",
 25 subparagraph (2).
 26 Sec. __. Section 730.5, subsection 9, paragraph
 27 g, unnumbered paragraph 1, Code 1999, is amended to
 28 read as follows:
 29 Upon receipt of a confirmed positive alcohol test
 30 which indicates an alcohol concentration greater than
 31 the concentration level established by the employer
 32 pursuant to this section ~~but less than the~~
 33 ~~concentration level in section 321J.2 for operating~~
 34 ~~while under the influence of alcohol~~, and if the
 35 employer has at least ~~fifty~~ twenty employees, and if
 36 the employee has been employed by the employer for at
 37 least twelve of the preceding eighteen months, and if
 38 rehabilitation is agreed upon by the employee, and if
 39 the employee has not previously violated the
 40 employer's substance abuse prevention policy pursuant
 41 to this section, the written policy shall provide for
 42 the rehabilitation of the employee pursuant to
 43 subsection 10, paragraph "a", subparagraph (1), and
 44 the apportionment of the costs of rehabilitation as
 45 provided by this paragraph."
 46 2. By renumbering as necessary.

Raecker of Polk in the chair at 5:32 p.m.

Roll call was requested by Taylor of Linn and Murphy of Dubuque.

On the question "Shall amendment H-1258 be adopted?" (S.F. 115)

The ayes were, 42:

Bell	Bukta	Burnett	Cataldo
Chiodo	Cohoon	Cormack	Doderer
Dotzler	Drees	Falck	Fallon
Foege	Ford	Frevert	Holveck
Huser	Jochum	Kreiman	Kuhn
Larkin	Mascher	May	Mertz
Mundie	Murphy	Myers	O'Brien
Osterhaus	Parmenter	Reynolds	Richardson
Scherrman	Schrader	Shoultz	Stevens
Taylor	Warnstadt	Weigel	Whitead
Wise	Witt		

The nays were, 54:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Carroll
Corbett, Spkr.	Davis	Dix	Dolecheck
Drake	Eddie	Garman	Gipp
Greiner	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Houser
Huseman	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Larson
Lord	Martin	Metcalf	Millage
Nelson	Rants	Rayhons	Siegrist
Sukup	Sunderbruch	Teig	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Welter	Raecker, Presiding		

Absent or not voting, 4:

Chapman	Connors	Grundberg	Thomas
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Amendment H-1258 lost.

Nelson of Marshall offered amendment H-1379 filed by her and Sukup of Franklin as follows:

H-1379

1 Amend Senate File 115, as passed by the Senate, as
 2 follows:
 3 1. Page 3, by inserting after line 5 the
 4 following:
 5 "Sec. ____ Section 730.5, subsection 9, paragraph
 6 g, unnumbered paragraph 1, Code 1999, is amended to
 7 read as follows:
 8 Upon receipt of a confirmed positive alcohol test
 9 which indicates an alcohol concentration greater than
 10 the concentration level established by the employer
 11 pursuant to this section ~~but less than the~~
 12 ~~concentration level in section 321J.2 for operating~~
 13 ~~while under the influence of alcohol~~, and if the
 14 employer has at least fifty employees, and if the
 15 employee has been employed by the employer for at
 16 least twelve of the preceding eighteen months, and if
 17 rehabilitation is agreed upon by the employee, and if
 18 the employee has not previously violated the
 19 employer's substance abuse prevention policy pursuant
 20 to this section, the written policy shall provide for
 21 the rehabilitation of the employee pursuant to
 22 subsection 10, paragraph "a", subparagraph (1), and

- 23 the apportionment of the costs of rehabilitation as
24 provided by this paragraph."
25 2. By renumbering as necessary.

Huser of Polk offered the following amendment H-1476, to amendment H-1379, filed by her from the floor and moved its adoption:

H-1476

- 1 Amend the amendment, H-1379, to Senate File 115, as
2 passed by the Senate, as follows:
3 1. Page 1, by inserting after line 4 the
4 following:
5 "Sec. __. Section 730.5, subsection 9, paragraph
6 c, subparagraph (2), Code 1999, is amended to read as
7 follows:
8 (2) If an employer does not have an employee
9 assistance program, the employer must maintain a
10 resource file of ~~employee assistance services~~
11 ~~providers~~, alcohol and other drug abuse programs
12 certified by the Iowa department of public health,
13 mental health providers, and other persons, entities,
14 or organizations available to assist employees with
15 personal or behavioral problems. The employer shall
16 provide all employees information about the existence
17 of the resource file and a summary of the information
18 contained within the resource file. The summary
19 should contain, but need not be limited to, all
20 information necessary to access the services listed in
21 the resource file. ~~In addition, the employer shall~~
22 ~~post in conspicuous places a listing of multiple~~
23 ~~employee assistance providers in the area."~~
24 2. Page 1, by inserting after line 24 the
25 following:
26 "Sec. __. Section 730.5, subsection 9, paragraph
27 h, Code 1999, is amended to read as follows:
28 h. In order to conduct drug or alcohol testing
29 under this section, an employer shall require
30 supervisory personnel of the employer involved with
31 drug or alcohol testing under this section to attend a
32 minimum of two hours of initial training and to
33 attend, on an annual basis thereafter, a minimum of
34 one hour of subsequent training. The training shall
35 include, but is not limited to, information concerning
36 the recognition of evidence of employee alcohol and
37 other drug abuse, the documentation and corroboration
38 of employee alcohol and other drug abuse, and the
39 referral of employees who abuse alcohol or other drugs
40 to the employee assistance program or to the resource
41 file of ~~employee assistance services providers~~

42 maintained by the employer pursuant to paragraph "c".

43 subparagraph (2)."

Amendment H-1476 was adopted.

Dotzler of Black Hawk asked and received unanimous consent to withdraw amendment H-1393, to amendment H-1379, filed by him on April 5, 1999.

Nelson of Marshall moved the adoption of amendment H-1379, as amended.

Amendment H-1379, as amended, was adopted.

Sukup of Franklin 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?" (S.F. 115)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chiodo	Cohoon	Corbett, Spkr.	Cormack
Davis	Dix	Doderer	Dolecheck
Dotzler	Drake	Drees	Eddie
Falck	Foege	Ford	Frevert
Garman	Gipp	Greiner	Hahn
Hansen	Heaton	Hoffman	Holmes
Holveck	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Raecker,		
	Presiding		

The nays were, 2:

Fallon Murphy

Absent or not voting, 4:

Chapman Connors Grundberg Thomas

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 115** be immediately messaged to the Senate.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 31, 1999. Had I been present, I would have voted "aye" on House Files 351, 745, amendments H-1251 and H-1253 to House File 745, and "aye" on Rules Suspension for amendment H-1289 to House File 745.

CATALDO of Polk

I was necessarily absent from the House chamber on April 6, 1999. Had I been present, I would have voted "aye" on House File 758.

FORD of Polk

I was necessarily absent from the House chamber on April 6, 1999. Had I been present, I would have voted "aye" on House File 758.

NELSON of Marshall

On April 6, 1999, I inadvertently voted "no" on House File 746, I meant to vote "aye".

WEIDMAN of Cass

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Sixteen seniors from Ruthven-Ayrshire, Ruthven, accompanied by Jon Josephson and John Fokken. By Frevert of Palo Alto.

Ten Home School students from Tama-Toledo, accompanied by Mr. and Mrs. Duane Bossman and Lori Lyon. By Horbach of Tama.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\571 Mabel Rayman, Elberon – For celebrating her 92nd birthday.
- 1999\572 Ruth and J. C. “Sid” Merryman, Waterloo – For celebrating their 60th wedding anniversary.
- 1999\573 Bob Utman, Modale – For celebrating his 80th birthday.
- 1999\574 Matthew J. Bonsall, Dunlap – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\575 Dean Aydelott, Missouri Valley – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\576 Joshua Uzel, Carroll – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\577 Harry Lee, Ottumwa – For celebrating his 88th birthday.
- 1999\578 Fred Brockman, Denison – For celebrating his 93rd birthday.
- 1999\579 Mabel Nelson, Denison – For celebrating her 90th birthday.
- 1999\580 Anna Schultz, Denison – For celebrating her 96th birthday.
- 1999\581 Elsie Schnoor, Charter Oak – For celebrating her 81st birthday.
- 1999\582 Doris Ooten, Onawa – For celebrating her 80th birthday.

- 1999\583 Ellen Bechen, Charter Oak – For celebrating her 90th birthday.
- 1999\584 Edwin Stoll, Manilla – For celebrating his 87th birthday.
- 1999\585 Mary Brue, Manilla – For celebrating her 82nd birthday.
- 1999\586 Ruth and Leonard Riessen, Vail – For celebrating their 50th wedding anniversary.
- 1999\587 Lillian and George Dahms, Garwin – For celebrating their 75th wedding anniversary.
- 1999\588 Ella Neumann, Strawberry Point – For celebrating her 80th birthday.
- 1999\589 Donald and Bertha Gibbons, Waterloo – For celebrating their 60th wedding anniversary.
- 1999\590 Frances Knode, Waterloo – For celebrating her 80th birthday.
- 1999\591 Eleanor Erland, Vinton – For celebrating her 80th birthday.
- 1999\592 Michael Donohue, Spirit Lake – For being named to the 1999 Boys' Academic All-State Team.
- 1999\593 Greg Forney and The Okoboji Jazz Band, Milford – For winning the 1999 Iowa Jazz Championship.
- 1999\594 Nordein Peterson, Wallingford – For celebrating his 80th birthday.
- 1999\595 Dora Parrott, Manchester – For celebrating her 98th birthday.
- 1999\596 Clare and Howard Kirkwood, Ryan – For celebrating their 60th wedding anniversary.
- 1999\597 Dolores and Robert Miley, Ottumwa – For celebrating their 50th wedding anniversary.
- 1999\598 Peg Walton, Masonville – For celebrating her 80th birthday.
- 1999\599 Kathryn I. Burrows, La Porte City – For celebrating her 85th birthday.
- 1999\600 Louise McKeown, Tripoli – For celebrating her 90th birthday.
- 1999\601 Lucille Wagner, Farmersburg – For celebrating her 90th birthday.
- 1999\602 Don McKale, Toledo – For celebrating his 85th birthday.
- 1999\603 Marie Schroeder, Elkader – For celebrating her 85th birthday.
- 1999\604 Mel Webber, Elkader – For celebrating his 80th birthday.

1999\605 Ruby and Alvin Koehn, Elkader - For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENT

House File 751

Ways and Means: Houser, Chair; Drake and Larkin.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 258

Ways and Means: Teig, Chair; Hoffman, Jenkins, Jochum and Shoultz.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

Senate Joint Resolution 12, a joint resolution to nullify an administrative rule of the secretary of state concerning preparation of descriptions of constitutional amendments and statewide public measures and providing an effective date.

Fiscal Note is not required.

Committee Action: **Failed to Pass** April 6, 1999.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly House Concurrent Resolution 18), requesting establishment of a legislative interim study committee to review the authority and responsibilities of townships as a unit of local government in this state.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 1, 1999.

COMMITTEE ON WAYS AND MEANS

Senate File 305, a bill for an act relating to the payment by a county of the family farm tax credit and reimbursement to the county of its payment and including an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 1999.

Senate File 308, a bill for an act relating to the levy rate for fire protection imposed in an area of a benefited fire district and including an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 1999.

RESOLUTIONS FILED

HCR 21, by committee on local government, a concurrent resolution requesting establishment of a legislative interim study committee to review legal, budget, and financial aspects of volunteer fire protective services, emergency medical services, and other vital services provided under the auspices of townships.

Laid over under **Rule 25**.

HR 14, by Millage, Myers, Mascher, Doderer, Corbett, Siegrist, Alons, Arnold, Barry, Baudler, Bell, Blodgett, Boal, Boddicker, Boggess, Bradley, Brauns, Brunkhorst, Bukta, Burnett, Carroll, Cataldo, Chapman, Chiodo, Cohoon, Connors, Cormack, Davis, Dix, Dolecheck, Dotzler, Drake, Drees, Eddie, Falck, Fallon, Foege, Ford, Frevert, Garman, Gipp, Greiner, Grundberg, Hahn, Hansen, Heaton, Hoffman, Holmes, Holveck, Horbach, Houser, Huseman, Huser, Jacobs, Jager, Jenkins, Jochum, Johnson, Kettering, Klemme, Kreiman, Kuhn, Larkin, Larson, Lord, Martin, May, Mertz, Metcalf, Mundie, Murphy, Nelson, O'Brien, Osterhaus, Parmenter, Raecker, Rants, Rayhons, Reynolds, Richardson, Scherrman, Schrader, Shoultz, Stevens, Sukup, Sunderbruch, Taylor, Teig, Thomas, Thomson, Tyrrell, Van Engelenhoven, Van Fossen, Warnstadt, Weidman, Weigel, Welter, Whitead, Wise, and Witt, a resolution congratulating the University of Iowa Men's Basketball Team.

Laid over under **Rule 25**.

HR 15, by Davis, Corbett, Siegrist, Alons, Arnold, Barry, Baudler, Bell, Blodgett, Boal, Boddicker, Boggess, Bradley, Brauns, Brunkhorst, Bukta, Burnett, Carroll, Cataldo, Chapman, Chiodo, Cohoon, Connors, Cormack, Dix, Doderer, Dolecheck, Dotzler, Drake,

Drees, Eddie, Falck, Fallon, Foege, Ford, Frevert, Garman, Gipp, Greiner, Grundberg, Hahn, Hansen, Heaton, Hoffman, Holmes, Holveck, Horbach, Houser, Huseman, Huser, Jacobs, Jager, Jenkins, Jochum, Johnson, Kettering, Klemme, Kreiman, Kuhn, Larkin, Larson, Lord, Martin, Mascher, May, Mertz, Metcalf, Millage, Mundie, Murphy, Myers, Nelson, O'Brien, Osterhaus, Parmenter, Raecker, Rants, Rayhons, Reynolds, Richardson, Scherrman, Schrader, Shoultz, Stevens, Sukup, Sunderbruch, Taylor, Teig, Thomas, Thomson, Tyrrell, Van Engelenhoven, Van Fossen, Warnstadt, Weidman, Weigel, Welter, Whitead, Wise, and Witt, a resolution congratulating the Indian Hills Men's Basketball Team.

Laid over under **Rule 25.**

HR 16, by Gipp, Myers, Mascher, Doderer, Corbett, Alons, Arnold, Barry, Baudler, Bell, Blodgett, Boal, Boddicker, Boggess, Bradley, Brauns, Brunkhorst, Bukta, Burnett, Carroll, Cataldo, Chapman, Chiodo, Cohoon, Connors, Cormack, Davis, Dix, Dolecheck, Dotzler, Drake, Drees, Eddie, Falck, Fallon, Foege, Ford, Frevert, Garman, Greiner, Grundberg, Hahn, Hansen, Heaton, Hoffman, Holmes, Holveck, Horbach, Houser, Huseman, Huser, Jacobs, Jager, Jenkins, Jochum, Johnson, Kettering, Klemme, Kreiman, Kuhn, Larkin, Larson, Lord, Martin, May, Mertz, Metcalf, Millage, Mundie, Murphy, Nelson, O'Brien, Osterhaus, Parmenter, Raecker, Rants, Rayhons, Reynolds, Richardson, Scherrman, Schrader, Shoultz, Siegrist, Stevens, Sukup, Sunderbruch, Taylor, Teig, Thomas, Thomson, Tyrrell, Van Engelenhoven, Van Fossen, Warnstadt, Weidman, Weigel, Welter, Whitead, Wise, and Witt, a resolution congratulating the University of Iowa Hawkeyes Wrestling Team.

Laid over under **Rule 25.**

AMENDMENTS FILED

H—1426	H.F.	760	Millage of Scott
H—1427	H.F.	760	Murphy of Dubuque
H—1428	H.F.	760	Murphy of Dubuque
H—1429	S.F.	449	Jochum of Dubuque
H—1430	H.F.	760	Osterhaus of Jackson
H—1431	H.F.	760	Osterhaus of Jackson
H—1432	H.F.	760	Osterhaus of Jackson

H—1433	H.F.	760	Osterhaus of Jackson
H—1434	S.F.	249	Hoffman of Crawford
H—1440	H.F.	747	Rants of Woodbury
H—1441	H.F.	760	Raecker of Polk
H—1442	H.F.	760	Sukup of Franklin Heaton of Henry
H—1443	H.F.	760	Osterhaus of Jackson Foege of Linn Reynolds of Van Buren Taylor of Linn Larkin of Lee Cohon of Des Moines Scherrman of Dubuque Connors of Polk Frevert of Palo Alto Mascher of Johnson Cataldo of Polk Drees of Carroll
			Myers of Johnson
			Bukta of Clinton
			Chapman of Linn
			Falck of Fayette
			Mundie of Webster
			Burnett of Story
			Kuhn of Floyd
			Witt of Black Hawk
			Holveck of Polk
			Murphy of Dubuque
			Wise of Lee
			Parmenter of Story
H—1444	H.F.	760	Heaton of Henry Brunkhorst of Bremer Martin of Scott
H—1445	S.F.	449	Fallon of Polk
H—1446	S.F.	449	Fallon of Polk
H—1447	S.F.	449	Fallon of Polk
H—1448	S.F.	449	Fallon of Polk
H—1449	H.F.	760	Heaton of Henry Arnold of Lucas Johnson of Osceola
			Houser of Pottawattamie Blodgett of Cerro Gordo
H—1450	S.F.	95	Bradley of Clinton
H—1451	H.F.	760	Foege of Linn
H—1452	S.F.	449	Fallon of Polk
H—1453	S.F.	449	Fallon of Polk
H—1454	S.F.	395	Kreiman of Davis Kettering of Sac
H—1455	H.F.	760	Heaton of Henry
H—1456	H.F.	760	Heaton of Henry Arnold of Lucas Johnson of Osceola
			Houser of Pottawattamie Blodgett of Cerro Gordo
H—1457	H.F.	760	Hansen of Pottawattamie

H—1458	S.F.	449	Fallon of Polk
H—1459	S.F.	449	Fallon of Polk
H—1460	S.F.	449	Fallon of Polk
H—1461	S.F.	449	Fallon of Polk
H—1462	H.F.	760	Houser of Pottawattamie Myers of Johnson
H—1463	H.F.	760	Kreiman of Davis Foege of Linn
H—1464	H.F.	760	Heaton of Henry Brunkhorst of Bremer Hansen of Pottawattamie
H—1465	S.F.	189	Kreiman of Davis
H—1466	S.F.	189	Kreiman of Davis Parmenter of Story
H—1467	S.F.	449	Grundberg of Polk
H—1468	S.F.	449	Mascher of Johnson
H—1469	H.F.	760	Heaton of Henry
H—1470	H.F.	760	Heaton of Henry
H—1471	S.F.	189	Kreiman of Davis Falck of Fayette Parmenter of Story
H—1472	S.F.	449	Fallon of Polk
H—1477	H.F.	760	Van Engelenhoven of Mahaska Heaton of Henry
H—1478	H.F.	760	Heaton of Henry Dix of Butler
H—1479	H.F.	760	Myers of Johnson
H—1480	H.F.	760	Houser of Pottawattamie Heaton of Henry
H—1481	H.F.	760	Carroll of Poweshiek Thomson of Linn Boal of Polk Jager of Black Hawk Alons of Sioux Johnson of Osceola Tyrrell of Iowa
H—1482	S.F.	449	Fallon of Polk
H—1483	S.F.	449	Fallon of Polk Chiodo of Polk Cataldo of Polk
H—1484	S.F.	449	Fallon of Polk

H—1485	S.F.	449	Fallon of Polk
H—1486	H.F.	760	Heaton of Henry
H—1487	H.F.	744	Carroll of Poweshiek
H—1488	H.F.	497	Metcalf of Polk

On motion by Siegrist of Pottawattamie the House adjourned at 6:12 p.m., until 8:45 a.m., Wednesday, April 7, 1999.

JOURNAL OF THE HOUSE

Eighty-seventh Calendar Day - Fifty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 7, 1999

The House met pursuant to adjournment at 8:50 a.m., Gipp of Winneshiek in the chair.

Prayer was offered by Reverend Lawrence R. Hoffman, pastor of St. Anthony's Catholic Church, Des Moines.

The Journal of Tuesday, April 6, 1999 was approved..

PETITION FILED

The following petition was received and placed on file:

By Kuhn of Floyd, from one hundred eight constituents of House district 29 favoring a fuel quality standard in Iowa.

SPECIAL PRESENTATION

Van Engelenhoven of Mahaska presented to the House from the Speaker's station, Elizabeth Schepel, Queen of the 1999 Pella Tulip Festival.

Queen Elizabeth Schepel presented her attendants, Lindsey Kraayenbrink, Amy Steenhoek, Jessica Van Ee and Rachel Henderson.

Also present from Pella were the parents of the Queen and her court, and sponsors Sue Brandl and Lois Vermeer. They wore native Dutch costumes and distributed the famous Pella Dutch cookies.

Queen Schepel addressed the House briefly. The court presented a song honoring "Pella's Tulip Festival" and invited everyone to attend the Pella Tulip festival May 6, 7 and 8th, 1999. They also sang a special Dutch birthday song to Emily Raecker, daughter of the Honorable Scott Raecker, state representative from Polk County.

The House rose and expressed its welcome.

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 6, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 468, a bill for an act relating to and making appropriations to the justice system and providing effective dates.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 9:03 a.m., until the fall of the gavel.

The House resumed session at 11:12 a.m., Gipp of Winneshiek in the chair.

SENATE MESSAGE CONSIDERED

Senate File 468, by committee on appropriations, a bill for an act relating to and making appropriations to the justice system and providing effective dates.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Holveck of Polk, until his arrival, on request of Schrader of Marion; Speaker Corbett on request of Siegrist of Pottawattamie.

CONSIDERATION OF BILLS Unfinished Business Calendar

House File 650, a bill for an act relating to the taking of muskrats by colony trap, was taken up for consideration.

SENATE FILE 265 SUBSTITUTED FOR HOUSE FILE 650

Baudler of Adair asked and received unanimous consent to substitute Senate File 265 for House File 650.

Senate File 265, a bill for an act relating to the taking of muskrats by colony trap, was taken up for consideration.

Baudler of Adair 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?" (S.F. 265)

The ayes were, 91:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chiodo	Cphoon	Cormack	Davis
Dix	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Houser
Huseman	Huser	Jacobs	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lord
Martin	Mascher	May	Mertz
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	O'Brien	Osterhaus
Parmenter	Raecker	Rants	Rayhons
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Gipp,	
		Presiding	

The nays were, 1:

Witt

Absent or not voting, 8:

Chapman	Connors	Corbett, Spkr.	Doderer
Greiner	Holveck	Jager	Jenkins

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

HOUSE FILE 650 WITHDRAWN

Baudler of Adair asked and received unanimous consent to withdraw House File 650 from further consideration by the House.

Regular Calendar

Senate File 55, a bill for an act to legalize the transfer of certain property by the joint county system of Black Hawk and Buchanan counties to the Independence community school district, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Kettering of Sac 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?" (S.F. 55)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boguess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chiodo	Cohoon	Cormack	Davis
Dix	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter

Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Gipp, Presiding	

The nays were, none.

Absent or not voting, 5:

Chapman	Connors	Corbett, Spkr.	Doderer
Holveck			

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

Unfinished Business Calendar

House File 516, a bill for an act updating the Iowa Code references to the Internal Revenue Code, extending the loss carryback period for farm net operating losses, providing certain tax credits to estates and trusts, and providing an effective date and a retroactive applicability date, was taken up for consideration.

SENATE FILE 230 SUBSTITUTED FOR HOUSE FILE 516

Hoffman of Crawford asked and received unanimous consent to substitute Senate File 230 for House File 516.

Senate File 230, a bill for an act updating the Iowa Code references to the Internal Revenue Code, extending the loss carryback period for farm net operating losses, providing certain tax credits to estates and trusts, and providing an effective date and a retroactive applicability date, was taken up for consideration.

Holmes of Scott offered the following amendment H-1425 filed by Holmes, et al., and moved its adoption:

H-1425

- 1 Amend Senate File 230, as passed by the Senate, as
- 2 follows:

3 1. Page 4, by inserting after line 10 the
 4 following:
 5 "Sec. __. Section 422.33, Code 1999, is amended
 6 by adding the following new subsection:
 7 NEW SUBSECTION. 9. The taxes imposed under this
 8 division shall be reduced by a franchise tax credit.
 9 A taxpayer who is a shareholder in a financial
 10 institution, as defined in section 581 of the Internal
 11 Revenue Code, which has in effect for the tax year an
 12 election under subchapter S of the Internal Revenue
 13 Code shall compute the amount of the tax credit by
 14 recomputing the amount of tax under this division by
 15 reducing the taxable income of the taxpayer by the
 16 taxpayer's pro rata share of the items of income and
 17 expense of the financial institution. This recomputed
 18 tax shall be subtracted from the tax computed under
 19 this division and the resulting amount, which shall
 20 not exceed the taxpayer's pro rata share of franchise
 21 tax paid by the financial institution, is the amount
 22 of the franchise tax credit allowed."
 23 2. Title page, line 4, by inserting after the
 24 word "trusts," the following: "providing a franchise
 25 tax credit to certain taxpayers,".

Amendment H-1425 was adopted.

Hoffman of Crawford 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?" (S.F. 230)

The ayes were, 92:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chiodo	Cohoon	Cormack	Davis
Dix	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Greiner	Hahn	Heaton	Hoffman
Holmes	Horbach	Houser	Huseman
Huser	Jacobs	Jager	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien

Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Shoultz	Siegrist	Stevens	Sukup
Sunderbruch	Taylor	Teig	Thomas
Thomson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Weigel	Welter
Whitead	Wise	Witt	Gipp, Presiding

The nays were, none.

Absent or not voting, 8:

Chapman	Connors	Corbett, Spkr.	Doderer
Grundberg	Hansen	Holveck	Schrader

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

HOUSE FILE 516 WITHDRAWN

Hoffman of Crawford asked and received unanimous consent to withdraw House File 516 from further consideration by the House.

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 265, 55 and 230.**

Regular Calendar

Senate File 68, a bill for an act relating to counties included in the mid-America port commission, with report of committee recommending passage, was taken up for consideration.

SPECIAL PRESENTATION

Hoffman of Crawford presented to the House the Honorable Don Gries, former state representative from Crawford County, and his wife Dorothy.

The House rose and expressed its welcome.

Hahn of Muscatine 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?" (S.F. 68)

The ayes were, 94:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chiodo	Cohoon	Cormack	Davis
Dix	Dolecheck	Dotzler	Drake
Drees	Eddie	Falck	Fallon
Foege	Ford	Frevert	Garman
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Weigel	Welter	Whitead	Wise
Witt	Gipp,		
	Presiding		

The nays were, none.

Absent or not voting, 6:

Chapman	Connors	Corbett, Spkr.	Doderer
Holveck	Tyrell		

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

HOUSE FILE 163 WITHDRAWN

Wise of Lee asked and received unanimous consent to withdraw House File 163 from further consideration by the House.

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 68** be immediately messaged to the Senate.

On motion by Siegrist of Pottawattamie, the House was recessed at 11:45 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:02 p.m., Eddie of Buena Vista in the chair.

QUORUM CALL

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

Gipp of Winneshiek in the chair at 1:08 p.m.

HOUSE FILE 253 WITHDRAWN

Jacobs of Polk asked and received unanimous consent to withdraw House File 253 from further consideration by the House.

CONSIDERATION OF BILLS

Ways and Means Calendar

Senate File 176, a bill for an act relating to the elimination of investment counseling as a taxable service under the state sales and use taxes, with report of committee recommending passage, was taken up for consideration.

Boal 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?" (S.F. 176)

The ayes were, 68:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Brauns	Brunkhorst	Bukta
Carroll	Chiado	Cohoon	Cormack
Davis	Dix	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Garman	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Huseman
Jacobs	Jager	Jenkins	Johnson
Kettering	Klemme	Kreiman	Larkin
Larson	Lord	Martin	May
Mertz	Metcalf	Millage	Mundie
Nelson	O'Brien	Raecker	Rants
Rayhons	Reynolds	Schrader	Siegrist
Stevens	Sukup	Sunderbruch	Teig
Thomas	Thomson	Tyrrell	Van Fossen
Warnstadt	Weidman	Welter	Gipp, Presiding

The nays were, 23:

Bradley	Burnett	Doderer	Foege
Ford	Frevert	Greiner	Huser
Jochum	Kuhn	Mascher	Murphy
Myers	Osterhaus	Parmenter	Richardson
Scherrman	Shoultz	Taylor	Van Engelenhoven
Whitead	Wise	Witt	

Absent or not voting, 8:

Cataldo	Chapman	Connors	Corbett, Spkr.
Fallon	Grundberg	Holveck	Houser

Under the provision of Rule 76, conflict of interest, Weigel of Chickasaw refrained from voting.

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

Regular Calendar

Senate File 264, a bill for an act relating to the regulatory authority of the natural resource commission on the Sac and Fox tribe of the Mississippi in Iowa settlement in Tama county, with report of committee recommending passage, was taken up for consideration.

Dotzler of Black Hawk 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?" (S.F. 264)

The ayes were, 95:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Bogges	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chiodo	Cphoon	Cormack	Davis
Dix	Doderer	Dolecheck	Dotzler
Drake	Drees	Eddie	Falck
Foege	Ford	Frevert	Garman
Greiner	Grundberg	Hahn	Hansen
Heaton	Hoffman	Holmes	Horbach
Houser	Huseman	Huser	Jacobs
Jager	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lord	Martin
Mascher	May	Mertz	Metcalf
Millage	Mundie	Murphy	Myers
Nelson	O'Brien	Osterhaus	Parmenter
Raecker	Rants	Rayhons	Reynolds
Richardson	Scherrman	Schrader	Shoultz
Siegrist	Stevens	Sukup	Sunderbruch
Taylor	Teig	Thomas	Thomson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Weigel	Welter	Whitead
Wise	Witt	Gipp, Presiding	

The nays were, none.

Absent or not voting, 5:

Chapman	Connors	Corbett, Spkr.	Fallon
Holveck			

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

IMMEDIATE MESSAGES

Siegrist of Pottawattamie asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 176 and 264.**

Senate File 67, a bill for an act relating to the assessment of civil damages for the illegal taking of a swan or a crane, with report of committee recommending passage, was taken up for consideration.

Baudler of Adair 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?" (S.F. 67)

The ayes were, 89:

Alons	Arnold	Barry	Baudler
Bell	Blodgett	Boal	Boddicker
Boggess	Bradley	Brauns	Brunkhorst
Bukta	Burnett	Carroll	Cataldo
Chiodo	Cphoon	Connors	Cormack
Davis	Dix	Doderer	Dolecheck
Drake	Drees	Eddie	Foege
Ford	Frevert	Garman	Hahn
Hansen	Heaton	Hoffman	Holmes
Houser	Huser	Jacobs	Jager
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Lord	Martin	Mascher	May
Mertz	Metcalf	Millage	Mundie
Murphy	Myers	Nelson	O'Brien
Osterhaus	Parmenter	Raecker	Rants
Rayhons	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Siegrist	Stevens
Sukup	Sunderbruch	Taylor	Teig
Thomas	Thomson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Weigel
Welter	Whitead	Wise	Witt
Gipp, Presiding			

The nays were, none.

Absent or not voting, 11:

Chapman	Corbett, Spkr.	Dotzler	Falck
Fallon	Greiner	Grundberg	Holveck
Horbach	Huseman	Larson	

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

IMMEDIATE MESSAGE

Siegrist of Pottawattamie asked and received unanimous consent that **Senate File 67** be immediately messaged to the Senate.

Unfinished Business Calendar

House File 760, a bill for an act relating to appropriations for the department of human services and including other provisions and appropriations involving human services and health care, and providing effective dates, was taken up for consideration.

Siegrist of Pottawattamie asked and received unanimous consent that House File 760 be deferred and that the bill retain its place on the calendar.

COMMITTEE TO NOTIFY THE SENATE

Boal of Polk moved that a committee of three be appointed to notify the Senate that the House was ready to receive it in joint convention.

The motion prevailed and the Speaker appointed as such committee, Boal of Polk, Horbach of Tama and Parmenter of Story.

Boal, chair of the committee appointed to notify the Senate that the House was ready to receive it in joint convention, reported the committee had performed its duty. The report was received and the committee discharged.

The Sergeant-at-Arms announced the arrival of the President of the Senate, the Secretary of the Senate and the honorable body of the Senate.

The President was escorted to the Speaker's station; the Secretary to the Chief Clerk's desk and the members of the Senate were seated in the House chamber.

JOINT CONVENTION
PIONEER LAWMAKERS
FIFTY-FIFTH BIENNIAL SESSION

In accordance with Senate Concurrent Resolution 6 duly adopted, the joint convention was called to order, President Kramer presiding.

President Kramer announced a quorum present and the joint convention duly organized.

Senator Hedge of Mahaska moved that a committee of four be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed and the President appointed as such committee Senator Lamberti of Polk and Senator Flynn of Dubuque on the part of the Senate, and Representative Weidman of Cass and Representative Reynolds of Van Buren, on the part of the House.

The committee escorted the Pioneer Lawmakers into the House chamber.

President Kramer presented Senator Donald Redfern, President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Kramer presented Representative Christopher Rants, Speaker pro tempore of the House, who welcomed the Pioneer Lawmakers on behalf of the House of Representatives.

President Kramer presented the Honorable Richard Drake, member of the Senate who responded to the welcome.

The Honorable Richard Drake announced the 1979 class of legislators who were eligible to become members of the Pioneer Lawmakers.

Honorary members of the 1999 class were the following: Virgil Deering, Edward Failor, James Flansburg and Serge Garrison.

The Honorable Richard Drake presented Dave Yepsen, Chief Political Writer for the Des Moines Register, who addressed the joint convention as follows:

Madame President, Mr. Speaker, Pioneer Lawmakers, Ladies and Gentlemen of the Iowa General Assembly:

Thank you for inviting me to address the Pioneer Lawmakers session of the Legislature.

When Senator Drake asked me if I would make a few remarks to the Pioneer Lawmakers session, I said I surely would and was honored that he asked. But I also asked if he had the votes to get that motion approved. After all, many of you hear more from me on Monday morning than you really care to.

Senator Drake replied, "Haven't you ever been to a transportation committee meeting?" Well, yes, I replied. They're fun to cover if you're up at that hour or don't blink. "Then you know I've got the votes," he said. "Just keep it short."

So thank you Senator for the invitation. In that spirit, I'll proceed. Far be it from me to do anything to impede the adjournment of this session. What was it you promised, Representative Siegrist - April 23?

This is actually the second time I have addressed the Iowa General Assembly. The first time, in June, 1967, I was the 17-year old governor of the American Legion Boys State program. They weren't in too good of a mood, mired in a June session as they were. I told them they should lower the voting age. They didn't.

And legislators haven't taken my suggestions since, so I'll not preach any here today. However, my work has been acknowledged frequently from the floor of each chamber although not always in flattering terms.

I was recognized once by Representative Doderer. Fourteen years ago this month she rose on a point of personal privilege to say this was an important day for Iowa women. Everyone looked around the chamber to ask what was going on. She said, "David Yepsen's wife just had a baby girl and that's going to make him a whole lot more sensitive to the needs of Iowa women than he's been."

Well, I want to report, Representative Doderer, that Elizabeth's teachers have given her the tests and find she has a "slightly liberal" political philosophy. I told Governor Vilsack that, and he said tell your wife she's doing a good job raising your daughter.

To the point here today, my friend John Flannery out in the lobby is fond of telling me that this place is really just one big family. We've all got our roles to play as members, as staff, as reporters, doorkeepers, clerks, secretaries or lobbyists or pages. We work, fight, celebrate and commiserate together. Like it or not, for several months

out of the year we're all thrown together into this hothouse atmosphere where we all play that part and try to do the right things for the people of Iowa.

I tell John I think he's right because you don't get to choose all the members of your real family either. Sometimes our family roles conflict. Most of you understand the press has a watchdog role to play in our society. But you still don't like it when we write those stories about campaign finance, ethics or secrecy in government. But that's our job.

But John's on to something. Regardless of the role we play in this statehouse family, we all come here with a fierce love of Iowa and a desire to make it better. It's a trait that has gone on in these halls for over 100 years and if Senator Jensen has his way, it'll go on here in a newly restored capitol for another 100 years. In fact, it may take 100 years to complete the restoration.

For decades, men and women from all walks of life have come to this building to serve Iowa. Most of us could be making more money doing something else. Most make personal, financial and family sacrifices to be here. All of us have had the unpleasant experience of calling a spouse or loved one to tell them we won't be home for dinner that night or have to work this weekend. If it weren't for their understanding many couldn't work here. So on this day of remembrances, I'd like to acknowledge your families at home who put up with so much to enable you to be here. We overlook them too often.

There are also lots of hidden stories in this statehouse family that really never get told. Like the members who helped one another through tough financial times, or help a colleague fight an alcohol problem or console one another in time of trouble. Some great battles have been fought on this floor. But some lifelong friendships have been formed here too and today's the day we renew those friendships and forget the fights.

It's a story we don't often write because they're private matters. But they're no less real and it's why all of us are saying our prayers for Stew and Jean Iverson right now.

I have noticed over the years there are family rituals to this place and Pioneer Lawmakers is one of them. Every two years we get together to honor the family elders – those members who came here twenty years ago and to remember those members who have passed away.

This year, we honor the Class of 1979 – those lawmakers who were first elected in 1978. That was just a year after I was assigned to cover the statehouse. It seems like yesterday I was walking into the building and thinking what a beautiful but intimidating place this was.

I think most of us can recall a similar memory of our first day walking into this capitol to go to work, whatever our job. We were all newcomers to the family and, truth be told, we are all honored to come to work each day. I succeeded Jim Flansburg who had succeeded George Mills.

They passed on a lot of advice – like:

– "Watch the code editor's bill. Laverne Schroeder repealed the whole state housing code one year in that bill."

- And "it isn't really tea that Jimmy Briles has in his cup on the last night of the session."

- "Watch the IPERS bill to see if there's still someone in Boone County who Jack Nystrom hasn't got covered."

- "In 20 years, you'll figure out what really went on." Which is why I'm looking forward today to finding out what deals really were cut in that usury debate of twenty years ago.

- Or, debate will always be long-winded when it's a bill everyone understands and short when they don't understand it. So we all know we're in for a long afternoon when there's a bill about dove hunting, fences or farm pickup trucks.

- Or don't go out with Ed Jones at night if you have to be functional the next day.

1978 was an important election in the country and in Iowa. It was a harbinger election that foretold the sweeping change coming in the 1980 election. In Iowa, Democratic U.S. Senator Dick Clark was upset by Roger Jepsen. It was a stunning upset, caused as many Catholic and evangelical voters left the Democratic party over the abortion issue. For the most part, they have not returned and the shape of politics has been different ever since. The change in politics was affirmed in 1980 by the Reagan landslide, an election that fundamentally changed the nation's philosophy toward government.

The change rippled through legislative politics, too. Democrats who had won the Legislature during the Watergate era lost it to the Republicans in 1978. The GOP control would be short-lived, thanks to the farm crisis of the 1980s that made Democrats out of many rural voters.

The only good news for Democrats that year was the election of Tom Miller as Iowa's new attorney general. He defeated the eminently quotable Richard Turner, who was always a reporter's best friend on a slow news day.

Bob Ray won yet another term as governor, defeating Jerry Fitzgerald. Lieutenant Governor Art Neu retired from that job, having grown tired of waiting around for Ray to leave his job. That enabled an unknown state representative named Terry Branstad to win the Lieutenant Governorship and we just all knew that little guy was going nowhere in Iowa politics.

A new generation of leaders emerged that year. Lowell Junkins became minority leader in the Iowa Senate. Cal Hultman became majority leader. Those two have proven that there really is life after the Legislature and it's often quite profitable, too.

What the election of 1978 illustrated was something that is still true today. Iowa has a healthy, vigorous two-party system. The two parties in Iowa compete hard with one another for the support of Iowans. When that competition turns nasty we're all losers. But when that competition turns positive as each side tries to outdo the other by offering the best candidates and best ideas they can find, then all of us in Iowa are the winners.

That's the kind of session you are having this year and it's commendable. A healthy two-party system is alive and well in Iowa today.

The 1979 session of the Legislature was memorable for a couple reasons. They had a \$150 million surplus that year and gave a third of it back to the taxpayers in a rebate. That's not been repeated since but just imagine what these boys could do today with a \$900 million surplus!

They also started income tax indexing. Inflation was 9.4 percent that year so that meant something to taxpayers. Unlike the rebate, indexing's an idea that successors have kept around.

They legalized graduated payment mortgages and variable rate mortgages. They cut unemployment benefits and allowed credit unions to run checking accounts.

Much has changed since 1978 and not all of it for the better. Budgets are larger. Staffs bigger. The costs of campaigns have exploded and they're about to become more expensive now that corporate contributions are legal. Why, in 1978, you could win an open seat in the Iowa Legislature for less than \$5,000!

Some things never change, though. If you aren't a member, it's still hard to find a place to park around here. There are about thirty lobbyists here who are former members and they'll all tell you the greatest mistake they made while serving was in not providing more places for people to park.

But a lot of good things have happened, too. It's more business-like. The work week is more family friendly. Marathon late night sessions are rare. More women serve in the Legislature today. Some day when half the membership is female, we'll be able to say we have a Legislature that truly reflects the population of this state.

But there I've started to preach and I promised not to do that. So to Senator Drake, thank you again for the invitation to address this joint session. To the Pioneer Lawmakers, welcome home. To the members, good luck in making that April 23rd adjournment.

And to both present and former members in this chamber, I want to say something those of us in the media rarely say – and that is thank you. Thank you for your personal sacrifice. Thank you for your public service. Thank you for trying to make Iowa better and for your willingness to be in what Theodore Roosevelt once called "The Arena."

On motion by Gipp of Winneshiek, the joint convention was dissolved at 2:28 p.m.

The House stood at ease at 2:28 p.m., until the fall of the gavel.

The House resumed session at 2:45 p.m., Gipp of Winneshiek in the chair.

SPECIAL PRESENTATION

Jager of Black Hawk presented to the House the Honorable Jim Nussle, United States Congressman from the second district.

The House expressed its welcome.

The House resumed consideration of House File 760.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-1455 filed by him on April 6, 1999, placing amendment H-1503 filed by Murphy of Dubuque from the floor, and amendment H-1494 filed by Warnstadt of Woodbury from the floor, out of order.

QUORUM CALL

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

Heaton of Henry offered amendment H-1486 filed by him as follows:

H-1486

- 1 Amend House File 760 as follows:
- 2 1. By striking page 3, line 35, through page 4,
- 3 line 2, and inserting the following: "239B:"
- 4 2. Page 4, by striking line 4.
- 5 3. Page 5, by striking line 32 and inserting the
- 6 following:
- 7 " \$ 51,730,229"
- 8 4. Page 6, by striking line 10 and inserting the
- 9 following:
- 10 " \$ 16,782,891"
- 11 5. Page 8, by inserting after line 11 the
- 12 following:
- 13 "1A. The department may use a portion of the
- 14 moneys credited to the family investment account under
- 15 this section, as necessary for salaries, support,
- 16 maintenance, and miscellaneous purposes for not more
- 17 than the following full-time equivalent positions:
- 18 FTEs 11.00"
- 19 6. Page 12, line 28, by inserting after the word
- 20 "may" the following: "continue to".
- 21 7. By striking page 12, line 35, through page 13,

- 22 line 2, and inserting the following: "area or number
23 of individuals."
24 8. Page 13, line 10, by striking the word "Of"
25 and inserting the following: "Notwithstanding section
26 8.57, subsection 5, paragraph "c", of".
27 9. Page 20, by striking line 1 and inserting the
28 following:
29 "Sec.____ CHILDREN'S HEALTH INSURANCE PROGRAM.
30 There is".
31 10. Page 20, line 15, by inserting after the word
32 "children" the following: "under the medical
33 assistance program".
34 11. Page 20, by striking line 23 and inserting
35 the following: "the children's health insurance
36 program."
37 12. Page 21, by inserting after line 5 the
38 following:
39 "3. The department shall conduct a study to
40 evaluate the feasibility of implementing a drug
41 product list under the medical assistance program,
42 based upon therapeutic appropriateness and negotiated
43 supplemental drug company rebates as a method to
44 promote cost-effective use of pharmaceuticals. The
45 results of the study shall be submitted by December
46 15, 1999, to the persons designated by this Act to
47 receive reports."
48 13. Page 21, by striking lines 12 through 14 and
49 inserting the following:
50 "For state supplementary assistance, funeral

Page 2

- 1 assistance, and the medical assistance home and
2 community-based services waiver rent subsidy program:"
3 14. Page 28, line 7, by striking the figure
4 "1998" and inserting the following: "1999".
5 15. Page 28, by inserting after line 11 the
6 following:
7 "6. Notwithstanding section 8.33, \$378,114 of the
8 moneys appropriated to the department of human
9 services in 1998 Iowa Acts, chapter 1218, section 14,
10 for a new cottage at the Iowa juvenile home shall not
11 revert but shall remain available for expenditure for
12 the purposes designated until the close of the
13 succeeding fiscal year."
14 16. Page 32, line 26, by striking the figure
15 "2000" and inserting the following: "2001,
16 notwithstanding section 8.33".
17 17. Page 36, by striking lines 6 through 11 and
18 inserting the following:
19 "To the extent possible, the personnel providing
20 school-based services shall be prepared with training

21 or experience relating to specific programming to best
22 intervene with youth at risk of being found delinquent
23 or determined to be a child in need of assistance."

24 18. Page 36, line 17, by striking the word "at"
25 and inserting the following: "with an average cost
26 of".

27 19. Page 45, line 25, by inserting after the word
28 "training," the following: "supported community
29 services,".

30 20. By striking page 52, line 34, through page
31 53, line 2, and inserting the following:

32 "5. For the fiscal year beginning July 1, 1999,
33 through September 30, 1999, the maximum reimbursement
34 rates for adoption and independent living services
35 shall remain at rates in effect at the close of the
36 previous fiscal year. Beginning on October 1, 1999,
37 such rates shall be increased by 2 percent over the
38 rates in effect on September 30, 1999. The maximum
39 reimbursement rates for".

40 21. Page 54, line 2, by striking the word "The"
41 and inserting the following: "For the period of July
42 1, 1999, through September 30, 1999, the maximum
43 reimbursement rate shall continue to be \$78.14.
44 Effective October 1, 1999, the".

45 22. Page 61, by inserting after line 33 the
46 following:

47 "DIVISION
48 HAWK-I

49 Sec. NEW SECTION. 514I.11 HAWK-I TRUST
50 FUND.

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1 1. A HAWK-I trust fund is created in the state
2 treasury under the authority of the department of
3 human services, in which all appropriations and other
4 revenues of the program such as grants, contributions,
5 and participant payments shall be deposited and used
6 for the purposes of the program. The moneys in the
7 fund shall not be considered revenue of the state, but
8 rather shall be funds of the program.

9 2. The trust fund shall be separate from the
10 general fund of the state and shall not be considered
11 part of the general fund of the state. The moneys in
12 the trust fund are not subject to section 8.33 and
13 shall not be transferred, used, obligated,
14 appropriated, or otherwise encumbered, except to
15 provide for the purposes of this chapter.
16 Notwithstanding section 12C.7, subsection 2, interest
17 or earnings on moneys deposited in the trust fund
18 shall be credited to the trust fund."

19 23. Page 62, by inserting after line 3 the

20 following:

21 "___ Section 1, relating to the social services

22 block grant supplementation."

23 24. Page 62, by inserting after line 11 the

24 following:

25 "___ Section 14, subsection 6, relating to

26 reversion of moneys appropriated for the Iowa juvenile

27 home in 1998 Iowa Acts, chapter 1218, section 14."

Warnstadt of Woodbury offered the following amendment H-1495, to amendment H-1486, filed by him from the floor and moved its adoption:

H-1495

1 Amend the amendment, H-1486, to House File 760 as

2 follows:

3 1. Page 1, by inserting after line 26 the

4 following:

5 "___ Page 13, line 15, by striking the word

6 "and".

7 ___ Page 13, line 16, by striking the word

8 "improvements." and inserting the following:

9 "improvements, and a necessary amount shall be used to

10 provide loans and grants for the construction, major

11 repair, or major renovation of child care centers

12 licensed pursuant to section 237A.2 for which loans

13 and grants the department, in cooperation with the

14 department of workforce development, shall adopt

15 rules. Any amount remaining following the use of the

16 moneys as provided in this subsection shall be

17 credited to the rebuild Iowa infrastructure fund."

Amendment H-1495 lost.

Murphy of Dubuque offered the following amendment H-1504, to amendment H-1486, filed by him from the floor and moved its adoption:

H-1504

1 Amend the amendment, H-1486, to House File 760, as

2 follows:

3 1. Page 2, by inserting after line 13 the

4 following:

5 "___ Page 28, by striking line 18 and inserting

6 the following:

7 ".....\$108,217,214"

8 2. Page 2, by striking lines 30 through 39.

- 9 3. Page 2, by striking lines 40 through 44.
- 10 4. By renumbering as necessary.

Amendment H-1504 lost.

Division of amendment H-1486 was requested as follows:

Page 1 - Lines 2 through 4, Division A; Lines 5 through 7, Division B; Lines 8 through 50, Division A.

Page 2 - Lines 1 through 50, Division A.

Page 3 - Lines 1 through 27, Division A.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-1486B.

Heaton of Henry moved the adoption of amendment H-1486A.

Amendment H-1486A was adopted.

Van Engelenhoven of Mahaska offered amendment H-1477 filed by him and Heaton of Henry as follows:

H-1477

1 Amend House File 760 as follows:

2 1. Page 5, by striking line 32 and inserting the
3 following:

4 "..... \$ 53,897,023"

5 2. Page 12, by inserting after line 13 the
6 following:

7 "e. For a pilot project for diversion from the
8 family investment program of persons adjudicated to
9 receive child welfare services who become 18 years of
10 age and cannot return to the parents' home, in
11 accordance with this paragraph:

12 \$ 100,000

13 The pilot project shall be a cooperative effort
14 involving a local office of the department and a local
15 service provider that is the recipient of a grant and
16 that provides local, private matching funds for the
17 project. Under the pilot project, the local service
18 provider shall provide housing and services to persons
19 participating in the project, and the local sources of
20 matching funds shall cover some of these expenses as
21 well as providing employment opportunities and other
22 assistance. The department shall provide funding for
23 staff expenses. The persons participating in the

- 24 project shall provide payment for housing and other
 25 services, based upon ability to pay. A goal of the
 26 pilot project is for participants to transition out of
 27 the pilot project within a year."
 28 2. By renumbering as necessary.

Van Engelenhoven of Mahaska offered the following amendment H-1500, to amendment H-1477, filed by him and Heaton of Henry from the floor and moved its adoption:

H-1500

- 1 Amend the amendment, H-1477, to House File 760 as
 2 follows:
 3 1. By striking line 4 and inserting the
 4 following:
 5 "" \$ 51,830,229""

Amendment H-1500 was adopted.

Van Engelenhoven of Mahaska moved the adoption of amendment H-1477, as amended.

Amendment H-1477 as amended, was adopted.

Carroll of Poweshiek offered the following amendment H-1481 filed by Carroll, et al., and moved its adoption:

H-1481

- 1 Amend House File 760 as follows:
 2 1. Page 6, line 19, by inserting after the word
 3 "services" the following: "and abstinence education
 4 programs and services".
 5 2. Page 6, by inserting after line 20 the
 6 following:
 7 "The additional \$400,000 appropriated in this
 8 subsection over the amount appropriated in the
 9 previous fiscal year, shall be used for programs that
 10 solely provide abstinence only education and
 11 services."
 12 3. Page 37, line 7, by inserting after the word
 13 "services" the following: "and abstinence education".

Roll call was requested by Carroll of Poweshiek and Myers of Johnson.

On the question "Shall amendment H-1481 be adopted?" (H.F. 760)

The ayes were, 35:

Alons	Barry	Baudler	Blodgett
Boal	Boddicker	Bradley	Brunkhorst
Davis	Dix	Dolecheck	Drake
Eddie	Garman	Greiner	Hoffman
Horbach	Houser	Huseman	Jager
Johnson	Klemme	Larson	Lord
Mertz	O'Brien	Raecker	Rants
Rayhons	Sukup	Sunderbruch	Thomson
Tyrell	Van Engelenhoven	Welter	

The nays were, 61:

Arnold	Bell	Bogges	Brauns
Bukta	Burnett	Carroll	Cataldo
Chiodo	Cohoon	Connors	Cormack
Doderer	Dotzler	Drees	Falck
Fallon	Foege	Ford	Frevert
Grundberg	Hahn	Hansen	Heaton
Holmes	Huser	Jacobs	Jenkins
Jochum	Kettering	Kreiman	Kuhn
Larkin	Martin	Mascher	May
Metcalf	Millage	Mundie	Murphy
Myers	Nelson	Osterhaus	Parmenter
Reynolds	Richardson	Scherrman	Schrader
Shoultz	Siegrist	Stevens	Taylor
Teig	Thomas	Warnstadt	Weidman
Weigel	Whitead	Wise	Witt
Gipp, Presiding			

Absent or not voting, 4:

Chapman	Corbett, Spkr.	Holveck	Van Fossen
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Amendment H-1481 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Cataldo of Polk, until his return, on request of Schrader of Marion.

Heaton of Henry offered amendment H-1456 filed by Heaton, et al., as follows:

H-1456

1 Amend House File 760 as follows:

- 2 1. Page 10, line 23, by inserting after the word
3 "services," the following: "mediation,"
- 4 2. Page 11, line 15, by inserting after the word
5 "positions" the following: "or to provide services".
- 6 3. Page 14, line 14, by inserting after the word
7 "deposits" the following: ", including any accrued
8 interest,".
- 9 4. Page 14, line 15, by inserting after the word
10 "state." the following: "The department shall also
11 receive refunds, including any accrued interest, of
12 assistance paid with funding available under this
13 program.".
- 14 5. Page 14, line 21, by inserting after the word
15 "state" the following: "or federal".
- 16 6. Page 20, line 33, by inserting after the word
17 "drugs." the following: "The department may adopt
18 emergency rules to implement this subsection."
- 19 7. Page 27, line 23, by inserting after the word
20 "appropriate." the following: "The principal option
21 considered in placing males shall be placement at
22 existing state facilities."
- 23 8. Page 35, by striking lines 29 through 35, and
24 inserting the following:
25 "18. The department shall evaluate the recidivism
26 rates of the public and private treatment programs for
27 juveniles, and shall submit an annual report of the
28 evaluation, by December 15, 1999, to the persons
29 designated in this Act for receipt of reports."
- 30 9. Page 36, line 5, by inserting after the word
31 "services." the following: "Funding allocated in this
32 subsection shall not be used for the purpose of
33 training."
- 34 10. Page 36, by striking lines 12 through 14 and
35 inserting the following:
36 "20. a. A necessary amount of the balance of
37 moneys received by the department for the fiscal year
38 beginning July 1, 1999, from the federal government,
39 for the supplemental disproportionate share and
40 supplemental indirect medical education adjustment
41 applicable to state-owned acute care hospitals with
42 more than 500 beds, that were transferred by such a
43 hospital and deposited with the appropriation in this
44 Act for medical assistance which are in excess of the
45 state share for medical assistance, shall not be
46 credited to the general fund of the state but instead
47 shall be credited to the appropriation made in this
48 section for use only as provided in this subsection.
49 b. The moneys credited to this appropriation shall
50 be used if there is any reduction in the federal

Page 2

1 financial participation amount for rehabilitation
 2 treatment services from the amount projected by the
 3 department in creating its budget. An additional
 4 amount of not more than \$600,000 shall be used to
 5 implement the recommendations of the legislative
 6 council's child welfare services work group. The
 7 recommendations to be implemented include but are not
 8 limited to securing additional federal financial
 9 participation under Title IV-E of the federal Social
 10 Security Act, developing an outcome-based data
 11 management system, and providing ongoing support for
 12 the work group activities. The department shall seek
 13 to obtain additional federal financial participation
 14 under Titles XIX and IV-E of the federal Social
 15 Security Act for activities eligible to draw federal
 16 funding and shall coordinate with the work group in
 17 implementing this and other recommendations of the
 18 work group."

19 11. Page 36, by inserting after line 18, the
 20 following:

21 "22. The department shall maximize the capacity to
 22 draw federal funding under Title IV-E of the federal
 23 Social Security Act and shall submit a quarterly
 24 report regarding such maximization to the legislative
 25 fiscal bureau, commencing with a report of the quarter
 26 beginning July 1, 1999." *

27 12. Page 43, by inserting after line 17 the
 28 following:

29 "During the fiscal year beginning July 1, 1999, the
 30 state hospital-school at Glenwood shall unbundle
 31 pharmaceutical costs from the per diem charges for
 32 services at the hospital-school. County billings
 33 under section 222.73 shall be reduced in an amount
 34 equivalent to pharmaceutical costs separately charged
 35 to medical assistance is a result of the unbundling."

36 13. By striking page 45, line 34, through page
 37 46, line 4, and inserting the following:

38 "For the costs of a reimbursement increase in
 39 accordance with this section for sheltered work, work
 40 activity, support employment, job placement, enclave,
 41 adult day care, transportation, community supervised
 42 apartment living arrangements, and adult residential
 43 services paid by a county under a state purchase of
 44 service (POS) or county contract:

45 \$ 2,000,000

46 1. A fiscal year 1997-1998 spending amount for the
 47 POS or county contract services designated above shall
 48 be determined for each county by identifying the
 49 amount expended for the services for fiscal year 1997-
 50 1998 in the county's expenditure report submitted by

Page 3

1 December 1, 1998, pursuant to section 331.439,
2 subsection 1, paragraph "a". The individual county
3 spending amounts shall be combined by the department
4 to identify a statewide spending amount. The moneys
5 appropriated in this section shall be distributed to
6 counties based on a county's proportion of the
7 statewide spending amount.

8 2. A county shall utilize the distributed moneys
9 to increase reimbursement of those POS or county
10 contract providers whose reimbursement is below the
11 provider's cost or who utilize the reimbursement
12 increase to enhance service staff compensation. A
13 county shall include a progress report describing the
14 county's usage of the distributed moneys as an
15 addendum to the county's expenditure report submitted
16 by December 1, 1999, pursuant to section 331.439,
17 subsection 1, paragraph "a", and a final report
18 describing the usage as an addendum to the expenditure
19 report submitted by December 1, 2000. It is the
20 intent of the general assembly that any amount that is
21 not utilized for the required purposes shall be
22 recovered in the fiscal year beginning July 1, 2000,
23 by reducing the county's social services block grant
24 local purchase allocation in an equivalent amount."

25 14. Page 49, by inserting after line 33, the
26 following:

27 "5. The department shall submit a quarterly
28 report, commencing with the quarter beginning July 1,
29 1999, to the legislative fiscal bureau specifying the
30 number and type of full-time equivalent positions in
31 the department that are funded but vacant."

32 15. Page 52, by inserting after line 3, the
33 following:

34 "1A. It is the intent of the general assembly
35 that, subject to the recommendations of the human
36 services provider reimbursement task force described
37 in this Act, beginning with the fiscal year commencing
38 July 1, 2000, the department shall utilize the
39 resource-based relative value system methodology to
40 determine medical provider reimbursement under the
41 medical assistance program."

42 16. Page 53, by striking lines 29 through 33, and
43 inserting the following: "services providers
44 effective October 1, 1999."

45 17. Page 54, by striking lines 19 through 22 and
46 inserting the following:

47 "_. Effective July 1, 1999, the maximum
48 reimbursement rate for psychiatric medical
49 institutions for children (PMICs) shall be increased
50 to \$145.74 per day, based on per day rates for actual

Page 4

- 1 costs on June 30, 1999."
- 2 18. Page 60, by striking lines 16 through 18, and
- 3 inserting the following: "department's budget. The
- 4 task force should be directed to".
- 5 19. Page 62, by inserting after line 18, the
- 6 following:
- 7 "___ Section 24, relating to reimbursement of
- 8 social services providers."

Murphy of Dubuque offered the following amendment H-1498, to amendment H-1456, filed by him from the floor and moved its adoption:

H-1498

- 1 Amend the amendment, H-1456 to House File 760 as
- 2 follows:
- 3 1. Page 1, by inserting after line 22 the
- 4 following:
- 5 "___ Page 28, by striking line 18 and inserting
- 6 the following:
- 7 \$108,116,380"
- 8 2. Page 3, by striking lines 42 through 44 and
- 9 inserting the following:
- 10 "___ Page 53, by striking lines 27 through 33,
- 11 and inserting the following: "family services,
- 12 \$2,652,296 is allocated to provide for a
- 13 reimbursement increase to rehabilitative treatment and
- 14 support services providers effective July 1, 1999."

Roll call was requested by Murphy of Dubuque and Siegrist of Pottawattamie.

On the question "Shall amendment H-1498 be adopted?" (H.F. 760)

The ayes were, 40:

Bell	Bukta	Burnett	Chiodo
Cohoon	Connors	Doderer	Dotzler
Drees	Falck	Fallon	Foege
Ford	Frevert	Huser	Jochum
Kreiman	Kuhn	Larkin	Mascher
May	Mertz	Mundie	Murphy
Myers	Osterhaus	Parmenter	Reynolds
Richardson	Scherrman	Schrader	Shoultz

Stevens	Taylor	Thomas	Warnstadt
Weigel	Whitead	Wise	Witt

The nays were, 53:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Boggess
Bradley	Brauns	Brunkhorst	Carroll
Davis	Dix	Dolecheck	Drake
Eddie	Garman	Greiner	Grundberg
Hahn	Hansen	Heaton	Hoffman
Holmes	Horbach	Houser	Huseman
Jacobs	Jager	Johnson	Kettering
Klemme	Larson	Lord	Martin
Metcalf	Millage	Nelson	Raecker
Rants	Rayhons	Siegrist	Sukup
Sunderbruch	Teig	Thomson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Welter

Gipp,
Presiding

Absent or not voting, 7:

Cataldo	Chapman	Corbett, Spkr.	Cormack
Holveck	Jenkins	O'Brien	

Amendment H-1498 lost.

Osterhaus of Jackson offered the following amendment H-1493, to amendment H-1456, filed by him from the floor and moved its adoption:

H-1493

- 1 Amend the amendment, H-1456, to House File 760 as
- 2 follows:
- 3 1. Page 2, by striking lines 3 through 18 and
- 4 inserting the following: "department in creating its
- 5 budget.
- 6 ____ Upon the approval of the director of the
- 7 department of management, up to \$600,000 of the amount
- 8 appropriated in this section may be used to implement
- 9 the recommendations of the legislative council's child
- 10 welfare services work group that are approved by the
- 11 director of human services. If approved by the
- 12 director, the recommendations to be implemented shall
- 13 include but are not limited to securing additional
- 14 federal financial participation under Title IV-E of
- 15 the federal Social Security Act, and developing an
- 16 outcome-based data management system. The department

- 17 shall seek to obtain additional federal financial
18 participation under Titles XIX and IV-E of the federal
19 Social Security Act for activities eligible to draw
20 federal funding and shall coordinate with the work
21 group in implementing this and other recommendations
22 of the work group."
23 2. By renumbering as necessary.

Amendment H-1493 was adopted.

Murphy of Dubuque asked and received unanimous consent to withdraw amendment H-1491, to amendment H-1456, filed by him from the floor.

Heaton of Henry offered the following amendment H-1496, to amendment H-1456, filed by him from the floor and moved its adoption:

H-1496

- 1 Amend the amendment, H-1456, to House File 760 as
2 follows:
3 1. Page 4, by striking lines 5 through 8.

Amendment H-1496 was adopted.

Division of amendment H-1456 was requested as follows:

- Page 1 - Lines 2 through 15, Division A; Lines 16 through 18,
Division B; Lines 19 through 50, Division A.
Page 2 - Lines 1 through 50, Division A.
Page 3 - Lines 1 through 50, Division A.
Page 4 - Lines 1 through 8, Division A.

Heaton of Henry moved the adoption of amendment H-1456A, as amended.

Amendment H-1456A, as amended, was adopted.

Heaton of Henry offered the following amendment H-1478 filed by him and Dix of Butler and moved its adoption:

H-1478

- 1 Amend House File 760 as follows:

2 1. Page 13, line 14, by inserting after the word
 3 "improvements," the following: "\$212,846 shall be
 4 used for a technology initiative to provide a buy-in
 5 option under the medical assistance program for
 6 persons with disabilities if Senate File 211 is
 7 enacted by the Seventy-eighth General Assembly, 1999
 8 Session,".

Amendment H-1478 was adopted.

Murphy of Dubuque offered the following amendment H-1387 filed by him and moved its adoption:

H-1387

1 Amend House File 760 as follows:
 2 1. Page 13, by striking lines 10 through 18, and
 3 inserting the following: "be used to continue the X-
 4 PERT computer system only in coordination with the
 5 information technology services division of the
 6 department of general services."
 7 2. Page 49, by striking line 12, and inserting
 8 the following:
 9 ".....\$ 14,651,308"

Amendment H-1387 lost.

Osterhaus of Jackson offered the following amendment H-1430 filed by him and moved its adoption:

H-1430

1 Amend House File 760 as follows:
 2 1. Page 15, by striking line 16 and inserting the
 3 following:
 4 ".....\$ 416,931,278"

Amendment H-1430 lost.

Foegen of Linn offered the following amendment H-1409 filed by him and moved its adoption:

H-1409

1 Amend House File 760 as follows:
 2 1. Page 19, by inserting after line 23 the
 3 following:
 4 "13. The nonfederal share of moneys refunded to

5 the department from the managed mental health and
6 substance abuse care plan shall be credited to this
7 medical assistance appropriation. Up to \$350,000 of
8 the refunded moneys may be transferred to be used as
9 matching funds for a children's mental health grant
10 managed by the division of mental health and
11 developmental disabilities."

Amendment H-1409 was adopted.

Houser of Pottawattamie offered the following amendment H-1462
filed by him and Myers of Johnson and moved its adoption:

H-1462

1 Amend House File 760 as follows:
2 1. Page 19, by inserting after line 23 the
3 following:
4 "___ The department shall aggressively take the
5 steps necessary to implement the rehabilitation option
6 for services to persons with chronic mental illness
7 under the medical assistance program through use of
8 county funding as a match for the federal funding."
9 2. By renumbering as necessary.

Amendment H-1462 was adopted.

Heaton of Henry offered the following amendment H-1444 filed by
Heaton, et al., and moved its adoption:

H-1444

1 Amend House File 760 as follows:
2 1. Page 19, by inserting after line 23, the
3 following:
4 "13. The department of human services, in
5 cooperation with the department of inspections and
6 appeals, shall develop a program plan to improve the
7 care provided to residents of nursing homes.
8 14. Notwithstanding any provision to the contrary
9 and if allowed under federal law and regulation, for
10 the fiscal year beginning July 1, 1999, \$130,000 of
11 the penalties collected as authorized by section
12 135C.36 shall not be deposited in the general fund of
13 the state but are appropriated and shall be used by
14 the department to continue to fund the recruitment and
15 retention strategies to provide additional training
16 and support for certified nurse aides, employed by
17 nursing facilities, as a means of reducing staff
18 turnover."

Amendment H-1444 was adopted.

Heaton of Henry offered the following amendment H-1449 filed by Heaton, et al., and moved its adoption:

H-1449

- 1 Amend House File 760 as follows:
- 2 1. Page 19, by inserting after line 23, the
- 3 following:
- 4 "___ The department shall adopt rules to apply
- 5 the reimbursement system utilized for nursing
- 6 facilities to skilled nursing facilities beginning
- 7 July 1, 2000. Funds available for reimbursement for
- 8 both nursing facilities and skilled nursing facilities
- 9 shall be combined for distribution in the fiscal year
- 10 beginning July 1, 2000.
- 11 ___ The department shall expand the requirements
- 12 of the cost reports submitted by nursing facilities to
- 13 include all of the following information:
- 14 a. Information concerning staffing ratios and
- 15 staffing costs including the number of hours spent per
- 16 resident per day on all of the following: nursing
- 17 services provided by registered nurses, licensed
- 18 practical nurses, certified nurse aides, restorative
- 19 aides, and certified medical aides; other care
- 20 services; administrative functions; housekeeping and
- 21 maintenance; and dietary services.
- 22 b. The starting and average hourly wage for all
- 23 classes of employees.
- 24 The information submitted shall be compiled by the
- 25 department and submitted to the general assembly to be
- 26 used to develop a new reimbursement system which links
- 27 higher reimbursement rates to improved nursing
- 28 staffing ratios and which distributes funding in a
- 29 manner which prioritizes the provision of direct care
- 30 to residents."
- 31 2. Page 51, by striking lines 16 through 25, and
- 32 inserting the following:
- 33 "f. The basis for establishing the maximum medical
- 34 assistance reimbursement rate for nursing facilities
- 35 shall be the 70th percentile of facility costs as
- 36 calculated from the June 30, 1999, unaudited
- 37 compilation of cost and statistical data. However, to
- 38 the extent funds are available within the amount
- 39 projected for reimbursement of nursing facilities
- 40 within the appropriation for medical assistance in
- 41 this Act for the fiscal year beginning July 1, 1999,
- 42 and within the appropriation for medical assistance as
- 43 a whole for the fiscal year beginning July 1, 1999,
- 44 the department shall adjust the maximum medical

45 assistance reimbursement for nursing facilities to the
46 70th percentile, as calculated on December 31, 1999,
47 unaudited compilation of cost and statistical data and
48 the adjustment shall take effect January 1, 2000."
49 3. By renumbering as necessary.

Amendment H-1449 was adopted.

Heaton of Henry offered the following amendment H-1470 filed by him and moved its adoption:

H-1470

1 Amend House File 760 as follows:
2 1. Page 19, by inserting after line 23, the
3 following:
4 "13. Of the funds appropriated in this section,
5 the department may use up to \$207,000 to implement a
6 disease-specific pharmaceutical case management study,
7 beginning January 1, 2000, to measure the effects of
8 case management for medical assistance recipients
9 identified by the department as being at high risk for
10 medication-related problems. The funds shall be used
11 to equally reimburse physician-pharmacist teams for
12 participation in the study. An advisory committee
13 whose membership consists of representatives of the
14 Iowa medical society, the Iowa pharmacy association,
15 and the department of human services shall establish
16 and implement the pharmaceutical case management
17 study. The university of Iowa colleges of medicine
18 and pharmacy shall perform an evaluation of the study
19 at no cost to the state and shall submit a final
20 report of the findings of the evaluation and any
21 recommendations to the general assembly by December
22 15, 2002. The department shall submit a progress
23 report relating to the program by December 15, 2001,
24 and a final report by December 15, 2002, to the
25 general assembly."
26 2. By renumbering as necessary.

Amendment H-1470 was adopted.

Osterhaus of Jackson offered the following amendment H-1431 filed by him and moved its adoption:

H-1431

1 Amend House File 760 as follows:
2 1. Page 20, by striking line 12 and inserting the

3 following:

4 "..... \$ 11,000,000"

Dolecheck of Ringgold in the chair at 6:18 p.m.

Gipp of Winneshiek in the chair at 6:24 p.m.

Roll call was requested by Siegrist of Pottawattamie and Murphy of Dubuque.

On the question "Shall amendment H-1431 be adopted?" (H.F. 760)

The ayes were, 43:

Bell	Bukta	Burnett	Cataldo
Chiodo	Cohoon	Doderer	Dotzler
Drees	Falck	Fallon	Foege
Ford	Frevert	Huser	Jochum
Kreiman	Kuhn	Larkin	Larson
Mascher	May	Mertz	Mundie
Murphy	Myers	O'Brien	Osterhaus
Parmenter	Reynolds	Richardson	Scherrman
Schrader	Shoultz	Stevens	Taylor
Thomas	Van Fossen	Warnstadt	Weigel
Whitead	Wise	Witt	

The nays were, 52:

Alons	Arnold	Barry	Baudler
Blodgett	Boal	Boddicker	Bogges
Bradley	Brauns	Brunkhorst	Carroll
Cormack	Davis	Dix	Dolecheck
Drake	Eddie	Garman	Greiner
Grundberg	Hahn	Hansen	Heaton
Hoffman	Holmes	Horbach	Houser
Huseman	Jacobs	Jager	Jenkins
Johnson	Kettering	Klemme	Lord
Martin	Metcalf	Nelson	Raecker
Rants	Rayhons	Siegrist	Sukup
Sunderbruch	Teig	Thomson	Tyrrell
Van Engelenhoven	Weidman	Welter	Gipp, Presiding

Absent or not voting, 5:

Chapman	Connors	Corbett, Spkr.	Holveck
Millage			

Amendment H-1431 lost.

Osterhaus of Jackson offered the following amendment H-1432 filed by him and moved its adoption:

H-1432

- 1 Amend House File 760 as follows:
- 2 1. Page 20, by inserting after line 23 the
- 3 following:
- 4 "3. The department shall conduct a study of the
- 5 costs of providing family coverage under the state
- 6 children's health insurance program and shall submit a
- 7 report of the findings of the study and any
- 8 recommendations by December 15, 1999, to the persons
- 9 designated under this Act to receive reports."

Amendment H-1432 was adopted.

Siegrist of Pottawattamie asked and received unanimous consent that House File 760 be deferred and that the bill retain its place on the calendar.

INTRODUCTION OF BILL

House File 763, by committee on appropriations, a bill for an act relating to the reimbursement rate for federally qualified health centers and rural health clinics under the medical assistance program.

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

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 7, 1999, passed the following bill in which the concurrence of the House is asked:

Senate File 465, a bill for an act authorizing the establishment of an accelerated career education program, providing a tax credit from withholding, and relating to the transfer of job training withholding to the workforce development fund account.

MICHAEL E. MARSHALL, Secretary

MOTION TO RECONSIDER
(Amendment H-1481 to House File 760)

I move to reconsider the vote by which amendment H-1481 to House File 760 failed to be adopted.

CARROLL of Poweshiek

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 6, 1999. Had I been present, I would have voted "aye" on Senate File 392.

CARROLL of Poweshiek

I was necessarily absent from the House chamber on April 7, 1999. Had I been present, I would have voted "aye" on Senate File 230.

HANSEN of Pottawattamie

I was necessarily absent from the House chamber on Tuesday afternoon, April 6, 1999. Had I been present, I would have voted "aye" on House File 115.

THOMAS of Clayton

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 6, 1999, he approved and transmitted to the Secretary of State the following bills:

House File 573, an act to change the penalties applicable to the possession, manufacture, or delivery of methamphetamine and other controlled substances, relating to the possession or control of adulterated or improperly labeled articles, providing for the reopening of certain sentences, and providing for restrictions on bail.

Senate File 361, an act relating to enforcement, prevention, education, and treatment for substance abuse and sexual abuse, and providing appropriations.

Also: That on April 7, 1999, he approved and transmitted to the Secretary of State the following bills:

House File 347, an act relating to rulemaking duties of the department of natural resources regarding baled solid waste.

House File 588, an act prohibiting unauthorized changes in telecommunications service, prohibiting certain acts in the advertisement or solicitation of changes in telecommunications service, and providing remedies and penalties.

House File 679, an act relating to drawing the Sac and Fox Indian settlement precinct in Tama county.

Senate File 203, an act relating to transportation, including regulation of school buses and special trucks, vehicle titling and registration, commercial driver's licenses, regulations on motor carriers, regulations on motor vehicle manufacturers, distributors, and dealers, size, weight, and load restrictions on vehicles, driver education, transportation of students, equipment on vehicles, rescision of a driver's license revocation, and administrative procedures of the state department of transportation, and providing for fees and penalties and an effective date.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty-two students from Clear Lake Middle School, Clear Lake, accompanied by Troy Heller, Kevin Kahler, Sharon Pruessner and Sarah Abbas. By Blodgett of Cerro Gordo.

Sixty-three fifth grade students from Stowe Elementary School, Des Moines, accompanied by Mrs. Peake, Mrs. Crawford and Mrs. Coones. By Connors of Polk.

Eighteen seventh through tenth grade students from Ottumwa Christian School, Ottumwa, accompanied by Mrs. Stevens, Mrs. Sieber, Mr. and Mrs. Roemermen. By Davis of Wapello.

Sixteen government students from Allamakee Community Schools, Waukon, accompanied by Ken Bell. By Gipp of Winneshiek.

Government students from Winfield-Mt. Union High School, Winfield, accompanied by Jeff Batty. By Heaton of Henry.

Sixty eighth grade students from St. Ansgar School District, St. Ansgar, accompanied by Mrs. Kramer. By Kuhn of Floyd and May of Worth.

Twenty-seven senior students from Monticello High School, Monticello, accompanied by Mark Holtzman. By Welter of Jones.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

ELIZABETH A. ISAACSON
Chief Clerk of the House

- 1999\606 Jennie Van Sant, Sully – For celebrating her 80th birthday.
- 1999\607 Alice and Burton Rank, Deep River – For celebrating their 60th wedding anniversary.
- 1999\608 Vi Dare, Grinnell – For being a 65 year member of Sonora Grange.
- 1999\609 William E. Graham, Indianola – For celebrating his 85th birthday.
- 1999\610 Vadis and Russell Isley, Indianola – For celebrating their 60th wedding anniversary.
- 1999\611 Bryan D. Lloyd, Osceola – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 1999\612 Mamie and Harold McNeal, Osceola – For celebrating their 50th wedding anniversary.
- 1999\613 Veda Mae and Andy Goodrich, Osceola – For celebrating their 50th wedding anniversary.
- 1999\614 Betty and Rolland "Jimmie" Redman, Van Wert – For celebrating their 60th wedding anniversary.
- 1999\615 Vera and Lewis Printy, Melrose – For celebrating their 50th wedding anniversary.
- 1999\616 Shirley and Keith Kent, Lucas – For celebrating their 50th wedding anniversary.
- 1999\617 Jean and Kenneth Winter, Murray – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

Senate File 457

Ways and Means: Boal, Chair; Frevert and Raecker.

Senate File 463

Ways and Means: Houser, Chair; Drake and Richardson.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 256 Reassigned**

Ways and Means: Larson, Chair; Jenkins and Myers.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**H.S.B. 259 Ways and Means**

Relating to the state sales and use taxes by providing for the effective date for any rate increase or decrease, filing of consolidated sales tax returns by affiliated corporations, changing the statute of limitations for assessing tax and applying for refunds and relating to local sales and services taxes by providing the effective dates for imposing, repealing, or changing rates, and including effective dates.

H.S.B. 260 Ways and Means

Relating to a sales and use tax exemption for the providing of personal emergency response system services.

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.

ELIZABETH A. ISAACSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 424, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the general fund of the state, road use tax fund, and primary road fund, providing for the use of a former rest area, and providing for the nonreversion of certain moneys and an effective date.

Fiscal Note is not required.

Recommended Amend and Do Pass with amendment H-1492 April 7, 1999.

Committee Bill (Formerly House File 638), relating to the reimbursement rate for federally qualified health centers and rural health clinics under the medical assistance program.

Fiscal Note is not required.

Recommended **Do Pass** April 7, 1999.

RESOLUTION FILED

HR 17, by Raecker, Ford, Corbett, Siegrist, Alons, Arnold, Barry, Baudler, Bell, Blodgett, Boal, Boddicker, Boggess, Bradley, Brauns, Brunkhorst, Bukta, Burnett, Carroll, Cataldo, Chapman, Chiodo, Cohoon, Connors, Cormack, Davis, Dix, Doderer, Dolecheck, Dotzler, Drake, Drees, Eddie, Falck, Fallon, Foege, Frevert, Garman, Gipp, Greiner, Grundberg, Hahn, Hansen, Heaton, Hoffman, Holmes, Holveck, Horbach, Houser, Huseman, Huser, Jacobs, Jager, Jenkins, Jochum, Johnson, Kettering, Klemme, Kreiman, Kuhn, Larkin, Larson, Lord, Martin, Mascher, May, Mertz, Metcalf, Millage, Mundie, Murphy, Myers, Nelson, O'Brien, Osterhaus, Parmenter, Rants, Rayhons, Reynolds, Richardson, Scherrman, Schrader, Shoultz, Stevens, Sukup, Sunderbruch, Taylor, Teig, Thomas, Thomson, Tyrrell, Van Engelenhoven, Van Fossen, Warnstadt, Weidman, Weigel, Welter, Whitead, Wise, and Witt, a resolution congratulating the Drake Women's Basketball Team.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—1489	H.F.	747	Brunkhorst of Bremer Kettering of Sac
H—1490	H.F.	761	Jochum of Dubuque
H—1492	S.F.	424	Committee on Appropriations
H—1497	H.F.	747	Osterhaus of Jackson
H—1499	S.F.	189	Larson of Linn
H—1501	S.F.	209	Schrader of Marion
H—1502	H.F.	761	Boal of Polk Heaton of Henry
H—1506	S.F.	405	Schrader of Marion
H—1507	S.F.	424	Myers of Johnson
H—1508	S.F.	405	Chiodo of Polk
H—1509	S.F.	405	Fallon of Polk

H—1510	S.F.	449	Fallon of Polk
H—1511	H.F.	760	Blodgett of Cerro Gordo
H—1512	S.F.	393	Ford of Polk
H—1513	S.F.	393	Ford of Polk

On motion by Siegrist of Pottawattamie the House adjourned at 6:40 p.m., until 8:45 a.m., Thursday, April 8, 1999.

MEMORIAL SERVICE
Seventy-Eighth General Assembly
Wednesday, April 7, 1999
7:00 P.M.

Program

Senator John Jensen, Presiding

Prelude Pianist, Senator Mary Kramer

“Life’s Railway to Heaven” C. Tillman
Instrumental: Senator Andy McKean

Invocation Senator John Jensen

Memorials – House

Reader: Representative Dan Boddicker

Memorials – Senate and House

Reader: Senator O. Gene Maddox

Memorials – House

Reader: Representative Donna M. Barry

“In This Very Room” Ron and Carol Harris

Memorial Choir: Directed by Senator Mark S. Shearer

Accompanied by Senator Mary Kramer

Memorials – House and Senate

Reader: Representative Hubert M. Houser and Senator Robert E. Dvorsky

“On Eagle’s Wings” Michael Joncas

Senator Merlin Bartz

Memorials – Senate and House

Reading: Senator Eugene Fraise

Memorials – House and Senate

Reading: Representative Dennis May

Memorials – House

Reading: Senator Michael W. Connolly

“Let There Be Peace on Earth” Sy Miller and Jill Jackson

Memorial Choir

IN MEMORIAM**SERVED IN THE SENATE**

Honorable Max Milo Mills (Marshall County): 61st and 62nd (1965-1968)

**SERVED IN THE HOUSE OF REPRESENTATIVES AND
THE SENATE**

Honorable Warren E. Curtis (Cherokee County): **House** – 64th (1971-1972)
Senate – 65th, 66th, 67th and 67thX (1973-1978)

Honorable Robert R. Dodds (Des Moines County): **House** – 57th, 58th and
59th (1957-1962) **Senate** – 60th, 60thX, 61st, 62nd and 63rd (1963-1970)

Honorable James O. Henry (Pottawattamie County): **House** – 55th and
56th (1953-1956) **Senate** – 57th and 58th (1957-1960)

Honorable Lee Holt (Clay County): **House** – 68th, 69th, 69thX and 69thXX
(1979-1982) **Senate** – 70th, 71st, 72nd, 72ndX and 72ndXX (1983-1988)

Honorable Emil J. Husak (Tama County): **House** – 64th, 65th, 66th, 67th,
67thX and 68th (1971-1980) **Senate** – 69th, 69thX, 69thXX, 70th, 71st, 72nd,
72ndX, 72ndXX, 73rd, 74th, 74thX, 74thXX, 75th and 76th (1981-1996)

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable M. W. "Jack" Beaman (Clarke County): 72nd, 72ndX, 72ndXX,
73rd, 74th, 74thX, 74thXX and 75th (1987-1994)

Honorable Phillip E. Brammer (Linn County): 70th, 71st, 72nd, 72ndX,
72ndXX, 73rd, 74th, 74thX, 74thXX, 75th and 76th (1983-1996)

Honorable Donovan W. Burington (Woodbury County): 46th (1935-1936)

Honorable Herbert L. Campbell, II (Washington County): 63rd and 64th
(1969-1972)

Honorable Horace C. Daggett (Union County): 65th, 66th, 67th, 67thX, 68th,
69th, 69thX, 69thXX, 70th, 71st, 72nd, 72ndX, 72ndXX, 73rd, 74th, 74thX, 74thXX,
75th and 76th (1973-1996)

Honorable Lloyd G. Jackson (Clinton County): 61st (1965-1966)

Honorable James D. Jordan (Linn County): 65th and 66th (1973-1976)

Honorable Willis E. Junker (Woodbury County): 65th, 66th, 67th and 67thX (1973-1978)

Honorable Carroll A. Lane (Carroll County): 50th, 50thX and 51st (1943-1946)

Honorable Harry C. Madden (Union County): 61st (1965-1966)

Honorable Floyd H. Millen (Van Buren County): 60th, 60thX, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 67thX and 68th (1963-1980)

Honorable Roy A. Miller (Jones County): 60th, 60thX, 62nd and 63rd (1963-1964) and (1967-1970)

Honorable Harold F. Mueller (Worth County): 58th, 59th, 60th, 60thX and 61st (1959-1966)

Honorable Louis J. Muhlbauer (Crawford County): 70th, 71st, 72nd, 72ndX, 72ndXX, 73rd, 74th, 74thX and 74thXX (1983-1992)

Honorable Samuel E. Orebaugh (Polk County): 50th and 50thX (1943-1944)

Honorable Don W. Shoning (Woodbury County): 71st, 72nd, 72ndX, 72ndXX, 73rd, 74th, 74thX and 74thXX (1985-1992)

Candlelighters

Senator Betty Soukup
 Senator Maggie Tinsman
 Senator Patricia Harper
 Representative Effie Lee Boggess
 Representative Russell J. Eddie

Senate Memorial Committee

Honorable Richard F. Drake, Chair
 Honorable Michael W. Connolly
 Honorable John P. Kibbie
 Honorable Merlin E. Bartz
 Honorable O. Gene Maddox
 Honorable Mark S. Shearer

Hosts

Senator Mary Lou Freeman
 Senator H. Kay Hedge
 Senator John P. Kibbie
 Representative Cecil Dolecheck
 Representative Clarence C. Hoffman
 Representative John P. Sunderbruch

House Memorial Committee

Honorable Ralph F. Klemme, Chair
 Honorable Carmine Boal
 Honorable William A. Dotzler, Jr.
 Honorable Dolores M. Mertz