

State of Iowa  
2001

# JOURNAL OF THE HOUSE

## 2001 REGULAR SESSION SEVENTY-NINTH GENERAL ASSEMBLY

Convened January 8, 2001  
Adjourned May 8, 2001

Volume I  
January 8, 2001—April 20, 2001

**THOMAS J. VILSACK**, Governor  
**BRENT SIEGRIST**, Speaker of the House  
**MARY KRAMER**, President of the Senate

Published by the  
STATE OF IOWA  
Des Moines

## SEVENTY-NINTH GENERAL ASSEMBLY

2001 Regular Session

## OFFICERS OF THE HOUSE

BRENT SIEGRIST, <i>Speaker of the House</i> .....	Council Bluffs
STEVE SUKUP, <i>Speaker Pro Tempore</i> .....	Dougherty
CHRISTOPHER RANTS, <i>Majority Leader</i> .....	Sioux City
LIBBY JACOBS, <i>Majority Whip</i> .....	West Des Moines
DONNA BARRY, <i>Assistant Majority Leader</i> .....	Dunlap
DANNY CARROLL, <i>Assistant Majority Leader</i> .....	Grinnell
BILL DIX, <i>Assistant Majority Leader</i> .....	Shell Rock
RUSSELL TEIG, <i>Assistant Majority Leader</i> .....	Jewell
RICHARD MYERS, <i>Minority Leader</i> .....	Iowa City
GERI HUSER, <i>Minority Whip</i> .....	Altoona
POLLY BUKTA, <i>Assistant Minority Leader</i> .....	Clinton
STEVE FALCK, <i>Assistant Minority Leader</i> .....	Stanley
PAM JOCHUM, <i>Assistant Minority Leader</i> .....	Dubuque
STEVE WARNSTADT, <i>Assistant Minority Leader</i> .....	Sioux City
MARGARET A. THOMSON, <i>Chief Clerk</i> .....	Clive
SUE JENNINGS, <i>Assistant Chief Clerk</i> .....	Ankeny
GAYLE GOBLE, <i>Senior Editor</i> .....	Des Moines
TRINA RUDICIL, <i>Editor II</i> .....	West Des Moines
LAUREL SANDBULTE, <i>Assistant Journal Editor</i> .....	Altoona
BETTY M. SOENER, <i>Confidential Secretary</i> <i>to Chief Clerk</i> .....	West Des Moines
DOREEN TERRELL, <i>Assistant Legal Counsel</i> .....	Des Moines
JESSICA BASH, <i>Assistant to the Legal Counsel</i> .....	Des Moines
PEG KEPHART, <i>Engrossing/Enrolling</i> <i>Processor</i> .....	Des Moines
ELAINE SCHOONOVER, <i>Text Processor II</i> .....	Carlisle
DEBRA K. REX, <i>Senior Finance Officer</i> .....	Earlham
KELLY WACHT, <i>Assistant Finance Officer</i> .....	Des Moines



KATHY FARRELL, <i>Recording Clerk I</i> .....	Clive
LINDA ROSKY, <i>Supervisor of Secretaries</i> .....	West Des Moines
SHANE DOEPPKE, <i>Clerk to Chief Clerk</i> .....	Elkader
KRISTIN L. WENTZ, <i>Indexer II</i> .....	West Des Moines
TARA FLETCHER, <i>Indexing Assistant</i> .....	Des Moines
SUSAN SEVERINO, <i>Senior Administrative Assistant to Speaker</i> .....	Des Moines
DAN FOGLEMAN, <i>Administrative Assistant III to Speaker</i> .....	Pleasant Hill
BECKY LORENZ, <i>Executive Secretary to Speaker</i> .....	Ankeny
GENTRY COLLINS, <i>Administrative Assistant to Majority Leader</i> .....	Huxley
MARY EARNHARDT, <i>Administrative Assistant to Majority Leader</i> .....	Ames
JEFF MITCHELL, <i>Caucus Staff Director</i> .....	West Des Moines
BRUCE BRANDT, <i>Senior Caucus Staff Secretary</i> .....	Des Moines
LON ANDERSON, <i>Legislative Research Analyst III</i> .....	Johnston
STACIE MAASS, <i>Legislative Research Analyst III</i> .....	West Des Moines
STEFANI MILLIE, <i>Legislative Research Analyst</i> .....	West Des Moines
LEW OLSON, <i>Legislative Research Analyst III</i> .....	Des Moines
KELLIE PASCHKE, <i>Legislative Research Analyst</i> .....	Des Moines
PAT SCHULTZ, <i>Legislative Research Analyst II</i> .....	Des Moines
BRAD TROW, <i>Legislative Research Analyst I</i> .....	Des Moines
JASON WHITE, <i>Legislative Research Analyst</i> .....	Des Moines
MARK BRANDSGARD, <i>Senior Administrative Assistant to Minority Leader</i> .....	West Des Moines
CAROLYN McNEILL GAUKEL, <i>Administrative Assistant to Minority Leader</i> .....	West Des Moines
PAULEE LIPSMAN, <i>Senior Caucus Staff Director</i> .....	Des Moines
DAVID EPLEY, <i>Senior 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
DEAN FIIHR, <i>Legislative Research Analyst</i> .....	Des Moines
ANNA HYATT-CROZIER, <i>Legislative Research Analyst I</i> .....	Des Moines
JENIFER PARSONS, <i>Senior Legislative Research Analyst</i> .....	Mingo
THOMAS R. PATTERSON, <i>Senior Legislative Research Analyst</i> .....	Des Moines
JOSEPH P. ROMANO, <i>Senior Legislative Research Analyst</i> .....	Johnston
PAUL W. AARDSMA, <i>Switchboard Operator</i> .....	Des Moines
MADELINE 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> .....	Clive
MAYNARD L. BOATWRIGHT, <i>Assistant Sergeant-at-Arms</i> .....	Des Moines
JERRY ORMAN, <i>Assistant Sergeant-at-Arms</i> .....	Windsor Heights
JIM BEYER, <i>Doorkeeper</i> .....	Urbandale
HOWARD S. COWLES, <i>Doorkeeper</i> .....	Des Moines
JOHN E. FELLER, <i>Doorkeeper</i> .....	Des Moines
LARRY FOGELSON, <i>Doorkeeper</i> .....	Des Moines
GARY D. LYNCH, <i>Doorkeeper</i> .....	Mitchellville
RICHARD R. OVERHOLSER, <i>Doorkeeper</i> .....	Des Moines
ROBERT YEAGER, <i>Doorkeeper</i> .....	Windsor Heights
MARK WILLEMSEN, <i>Facilities Manager</i> .....	Urbandale

## ELECTED OFFICERS, SUPREME COURT JUSTICES AND

## IOWA COURT OF APPEALS JUDGES

## ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

THOMAS J. VILSACK, <i>Governor</i> .....	Mount Pleasant
SALLY J. PEDERSON, <i>Lieutenant Governor</i> .....	Des Moines
CHET CULVER, <i>Secretary of State</i> .....	West Des Moines
RICHARD D. JOHNSON, <i>Auditor of State</i> .....	Sheldahl
MICHAEL L. FITZGERALD, <i>Treasurer of State</i> .....	West Des Moines
PATTY JUDGE, <i>Secretary of Agriculture and Land Stewardship</i> .....	Albia
TOM MILLER, <i>Attorney General</i> .....	Des Moines

## JUSTICES OF THE IOWA SUPREME COURT

LOUIS A. LAVERATO, <i>Chief Justice</i> .....	Des Moines
MARK S. CADY, <i>Justice</i> .....	Fort Dodge
JAMES H. CARTER, <i>Justice</i> .....	Cedar Rapids
J. L. LARSON, <i>Justice</i> .....	Harlan
LINDA NEUMAN, <i>Justice</i> .....	LeClaire
BRUCE M. SNELL, Jr., <i>Justice</i> .....	Ida Grove
MARSHA K. TERNUS, <i>Justice</i> .....	Des Moines

## IOWA COURT OF APPEALS JUDGES

ROSEMARY S. SACKETT, <i>Chief Judge</i> .....	Okoboji
DARYL L. HECHT, <i>Judge</i> .....	Sioux City
TERRY L. HUITINK, <i>Judge</i> .....	Ireton
ROBERT E. MAHAN, <i>Judge</i> .....	Ames
JOHN C. MILLER, <i>Judge</i> .....	Burlington
MICHAEL J. STREIT, <i>Judge</i> .....	Chariton
ANURADHA VAITHESWARAN, <i>Judge</i> .....	Des Moines

GAYLE NELSON VOGEL, *Judge*..... Knoxville

VAN D. ZIMMER, *Judge*..... Vinton

# MEMBERS OF THE HOUSE—SEVENTY-NINTH GENERAL ASSEMBLY – 2001 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Alons, Dwayne.....	Hull .....	54 .....	.....	5th— <i>Sioux</i> .....	78
Arnold, Richard .....	Russell .....	55 .....	Farmer/Truck Driver .....	91st—Appanoose, Clarke, Lucas, Wayne .....	76, 77, 78
Atteberry, Andra .....	Manchester .....	57 .....	Freelance Writer .....	27th—Black Hawk, Buchanan, Delaware .....	None
Barry, Donna M.....	Dunlap .....	53 .....	Farmer .....	82nd—Harrison, Pottawattamie.....	76, 77, 78
Baudler, Clel.....	Greenfield .....	61 .....	Retired State Trooper/Farmer .....	78th—Adair, Guthrie, Madison .....	78
Bell, Paul .....	Newton .....	50 .....	Police Lieutenant .....	57th—Jasper .....	76, 77, 78
Boal, Carmine.....	Ankeny .....	44 .....	Legislator .....	65th—Polk .....	78
Boddicker, Daniel J.....	Tipton .....	38 .....	Electrical Engineer .....	39th—Cedar, Clinton, Jones .....	75, 76, 77, 78
Bogges, Effie Lee .....	Clarinda .....	72 .....	Retired Farmer .....	87th—Adams, Page, Taylor .....	76, 77, 78
Bradley, Clyde .....	Camanche .....	65 .....	Engineer.....	37th—Clinton, Scott.....	76, 77, 78
Brauns, Barry.....	Muscatine .....	68 .....	Fair Manager .....	47th—Johnson, Louisa, .....	75, 76, 77, 78
				Muscatine .....	
Broers, Roger A. ....	Mason City .....	61 .....	Farmer .....	19th—Cerro Gordo .....	None
Brunkhorst, Bob.....	Waverly .....	35 .....	Computer Analyst.....	22nd—Black Hawk, Bremer .....	75, 76, 77, 78
Bukta, Polly .....	Clinton .....	63 .....	Retired Educator.....	38th—Clinton .....	77, 78
Carroll, Danny.....	Grinnell.....	47 .....	Community Relations Mgr. ....	58th—Jasper, Mahaska, .....	76, 77, 78
				Marshall, Poweshiek .....	
Chiodo, Frank John .....	Des Moines .....	32 .....	Small Business Manager .....	67th—Polk .....	77, 78
Cohoon, Dennis M. ....	Burlington .....	47 .....	Special Education Teacher .....	100th—Des Moines.....	72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77, 78
Connors, John H.....	Des Moines .....	78 .....	Retired Fire Captain.....	69th—Polk .....	65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77, 78
Cormack, Mike .....	Fort Dodge .....	30 .....	Substitute Teacher/Youth .....	13th—Webster.....	76, 77, 78
			Baseball Coach .....		
De Boef, Betty R.....	New Sharon .....	49 .....	Farmer/Small Business Owner.....	96th—Keokuk, Mahaska, .....	None
				Wapello, Washington .....	
Dix, Bill .....	Shell Rock .....	38 .....	Farmer .....	21st—Butler, Grundy.....	77, 78

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Dolecheck, Cecil.....	Mount Ayr .....	49	Farmer .....	88th—Decatur, <i>Ringgold</i> , Taylor, Union	77, 78
Dotzler, William A., Jr.....	Waterloo.....	52	Machinist/Labor Rep.....	26th— <i>Black Hawk</i> .....	77, 78
Drake, Jack.....	Lewis .....	66	Farmer .....	81st—Audubon, .....	75, 76, 77, 78
				<i>Pottawattamie</i> , Shelby	
Eddie, Russell J.....	Storm Lake .....	62	Retired Farmer/Legislator.....	10th— <i>Buena Vista</i> , Clay, .....	72, 72X, 72XX, 73, 74, 74X,
				Pocahontas	74XX, 75, 76, 77, 78
Eichhorn, George S. ....	Stratford .....	46	Attorney .....	14th—Boone, Calhoun, .....	None
				<i>Hamilton</i> , Webster	
Elgin, Jeffrey C.....	Cedar Rapids .....	49	Business Owner/Investor .....	51st—Linn .....	None
Falck, Steve .....	Stanley .....	42	Real Estate Appraiser.....	28th—Buchanan, <i>Fayette</i> .....	77, 78
Fallon, Ed .....	Des Moines .....	42	Musician .....	70th— <i>Polk</i> .....	75, 76, 77, 78
Finch, Barbara A.....	Ames .....	48	Farming .....	62nd— <i>Story</i> .....	None
Foege, Ro.....	Mount Vernon .....	62	Social Worker .....	50th—Johnson, <i>Linn</i> .....	77, 78
Ford, Wayne W.....	Des Moines .....	49	Exec. Director Urban Dreams .....	71st— <i>Polk</i> .....	77, 78
Frevert, Marcella R.....	Emmetsburg .....	63	Legislator.....	8th—Clay, Kossuth, <i>Palo Alto</i> .....	77, 78
Garman, Teresa.....	Ames .....	63	Retired/Legislator .....	63rd—Marshall, <i>Story</i> .....	72, 72X, 72XX, 73, 74, 74X,
					74XX, 75, 76, 77, 78
Gipp, Chuck.....	Decorah .....	52	Farmer .....	31st—Allamakee, <i>Winneshiek</i> .....	74, 74X, 74XX, 75, 76, 77,
					78
*Greimann, Jane.....	Ames .....	59	Retired School Teacher.....	61st— <i>Story</i> .....	78 (2 <sup>nd</sup> )
Grundberg, Betty .....	Des Moines .....	62	Renovation & Property Mgt. ....	73rd— <i>Polk</i> .....	75, 76, 77, 78
Hahn, James F. ....	Muscatine .....	65	Real Estate/Sales/Mgt. ....	48th— <i>Muscatine</i> , Scott.....	74, 74X, 74XX, 75, 76, 77,
					78

\*Elected in Special Election November 2, 1999

# MEMBERS OF THE HOUSE-SEVENTY-NINTH GENERAL ASSEMBLY – 2001 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Hansen, Brad.....	Carter Lake.....	32	Health Administrator.....	83rd— <i>Pottawattamie</i> .....	77, 78
Hatch, Jack.....	Des Moines.....	51	Housing Developer.....	68th— <i>Polk</i> .....	71, 72, 72X, 72XX, 73, 74 (1st)
Heaton, Dave.....	Mt. Pleasant.....	59	Restaurant Owner.....	97th—Des Moines, <i>Henry</i> , Washington.....	76, 77, 78
Hoffman, Clarence C.....	Charter Oak.....	67	Insurance.....	12th— <i>Crawford</i> , Monona, Woodbury.....	78
Horbach, Lance James.....	Tama.....	42	Insurance/Long Term Care.....	60th—Benton, Black Hawk, <i>Tama</i> .....	78
Houser, Hubert M.....	Carson.....	58	Farmer.....	85th—Fremont, Mills, <i>Pottawattamie</i> .....	75, 76, 77, 78
Hoversten, Gregory B.....	Sioux City.....	43	Physician.....	1st— <i>Woodbury</i> .....	None
Huseman, Daniel Adair.....	Aurelia.....	48	Farmer.....	9th—Buena Vista, <i>Cherokee</i> , O'Brien, Plymouth.....	76, 77, 78
Huser, Geri D.....	Altoona.....	37	Social Worker.....	66th— <i>Polk</i> .....	77, 78
Jacobs, Elizabeth "Libby".....	West Des Moines.....	44	Assistant Director - Corporate Relations.....	74th— <i>Polk</i> .....	76, 77, 78
Jenkins, G. Willard.....	Waterloo.....	63	Engineer.....	24th— <i>Black Hawk</i> .....	77, 78
Jochum, Pam.....	Dubuque.....	46	.....	35th— <i>Dubuque</i> .....	75, 76, 77, 78
Johnson, David.....	Ocheyedan.....	50	.....	6th—Lyon, O'Brien, <i>Osceola</i> , Sioux.....	78
Kettering, Steve.....	Lake View.....	57	Community Banker.....	11th— <i>Ida</i> , <i>Sac</i> , Woodbury.....	78
Klemme, Ralph F.....	Le Mars.....	61	Farmer.....	4th— <i>Plymouth</i> , Woodbury.....	75, 76, 77, 78
Kreiman, Keith A.....	Bloomfield.....	46	Attorney.....	92nd—Appanoose, <i>Davis</i> , Monroe, Van Buren.....	75, 76, 77, 78
Kuhn, Mark A.....	Charles City.....	50	Farmer.....	29th— <i>Floyd</i> , Howard, Mitchell.....	78
*Larkin, Rick.....	Fort Madison.....	48	Correctional Counselor.....	99th—Des Moines, <i>Lee</i> .....	75, 76, 77, 78

\*Elected in Special Election February 16, 1993

## MEMBERS OF THE HOUSE—SEVENTY-NINTH GENERAL ASSEMBLY – 2001 REGULAR SESSION

X

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Larson, Charles W., Jr.	Cedar Rapids	32	Attorney	55th—Linn	75, 76, 77, 78
Lensing, Vicki	Iowa City	43	Funeral Home Owner	45th—Johnson	None
Manternach, Gene	Cascade	47	Farmer	56th—Jones, Linn	None
Mascher, Mary	Iowa City	48	Teacher	46th—Johnson	76, 77, 78
May, Dennis	Kensett	53	Farmer	20th—Cerro Gordo, Mitchell, Worth	72, 72X, 72XX, 73, 75, 76, 77, 78
Mertz, Dolores M.	Ottosen	72		15th—Humboldt, Kossuth	73, 74, 74X, 74XX, 75, 76, 77, 78
Metcalf, Janet S.	Urbandale	64	Legislator	75th—Polk	71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77, 78
Millage, David A.	Bettendorf	47	Attorney	41st—Scott	74, 74X, 74XX, 75, 76, 77, 78
*Murphy, Patrick J.	Dubuque	41	Self-employed & Adjunct Facility NICC	36th—Dubuque	73 (2nd), 74, 74X, 74XX, 75, 76, 77, 78
**Myers, Richard	Iowa City	66	Business Owner	49th—Johnson	75 (2nd), 76, 77, 78
O'Brien, Mike	Boone	61	Retired Teacher	79th—Boone, Greene	75, 76, 77, 78
***Osterhaus, Robert J.	Maquoketa	69	Pharmacist	34th—Dubuque, Jackson	76 (2nd), 77, 78
Petersen, Janet	Des Moines	30	Public Relations Senior Account Executive	72nd—Polk	None
Quirk, Brian J.	New Hampton	32	Electrical Contractor	30th—Chickasaw, Howard, Winneshiek	None
Raecker, J. Scott	Urbandale	39	Exec. Director-Institute for Character Development	76th—Dallas, Polk	78
Rants, Christopher C.	Sioux City	33	Pierce and Associates	3rd—Woodbury	75, 76, 77, 78
Rayhons, Henry	Garner	64	Farmer	16th—Hancock, Winnebago, Wright	77, 78

\*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-NINTH GENERAL ASSEMBLY – 2001 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Rekow, Leigh A. ....	Postville .....	66	Farmer .....	32nd— <i>Allamakee</i> , Clayton, .....	None
				Fayette	
Reynolds, Rebecca .....	Bonaparte .....	51	Legislator/Nurse .....	94th— <i>Jefferson, Van Buren</i> , .....	77, 78
				Wapello	
Richardson, Steve .....	Indianola .....	45	Sales Mgr. Skold Door Co. ....	89th— <i>Warren</i> .....	77, 78
Roberts, Rod .....	Carroll .....	43	Church Development .....	80th— <i>Carroll</i> , Greene .....	None
Scherrman, Paul .....	Farley .....	52	Business Owner .....	33rd— <i>Delaware, Dubuque</i> .....	77, 78
Schrader, David .....	Monroe .....	48	Self-Employed .....	90th— <i>Marion</i> , Warren .....	72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77, 78
Seng, Dr. Joe M. ....	Davenport .....	54	Veterinarian .....	43rd— <i>Scott</i> .....	None
*Shey, Patrick .....	Cedar Rapids .....	42	Lawyer .....	52nd— <i>Linn</i> .....	78 (2 <sup>nd</sup> )
Shoultz, Don .....	Waterloo .....	64	Job Training Consultant .....	25th— <i>Black Hawk</i> .....	70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77, 78
Siegrist, Brent .....	Council Bluffs .....	48	Consultant .....	84th— <i>Pottawattamie</i> .....	71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77, 78
Sievers, Bryan J. ....	New Liberty .....	41	Farmer .....	40th— <i>Scott</i> .....	None
Smith, Mark D. ....	Marshalltown .....	49	Assoc. Director, Mental Health Center of Mid-Iowa	64th— <i>Marshall</i> .....	None
Stevens, Greg .....	Milford .....	40	Teacher .....	7th— <i>Dickinson</i> , Emmet, .....	78
				Palo Alto	
Sukup, Steve E. ....	Dougherty .....	44	Engineer .....	18th— <i>Franklin</i> , Hardin .....	76, 77, 78

\*Elected in Special Election November 2, 1999

## MEMBERS OF THE HOUSE—SEVENTY-NINTH GENERAL ASSEMBLY – 2001 REGULAR SESSION

xi

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
*Taylor, Dick .....	Cedar Rapids .....	70	Retired Electrician/Electrical..... Project Manager	53rd—Linn .....	78 (2 <sup>nd</sup> )
**Taylor, Todd .....	Cedar Rapids .....	34	Labor Representative.....	54th—Linn .....	76 (2 <sup>nd</sup> ), 77, 78
Teig, Russell W.....	Jewell .....	43	Farmer .....	17th—Franklin, <i>Hamilton</i> , Hardin, Wright	76, 77, 78
Tremmel, Mark .....	Ottumwa .....	29	Attorney .....	93rd—Wapello .....	None
Tymeson, Jodi S. ....	Winterset .....	45	Teacher/Army Guard Officer.....	77th—Dallas, <i>Madison</i> .....	None
Tyrrell, Phil .....	North English.....	68	Independent Insurance..... Agent	59th—Benton, <i>Iowa</i> .....	68, 69, 69X, 69XX, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77, 78
Van Engelenhoven, James L. ....	Leighton.....	57	Farmer .....	95th—Mahaska, Marion .....	78
Van Fossen, James.....	Davenport .....	40	Economic Development..... Analyst-MidAmerican Energy	42nd—Scott.....	76, 77, 78
Warnstadt, Steve.....	Sioux City .....	33	Adjunct Instructor.....	2nd—Woodbury .....	76, 77, 78
Weidman, Dick .....	Griswold.....	60	Funeral Home Employee/ Retired State Trooper	86th—Cass, Montgomery, Pottawattamie	74, 74X, 74XX, 75, 76, 77, 78
Winckler, Cindy Lou .....	Davenport .....	50	Curriculum & Instruction .....	44th—Scott .....	None
Wise, Philip.....	Keokuk.....	54	Teacher .....	98th—Henry, <i>Lee</i> .....	72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77, 78
Witt, William G. ....	Cedar Falls.....	50	Photojournalist.....	23rd—Black Hawk .....	75, 76, 77, 78

\*Elected in Special Election January 4, 2000

\*\*Elected in Special Election June 27, 1995

REPRESENTATIVES

# JOURNAL OF THE HOUSE

First Calendar Day - First Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, January 8, 2001

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-ninth General Assembly of Iowa, 2001 Regular Session, convened at 10:00 a.m., Monday, January 8, 2001.

The House was called to order by the Honorable Danny Carroll, State Representative from Poweshiek County.

Prayer was offered by Father Jim Kiernan, pastor of St. Ambrose Catholic Church, Des Moines.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by a World War II Veteran Bob Siegrist, father of the Honorable Brent Siegrist, state representative from Pottawattamie County.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Larkin of Lee on request of Myers of Johnson.

## TEMPORARY OFFICERS

On motion by Larson of Linn, Margaret Thomson of Polk County was elected Acting Chief Clerk. Margaret Thomson 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."

Dix of Butler moved that the Honorable Danny Carroll of Poweshiek County be elected Temporary Speaker.

The motion prevailed and the oath of office was administered to the Honorable Danny Carroll by Acting Chief Clerk Thomson.

Temporary Speaker Carroll in the chair.

## CREDENTIALS OF MEMBERS

Metcalf of Polk 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: Metcalf of Polk, Drake of Pottawattamie, Jacobs of Polk, Jochum of Dubuque and Hatch of Polk.

## 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-ninth 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 7, 2000, 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, 2001:

First.....	Greg Hoversten
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 Hoffman

Thirteenth .....	Michael G. Cormack
Fourteenth .....	George S. Eichhorn
Fifteenth .....	Dolores M. Mertz
Sixteenth .....	Henry Rayhons
Seventeenth .....	Russell W. Teig
Eighteenth .....	Steve Sukup
Nineteenth .....	Roger A. Broers
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 .....	Andra Atteberry
Twenty-eighth .....	Steve Falck
Twenty-ninth .....	Mark A. Kuhn
Thirtieth .....	Brian Quirk
Thirty-first .....	Chuck Gipp
Thirty-second .....	Leigh A. Rekow
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 .....	Bryan J. Sievers
Forty-first .....	David A. Millage
Forty-second .....	James Van Fossen
Forty-third .....	Joe Seng
Forty-fourth .....	Cindy Winckler
Forty-fifth .....	Vicki Lensing
Forty-sixth .....	Mary Mascher
Forty-seventh .....	Barry Brauns
Forty-eighth .....	James F. Hahn
Forty-ninth .....	Dick Myers
Fiftieth .....	Ro Foege
Fifty-first .....	Jeff Elgin
Fifty-second .....	Pat Shey
Fifty-third .....	Dick Taylor
Fifty-fourth .....	Todd Taylor
Fifty-fifth .....	Chuck Larson
Fifty-sixth .....	Gene Manternach
Fifty-seventh .....	Paul Bell
Fifty-eighth .....	Danny C. Carroll
Fifty-ninth .....	Phil Tyrrell
Sixtieth .....	Lance Horbach
Sixty-first .....	Jane Greimann
Sixty-second .....	Barbara A. Finch
Sixty-third .....	Teresa Garman
Sixty-fourth .....	Mark D. Smith

Sixty-fifth .....	Carmine Boal
Sixty-sixth .....	Geri D. Huser
Sixty-seventh .....	Frank J. Chiodo
Sixty-eighth .....	Jack Hatch
Sixty-ninth .....	John H. Connors
Seventieth .....	Ed Fallon
Seventy-first .....	Wayne Ford
Seventy-second .....	Janet Petersen
Seventy-third .....	Betty Grundberg
Seventy-fourth .....	Libby Jacobs
Seventy-fifth .....	Janet Metcalf
Seventy-sixth .....	Scott Raecker
Seventy-seventh .....	Jodi Tymeson
Seventy-eighth .....	Clel Baudler
Seventy-ninth .....	Michael J. O'Brien
Eightieth .....	Rod Roberts
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 .....	Mark Tremmel
Ninety-fourth .....	Rebecca Reynolds
Ninety-fifth .....	James L. Van Engelenhoven
Ninety-sixth .....	Betty R. De Boef
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 second day of January, 2001.

CHESTER J. CULVER, Secretary of State

I hereby acknowledge receipt of the original copy of this document on the eighth day of January, 2001.

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

JANET METCALF, Chair  
JACK DRAKE  
LIBBY JACOBS  
PAM JOCHUM  
JACK HATCH

Metcalf of Polk 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 and impartially 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  
Andra Atteberry  
Donna Barry  
Ciel Baudler  
Paul Bell  
Carmine Boal  
Dan Boddicker  
Effie Lee Boggess  
Clyde Bradley  
Barry Brauns  
Roger Broers  
Bob Brunkhorst  
Polly Bukta  
Danny Carroll  
Frank Chiodo  
Dennis Cohoon  
John Connors  
Michael Cormack  
Betty De Boef  
Bill Dix  
Cecil Dolecheck  
Bill Dotzler  
Jack Drake  
Russell Eddie  
George Eichhorn

Jeff Elgin  
Steve Falck  
Ed Fallon  
Barbara Finch  
Ro Foege  
Wayne Ford  
Marcella Frevert  
Teresa Garman  
Chuck Gipp  
Jane Greimann  
Betty Grundberg  
James Hahn  
Brad Hansen  
Jack Hatch  
Dave Heaton  
Clarence Hoffman  
Lance Horbach  
Hubert Houser  
Greg Hoversten  
Dan Huseman  
Geri Huser  
Libby Jacobs  
Willard Jenkins  
Pam Jochum  
David Johnson  
Steve Kettering

Ralph Klemme  
Keith Kreiman  
Mark Kuhn  
Richard Larkin  
Charles Larson  
Vicki Lensing  
Gene Manternach  
Mary Mascher  
Dennis May  
Dolores Mertz  
Janet Metcalf  
David Millage  
Pat Murphy  
Richard Myers  
Michael O'Brien  
Robert Osterhaus  
Janet Petersen  
Brian Quirk  
Scott Raecker  
Christopher Rants  
Henry Rayhons  
Leigh Rekow  
Rebecca Reynolds  
Steve Richardson

Rod Roberts  
Paul Scherrman  
David Schrader  
Joe Seng  
Patrick Shey  
Don Shoultz  
Brent Siegrist  
Bryan Sievers  
Mark Smith  
Greg Stevens  
Steve Sukup  
Dick Taylor  
Todd Taylor  
Russell Teig  
Mark Tremmel  
Jodi Tymeson  
Phil Tyrrell  
Jim Van Engelenhoven  
Jamie Van Fossen  
Steven Warnstadt  
Dick Weidman  
Cindy Winckler  
Philip Wise  
Bill Witt

## ELECTION OF SPEAKER

Gipp of Winneshiek presented the name of the Honorable Brent Siegrist as candidate for Speaker of the House of Representatives of the Seventy-ninth General Assembly, preceding such nomination with the following remarks:

Mr. Speaker, Ladies and Gentlemen of the Iowa House,

It is with great pleasure that I nominate Representative Brent Siegrist of Council Bluffs for the position of Speaker of the House of the 79<sup>th</sup> General Assembly.

Before I begin, let me note that Brent has already made one mistake. By choosing Representative Grundberg and myself, who sit on the right side of the Chamber, and Representative Myers, who sits on the left side of the Chamber, to nominate him for this position, we will be continually subjected to Representative Myers' claims that it takes two on the right to get the same result as one on the left.

It is indeed an honor to nominate someone of Brent's stature to the position of Speaker. I have counted Brent as a friend and a mentor for all of my 10 years of service in the Iowa House. But while he was mentoring me, I have watched him grow as a legislator and a leader. Many in this Chamber know of his legislative history—that he has served for sixteen years in the legislature, four years as Assistant Minority Leader and seven years as Majority Leader before being elected Speaker for the second session of the 78<sup>th</sup> General Assembly.



He served very ably as Majority Leader. His seven years made him the longest-serving Majority Leader in Iowa's history. His Republican colleagues recognized and appreciated his style and leadership talents so much so that he has been continually reelected to these leadership positions without opposition. His laid-back style, self-deprecating humor and ability to get the Republican caucus and the members of this diverse body to work together for the greater good of Iowa are known to all of us. The leaders of the newly elected, closely divided 105<sup>th</sup> Congress could take lessons from Brent Siegrist.

What you may not know is that Brent has never floor managed a significant piece of legislation in his sixteen years as a legislator nor has he frequently raised his microphone to address this body other than to perform his duties as Majority Leader. That is not to say he has not had a significant effect on the issues important to Iowans because he has. He has been a constant advocate for education of our kids—putting together the school technology program and the reading component of the class size reduction/reading initiative. He has been a leading advocate for quality of life issues such as tourism promotion, historic preservation and recreation grants, the successful Restore-the-Outdoors Program to fix up our state parks and the development of the recreational trails fund. Seeing his ideas to fruition has made a big difference to the residents of this state.

Brent Siegrist is a leader! He recognizes the talents of individuals around him and puts those talents to work. He has the rare ability to get individuals with divergent opinions and backgrounds to set aside their differences and work together for the common good.

It is an honor and a privilege to nominate the Honorable Brent Siegrist for the office of Speaker of the Iowa House of Representatives. Thank you, Mr. Speaker.

Grundberg of Polk seconded the nomination of Brent Siegrist for Speaker of the House, preceded by the following remarks:

Mr. Speaker and fellow members of the Seventy-ninth General Assembly, I wish to second the nomination of Brent Siegrist for Speaker of the Iowa House.

In 1993 when I arrived as a freshman legislator, I had an agenda—as all of us do. I ran on issues of a balanced state budget, no more across-the-board cuts, welfare reform, improved education, and health, including mental health. For each of these issues, Brent, as the Majority Leader, was in front, leading the way.

Brent promoted bipartisan efforts to develop good legislation. The welfare reform we passed was an excellent example of that bipartisan effort. Brent also has been welcome to new initiatives. When I suggested a graduated drivers' license for new drivers, he said, "Go to it."

When I introduced a new ERA to the Constitution, Brent supported the effort and we passed it unanimously the second session. When several of us wanted to provide local communities with a program for health and education for young children that we later called "Empowerment," Brent said, "Go." And when I suggested a need for mental health insurance parity, Brent brought the people together for House

endorsement of that proposal. All this has occurred despite the fact that Brent has frequently had to ask, "And what trouble are you going to get us into now, Betty?"

A leader sets priorities and provides support for passage of these priorities. A leader develops bipartisan support for truly bipartisan issues. A leader embraces new initiatives brought to him by the legislators. And a leader provides vision for all of Iowa's citizens. Iowa will continue to be the place to live with a true leader for the state of Iowa and the Iowa House.

It is an honor to second the nomination for Brent Siegrist as Speaker of the Iowa House.

Myers of Johnson seconded the nomination of Brent Siegrist for Speaker of the House, preceded by the following remarks:

Mr. Speaker, it is my distinct pleasure and honor to second the nomination of Brent Siegrist as Speaker of the House of Representatives for the 79<sup>th</sup> General Assembly.

On my first day in this house, the then Majority Leader Siegrist graciously welcomed me to this House and demonstrated that he was always willing to help and work with every member.

Since that day, Speaker Brent Siegrist has demonstrated a brand of leadership sometimes forgotten in the frantic pace of the political arena. He has sound judgment and respect for his colleagues on both sides of the aisle. His understanding of the history of this chamber serves us well in the General Assembly.

Mr. Speaker, I look forward to serving with Speaker Siegrist and it is with admiration and enthusiasm that I second the nomination of Brent Siegrist, the gentleman from Pottawattamie, to be Speaker.

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 Brent Siegrist as Speaker of the House of Representatives of the Seventy-ninth General Assembly. The Honorable Brent Siegrist of Pottawattamie County, having received all of the votes cast for the office of Speaker of the House of Representatives of the Seventy-ninth General Assembly, was declared duly elected to that office.

Gipp of Winneshiek moved that a committee of two be appointed to escort the Speaker to the chair.

The motion prevailed and the following committee was appointed: Gipp of Winneshiek and Huser of Polk.

## PRESENTATION OF SPEAKER

The Honorable Brent Siegrist was escorted to the Speaker's station and, having been sworn, assumed the chair. Temporary Speaker Carroll presented Speaker Siegrist with the gavel and congratulated him on his unanimous election.

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

Ladies and Gentlemen of the House, and friends: Welcome back! It is indeed a pleasure and an honor to be serving as a member of the 79<sup>th</sup> General Assembly. I am humbled and proud to be able to serve as the Speaker of this great group of Iowa citizens that make up the Iowa House. I am especially pleased to have my mother and father—Bob and Nancy—here today, as well as my wife, Valerie, my son, Evan, and my daughter, Harriet. I wouldn't be in this position today without their love and support.

In many ways, my family here today represents the scope of our citizens that we are sent here to serve. They have entrusted all of us to pass legislation to make our state a better place to live. As the Speaker of the entire House, I always strive to be fair, and I always recognize that all 100 of us are trying in our own way to do what we think is right. Even when we have significant disagreements, which we do, I always know that every member is doing what they believe is right. As such, we should always treat each other with respect and civility.

This election cycle brought us twenty new members—one-fifth of our entire House is brand new—actually, 19 because we welcome back Representative Hatch after an eight-year hiatus. These new members bring to our body excitement, energy and new ideas. They bring varied backgrounds and life experiences to the Iowa House. It is a great honor to serve in this place and it will be an exciting, challenging, and frustrating experience. As the Eagles sing in their song, *New Kid in Town*, "Great expectations, everybody's watching you. People you meet, they all seem to know you. Even your old friends treat you like you're something new."

You are now part of a wonderful family. It is a family that is periodically dysfunctional, but a family that will be part of your lives forever. Once again to the new members, welcome and best wishes.

The beginning of the session today brings some new faces to the leadership teams of both parties. Representative Rants and the rest of the Republican Leadership team, I look forward to working with you as we move to accomplish the agenda that brought us victory in November.

Minority Leader Myers, congratulations on your new position. I know that you and your leadership team will represent the ideas of your caucus in a forceful and effective manner. I look forward to working with you on the many areas of common agreement we will have. I also look forward to the exchange of ideas when we disagree on legislation. Our democracy and two-party system is built on compromise and confrontation, and I suspect we will have both this session.

There is a multitude of issues facing us this session. The budget, teacher pay improvement, child abuse laws, social security tax elimination, workforce development, and the list goes on. Our plate is full. And on top of all that, we have a once-in-a-decade event to accomplish—reapportionment. Only 18 members of this Iowa House have been through this experience. For the rest of you, you're in for quite an experience that will take up a good deal of our time before it is all over. Thank goodness that many years ago, the Legislature had the foresight to take the drawing of the district lines away from the politicians and into the hands of the non-partisan Service Bureau. That move does eliminate gerrymandering and keeps partisan rancor to a bare minimum. However, just to help you sleep at night, consider this. The 1992 reapportionment plan that was overwhelmingly approved by the Legislature threw 40 of the 100 members of the Iowa House into legislative districts against one another. Sweet dreams.

As I spent some time thinking about the last reapportionment, I also remembered what the condition of our state was like in 1992. Unlike today, our state government was a mess in 1992. Iowa was broke and deeply in debt. We were spending more than we brought in, we were bonding and increasing our state indebtedness, we were raiding the road use tax fund, and we weren't paying our bills on time, especially to our schools. To set our fiscal situation right, we unfortunately had to raise the sales tax, but we also instituted the 99% spending limitation law. Then, by limiting our spending, we climbed out of the hole.

Today, our overall budget picture is good. However, this year's budget is extremely tight. Our economy, while still showing modest growth, is slowing. Group after group after group is clamoring for more money for worthy projects. The temptation is great to revert back to the habits of the past. Or as Jimmy Buffett sings in his song *Bank of Bad Habits*, "Bank of bad habits . . . one by one they'll do you in. They're bound to take their toll."

The majority party will not accept any changes that will weaken the 99% spending limitation law. We will insist on spending less than we will be bringing in for revenues. We will not support any diversions of money from the road use fund that should be spent on maintenance and construction of our highways. And while state bonding has its place, such as the Vision Iowa Fund, it is not in our best interest to bond for state buildings when we have enough money in our infrastructure fund to pay cash. It is the worst of both worlds to spend all of the available money on other projects and then bond for buildings that we could pay cash for. It makes for a situation just recently faced by many families over Christmas by spending all of our money and run up the credit card. We must resist resorting to the methods that got us in so much trouble a decade ago. We cannot allow the fiscal policies of the past to resurface this session and bite us again. We must adhere to prudent budgeting practices. We can do this and still meet our goals of increasing teacher pay and easing the tax burden on our senior citizens, among other things. We can maintain our fiscal integrity and move Iowa forward.

We look forward to hearing Governor Vilsack give his State of the State address tomorrow in this chamber. We look forward to receiving the Governor's proposed budget. The majority caucus will work diligently with the Governor to fashion a budget that addresses the priorities of Iowans and is fiscally responsible.

But make no mistake. This will be an extremely tough budget year. Our legislative talents will be tested as we all put together this year's budget. However,

that is a challenge that we look forward to meeting. As Albert Einstein said, "In the middle of difficulty lies opportunity." Working together, we can make a difference.

### PERMANENT CHIEF CLERK

Larson of Linn moved that Margaret Thomson be elected permanent Chief Clerk of the House.

The motion prevailed and Margaret Thomson was declared elected permanent Chief Clerk.

### COMMITTEE TO NOTIFY THE GOVERNOR

Teig of Hamilton 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: Teig of Hamilton, Chair; Finch of Story and Huser of Polk.

### COMMITTEE TO NOTIFY THE SENATE

Boal of Polk 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: Boal of Polk, Chair; Manternach of Jones and Winckler of Scott.

### ADOPTION OF HOUSE CONCURRENT RESOLUTION 1

Rants of Woodbury 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 Myers
- 3 *Be It Resolved by the House of Representatives, The*
- 4 *Senate Concurring,* That a joint convention of the two
- 5 houses of the 2001 session of the Seventy-ninth
- 6 General Assembly be held on Tuesday, January 9, 2001,
- 7 at 10:00 a.m.; and
- 8 *Be It Further Resolved,* That Governor Thomas J.
- 9 Vilsack be invited to deliver his budget message at

10 this joint convention of the two houses of the General  
11 Assembly, and that the Speaker of the House of  
12 Representatives and the President of the Senate be  
13 designated to extend the invitation to him.

The motion prevailed and the resolution was adopted.

## ADOPTION OF HOUSE CONCURRENT RESOLUTION 2

Rants of Woodbury 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 Myers  
3   *Be It Resolved by the House of Representatives, The*  
4 *Senate Concurring,* That a joint convention of the two  
5 houses of the 2001 session of the Seventy-ninth  
6 General Assembly be held on Wednesday, January 10,  
7 2001, at 10:00 a.m.; and  
8   *Be It Further Resolved,* That Chief Justice Lavorato  
9 be invited to present his message of the condition of  
10 the judicial branch at this convention, and recommend  
11 such matters as the Chief Justice deems expedient,  
12 pursuant to section 602.1207 of the Code.

The motion prevailed and the resolution was adopted.

## IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House Concurrent Resolutions 1 and 2** be immediately messaged to the Senate.

## ELECTION OF SPEAKER PRO TEMPORE

Horbach of Tama placed in nomination the Honorable Steven E. Sukup as candidate for Speaker pro tempore of the House of Representatives of the Seventy-ninth General Assembly, preceding his nomination with the following remarks:

Mr. Speaker, Representative Sukup is a man of thought, a person who uses brevity to make his point. Today I will honor his leadership skills by using brevity myself, in choosing one of these leadership skills to solidify this nomination.

Respect is the key to leadership here in this body. As legislators, we all receive respect when we enter this chamber. Yet, this is not a personal respect, it is respect

that is earned from representing the people of Iowa. The individual I am nominating today has earned respect through his ability to listen with a bipartisan ear, by bringing the voices of his constituents to the legislature and working with all legislators to make Iowa a better place.

Representative Sukup has earned a second kind of respect. It is the kind of respect that comes as a result of working hard in and out of the Iowa House. A strong family man, Representative Sukup has brought strong Iowan values to his work in this body. Combined with his strong leadership skills, this makes him a man that will serve the office of Speaker pro tempore as well. It is with utmost confidence that I nominate him to this office.

Garman of Story seconded the nomination of Representative Sukup as Speaker pro tempore for the House of Representatives, preceding her nomination with the following remarks:

I would like to second the nomination of Steven Sukup as Speaker pro tempore.

Kreiman of Davis seconded the nomination of Representative Sukup, preceding his nomination with the following remarks:

Mr. Speaker, ladies and gentlemen of the House, I too wish to second the nomination of Steve Sukup of Franklin County for the office of Speaker pro tempore. It is an honor to be able to second his nomination. In his years of service here in this body, Steve has served this body and his constituents with distinction. I appreciate his hard work and dedication. His abilities are well suited for the position of Speaker pro tempore, and it is for those reasons that Mr. Speaker, I move that the Chief Clerk be directed to cast the votes of all the members of the House of Representatives for the honorable Steve Sukup of Franklin County for Speaker pro tempore.

In accordance with the foregoing motion, the Chief Clerk cast the votes of all the members of the House of Representatives for the Honorable Steven E. Sukup as Speaker pro tempore of the House of Representatives of the Seventy-ninth General Assembly. The Honorable Steven E. Sukup of Franklin County, having received all of the votes cast for the office of Speaker pro tempore of the House of Representatives of the Seventy-ninth General Assembly, was declared duly elected to that office.

Larson of Linn 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: Larson of Linn and Mertz of Kossuth.

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

Thank you, Mr. Speaker, colleagues of the Iowa House and guests. We have all had an exciting year in politics. Fortunately for us our elections did finish November 7, unlike the Presidential. Congratulations on your hard work and success in the campaigns. But like most jobs you must be able to adjust to its different demands. The election has passed and it is time for us to serve all our constituents in the best interests for Iowa.

We packed our clothes, day planners and Palm Pilots, and left our lists for plumbers, furnace and electric repairs at home for our spouses. To my wife Vicki's dismay, while watching TV she found out some representatives print and laminate those lists. Thanks for raising the bar for me, Representative Manternach.

When I was first elected in '94 the Speaker pro tempore was Harold Van Maanen, a grandfather figure. Four years later I nominated Christopher Rants, so we went from Grandfather to a new father. Vicki and I have three teenagers and I am glad I'm neither a new father or a grandfather now—although you may see me age before your eyes with the teenagers. Each of us brings to the legislature a personal perspective on how to improve Iowa. With three children in college or high school—providing them with the opportunity of an excellent education system and job opportunities here in Iowa leads to a bright future for them and the state, which is my desire.

We approach this session with high hopes. We welcome new members and a new Chief Clerk. Margaret Thomson may have a lot to worry about, but fortunately not dimpled, hanging, or pregnant chads—as long as the board keeps working.

The Iowa House is designed for the free exchange of ideas. We always hear about the political concept of "across the aisle." I believe not having a "literal" political aisle division here in the Iowa House helps us to work through debates in a philosophical mode, rather than a pure political one. In fact, I'm probably more concerned about the Honda Goldwing rider Representative Carroll across from the Harley rider Representative Myers.

The issues we face this session will help shape Iowa for the future. We seize upon the opportunities of streamlining taxes to encourage growth and venture capital incentives, of investing in education to expect more accountability and improvements, of providing safer communities with laws that are efficient and fair, and of stretching our boundaries (no, don't worry, Missouri) but our boundaries of keeping high school and college graduates in Iowa.

We will have changes in policies—Iowans should not expect the status quo, nor do they want it. Iowans expect their Representatives to shape and lead Iowa. By reflecting and representing our constituents we can achieve this.

I look forward to serving you as Speaker pro tempore.



## REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Boal of Polk, 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.

## REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

Teig of Hamilton, 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.

## SPECIAL ORDER

Rants of Woodbury moved that the assignment of seats to the members of the House be made a special order for this afternoon at 1:35 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 will be
- 9   considered qualified. The Speaker and Chief Clerk
- 10   shall appoint their secretaries and pages to serve for
- 11   the session, and the Chief Clerk is hereby authorized
- 12   to employ such additional clerical assistance as her
- 13   duties may 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,*
- 4 That a committee of one be appointed to arrange for
- 5 opening the sessions with prayer.

The motion prevailed and the resolution was adopted.

## COMMITTEE ON MILEAGE

Cormack of Webster 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: Cormack of Webster, Chair; Weidman of Cass and Warnstadt of Woodbury.

## 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-eighth General Assembly be the temporary rules and temporary compensation provisions for the House of the Seventy-ninth General Assembly.

The motion prevailed.

## REMARKS BY MINORITY LEADER

Myers of Johnson addressed the House as follows:

Good morning and welcome.

It's with a mixture of pride and humility that I address you today as the House Democratic Leader. I am proud and grateful to be able to come to this beautiful building to work with you for the betterment of our state. And I am humbled by the important decisions that lie ahead. I ask for your help and your friendship, as I offer mine, as we work through this session.

We are a diverse group sitting here at these desks—liberal and conservative, rural and urban, old and young. But the people who elected us to represent them all had the same thing in mind—for us to work very hard to make Iowa a better place to raise families, educate children, move ahead in the world, and live complete and productive lives.

Republicans and Democrats—we share many common destinations. The roads we take to get there sometimes diverge. My pledge is to work with the majority party to achieve our common goals. That's why the people sent us here.

There will be times when we will disagree and we will be partisan. That's good for the process. As Congressman Jim Leach says, "Don't be afraid of partisanship. Often the best legislation springs from a partisan base."

So while Democrats will work energetically toward our common goals, we will be just as vigorous when we disagree.

I want to welcome the new representatives, both Democrats and Republicans, and I hope you will, too. I remember when I was first elected how much I appreciated being welcomed by both Republican and Democratic colleagues. It made a difference.

New members will find that this process is both exhilarating and frustrating, open and mysterious. But it has served us well for more than a century and a half. So we must respect and adhere to the traditions established in this chamber.

My advice to the new members is to take pride in your work. Learn as much as you can and soak in the whole experience. But above all respect those who don't agree with you. Their motives are as genuine as yours. They just have a different perspective.

This is a deliberative body. We try to avoid snap decisions. We try to perfect legislation so that what we send to the Governor for his approval is the very best we can craft. That requires each of us to work and study hard. It means subcommittees must meet to carefully study each bill being considered. Let's not be afraid of a full debate on issues and fair consideration of alternatives.

The key issue of this session for Democrats is teacher compensation. With many of our best teachers nearing retirement, now is the time to ensure that our children are taught by a new generation of intelligent and committed educators.

I know from 40 years of experience in business that to get the best people you have to pay them well. Teacher compensation must be improved. And we cannot wait to do it. It is rare in the Legislature when all the forces come together to bring about major change, but that time is at hand and we must act decisively.

Improving education by attracting good teachers takes a significant commitment of new money in a year when there is little new money to spend. So we must put education first, ahead of all other priorities. As much as Democrats want more funding for services and more tax cuts for those in need, we must wait until teacher pay is resolved.

(I note that even Marvin Pomerantz said recently, "If it's between a tax cut and funding teacher salaries, I think you'd probably say that teacher salaries get funded.")

And Democrats will insist that a new teacher pay plan is funded primarily with new money. We cannot steal money from our class size reduction efforts or from allowable growth and honestly say that we have improved teacher compensation and standards in this state.

When teacher compensation is resolved, Democrats want to turn our attention to other pressing needs. Recent notorious cases of child abuse have established the need for more and better-trained caseworkers in the field. We want to expand the use of the Hawk-I program so that every Iowa child is covered by health insurance.

Democrats want to build on Governor Vilsack and Senator Harkin's initiative to provide lower cost prescription drugs to Iowa seniors through a statewide cooperative. And we will push to ensure that health insurance pays for treatment of mental as well as physical illnesses.

I'm concerned that over the past five years prisons have been one of Iowa's biggest growth industries. We need to allow our judges more judgment when it comes to sentencing.

We must promote ethanol use and production, as well as other value-added agricultural industries, to ensure the vitality of rural Iowa in the years to come. And we must encourage the growth of businesses and industries that take full advantage of our skilled and productive workers, and pay them accordingly.

Finally, we will address reapportionment this year. Iowa is unique among the states in that we have a structure for redrawing district lines that virtually eliminates partisanship and guarantees fairness. We must be faithful to the letter and spirit of that law.

We have the makings for a spirited and interesting session. I look forward to working with you to make it successful.

## 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.

## ADOPTION OF HOUSE RESOLUTION 3

Rants of Woodbury asked and received unanimous consent for the immediate consideration of **House Resolution 3**, a resolution honoring Chief Clerk of the House of Representatives Elizabeth A. Isaacson upon her retirement.

The motion prevailed and the resolution was adopted.

## REMARKS BY MAJORITY LEADER

Rants of Woodbury addressed the House as follows:

Thank you, Mr. Speaker. Mr. Speaker, ladies and gentlemen of the House, guests and visitors, welcome to the 79<sup>th</sup> General Assembly.

To our new members, 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.

I'd like to talk, for a moment, about our families in Iowa.

Like those families back home, we are concerned about the academic progress our children are making. At the beginning of many legislative sessions an education initiative is previewed that is expected to be the hallmark of the session. That's the great thing about the Iowa General Assembly—we are never content, we are always working to improve our schools. This year's initiative that has received the most attention has been a proposal to change the way we compensate teachers. May I suggest to you that as we work on this issue during the session that we measure our success or failure not on how much we spend, or which school it is spent in, but how it impacts student achievement in all of our schools. Because like a family, we care equally about all our children.

Like many families back home, we will spend a fair amount of time haggling over our budget. How much time? I won't predict, I gave up making those predictions last year. But this I do know: like many families in Iowa, we are going to have to make difficult decisions regarding our budget. Ladies and gentlemen, like too many Iowa families, our income for this budget year is not what we expected. It is far less. We must resist the temptation to get out the old credit card and use that to buy everything we want. Instead we must determine what are truly needs, and what are wants. We must match our expenditures with our income. No gimmicks, no games, and no credit card approaches.

I said earlier that our legislative family is sometimes a little dysfunctional. For too many Iowa families, a dysfunctional family is a harsh reality that they don't get to escape after 110 days. Many of these families confront drug abuse, mental illness, child abuse, divorce, and the list goes on. The question before this legislature is whether our efforts as a state government, while having the noblest of intentions, are helping these dysfunctional families, or are we causing more pain? Are our rules and regulations tearing families apart, or helping them? I'm afraid that all too often it is the former. Iowa's Department of Human Services is an agency that I believe has lost the confidence of the families it purports to help. During this session we must repair that damage. Some want to measure our compassion by the size of the checks we write. I believe it should be measured by the dignity with which we treat our fellow Iowan and by the impact we have on their lives. Let us in our budget process begin by treating mental illness for what it is—a health issue. It does not belong in the Department of

Human Services, it belongs in the Department of Public Health, with every other disease. Representatives Heaton, Alons, and Houser, I hope that you can find a way to make this change.

Many Iowa families back home have grandparents. In too many, Pappa and Grandma choose to live for five months and 29 days in Iowa, and the majority of the year in another state. Last year we took a step to easing the tax burden on our retirees with the pension exclusion, this year we should begin work on elimination of the most unfair of all taxes on our seniors, the tax on their social security benefits.

Our seniors aren't the only Iowa families feeling a financial pinch right now. If your family is like mine, or my neighbors', or any other family I've met lately and you've gotten your utility bill this month you are suffering from sticker shock. While there is little that we can do about the supply of natural gas, we can ensure that state government does not profit from the misery of Iowa families. Iowa's treasury should not swell due to additional revenue from the taxation on higher cost natural gas used to heat our homes.

A hallmark of healthy families are good communications. Representative Myers, congratulations by the way on the new position. In an effort to keep our legislative family a healthy one, I'll do my best to keep you and your members apprised of our schedule and debate calendar. I look forward to having our exchanges take place from the corners as opposed to down in the well. As always, my door is open, and I encourage all of you to stop in.

Lastly, Mr. Speaker, I'd like to talk about the changes in my family. Not Trudy and the girls in Sioux City; but rather my family away from home in the Majority Leader's office. Since last we gathered, Jackie left me, and Jeff ran away from home. For those of you who haven't met them, I'd like to introduce my new staff: Gentry Collins and Mary Earnhardt. Neither are strangers to the legislative process. Questions regarding my calendar can be directed to Mary, and questions regarding the more important blue calendar should be directed to Gentry.

Ladies and gentlemen, our agenda is a full one. It's time to roll up our sleeves and go to work.

## INTRODUCTION OF BILLS

**House Joint Resolution 1**, by Garman, a joint resolution designating "Iowa", a poem by Don Whattoff, as the official state poem.

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

**House File 1**, by Dix, Sukup, Van Fossen, Horbach, Hansen, De Boef, Raecker, Kettering, Elgin, Rayhons, Broers, Drake, Alons, Klemme, Boal, Shey, Tymeson, Hoffman, Tyrrell and Hahn, a bill for an act relating to the exemption during a certain period from the

sales and use taxes of the gross receipts from the sale, furnishing, or service of metered gas and electricity and of fuel used for heating of residential-type dwellings and including an effective date.

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

**House File 2**, by Rants, Van Fossen, Horbach, Gipp, Hansen, Finch, De Boef, Raecker, Rekow, Kettering, Elgin, Rayhons, Hoffman, Broers, Drake, Alons, Boal, Klemme, Tymeson, Shey, Tyrrell, and Hahn, a bill for an act phasing out the tax on social security benefits 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 3**, by Rants, a bill for an act relating to information included in written promotional materials distributed by the department of economic development.

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

**House File 4**, by Rants and Houser, a bill for an act relating to the limitation on property taxes for cities and counties and providing for the Act's applicability.

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

**House File 5**, by Drake, a bill for an act relating to the amount of classroom instruction offered in an approved driver education course as programmed by the department of education.

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

**House File 6**, 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 7**, 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 8**, 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 9**, by Cormack, a bill for an act relating to the appropriation of moneys to the department of education for the payment of textbook services claims.

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

**House File 10**, by Brunkhorst, a bill for an act relating to the submission of the question of the imposition of a local sales and services tax and including an effective date provision.

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

**House File 11**, by Tyrrell, 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 12**, by Carroll, a bill for an act establishing the criminal offense of invasion of privacy and providing a penalty.

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

**House File 13**, by Garman, a bill for an act prohibiting the use of the internet for the purpose of conducting or participating in a lottery, bookmaking, or gaming, or for a related gambling purpose, and subjecting violators to existing penalties.

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



**House File 14**, by Brunkhorst, a bill for an act relating to the supervision of curriculum received via the Iowa communications network.

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

**House File 15**, 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 **state government**.

**House File 16**, by Osterhaus, a bill for an act relating to the apportionment of local option sales and services tax for school infrastructure election costs, and providing an effective date.

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

**House File 17**, by Cormack, 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 18**, by Wise, a bill for an act relating to school districts experiencing declining enrollment and providing an applicability date.

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

**House File 19**, 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 20**, by Cormack, a bill for an act relating to animal abuse, and providing for penalties.

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

## RULE 57 SUSPENDED

Rants of Woodbury asked and received unanimous consent to suspend Rule 57, for a meeting of the committee on administration and rules upon recess.

On motion by Rants of Woodbury, the House was recessed at 11:25 a.m., until 1:30 p.m.

## AFTERNOON SESSION

The House reconvened at 1:35 p.m., Speaker Siegrist in the chair.

## STANDING COMMITTEES APPOINTED

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

### ADMINISTRATION AND RULES – 14 Members

Carroll, Chair	Bukta	Myers	Sukup
Dix*	Falck	Rants	Teig
Jochum**	Huser	Siegrist	Warnstadt
Barry	Jacobs		

### AGRICULTURE – 21 Members

Klemme, Chair	Boggess	Johnson	Rayhons
De Boef*	Fallon	Kreiman	Rekow
Kuhn**	Frevert	Manternach	Scherrman
Alons	Houser	May	Schrader
Atteberry	Huseman	Mertz	Teig
Baudler			

### APPROPRIATIONS – 25 Members

Millage, Chair	Dix	Heaton	Raecker
Brunkhorst*	Dolecheck	Horbach	Seng
Murphy**	Drake	Jacobs	Smith
Alons	Falck	Jenkins	Taylor, T.
Barry	Gipp	Mascher	Warnstadt
Bell	Hatch	Mertz	Wise
Boggess			

### COMMERCE AND REGULATION – 21 Members

Hansen, Chair	Jacobs	Osterhaus	Seng
---------------	--------	-----------	------

Hoffman*	Jenkins	Petersen	Shey
Chiodo**	Johnson	Quirk	Taylor, D.
Bradley	Kettering	Raecker	Van Fossen
Dix	Metcalf	Schrader	Wise
Falck			

## ECONOMIC DEVELOPMENT – 21 Members

Cormack, Chair	Dotzler	Lensing	Roberts
Hoversten*	Elgin	Manternach	Seng
Hatch**	Hoffman	Metcalf	Stevens
Atteberry	Horbach	O'Brien	Teig
Bogges	Jenkins	Quirk	Van Fossen
Cohon			

## EDUCATION – 23 Members

Grundberg, Chair	Carroll	Greimann	Sievers
Boal*	Cohon	Hansen	Stevens
Wise**	Dolecheck	Lensing	Sukup
Broers	Eddie	Mascher	Tymeson
Brunkhorst	Finch	Petersen	Winckler
Bukta	Foege	Roberts	

## ENVIRONMENTAL PROTECTION – 21 Members

Hahn, Chair	Drake	Greimann	Mascher
Bradley*	Elgin	Hatch	Schrader
Witt**	Finch	Huseman	Shoultz
Brunkhorst	Foege	Kettering	Sievers
Cormack	Gipp	Lensing	Stevens
De Boef			

## HUMAN RESOURCES – 21 Members

Boddicker, Chair	Brunkhorst	Hoversten	Roberts
Broers*	Carroll	Larson	Smith
Foege**	De Boef	Kreiman	Tremmel
Atteberry	Ford	Murphy	Tymeson
Barry	Grundberg	Reynolds	Witt
Boal			

## JUDICIARY – 21 Members

Larson, Chair	Broers	Jochum	Shey
Baudler*	Chiodo	Kettering	Shoultz
Kreiman**	Eichhorn	Mertz	Sukup
Barry	Ford	Millage	Tremmel
Bell	Grundberg	Raecker	Witt
Boddicker			

## LABOR AND INDUSTRIAL RELATIONS – 21 Members

Tyrrell, Chair	Dotzler	Horbach	Raecker
Barry*	Ford	Jochum	Smith
Taylor, T.**	Grundberg	Metcalf	Sukup
Boddicker	Hansen	Millage	Taylor, D.
Connors	Hoffman	Murphy	Winckler
Dolecheck			

## LOCAL GOVERNMENT – 21 Members

Houser, Chair	Carroll	Hahn	Reynolds
Van Engelenhoven*	Connors	Huser	Sievers
Richardson**	Dix	Klemme	Taylor, D.
Alons	Eddie	Kuhn	Warnstadt
Arnold	Fallon	Petersen	Weidman
Brauns			

## NATURAL RESOURCES – 21 Members

Arnold, Chair	Brauns	Garman	Rayhons
Rekow*	Bukta	Greimann	Richardson
O'Brien**	Dotzler	Hahn	Scherrman
Alons	Drake	Huseman	Tyrrell
Baudler	Frevert	May	Weidman
Bell			

## STATE GOVERNMENT – 21 Members

Metcalf, Chair	Chiodo	Garman	O'Brien
Elgin*	Connors	Gipp	Reynolds
Larkin**	Cormack	Jacobs	Taylor, T.
Boddicker	Eichhorn	Jochum	Tremmel
Bradley	Falck	Millage	Van Engelenhoven
Brauns			

## TRANSPORTATION – 21 Members

Brauns, Chair	Eddie	Larkin	Rekow
Rayhons*	Garman	Klemme	Scherrman
May**	Heaton	Manternach	Van Engelenhoven
Arnold	Huser	Osterhaus	Warnstadt
Bukta	Johnson	Quirk	Weidman
Cohoon			

## WAYS AND MEANS – 25 Members

Van Fossen, Chair	Frevert	Jochum	Sievers
Shey*	Hansen	Kuhn	Sukup
Shoultz**	Hoffman	Larkin	Taylor, D.
Boal	Houser	Larson	Teig
Eichhorn	Hoversten	Osterhaus	Tymeson

Fallon  
Finch

Huser

Richardson

Winckler

#### ETHICS – 6 Members

Huseman, Chair  
Garman\*

Warnstadt\*\*  
Cormack

Mascher

Scherrman

### HOUSE APPROPRIATIONS SUBCOMMITTEES

#### ADMINISTRATION AND REGULATION – 9 Members

Raecker, Chair  
Sievers\*  
Connors\*\*

Chiodo  
Elgin

Klemme  
O'Brien

Taylor, T.  
Tyrrell

#### AGRICULTURE AND NATURAL RESOURCES – 9 Members

Drake, Chair  
Kettering\*  
Mertz\*\*

Baudler  
Eddie

Hahn  
May

Quirk  
Schrader

#### ECONOMIC DEVELOPMENT – 9 Members

Bogges, Chair  
Manternach\*  
Dotzler\*\*

Boal  
Hoffman

Petersen  
Reynolds

Teig  
Winckler

#### EDUCATION – 9 Members

Dolecheck, Chair  
Roberts\*  
Mascher\*\*

Barry  
Brunkhorst

Carroll  
Frevort

Scherrman  
Witt

#### HEALTH AND HUMAN RIGHTS – 9 Members

Alons, Chair  
Finch\*  
Ford\*\*

Atteberry  
Broers

De Boef  
Seng

Shoultz  
Van Engelenhoven

#### HUMAN SERVICES – 9 Members

Heaton, Chair  
Johnson\*  
Osterhaus\*\*

Arnold  
Foege

Greimann  
Houser

Hoversten  
Smith

#### JUSTICE SYSTEMS – 9 Members

Horbach, Chair  
Eichhorn\*  
Bell\*\*

Cormack  
Jacobs

Larkin  
Richardson

Shey  
Tremmel

## OVERSIGHT AND COMMUNICATIONS – 9 Members

Jenkins, Chair	Bradley	Falck	Hatch
Tymeson*	Dix	Garman	Lensing
Stevens**			

## TRANSPORTATION, INFRASTRUCTURE AND CAPITALS – 9 Members

Gipp, Chair	Fallon	Kuhn	Rekow
Weidman*	Huseman	Rayhons	Warnstadt
Cohoon**			

\* Vice Chair

\*\* Ranking Member

## HOUSE COMMITTEE ASSIGNMENTS

Dwayne Alons	Agriculture Appropriations Local Government Natural Resources Health and Human Rights Appropriations Subcommittee, Chair
Richard Arnold	Local Government Natural Resources, Chair Transportation Human Services Appropriations Subcommittee
Andra Atteberry	Agriculture Economic Development Human Resources Health and Human Rights 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 Systems Appropriations Subcommittee, Ranking Member

Carmine Boal	Education, Vice Chair Human Resources Ways and Means Economic Development Appropriations Subcommittee
Dan Boddicker	Human Resources, Chair Judiciary Labor and Industrial Relations State Government
Effie Lee Boggess	Agriculture Appropriations Economic Development Economic Development Appropriations Subcommittee, Chair
Clyde Bradley	Commerce and Regulation Environmental Protection, Vice Chair State Government Oversight and Communications Appropriations Subcommittee
Roger Broers	Education Human Resources, Vice Chair Judiciary Health and Human Rights Appropriations Subcommittee
Barry Brauns	Local Government Natural Resources State Government Transportation, Chair
Bob Brunkhorst	Appropriations, Vice Chair Education Environmental Protection Human Resources Education Appropriations Subcommittee
Polly Bukta	Administration and Rules Education Natural Resources Transportation
Danny Carroll	Administration and Rules, Chair Education Human Resources Local Government Education Appropriations Subcommittee

Frank Chiodo	Commerce and Regulation, Ranking Member Judiciary State Government Administration and Regulation Appropriations Subcommittee
Dennis Cohoon	Economic Development Education Transportation Transportation, Infrastructure and Capitals Appropriations Subcommittee, Ranking Member
John Connors	Labor and Industrial Relations Local Government State Government Administration and Regulation Appropriations Subcommittee, Ranking Member
Michael Cormack	Economic Development, Chair Environmental Protection Ethics State Government Justice Systems Appropriations Subcommittee
Betty De Boef	Agriculture, Vice Chair Environmental Protection Human Resources Health and Human Rights Appropriations Subcommittee
Bill Dix	Administration and Rules, Vice Chair Appropriations Commerce and Regulation Local Government Oversight and Communications Appropriations Subcommittee
Cecil Dolecheck	Appropriations Education Labor and Industrial Relations Education Appropriations Subcommittee, Chair
Bill Dotzler	Economic Development Labor and Industrial Relations Natural Resources Economic Development Appropriations Subcommittee, Ranking Member
Jack Drake	Appropriations Environmental Protection Natural Resources Agriculture and Natural Resources Appropriations Subcommittee, Chair



Russell Eddie	Education Local Government Transportation Agriculture and Natural Resources Appropriations Subcommittee
George Eichhorn	Judiciary State Government Ways and Means Justice Systems Appropriations Subcommittee, Vice Chair
Jeff Elgin	Economic Development Environmental Protection State Government, Vice Chair Administration and Regulation Appropriations Subcommittee
Steve Falck	Administration and Rules Appropriations Commerce and Regulation State Government Oversight and Communications Appropriations Subcommittee
Ed Fallon	Agriculture Local Government Ways and Means Transportation, Infrastructure and Capitals Appropriations Subcommittee
Barbara Finch	Education Environmental Protection Ways and Means Health and Human Rights Appropriations Subcommittee, Vice Chair
Ro Foege	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	Ethics, Vice Chair Natural Resources State Government Transportation Oversight and Communications Appropriations Subcommittee
Chuck Gipp	Appropriations Environmental Protection State Government Transportation, Infrastructure and Capitals Appropriations Subcommittee, Chair
Jane Greimann	Education Environmental Protection Natural Resources Human Services Appropriations Subcommittee
Betty Grundberg	Education, Chair Human Resources Labor and Industrial Relations Judiciary
James Hahn	Environmental Protection, Chair Local Government Natural Resources Agriculture and Natural Resources Appropriations Subcommittee
Brad Hansen	Commerce and Regulation, Chair Education Labor and Industrial Relations Ways and Means
Jack Hatch	Appropriations Economic Development, Ranking Member Environmental Protection Oversight and Communications Appropriations Subcommittee
Dave Heaton	Appropriations 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

Lance Horbach	Appropriations Economic Development Labor and Industrial Relations Justice Systems Appropriations Subcommittee, Chair
Hubert Houser	Agriculture Local Government, Chair Ways and Means Human Services Appropriations Subcommittee
Greg Hoversten	Economic Development, Vice Chair Human Resources Ways and Means Human Services Appropriations Subcommittee
Dan Huseman	Agriculture Environmental Protection Ethics, Chair Natural Resources Transportation, Infrastructure and Capitals Appropriations Subcommittee
Geri Huser	Administration and Rules Local Government Transportation Ways and Means
Libby Jacobs	Administration and Rules Appropriations Commerce and Regulations State Government Justice Systems Appropriations Subcommittee
Willard Jenkins	Appropriations Commerce and Regulation Economic Development Oversight and Communications Appropriations Subcommittee, Chair
Pam Jochum	Administration and Rules, Ranking Member Labor and Industrial Relations Judiciary State Government Ways and Means
David Johnson	Agriculture Commerce and Regulation Transportation

	Human Services Appropriations Subcommittee, Vice Chair
Steve Kettering	Commerce and Regulation Environmental Protection Judiciary Agriculture and Natural Resources Appropriations Subcommittee, Vice Chair
Ralph Klemme	Agriculture, Chair Local Government Transportation Administration and Regulation Appropriations Subcommittee
Keith Kreiman	Agriculture Human Resources Judiciary, Ranking Member
Mark Kuhn	Agriculture, Ranking Member Local Government Ways and Means Transportation, Infrastructure and Capitals Appropriations Subcommittee
Rick Larkin	State Government, Ranking Member Transportation Ways and Means Justice Systems Appropriations Subcommittee
Chuck Larson	Human Resources Judiciary, Chair Ways and Means
Vicki Lensing	Economic Development Education Environmental Protection Oversight and Communications Appropriations Subcommittee
Gene Manternach	Agriculture Economic Development Transportation Economic Development Appropriations Subcommittee, Vice Chair
Mary Mascher	Appropriations Education Environmental Protection Ethics Education Appropriations Subcommittee, Ranking Member

Dennis May	Agriculture Natural Resources Transportation, Ranking Member Agriculture and Natural Resources Appropriations Subcommittee
Dolores Mertz	Agriculture Appropriations Judiciary Agriculture and Natural Resources Appropriations Subcommittee, Ranking Member
Janet Metcalf	Commerce and Regulation Economic Development Labor and Industrial Relations State Government, Chair
David Millage	Appropriations, Chair Judiciary Labor and Industrial Relations State Government
Pat Murphy	Appropriations, Ranking Member Human Resources Labor and Industrial Relations
Dick Myers	Administration and Rules
Michael O'Brien	Economic Development Natural Resources, Ranking Member State Government Administration and Regulation Appropriations Subcommittee
Robert Osterhaus	Commerce and Regulation Transportation Ways and Means Human Services Appropriations Subcommittee, Ranking Member
Janet Pedersen	Commerce and Regulation Education Local Government Economic Development Appropriations Subcommittee
Brian Quirk	Commerce and Regulation Economic Development Transportation Agriculture and Natural Resources Appropriations Subcommittee

J. Scott Raecker	Appropriations Commerce and Regulation Judiciary Labor and Industrial Relations Administration and Regulation Appropriations Subcommittee, Chair
Christopher Rants	Administration and Rules
Henry Rayhons	Agriculture Natural Resources Transportation, Vice Chair Transportation, Infrastructure and Capitals Appropriations Subcommittee
Leigh Rekow	Agriculture Natural Resources, Vice Chair Transportation Transportation, Infrastructure and Capitals Appropriations Subcommittee
Rebecca Reynolds	Human Resources Local Government State Government Economic Development Appropriations Subcommittee
Steve Richardson	Local Government, Ranking Member Natural Resources Ways and Means Justice Systems Appropriation Subcommittee
Rod Roberts	Economic Development Education Human Resources Education Appropriations Subcommittee Vice Chair
Paul Scherrman	Agriculture Ethics Natural Resources Transportation Education Appropriations Subcommittee
David Schrader	Agriculture Commerce and Regulation Environmental Protection Agriculture and Natural Resources Appropriations Subcommittee

Joe Seng	Appropriations Commerce and Regulation Economic Development Health and Human Rights Appropriations Subcommittee
Patrick Shey	Commerce and Regulation Judiciary Ways and Means, Vice Chair Justice Systems Appropriations Subcommittee
Don Shoultz	Environmental Protection Judiciary Ways and Means, Ranking Member Health and Human Rights Appropriations Subcommittee
Brent Siegrist	Administration and Rules
Bryan Sievers	Education Environmental Protection Local Government Ways and Means Administration and Regulation Appropriations Subcommittee, Vice Chair
Mark Smith	Appropriations Human Resources Labor and Industrial Relations Human Services Appropriations Subcommittee
Greg Stevens	Economic Development Education Environmental Protection Oversight and Communications Appropriations Subcommittee
Steve Sukup	Administration and Rules Education Judiciary Labor and Industrial Relations Ways and Means
Dick Taylor	Commerce and Regulation Labor and Industrial Relations Local Government Ways and Means
Todd Taylor	Appropriations Labor and Industrial Relations, Ranking Member

	State Government Administration and Regulation Appropriations Subcommittee
Russell Teig	Administration and Rules Agriculture Economic Development Ways and Means Economic Development Appropriations Subcommittee
Mark Tremmel	Human Resources Judiciary State Government Justice Systems Appropriations Subcommittee
Jodi Tymeson	Education Human Resources Ways and Means Oversight and Communications Appropriations Subcommittee, Vice Chair
Phil Tyrrell	Labor and Industrial Relations, Chair Natural Resources Administration and Regulation Appropriations Subcommittee
Jim Van Engelenhoven	Local Government, Vice Chair State Government Transportation Health and Human Rights Appropriations Subcommittee
James Van Fossen	Commerce and Regulation Economic Development Ways and Means, Chair
Steven Warnstadt	Administration and Rules Appropriations Ethics, Ranking Member Local Government Transportation Transportation, Infrastructure and Capitals Appropriations Subcommittee
Dick Weidman	Local Government Natural Resources Transportation Transportation, Infrastructure and Capitals Appropriations Subcommittee, Vice Chair



Cindy Winckler

Education  
Labor and Industrial Relations  
Ways and Means  
Economic Development Appropriations  
Subcommittee

Philip Wise

Appropriations  
Commerce and Regulation  
Education, Ranking Member

William Witt

Environmental Protection, Ranking Member  
Human Resources  
Judiciary  
Education Appropriations Subcommittee

## EMPLOYEES OF THE HOUSE

Carroll of Poweshiek moved that the recommendations of the House committee on administration, 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

Margaret Thomson - Chief Clerk  
Susan K. Jennings - Assistant Chief Clerk I  
Jeffrey G. Mitchell - Caucus Staff Director  
Paulee Lipsman - Senior Caucus Staff Director  
Mary K. Earnhardt - Administrative Assistant to Leader  
Gentry T. Collins - Administrative Assistant II to Leader  
Carolyn McNeill Gaukel - Administrative Assistant II to Leader  
Daniel L. Fogleman - Administrative Assistant III to Speaker  
Mark W. Brandsgard - Senior Administrative Assistant to Leader  
Susan D. Severino - Senior Administrative Assistant to Speaker  
Stefani K. Millie - Legislative Research Analyst  
Kellie L. Paschke - Legislative Research Analyst  
Jason E. White - Legislative Research Analyst  
Patricia A. Schultz - Legislative Research Analyst II  
Bradley A. Trow - Legislative Research Analyst II  
Lon W. Anderson - Legislative Research Analyst III  
Stacie S. Maass - Legislative Research Analyst III  
Lewis E. Olson - Legislative Research Analyst III  
Bruce G. Brandt - Senior Caucus Secretary  
Dwayne Dean Fiihr, Jr. - Legislative Research Analyst  
Anna M. Hyatt-Crozier - Legislative Research Analyst I  
Mary C. Braun - Senior Legislative Research Analyst

Edward J. Conlow - Senior Legislative Research Analyst  
Jennifer L. Parsons - Senior Legislative Research Analyst  
Thomas R. Patterson - Senior Legislative Research Analyst  
Joseph P. Romano - Senior Legislative Research Analyst  
David L. Epley - Senior Caucus Secretary  
Becky L. Lorenz - Confidential Secretary to Speaker  
Betty M. Soener - Confidential Secretary II to Chief Clerk  
Shane D. Doepke - Clerk to Chief Clerk  
Linda C. Rosky - Supervisor of Secretaries I  
Gayle A. Goble - Senior Editor  
Trina L. Rudicil - Editor II  
Laurel K. Sandbulte - Assistant Editor  
C. Elaine Schoonover - Text Processor II  
Debra K. Rex - Senior Finance Officer  
Kelly M. Wacht - Assistant Finance Officer  
Kathryn M. Farrell - Recording Clerk I  
Doreen R. Terrell - Assistant Legal Counsel  
Pauline E. Kephart - Engrossing & Enrolling Processor  
Jessica M. Bash - Assistant to the Legal Counsel  
Kristin L. Wentz - Indexer II  
Tara L. Fletcher - Indexing Assistant  
Paul W. Aardsma - Switchboard Operator  
Madeline E. James - Switchboard Operator  
Christopher Amerman - Legislative Secretary  
Mollie Applegate - Legislative Secretary  
Ben Banowetz - Legislative Secretary  
Mary Kay Bartine - Legislative Secretary  
Michelle K. Bauer - Legislative Secretary  
Jessica A. Boddicker - Legislative Secretary  
Patricia A. Bradley - Legislative Secretary  
Jenna S. Brownell - Legislative Secretary  
Diane K. Burget - Legislative Secretary  
Jonathan Burke - Legislative Secretary  
Annie Carlson - Legislative Secretary  
Lisa Jo Chiodo - Legislative Secretary  
Debra Collopy - Legislative Secretary  
Karen Conley - Legislative Secretary  
Marjorie I. Connors - Legislative Secretary  
Jason Darrah - Legislative Secretary  
Mary K. Davis - Legislative Secretary  
Dawn R. Dillman - Legislative Secretary  
A. Kathleen Eaton - Legislative Secretary  
Judith K. Elliott - Legislative Secretary  
LaVena M. Fries - Legislative Secretary  
Harry W. Flipping, Jr. - Legislative Secretary  
Audrey J. Gibson - Legislative Secretary  
Brendan Greiner - Legislative Secretary  
Justin Gross - Legislative Secretary  
Doris E. Guess - Legislative Secretary  
Carol F. Hansen - Legislative Secretary  
Jeff Happe - Legislative Secretary  
Kellie L. Harryman - Legislative Secretary

Alicia Held - Legislative Secretary  
Lynn M. Hoffman - Legislative Secretary  
Beverly J. Horton - Legislative Secretary  
Ann I. Ihm - Legislative Secretary  
Julie K. Johnson - Legislative Secretary  
Karen L. Jostes - Legislative Secretary  
Kelli M. Kilgore - Legislative Secretary  
Jarad Klein - Legislative Secretary  
Meredith G. Lorinser - Legislative Secretary  
Catherine M. Mabry - Legislative Secretary  
Clark E. McMullen - Legislative Secretary  
Twyla L. Miller - Legislative Secretary  
Kerri E. Moran - Legislative Secretary  
Diane E. Nandell - Legislative Secretary  
Maureen Nichols - Legislative Secretary  
Sara Norris - Legislative Secretary  
Ronna G. O'Brien - Legislative Secretary  
Ann D. Osterhaus - Legislative Secretary  
Dorothy E. Potthoff - Legislative Secretary  
Mark J. Powell - Legislative Secretary  
Janet R. Ramsay - Legislative Secretary  
Gwen L. Rekow - Legislative Secretary  
Brandon J. Renz - Legislative Secretary  
Susan Reynolds - Legislative Secretary  
Sharon Ringstad - Legislative Secretary  
Mary M. Sanders - Legislative Secretary  
Molly Scherrman - Legislative Secretary  
Betsy Shelton - Legislative Secretary  
Betty J. Sorenson - Legislative Secretary  
Mary Lee A. Stephens - Legislative Secretary  
Josh Steward - Legislative Secretary  
Nicholas L. Sunderbruch - Legislative Secretary  
Jean Tannatt - Legislative Secretary  
Eileen M. Tyler - Legislative Secretary  
Darlene A. VanOort - Legislative Secretary  
Jennifer E. VanZante - Legislative Secretary  
Deloris S. Wacht - Legislative Secretary  
Philip Waits - Legislative Secretary  
Hope Welander - Legislative Secretary  
Teresa Welsh - Legislative Secretary  
Barbara B. Wennerstrum - Legislative Secretary  
Kara Wilber - Legislative Secretary  
Clarice Alons - Legislative Committee Secretary  
Belinda S. Backous - Legislative Committee Secretary  
Jill J. Beni - Legislative Committee Secretary  
Frank H. Boggess - Legislative Committee Secretary  
Susan C. Bruckshaw - Legislative Committee Secretary  
Phyllis R. Cowles - Legislative Committee Secretary  
Mary Beth Danzer - Legislative Committee Secretary  
Shirley J. Drake - Legislative Committee Secretary  
Kelley Fifer - Legislative Committee Secretary

Lynn K. Frank - Legislative Committee Secretary  
 Linda Gesling - Legislative Committee Secretary  
 Donna Greenwood - Legislative Committee Secretary  
 Nancy J. Hendrickson - Legislative Committee Secretary  
 Paula M. Houser - Legislative Committee Secretary  
 H. Kay Jenkins - Legislative Committee Secretary  
 Jenni Jackson - Legislative Committee Secretary  
 Karen F. Klemme - Legislative Committee Secretary  
 Ellen T. Larson - Legislative Committee Secretary  
 Michael P. Lowry - Legislative Committee Secretary  
 Katie M. Mammen - Legislative Committee Secretary  
 Melba K. Murken - Legislative Committee Secretary  
 Jean P. Olson - Legislative Committee Secretary  
 Julie K. Pierce - Legislative Committee Secretary  
 Vinita J. Smith - Legislative Committee Secretary  
 Jackie L. Syverson - 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  
 Gerald V. Orman - Assistant Sergeant-at-Arms  
 H. James Beyer - Doorkeeper  
 Howard S. Cowles - Doorkeeper  
 John E. Feller - Doorkeeper  
 Charles L. Fogelson - Doorkeeper  
 Marvin Hollingshead - Doorkeeper  
 Richard R. Overholser - Doorkeeper  
 Robert Yeager - Doorkeeper

#### PAGES GROUP I

Kyle McCullough – Speaker's Page  
 Juliana P. Anderson – Chief Clerk's Page  
 Andrea Pratt – Chief Clerk's Page  
 Chandra R. Allen  
 Joni M. Carroll  
 Brian M. Christensen  
 Alicia D. Cotten  
 Robert R. Donahoo  
 Laura K. Genz  
 Autumn L. Griffeeon  
 Peter J. Iversen  
 Mary June L. Jackson  
 Natasha M. Kerns  
 Sarah J. Knepper  
 Brandie A. Koopman  
 Jessica A. Krogmeier

Austin J. Lapierre  
 Amanda F. Loder  
 Sophia A. Magill  
 Latha D. Mietzner  
 Melinda C. Padley  
 Hannah K. Roberts  
 Teresa R. Rottinghaus  
 Matthew G. Sease  
 Heather D. Sellers  
 Jennie M. VanVelzen  
 Travis J. Van Zetten  
 Kaitlyn A. Weltha

#### PAGES GROUP II

Debra L. Lorimor

Robert J. Nitz

## SPECIAL PRESENTATION

Myers of Johnson introduced to the House the Honorable Leonard Boswell, United States Congressman from the third district.

## 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 Siegrist—floor seat
2. Speaker pro tempore Sukup
3. Majority Floor Leader Rants
4. Minority Floor Leader Myers
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	Bill Dotzler .....	9
Richard Arnold .....	79	Jack Drake .....	45
Andra Atteberry .....	71	Russell Eddie .....	31
Donna Barry .....	68	George Eichhorn .....	80
Clel Baudler .....	24	Jeff Elgin .....	72
Paul Bell .....	86	Steve Falck .....	56
Carmine Boal .....	70	Ed Fallon .....	90
Dan Boddicker .....	32	Barbara Finch .....	22
Effie Lee Boggess .....	13	Ro Foege .....	58
Clyde Bradley .....	49	Wayne Ford .....	10
Barry Brauns .....	64	Marcella Frevert .....	77
Roger Broers .....	17	Teresa Garman .....	34
Bob Brunkhorst .....	59	Chuck Gipp .....	66
Polly Bukta .....	43	Jane Greimann .....	41
Danny Carroll .....	65	Betty Grundberg .....	46
Frank Chiodo .....	12	James Hahn .....	63
Dennis Cohoon .....	67	Brad Hansen .....	30
John Connors .....	84	Jack Hatch .....	62
Michael Cormack .....	8	Dave Heaton .....	6
Betty De Boef .....	40	Clarence Hoffman .....	51
Bill Dix .....	54	Lance Horbach .....	15
Cecil Dolecheck .....	61	Hubert Houser .....	48

Name	Seat No.	Name	Seat No.
Greg Hoversten .....	74	Henry Rayhons.....	57
Dan Huseman .....	47	Leigh Rekow.....	38
Geri Huser.....	97	Rebecca Reynolds.....	5
Libby Jacobs.....	98	Steve Richardson .....	27
Willard Jenkins.....	28	Rod Roberts.....	36
Pam Jochum.....	96	Paul Scherrman .....	75
David Johnson.....	4	David Schrader .....	89
Steve Kettering .....	53	Joe Seng .....	19
Ralph Klemme .....	26	Patrick Shey.....	52
Keith Kreiman .....	60	Don Shoultz.....	91
Mark Kuhn.....	23	Brent Siegrist.....	14
Richard Larkin.....	69	Bryan Sievers.....	20
Charles Larson.....	82	Mark Smith.....	73
Vicki Lensing .....	37	Greg Stevens .....	29
Gene Manternach .....	78	Steve Sukup .....	16
Mary Mascher .....	55	Dick Taylor.....	88
Dennis May .....	93	Todd Taylor .....	95
Dolores Mertz.....	7	Russell Teig.....	81
Janet Metcalf .....	44	Mark Tremmel .....	21
David Millage.....	87	Jodi Tymeson .....	42
Pat Murphy .....	85	Phil Tyrrell.....	2
Richard Myers.....	99	Jim Van Engelenhoven.....	35
Michael O'Brien .....	1	Jamie Van Fossen .....	50
Robert Osterhaus.....	25	Steven Warnstadt .....	83
Janet Petersen .....	11	Dick Weidman .....	33
Brian Quirk .....	76	Cindy Winckler .....	39
Scott Raecker .....	18	Philip Wise .....	94
Christopher Rants.....	100	William Witt.....	92

On motion by Rants of Woodbury the seat assignment was accepted as listed.

## APPOINTMENTS

The following appointments were made during the interim:

### CHILD SUPPORT ADVISORY COMMITTEE (Chapter 252B.18, Code of Iowa)

Dan Boddicker..... To a term ending June 30, 2003

### COMMISSION OF ELDER AFFAIRS (Chapter 231.11, Code of Iowa)

David Johnson..... To a term ending April 30, 2004

### COMMISSION ON INTERSTATE COOPERATION (Chapter 28B.1, Code of Iowa)

Russell Eddie ..... To a term ending January 1, 2003  
 Russell Teig..... To a term ending January 1, 2003  
 Dick Weidman..... To a term ending January 1, 2003

**COMMUNICATIONS REVIEW COMMITTEE**  
 (Chapter 2.35, Code of Iowa)

James Van Engelenhoven..... To a term ending January 1, 2003

**CRIMINAL AND JUVENILE JUSTICE PLANNING ADVISORY COUNCIL**  
 (Chapter 216A.132, Code of Iowa)

Pat Shey ..... To a term ending January 1, 2005

**ENERGY FUND DISBURSEMENT COUNCIL**  
 (Chapter 473.11, Code of Iowa)

Teresa Garman ..... To a term ending January 1, 2003

**INDIGENT DEFENSE ADVISORY COUNCIL**  
 (Chapter 13B.2A, Code of Iowa)

Lance Horbach ..... To a term ending June 30, 2003

**PREVENTION OF DISABILITIES POLICY COUNCIL**  
 (Chapter 225B.3, Code of Iowa)

Richard Arnold..... To a term ending January 1, 2003

**COMMUNICATIONS RECEIVED**

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

**AUDITOR OF STATE  
 DEPARTMENT OF ECONOMIC DEVELOPMENT  
 IOWA FINANCE AUTHORITY  
 TREASURER OF STATE**

A Joint Report regarding proposals for a new allocation method for the state ceiling allocation, pursuant to Chapter 1166, 2000 Acts of the Seventy-eighth General Assembly.

**BOARD OF REGENTS**

The Investing in the Future Strategic Plan for 1998-2003, pursuant to Chapter 262A.13, Code of Iowa.

A study on methods for opening or expanding communication with parents and guardians of students under the age of twenty-one years who are enrolled in Iowa's postsecondary institutions, pursuant to Chapter 1161.2, 2000 Acts of the Seventy-eighth General Assembly.

The Annual Report on minority and women educators, pursuant to Chapters 262.82 and 262.93, Code of Iowa.

The annual technology transfer and economic development reports from the University of Iowa, Iowa State University and the University of Northern Iowa, pursuant to Chapter 1225, 1998 Acts of the Seventy-seventh General Assembly.

#### CITIZENS' AIDE/OMBUDSMAN

A report on the investigation of the Department of Human Services' handling of allegations of child abuse concerning Shelby Duis, pursuant to Chapter 2C.17, Code of Iowa.

#### CIVIL RIGHTS COMMISSION

The Iowa Civil Rights Commission Annual Savings Report on ICN Usage for Fiscal Year 2000, pursuant to Chapter 8D.10, Code of Iowa.

#### DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP Office of Renewable Fuels and Co-Products

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

#### DEPARTMENT OF COMMERCE Iowa Utilities Board

The 1999 Annual Report, pursuant to Chapters 7A.1, 7A.10 and 476.16, Code of Iowa.

#### DEPARTMENT OF CORRECTIONS

The Department of Corrections submits the following reports, the hard labor report, the revenues from the pay-for stay report, the use of inmate labor for capital improvement projects report and the vocation education program/funding report, pursuant to Chapter 1229, 2000 Acts of the Seventy-eighth General Assembly.

A report on the judicial districts action, if any, on implementation of an intermediate criminal sanctions program, pursuant to Chapter 1229, 2000 Acts of the Seventy-eighth General Assembly.

#### DEPARTMENT OF ECONOMIC DEVELOPMENT

Assessing high-speed internet access in the state of Iowa, pursuant to Chapter 1226, 2000 Acts of the Seventy-eighth General Assembly.

#### DEPARTMENT OF EDUCATION

A progress report on the implementation of the community college management information system, pursuant to Chapter 1167, 2000 Acts of the Seventy-eighth General Assembly.

The Phase III Summary Report, pursuant to Chapter 294A, Code of Iowa.

The preliminary report regarding the initial statewide strategic plan, pursuant to Chapter 1167.5, 2000 Acts of the Seventy-eighth General Assembly.



The regional high school academies grants report, pursuant to Chapter 1223.3(16)(c), 2000 Acts of the Seventy-eighth General Assembly.

The recommendations for statutory changes that may be required to accomplish area education agency reorganization, pursuant to Chapter 1223, 2000 Acts of the Seventy-eighth General Assembly.

#### DEPARTMENT OF GENERAL SERVICES

A report on the Space Utilization and Building Study, pursuant to Chapter 1225, 2000 Acts of the Seventy-eighth General Assembly.

#### DEPARTMENT OF HUMAN RIGHTS Division of Persons with Disabilities

The Annual Report, pursuant to Chapter 216A.60, Code of Iowa.

#### DEPARTMENT OF HUMAN SERVICES

The State County Management Committee submits the following recommendations regarding: Allowed Growth Factor Adjustment, System Design and Incentive and Efficiency Fund, pursuant to Chapters 331.439(3) and 331.424A(1), Code of Iowa.

The annual recommendations from the Personal Assistance and Comprehensive Family Support Services Council, pursuant to Chapter 225C.48, Code of Iowa.

A report titled: "Medicaid Dental Reimbursement Rates and Reimbursement Methodology," pursuant to Chapter 1221, 2000 Acts of the Seventy-eighth General Assembly.

The senior living trust fund nursing facility conversion and long term care service development grant update, pursuant to Chapter 1004, 2000 Acts of the Seventy-eighth General Assembly.

The November 2000 Iowa Demographic Report, pursuant to Chapter 1004, 2000 Acts of the Seventy-eighth General Assembly.

The Residential Care Facility Report, pursuant to Chapter 1004, 2000 Acts of the Seventy-eighth General Assembly.

A report on the development and implementation of a plan that shall substantially reduce or eliminate collection of client participation by the psychiatric medical institutions for children, pursuant to Chapter 1228.16(2c)(3), 2000 Acts of the Seventy-eighth General Assembly.

A report relative to the adult decategorization project, pursuant to Chapter 160, 1999 Acts of the Seventy-eighth General Assembly.

A report relative to the continued development of the nursing facility case mix reimbursement methodology, pursuant to Chapter 1004, 2000 Acts of the Seventy-eighth General Assembly.

Reports relative to the personal assistance services pilot project and home and community based services, pursuant to Chapter 1228.8(14), 2000 Acts of the Seventy-eighth General Assembly.

A report on recommendations for future direct care staff wage increases, pursuant to Chapter 1221, 2000 Acts of the Seventy-eighth General Assembly.

The 2000 Annual Report, pursuant to Chapter 2.17(21), Code of Iowa.

#### Family Development and Self-Sufficiency Council

The Fiscal Year 1999 Annual Report, pursuant to Chapter 217.21, Code of Iowa.

#### DEPARTMENT OF INSPECTIONS AND APPEALS

A report on actions taken in accordance with physician's orders, pursuant to Chapter 199.10(5), 1999 Acts of the Seventy-eighth General Assembly.

#### DEPARTMENT OF JUSTICE

The Prosecutor Intern Program Annual Report for 2000, pursuant to Chapter 13.2(12), Code of Iowa.

#### DEPARTMENT OF NATURAL RESOURCES

The Annual Report titled "Energy Fund Disbursement Council Report," pursuant to Chapter 455A.4(1)(d), Code of Iowa.

The Iowa's 1999 Public Drinking Water Program Annual Compliance Report, pursuant to Chapter 455B, Code of Iowa.

The 2000 REAP Congress Report, pursuant to Chapter 7A.11, Code of Iowa.

#### DEPARTMENT OF PUBLIC HEALTH

The Iowa Youth Summit Final Report, pursuant to Chapter 142A.4(12), Code of Iowa.

The Tobacco Control Quarterly Report, pursuant to Chapter 1192.4(12), 2000 Acts of the Seventy-eighth General Assembly.

The 2000 Annual Report, pursuant to Chapter 135.11, Code of Iowa.

A review of enforcement efforts, pursuant to Chapter 1192, 2000 Acts of the Seventy-eighth General Assembly.

A report on access to obstetrical care in Iowa, pursuant to Chapter 135.11(18A), Code of Iowa.

A report on the needlestick protection study, pursuant to Chapter 1140.48, 2000 Acts of the Seventy-eighth General Assembly.

A report on childhood lead poisoning prevention, pursuant to Chapter 1222.12, 2000 Acts of the Seventy-eighth General Assembly.

The Annual Donation and Compliance Report for the Year 2000, pursuant to Chapter 142C.17, Code of Iowa.

The 2000 Annual Report, pursuant to Chapter 135, Code of Iowa.

The Fiscal Year 2000 Annual Report, pursuant to Chapter 8D.10, Code of Iowa.

#### DEPARTMENT OF PUBLIC SAFETY

The 1999 Iowa Uniform Crime Report, pursuant to Chapter 692.15, Code of Iowa.

#### DEPARTMENT OF REVENUE AND FINANCE

The Fiscal Year 2000 ICN Report, pursuant to Chapter 8D.10, Code of Iowa.

The Iowa Comprehensive Annual Financial Report, pursuant to Chapter 421.31(5), Code of Iowa.

#### DEPARTMENT OF TRANSPORTATION

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

The Committee on Air Service Report, pursuant to Chapter 1182.2(5), 2000 Acts of the Seventy-eighth General Assembly.

A status report on the Midwest Regional Rail Passenger Initiative, pursuant to Chapter 1168.2(5), 2000 Acts of the Seventy-eighth General Assembly.

A report on issues relating to railroad rights of way crossings by utilities, pursuant to Chapter 327, Code of Iowa.

A report for Fiscal Year 2000 describing the 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 for fiscal year 2000, pursuant to Chapter 307.21, Code of Iowa.

A report on the study of implements of husbandry, pursuant to Chapter 1040.2, 2000 Acts of the Seventy-eighth General Assembly.

The Fiscal Year 2000 report of savings by using videoconferencing through Iowa Communication Network, pursuant to Chapter 8D.10, Code of Iowa.

The 2001-2005 Iowa Transportation Improvement Program, pursuant to Chapter 307A.2(12), Code of Iowa.

### IOWA CITIZEN FOSTER CARE REVIEW BOARD

The Annual Report for Fiscal Year 2000, pursuant to Chapter 237.18, Code of Iowa.

### IOWA COMMUNICATIONS NETWORK Telecommunications and Technology Commission

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 2000, pursuant to Chapter 8D.10, Code of Iowa.

The Five-Year Financial Plan, pursuant to Chapter 8D.3, Code of Iowa.

### IOWA UTILITIES BOARD

Assessing high-speed internet access in the state of Iowa, pursuant to Chapter 1226, 2000 Acts of the Seventy-eighth General Assembly.

A report on the results of the replacement tax study committee, pursuant to Chapter 476.6(23), Code of Iowa.

### STATE OF WEST VIRGINIA

House Concurrent Resolution 5, applying to and petitioning the Congress of the United States to propose an amendment to the Constitution of the United States of America for submission to the states for ratification prohibiting federal courts from ordering a state or political subdivision thereof to levy or increase taxes.

House Concurrent Resolution 32, urging the passage of national legislation to increase benefits to surviving spouses under the Railroad Retirement Act of 1974.

### CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

2001\1	Ruth and Paul Scott, Shenandoah – For celebrating their 72 <sup>nd</sup> wedding anniversary.
2001\2	Jo and Julian Walter, Lenox – For celebrating their 60 <sup>th</sup> wedding anniversary.
2001\3	Esther Fuller, Clarinda – For celebrating her 95 <sup>th</sup> birthday.
2001\4	Dorothy Hulsebus, Denison – For celebrating her 80 <sup>th</sup> birthday.

- 2001\5 Violet Schroeder, Manilla – For celebrating her 80<sup>th</sup> birthday.
- 2001\6 Beverly and Harold Olson, Sr., Manilla – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\7 Juanita Swackhammer, Des Moines – For her years of dedicated service to the Iowa House of Representatives commencing in 1967.
- 2001\8 Muscatine Police Department, Muscatine – For receiving national accreditation by the Commission on Accreditation for Law Enforcement Agencies (CALEA).
- 2001\9 Maxine Arney, Holstein – For celebrating her 80<sup>th</sup> birthday.
- 2001\10 Evelyn Leonard, Holstein – For celebrating her 80<sup>th</sup> birthday.
- 2001\11 Maxine Huisenga, Lake View – For celebrating her 81<sup>st</sup> birthday.
- 2001\12 Eleanor Ravenelle, Wall Lake – For celebrating her 82<sup>nd</sup> birthday.
- 2001\13 Leone Morgan, Danbury – For celebrating her 90<sup>th</sup> birthday.
- 2001\14 Lula Stock, Lake View – For celebrating her 97<sup>th</sup> birthday.
- 2001\15 DeVilda and Jim Collins, Danbury – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\16 Mr. and Mrs. Ed Klopfenstein, Sac City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\17 Emily and Henry Renze, Arthur – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\18 Marie and Arnold Hass, Holstein – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\19 Walter Wedmeyer, Adair – For celebrating his 90<sup>th</sup> birthday.
- 2001\20 Mr. and Mrs. Daryl Downing, Adair – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\21 Mr. and Mrs. Tom Young, Adair – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\22 Deliliah and Ardetta Andreasen, Guthrie Center – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\23 Dorothy Foresman, Guthrie Center – For celebrating her 85<sup>th</sup> birthday.
- 2001\24 Mathew J. Demmer, Cedar Falls – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

- 2001\25      Eric Christopher Brinkham, Clinton – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\26      Mr. and Mrs. Leonard Peters, Clinton – For celebrating their 65<sup>th</sup> wedding anniversary.

### RESOLUTION FILED

**HCR 3**, by Grundberg, Roberts, Shey, Dolecheck, Eddie, Metcalf, Baudler, Boggess, Elgin, Kettering, Alons, Sievers, Boal, Jenkins, Johnson, Klemme, Drake, Broers, Van Fossen, Hoversten, Finch, De Boef and Rekow, a concurrent resolution supporting the admission of the Baltic States of Estonia, Latvia, and Lithuania to the North Atlantic Treaty Organization.

Laid over under **Rule 25**.

On motion by Rants of Woodbury the House adjourned at 2:07 p.m., until 8:45 a.m., Tuesday, January 9, 2001.

# JOURNAL OF THE HOUSE

Second Calendar Day - Second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, January 9, 2001

The House met pursuant to adjournment at 8:51 a.m., Speaker pro tempore Sukup in the chair.

Prayer was offered by Reverend Jon Anderson, pastor of St. Paul's Evangelical Lutheran Church, Hampton.

The Journal of Monday, January 8, 2001 was approved.

## PETITION FILED

The following petition was received and placed on file:

By Siegrist of Pottawattamie from fifty-six thousand residents favoring Iowa's beverage container redemption law.

## INTRODUCTION OF BILL

**House File 21**, by Warnstadt, Witt, Murphy, Stevens, Wise, and Larkin, a bill for an act relating to and making an appropriation to the department of revenue and finance for the administration of local option sales and services taxes, and providing an effective date.

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

## COMMITTEE TO NOTIFY THE SENATE

Barry of Harrison 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 Barry of Harrison, Chair; De Boef of Mahaska and Quirk of Chickasaw.

The House stood at ease at 8:55 a.m., until the fall of the gavel.

The House resumed session at 9:08 a.m., Speaker pro tempore Sukup in the chair.

### REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Barry of Harrison, 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.

The report was accepted and the committee discharged.

The House stood at ease at 9:09 a.m., until the fall of the gavel.

The House resumed session at 9:45 a.m., Speaker Siegrist in the chair.

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 at 9:50 a.m., 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 Thomas J. Vilsack that the joint convention was ready to receive him.

The motion prevailed and the President appointed as such committee Senators Angelo of Union, Shearer of Washington and Tinsman of Scott, on the part of the Senate, and Representatives Tymeson of Madison, Hoversten of Woodbury and Falck of Fayette, on the part of the House.

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

The Chief Justice and the Justices of the Supreme Court and Judges of the Appellate Court were escorted into the House chamber.

Lieutenant Governor Sally Pederson was escorted into the House chamber.

Mrs. Christie Vilsack, wife of the Governor was escorted into the House chamber.

The committee waited upon Governor Thomas J. Vilsack and escorted him to the Speaker's station.

President Kramer presented Governor Thomas J. Vilsack who delivered the following condition of the state and budget message:

Iowa always has been a land of great opportunity. The earliest Iowans, the Sacs and Fox tribes among them, lived well and prosperously from our soil's great bounty. Pioneering Americans were drawn to our great rolling prairies as they moved westward in the 19<sup>th</sup> century, and settled here to make new lives for themselves. Later, newcomers came from Ireland, Germany, Sweden, Norway, Holland, and Czechoslovakia to this land of promise. They made Iowa their home, as did their children and their children's children.

Opportunity has always been here for the taking, here for anyone with a sense of adventure and a spirit of exploration.

Today, more than at any time in the past, Iowa is a place of great potential. But in order to seize the limitless opportunities that lie ahead, we, too, must be willing to dare and to challenge the status quo.

For our future of promise does not depend on a continuation of the old ways and of the old economy built on low commodity prices and low-tech jobs. This path has led to below-average family incomes and stagnant population growth. Rather, our future of promise must be based on a new economy. A new economy that uses genetic codes, computer chips, and other science and technology marvels to create new frontiers.

A new economy that relies on well-educated and productive workers, is energized by dynamic, global markets, rewards innovation and creativity and is driven by rapidly growing, technologically-connected small businesses. Such a new economy will lead to higher incomes for working Iowans and their families and a better quality of life for all Iowans.

Iowans can, and Iowans should, lead this new economy.

But leadership will require courage—the courage to change. Working together, we've achieved much in the past. We've reduced class sizes in the early grades, improving opportunities for basic skill learning. We've begun to make our communities safer by reducing the supply of dangerous drugs like meth. We've enhanced our natural resources through aggressive private land conservation, helping to clean up our rivers and streams. We've expanded health care to thousands of children through an expansion and better outreach of the HAWK-I health insurance plan. Despite all that and more, there is still much work ahead of us.

As I reflect on our mission to lead the new economy, I am drawn to lessons learned in our history. Nearly 200 years ago, Thomas Jefferson understood that America's promise was contained in a new, expanding economy. He was drawn to the possibilities and promise of the West. And in 1803, he won approval from Congress for his visionary project—what was to become one of America's greatest adventure stories. He commissioned two men eager for knowledge, Meriwether Lewis and William Clark, to explore new territory and to chart a course to new opportunity. Lewis and Clark planned and prepared. They put together a team of talented, innovative people. They relied on the expertise of their team members—a Native American woman, Sacagawea, who welcomed these strangers to a new land and helped them communicate by translating the Native American languages and an African American slave named York who helped to make critical decisions about routes to take which guaranteed their safe return. They took risks and they used the latest technologies. And they were absolutely determined to, committed to, succeeding.

This brave group of adventurers had to rely on each other in order to succeed. For four years, Lewis and Clark and their team experienced the absolute wonder of discovery. Their explorations included Iowa. During their epic journey, Lewis and Clark traveled along Iowa's western border—even buried one of their own in our soil.

Because they found a way to work together toward a common goal, they were able to open new territories to a young nation. They opened paths to previously uncharted territories. Succeeding generations seized these new opportunities and built a nation, a great nation—American nation—nothing less than the strongest and most bountiful nation in history.

Today, let us commit ourselves to the challenges of transforming to a new economy and leading it with the spirit of teamwork and dedication to a common goal that drove

Lewis and Clark. Let us, through our work together here and now, help Iowans seize the limitless opportunities of the new economy.

Let us build an Iowa that, with each succeeding generation, will become only better and stronger.

There are over 500,000 children going to schools across the state in kindergarten through twelfth grade. Each child has their own dream, their own developing potential, and their own educational need. A quality education provided by quality teachers makes a dream come true, the potential realized and the need met. If we are to transition to a new economy and to lead it, we must start by transforming our schools and continue the commitment to excellence and high student achievement.

Two Iowans who already have committed to Iowa's leadership in the new economy are Marvin Pomerantz and John Forsyth. Each of these men understands the critical role that a high-quality education plays in the new economy. Last year, Marvin and John worked separately and jointly with educators, administrators, parents, school board members and business leaders to develop a framework that will significantly improve student achievement by enabling Iowa schools to recruit and to retain quality teachers.

Their plan is driven by a simple principle: For our children to achieve their very best, they must be taught by the very best.

The single most important factor in a quality education—beyond involved parents—is a quality teacher. For years, Iowan's have been blessed with many quality teachers. However, we can no longer take quality teachers for granted. In a world of opportunity, quality comes at a price.

Today, fewer young people are going into teaching. Beginning teaching salaries are thousands of dollars less than the starting salaries of most jobs available to high-achieving college graduates.

Many young people who make the choice to teach soon leave the profession. In Iowa, 28% of our teachers leave the classroom after the first three years for better opportunities. We lose 17% of our teachers in the first year alone, and that's about twice the national average. School officials are faced with the fact that up to 40% of Iowa's classroom teachers will be retiring within the next 10 years.

As Iowa tries to recruit and retain talented teachers, so does the rest of the nation. The nation will need 2.2 million teachers over the next 10 years, but is equipped to educate and prepare only 1.4 million. That means there will be a shortage of 800,000 teachers. And, as Iowa seeks to compete for that shrinking supply, our teacher salaries rank 35<sup>th</sup> in the nation.

If Iowa is to lead the new economy, our children must be high achievers, taught by the best teachers. Thanks to the work of Marvin Pomerantz and John Forsyth and their teams, work supported by legislative leaders from both chambers, and from both sides of the aisle, we have a plan to do just that.

Recognizing that quality is about more than dollars and cents, this plan outlines how we can better develop and support quality teachers. The plan challenges all involved with student learning to aim high and to constantly improve.

The plan to improve student achievement has four basic elements.

First, it requires a rigorous course of study to become a teacher, and participation in a multi-year induction or mentoring program in the first two years of teaching, which will guarantee teachers who are better-prepared for the classroom, and better-supported once they've begun teaching.

Second, it establishes a research-based program of continuing education designed to improve student learning.

Third, it proposes to strategically increase teacher pay by fixing base pay at levels linked to the national labor market for teachers that will allow Iowa to remain competitive for talent.

Finally, it creates a variable pay program that rewards teachers, administrators, and certified staff for annual improvements in student achievement.

All of these simply reflect one of Iowa's oldest and most deeply-held values—excellence in education.

Joining John Forsyth are the Iowans who worked in the development of this framework, as well as a number of Iowa's board-certified teachers and Milken Foundation grantees. These are teachers who have reached the pinnacle of their careers through hard work and continuing education. These are the teachers who have helped our students to excel. They model the career development, the commitment to quality and the love of the calling reflected in the plan presented for your consideration. Please join me in thanking each of them for their contribution to our children, our future, and the future of Iowa.

The success of this plan depends in part on adequate funding. The framework will take several years to fully implement. During that time, some of the resources should and must come from dollars already allocated to our K-12 programs. But new funds also will be required.

Discussion of new funding often is a discussion of choices. But ensuring higher student achievement is no longer a choice. It is a requirement if we wish to transition to a new economy and lead it.

To reflect the priority that I believe we should place on this effort, I propose in the budget presented to you an initial first-year investment of \$40 million in new state dollars. I propose that we make this significant investment now, in the form of a supplemental appropriation, before any other budget decisions are made.

We must all work together, in a bipartisan way, to transform our system. But this level of first-year funding will show real commitment. Appropriating first-year funding now shows the depth of that commitment—a commitment to change and to leadership in the new economy.

Last year, a team of talented Iowans showed their own commitment to change and to leadership with a blueprint for Iowa's future in the next 10 years. Led by David Oman, a Republican, and Betsy Brandsgard, a Democrat, these bold thinkers made many recommendations for action. One of the principal recommendations revolved around their conclusion that by the year 2010, Iowans should be electronically connected to each other and to the world. They predicted that our access to emerging technologies would move Iowa to the forefront in education, e-commerce, medicine, and e-government. They predicted a revitalized new economy for Iowa, built on technology.

Creating a new economy and leading it will require affordable access to the Internet and other advanced telecommunications services—for all Iowans.

During my walk across Iowa, I visited many great small communities like Turin, Iowa, population 75. Sixty years ago, the leaders of that community made the decision not to invest in the new technology of that era—sanitary sewers. That decision has impact yet today, for the community cannot attract a convenience store that would make access to basic groceries more convenient. We have a chance to bring the world to the people of Turin and hundreds of similar-sized communities and help make Iowa a leader in the new economy. But, we must move now to bring emerging technologies everywhere in Iowa at a price we can afford. In order for all Iowans to have that affordable access, there must be a strong, collaborative partnership between the public and private sectors.

Today, I ask for your support for the development of an Advanced Telecommunications Alliance. This alliance would bring public and private sector leaders in telecommunications together in a formal structure to design an advanced telecommunications service plan for Iowa. At this inception, we should challenge this new Alliance to electronically link all Iowans with each other and with the world by 2005—a full five years before the prediction of the Strategic Planning Council.

I am confident that those telecommunications leaders will get the job done, if Iowans understand the enormous opportunities that such connections allow. Achieving that understanding will be easier if technical planning and assistance, identifying the benefits of being connected, is available.

To help communities to access that planning and technical assistance, we should create a fund, a Digital Communities Account. Making resources available to communities through the account will accelerate the understanding of the importance and the potential of being connected. Such an understanding will create the demand for services to which the private sector will respond. When that occurs, every Iowan, from grandparents wishing to e-mail their grandchildren to large business owners or small business owners needing access to global markets, will have access to advanced telecommunication services—a prerequisite to leadership in the new economy.

Today, Iowans lead busy and, at times, complicated lives. We balance family and friends, work, community and church responsibilities. We need a government that helps us deal with these responsibilities and reflects our values.

When we need information or services from state government, we have a right to expect accuracy, efficiency and quality. E-government, information and services available 24 hours a day, 7 days a week, will help meet our expectations and make things a little easier and a lot more convenient.

Working together, we can create E-government so that every Iowan who seeks information, applies for a license or permit, or files a tax return or other document, will be able to do so whenever and however is most convenient for them.

Let us accept the challenge of 100% E by 2003. Iowans need it. Leadership of a new economy requires it.

In the same vein, we need a more accountable government. Accountability is a core Iowa value. We can and we should reflect that value in our statutory law defining how we govern and decide. That is why we ask for your support of the Accountable Government Act. Under the Act, the executive branch would strategically plan, develop performance measurements to gauge progress, and budget according to the desired results. We would be required to annually report to citizens and welcome regular performance reviews. We would be equipped to make decision on data when limited resources require choices.

Working together, let us adopt the Accountable Government Act. When coupled with the mandate for fiscal responsibility and saving contained in our Constitution and prior budget reform acts, the Accountable Government Act will complete the effort to have a government with the values of the people it serves. A government well suited to help us lead the new economy.

Recently, I had the privilege of welcoming to the Governor's office two of Iowa's top young scholars—Colin Holtze and Dana Hansen. These two young people are in their first year of college—Colin at Duke and Dana at Iowa State. What must we do today to maximize our chances of having these two bright, young people, and thousands like them, shape Iowa's future?

I believe the answer lies in transforming our economy and leading the new economy—particularly in areas where Iowa has a competitive advantage. Younger Iowans may know that Iowa boasts some of the richest, most productive soil in the world—land that has fed a nation and has helped to feed a world. But, do they also understand the power of the research and development taking place on our university campuses or at businesses located across the state? Work that will expand the uses of our crops from food and fiber to cures for cystic fibrosis and other illness, to renewable, cleaner burning fuels, and to biodegradable materials suitable for manufacturing a wide variety of products.

Imagine a world where rosemary is used for more than adding flavor to food. Imagine a day when it will produce an anti-oxidant that wards off illness or disease. Imagine a world where pharmaceutical drugs are no longer needed to treat illness and disease because gene therapy has prevented the illness or disease in the first place. Imagine a world where the effects of weather on crops can be managed by applying a substance to plants already planted, that will enable the plants to adjust to unexpected weather patterns. Iowans do not have to imagine such a world. We live in it—right here in Iowa—just ask the folks at Kemin Industries in Des Moines, the Plant Science Center at Iowa State University or the Biomedical Centers at the University of Iowa.

Iowa's formula for keeping and attracting the talent of tomorrow requires a change in economic development philosophy to promote industry clusters of the life sciences, advanced manufacturing, information solutions, continued investment in research and development and additional support for entrepreneurs.

Let us invite young people to Iowa's exciting future through the use of traditional economic development tools in new ways to develop the industry clusters of life sciences for companies like Kemin and Trans Ova, for advanced manufacturers like Rockwell Collins or Maytag, and information solutions for companies like ABC Virtual Communications and Diversified Software Industries. Let us invite young people to Iowa's exciting future through increased investment in the cutting edge research and development taking place at our Regents' universities. Let us invite young people to Iowa's future through increased investment in entrepreneurship with a tax credit for investors, providing the venture capital for new start-ups.

Let us begin today to extend the invitation to higher incomes, better quality of life, and leadership in the new economy.

The new economy will not help everyone. The over 100,000 workers in Iowa earning the minimum wage likely will not be helped. A majority of them are women and many are raising families. The purchasing power of the minimum wage today is much less than it was in 1982. If we are to restore the purchasing power of the minimum wage and provide a better chance for women and their children, in particular, we should raise the minimum wage by \$1.00 over the next 2 years. Currently, a person making minimum wage, working 40 hours a week, makes a little over \$10,500 a year. With two wage earners at that level, a family of four would still qualify for some levels of assistance. Let us restore some measure of dignity for a hard day's work. Let us raise the minimum wage so many Iowans working full time don't need assistance, but can have the satisfaction of doing it all on their own.

My time with you today is limited and does not allow a full discussion of all the proposals designed to help Iowa move forward. Rest assured that a continued and expanded effort at protecting and enhancing our natural resources and expanding cultural and recreational opportunities remain a priority. More resources for Vision Iowa, Enrich Iowa, REAP, Destination Parks, the Clean Water Initiative, and private land conservation are proposed. We will persist in our efforts for more local control over the location of large livestock facilities and we will support an expansion of Iowa's successful Bottle Bill called for by an ever-growing grassroots environmental effort.

Jarren Ozburn, Trevor Boldra and Joel Vasquez. Who are these Iowans? They were Iowans with compelling, untold, and tragic stories. They were Iowans who never experienced the joy of learning something new. They will not experience the joy of falling in love, of welcoming new life into the world. They were children in Iowa who, along with Shelby Duis and seven more children, died recently as a result of child abuse. These 11 children join seven adults who died from domestic abuse last year. They join the 65 children and adults who have died from abuse in the last five years. A number that would grow if we had accurate figures of elder abuse. A number that would grow by tens of thousands if we added those physically and psychologically hurt by abuse.

Shelby Duis' bruised and battered body put a name, a face, and a story to abuse in Iowa. Tragically, before her death and after her death, there were many others.

How many have to be injured or die before we get serious about abuse? How many have to be injured or die before we increase the protection services and improve training? How many have to be injured or die before we recognize the link between

substance abuse, mental illness, and violence and support strategies that work to break the cycle—like insurance parity and treatment?

Leadership in a new economy will mean little if our hearts are hardened to the cries of the most vulnerable. We will honor and bring meaning to all those who have lost their lives to senseless violence by fully and comprehensively dealing with abuse in this state. Today, let us pledge not with our words, but our actions to do what is required to protect the most vulnerable among us. Let us not be satisfied with half measures. Let us commit the full measure of devotion to the task of stopping abuse—of stopping abuse in Iowa, now.

I began this morning by talking about our state's history. It was built by hard work and with a strong sense of community. And, it was built by people who came here from all over the world. From the beginning, immigrants have come to our state and helped it to prosper. As they became new Iowans, and added to our economic wealth, their diversity also brought strength and cultural richness to our state.

Historian Stephen Ambrose has said that the story of Lewis and Clark is America's story. It is the story of a diverse group of people, working for a common goal, who came together. They could not have succeeded in or survived their journey of exploration had they not done so. They proved that there is nothing that men and women cannot do if they act as a team dedicated to a common purpose.

The challenges that lie ahead of us are large and many. The opportunities that lie ahead are greater and more numerous. And, if we can come together, work together, toward a common purpose, we will create an Iowa high tech enough to lead a new economy and high touch enough to protect its most vulnerable.

The Iowa of today, like the America of 200 years ago, is a land of unlimited potential. Two centuries ago, our nation turned to two men to chart the course to new opportunities. Iowa today will turn to literally thousands of well-educated, productive citizens to chart new territory. With our collective work here, now we will decide if children's dreams will come true in Iowa, if a small business owner in the smallest of our communities can have access to the world here in Iowa, if the bio-revolution will find a home in Iowa, or if our compassion is strong enough to break a cycle of violence and abuse or stop prejudice.

In 1805, a couple of years into their journey, Meriwether Lewis wrote in his journal, "The party are in excellent health and spirits, zealously attached to the enterprise, and anxious to proceed, not a whisper of murmur or discontent to be heard among them, but all act in unison, and with the most perfect harmony."

As we embark on our journey, let it be said of us as well.

Thank you and God bless you and our great state.

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

On motion by Jacobs of Polk, the joint convention was dissolved at 10:43 a.m.



The House resumed session at 11:05 a.m., Speaker pro tempore Sukup 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 9, 2001, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 1, a concurrent resolution designating a joint convention on Tuesday, January 9, 2001, at 10:00 a.m. for Governor Vilsack to deliver his budget message.

Also: That the Senate has on January 9, 2001, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 2, a concurrent resolution designating a joint convention on Wednesday, January 10, 2001, at 10:00 a.m. for Chief Justice Lavorato to deliver his condition of the judicial branch message.

MICHAEL E. MARSHALL, Secretary

### RULE 57 SUSPENDED

Rants of Woodbury asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on commerce and regulation and the committee on ways and means this afternoon.

On motion by Rants of Woodbury, the House was recessed at 11:08 a.m., until 4:00 p.m.

### AFTERNOON SESSION

The House reconvened at 4:00 p.m., Speaker Siegrist in the chair.

### INTRODUCTION OF BILLS

**House File 22**, by Grundberg, a bill for an act relating to increasing the personal needs allowance under the medical assistance program for residents of health care facilities.

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

**House File 23**, by Tyrrell, a bill for an act establishing covenant marriages and providing an effective date.

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

**House File 24**, by Hahn and Brauns, a bill for an act relating to the confinement for biting of a police service dog used by police or correctional officers.

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

**House File 25**, by Jenkins, a bill for an act providing a credit to persons with armed forces service backgrounds for certain special motor vehicle registration plate fees.

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

**House File 26**, by Wise, a bill for an act relating to the personal needs allowance amount provided under the medical assistance program to persons residing in health care facilities, and making an appropriation.

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

**House File 27**, by Garman and Boal, a bill for an act providing for the incorporation of a practical demonstration component in an examination to obtain licensure as a practitioner of cosmetology arts and sciences.

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

**House File 28**, by Alons, a bill for an act to expand the annual sales tax exemption days for the purchase of clothing or footwear.

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

**House File 29**, by Tyrrell, a bill for an act relating to the use of lights by vehicles on roadways and making a penalty applicable.

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

**House File 30**, by Jacobs and Connors, a bill for an act relating to a midwest interstate passenger rail compact.

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

**House File 31**, by Jacobs, Gipp, and Tymeson, a bill for an act relating to the use and dissemination of social security numbers by government bodies and providing an effective date.

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

**House File 32**, by Brunkhorst, a bill for an act relating to and extending the regular program district cost guarantee for school districts, and providing an effective date.

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

**House File 33**, by Alons, a bill for an act relating to a sales and use tax exemption for the sale or rental of propane tanks used in drying agricultural products.

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

**House File 34**, 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 including an effective date and transition provision.

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

**House File 35**, by Boal, a bill for an act authorizing disclosure of certain information to the legal guardian of an individual receiving assistance or services from the department of human services.

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

#### PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Approximately twenty-five student teachers from the University of Northern Iowa. By Witt of Black Hawk.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 1**

Ways and Means: Sukup, Chair; Finch and Shoultz.

##### **House File 2**

Ways and Means: Shey, Chair; Osterhaus and Sievers.

##### **House File 11**

Ways and Means: Shey, Chair; Osterhaus and Sievers.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENT

##### **H.S.B. 1 Natural Resources**

Relating to the rulemaking authority of the natural resource commission regarding the taking and possession of migratory birds.

On motion by Rants of Woodbury the House adjourned at 4:03 p.m., until 8:45 a.m., Wednesday, January 10, 2001.

# JOURNAL OF THE HOUSE

Third Calendar Day - Third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, January 10, 2001

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

Prayer was offered by Reverend Bill Steward, pastor of Grace United Methodist Church, Des Moines.

The Journal of Tuesday, January 9, 2001 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Carroll of Poweshiek, until his arrival, on request of Rants of Woodbury.

## INTRODUCTION OF BILL

**House File 36**, by Wise, a bill for an act relating to mandatory rest periods for employees of health care facilities.

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

The House stood at ease at 8:47 a.m., until the fall of the gavel.

The House resumed session at 9:40 a.m., Speaker Siegrist 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: Horbach of Tama, Chair; Roberts of Carroll and Atteberry of Delaware.

## REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Horbach of Tama, 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.

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 2, duly adopted, the joint convention was called to order at 9:55 a.m., 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 Thomas J. Vilsack that the joint convention was ready to receive him.

The motion prevailed and the President appointed as such committee Senators Fiegen of Cedar, Maddox of Polk and McKean of Jones, on the part of the Senate, and Representatives Heaton of Henry, Sievers of Scott and Bukta of Clinton, on the part of the House.

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 Chief Justice Lavorato that the joint convention was ready to receive him.

The motion prevailed and the President appointed as such committee Senators Bartz of Worth, Fraise of Lee and Miller of Jefferson, on the part of the Senate, and Representatives Shey of Linn, Eichhorn of Hamilton and Tremmel of Wapello, on the part of the House.

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

The Justices of the Supreme Court, the Chief Judge and Judges of the Appellate Court and the Chief Judges of the District Court were escorted into the House chamber.

Mrs. Janis Lavorato, the wife of the Chief Justice, his son, Anthony Lavorato and guest Lisa Davey, his step-daughter, Jenna Green, his brother Charles, his sister-in-law Delayne Johnson and her son Jacob Johnson, his brother-in-law Ed Busing and his mother-in-law Rachel Busing were escorted into the House chamber.

Lieutenant Governor Sally Pederson was escorted into the House chamber.

The committee waited upon Governor Thomas J. Vilsack and escorted him into the House chamber.

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

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

Mr. Speaker, Madam President, Members of the General Assembly, Governor Vilsack, Lieutenant Governor Pederson, distinguished guests, and friends:

Thank you for the warm welcome.

As I was preparing for today's speech, I thought of the many esteemed public servants—legislators, governors, even presidents—who have addressed the General Assembly, indeed the people of Iowa, in these magnificent chambers. For more than twenty years, it has been the great honor of the Chief Justice of the Iowa Supreme Court to stand here and report on the state of the judiciary. Today, as I address you for the first time, I do so with genuine humility and a sense of awe.

Before I begin my remarks, I need to mention a few matters.

First of all, on behalf of the Court, I welcome the new legislators who join us today. We look forward to working with you on any issue involving the administration of justice.

Like the new legislators, I'm also a new kid on the block. Because I'm new, I feel I should tell you a little bit about myself. Those who know me recognize that I am candid and plainspoken. I am sure that some will say this is an understatement. What you see is what you get. My colleagues on the Court will tell you that, when I feel strongly about a cause, I am a passionate advocate. But they will also tell you that I know the value of consensus building.

I pledge to do all that I can to promote communication with you, within the Judicial Branch, and most importantly, with the public. With that in mind, I am pleased to announce that we are taking a step in that direction today. This address is being broadcast over the Internet.

I want to also mention that the members of the Court and I invite everyone to join us, after my remarks, for refreshments and conversation in the courtroom downstairs. I assure you that the refreshments are under the three-dollar limit for gifts, and the conversation is free.

And finally, I am proud to tell you about our Child Advocate of the Year, Jill Viau of Adel. She is not only a remarkable advocate for children, she is a remarkable person. While in college Jill was a "Big Sister" for two children. For six years she worked as a volunteer mentor for teenage mothers. Jill also volunteered in a program that helps children with cancer. For the past ten years, she has devoted many hours as a Court-Appointed Special Advocate, working on behalf of abused children who are before the court for protection. Jill demonstrates the very best of what it means to be an Iowan. And now it is my great pleasure to introduce our Child Advocate of the Year, Jill Viau. Please join me in applauding her.

I want to thank you for the invitation to talk to you about the state of the judiciary. Although the news is not uniformly good, we have some exciting opportunities within our grasp that will lift the delivery of court services out of the past and into the present. I am going to describe those opportunities and outline the steps we need to take to realize them. We have already taken many steps in that direction.

## **HARNESSING TECHNOLOGY TO IMPROVE GOVERNMENT**

Let me begin with a brief look back.



During the last decade, nothing transformed our world more than information technology. With your support and with the vision and hard work of many, the Judicial Branch harnessed technology to improve the administration of justice.

We computerized nearly every facet of Iowa's court system and connected all clerk of court offices and administrative offices to a statewide network. In doing so, we gained substantial management and case processing efficiencies, increased productivity, and facilitated communication. Our court information system is the model and envy of many states.

But we did not stop there.

We worked hand in hand with other government entities, including the Department of Transportation, the Department of Human Services, the Department of Public Safety, and the Department of Revenue and Finance to electronically link our computer system with theirs. Through these links, we easily move mountains of information without paper, postage, or delay. These partnerships have improved a wide range of government services and made new services possible.

These innovations are only the beginning. We can and must do more.

### **BRINGING THE COURTS TO THE PUBLIC**

With the aid of information technology, we can provide a host of court services where they are needed, when they are needed, any time and any place. We have the momentum to do this now.

### **WEBSITE ([www.judicial.state.ia.us](http://www.judicial.state.ia.us))**

We took a step in this direction in 1998 with the creation of the Iowa Judicial Branch Web Site. Our site is first and foremost a public information tool. It houses an array of useful information about the courts and the legal system. For example, it includes (1) basic explanations of court procedures, structure, and history; (2) biographical information on all Iowa justices, judges, and magistrates; (3) appellate court opinions; and (4) the child support guidelines. It also contains manuals to assist domestic abuse victims. The manuals are in four languages: English, Bosnian, Vietnamese and Spanish.

This year we'll revamp the site, making it easier to use, and we'll add more information.

But with the web site we are just scratching the surface. We can do much, much more.

Think of viewing court records or paying traffic fines or child support from the convenience of one's home or office. This would be a huge advantage for busy Iowans. We are currently working on two projects that will eventually make this possible. They are dramatic steps, and we should take them now.

### ON-LINE COURTS

We are putting the finishing touches on the first step, a program that will put court dockets on-line, 24 hours a day, seven days a week. With this service, Iowans will have at their fingertips summaries of case information such as court schedules, fine-payment records, judgments, liens, child support obligations, and other case events, from all 99 counties and the appellate courts.

We are ready to launch this program once you decide how to fund electronic access to public records.

### ELECTRONIC DOCUMENT MANAGEMENT SYSTEM

The second step, the centerpiece of our on-line court system, will be a program we call electronic document management system, or EDMS. It will enable people to electronically file their court documents and view entire court files on-line.

EDMS could eventually result in a paperless court system. However, I want to assure you that the Judicial Branch will continue to accommodate citizens who want to conduct their court business with paper. We will be equipped to scan paper filings into the system and to make paper copies when requested.

After several years of carefully studying the feasibility and cost of EDMS, we are ready to test it. In a few months, we will be operating pilot projects in Clinton County and Dubuque County. Later this year, we will test the program here at the appellate level. After the tests are done, we hope to take this technology statewide.

But we're not going to stop there. We can do more.

### VIDEO COURT

During the recent presidential election saga, Americans had an opportunity to watch televised arguments before a state appellate court. At the time, a journalist asked me if the Iowa Supreme Court would ever allow television coverage of its proceedings. He was amazed when I told him that the Iowa Judicial Branch has allowed cameras in our courts for the past twenty years. Although we allow televised coverage, the media has not taken advantage of this by covering proceedings gavel-to-gavel.

Unfortunately, the public's perception of the court system is influenced by television shows such as People's Court, Divorce Court, and Moral Court, the goals of which are to entertain and sell household cleaners. Some people fear that video broadcasts of the courts would undermine the dignity of our court system. I disagree. Television broadcasts of real court proceedings, the goals of which are to administer justice, will promote public understanding and, in turn, heighten respect for our courts and the rule of law.

I am pleased to announce that the state's new Judicial Branch Building will be equipped with everything needed to broadcast proceedings of the Iowa Supreme Court and the Iowa Court of Appeals.

## TECH FUNDS

Opportunities of the magnitude I have mentioned require more than careful planning and hard work; they require reliable and continuous funding sources.

Dependable funding fosters planning, sparks innovation, and speeds deployment of new technology. You wisely recognized this when you created a dedicated funding stream for court technology and earmarked those funds solely for that purpose. We commend you for your foresight. By doing this, you gave us the power to revolutionize the court system. If we take the steps I have outlined, we can bring the courts closer to the people.

## OTHER STEPS

While it is true that technology has been the driving force for much of our recent progress and it offers exciting opportunities for progress in the future, we must remember that it is not an end in itself. It is a useful tool to help the court system perform its basic function of providing justice.

We have additional steps to take. These steps do not involve the trappings of technology. They are simple but crucial steps that involve fundamental issues such as due process, performance, and resources.

## INTERPRETER STUDY

Our legal system seems complex and intimidating, even to those who were born here. Imagine how it must seem to persons who do not speak or understand English. As a first generation Italian-American, I have some knowledge about the struggles immigrants face with our language. I witnessed my grandparents and my father having some of the same struggles.

We must be vigilant to safeguard the rights of, and provide access to, all who come to the courts regardless of which language they speak. Justice requires that we do so. That is why the Iowa Supreme Court has established a task force to assess the need for improvements in interpreter services. If improvements are needed, the task force will recommend a plan for addressing them. We must remove any barriers to justice.

## PERFORMANCE ASSESSMENTS

We work for the public, just as you do. As public servants, we understand that our performance is directly related to the public's trust and confidence in us. Believing that we're on the right path is not enough. We need to objectively evaluate whether we are. And we have a plan to do just that. Recently, we adopted a five-part plan for ongoing reviews to measure Judicial Branch performance. The plan includes doing the following:

- ❖ Monthly, each judicial district will conduct a review of court statistics to determine whether they are meeting our time standards for case processing;
- ❖ Recently, we surveyed all court employees to find out how they think the courts perform in key areas such as fairness, integrity, efficiency, accessibility and communication. We'll repeat the survey periodically;

- ❖ We are encouraging each judicial district to hold employee discussion groups to hear employees' concerns and ideas for improvements;
- ❖ We are providing a standard exit questionnaire to each juror, asking them to evaluate their court experience; and
- ❖ We will conduct focus group sessions to seek the views of key court users such as attorneys, litigants, witnesses, and others.

Our performance reviews will serve as reality checks, help us identify any weaknesses in the court system, and generate ideas for future improvements.

### **JUDGESHIP STUDY**

Our performance suffers when we do not have enough judges. The constitution gives you the responsibility to provide additional judges. However, we are keenly interested because the number of judges you provide directly affects our ability to carry out our constitutional mandate to serve the people.

In response to our shared concerns about the integrity of the statutory judgeship formulas, we started an intensive study of our trial court workload. This fall, more than half of our trial court judges and magistrates participated in an eight-week time study designed by the National Center for State Courts. As you know from your own work, some issues require more time than others. The results of the time study will show us the average amount of time a judge needs to handle each type of case. The end result will tell us the number of judges and magistrates we need to dispose of cases in a timely manner. Soon, we'll present the Center's report to you with our recommendations.

### **JUDICIAL BRANCH OPERATIONS**

We know we must carefully manage the resources you provide. And we know we must exercise fiscal discipline. But when resources fall critically short of the public's demand for justice, even the best management will not slow the erosion of court services.

Due to the high cost of employee health insurance and other circumstances beyond our control, we began the fiscal year with a \$2.4 million deficit in our operating budget. Despite our best efforts to manage around the budget shortfall, we found no way to avoid the unpleasant task of cutting public services.

During my first month as Chief Justice, I traveled to every judicial district to meet with our judges, clerks of court, and juvenile court staff. They are doing their best to keep cases moving under the present difficult conditions. Based upon their comments, I believe that if these conditions continue, case processing will fall behind, and delays will start to mount.

I am proud of all of our people in the Judicial Branch. And I am impressed by their boundless capacity for work and their unshakeable commitment to helping others. But even the most productive person can only do so much each day.

Our system of government calls upon all branches of government, in different roles, to contribute to the administration of justice. Our role is to decide cases according to the law, promptly and equally for all people. We rely on you for the resources required to carry out this important responsibility. Though our roles are different, our goals are the same: To provide Iowans with an accessible, fair, and efficient court system.

You have a good track record of responding to the Judicial Branch's needs. I am confident you will work with us in a bipartisan effort to respond to our present concerns. It is in the public's best interest to do so.

According to an ancient proverb: "A journey of a thousand miles begins with one step." Today, I have outlined steps that will move us toward a court system that is more accessible, more open, and more accountable. Some of the steps are highly innovative; others are fundamental; all are important. It's clear where we need to go and what we need to do. But to reach our destination, we need your help. Join with us on our journey to ensure Iowans their most precious heritage: the right to justice.

Chief Justice Louis A. Lavorato was escorted from the House chamber by the committee previously appointed.

Governor Thomas J. Vilsack was escorted from the House chamber by the committee previously appointed.

On motion by Rants of Woodbury, the joint convention was dissolved at 10:33 a.m.

The House resumed session at 10:40 a.m., Speaker Siegrist in the chair.

On motion by Rants of Woodbury, the House was recessed at 10:41 a.m., until 1:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 1:01 p.m., Speaker Siegrist in the chair.

#### INTRODUCTION OF BILLS

**House File 37**, by Boddicker, a bill for an act relating to the posting of a cash bond for noncompliance with the visitation provisions of a custody order.

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

**House File 38**, by Reynolds, a bill for an act relating to the eligibility of certain veterans for a military service property tax exemption.

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

**House File 39**, by Jenkins and Brunkhorst, a bill for an act relating to straight party voting in elections.

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

**House File 40**, by Mertz and Johnson, a bill for an act creating an agricultural education collaboration and enhancement support services program, and making an appropriation.

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

**House File 41**, by Reynolds, 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**.

#### 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:

The Ames Daily Tribune.....	Liz Allen, Rebecca Anderson, Ronna Lawless, Richard Lewis
Associated Press.....	Mike Glover, Ken Thomas, Kimberly Durnan, Dave Pitt, Susan Stocum
Burlington Hawkeye .....	Dennis J. Carroll
Cedar Rapids Gazette .....	Rod Boshart, James Lynch, Todd Ruger
Des Moines Register .....	Jon Roos, Perry Beeman, Jennifer Dukes-Lee, Tony Leys, Lynn Okamoto
Dubuque Telegraph Herald .....	Mary Rae Bragg
Iowa Legislative News Service .....	Jack Hunt, Tom Hunt, Barbara Hunt, John Kurr, Kathi Marts-Foster
Lee Enterprises Des Moines Bureau .....	Kathie Obradovich, Todd Dorman
Omaha World Herald.....	Chris Clayton

Sioux City Journal .....	Kate Thomson
The Casino & Pari-Mutuel Journal Inc. ....	Thomas Bach
Wallaces Farmer Magazine .....	Rod Swoboda
Waterloo Courier .....	Madhusmita Bora
Des Moines Radio Group .....	Polly Carver-Kimm
KASI Radio .....	Trent Rice
KCCI TV .....	Steve Oswalt, Geoff Greenwood, Cortney Kintzer, Todd Magel, Glen Biesman, Donna Smith, Jesse Landolt, Sheila Brummer, Eric Hanson, Sean Wilson
KFXB .....	Paul Blume, John Molseed
KIMT TV .....	Jaime Copley, Kristin Erickson, Amy Fleming, Katrina Pederson, Evelyn Wilkerson
KMEG News .....	Leslie Rupiper, Ali Dramor, Dave Finger
KOXO Channel 2 – Views From The Bluffs .....	Daphne Cook, Mollie Harter, Brad Evert
KUNI Public Radio .....	Jeneane Beck, Greg Shanley
KWWL Television .....	Ron Steele, Tami Wiencek, Joe Surma, Bobbi Earles
Radio Iowa .....	O. Kay Henderson, Dar Danielson, Matt Kelley, Todd Kimm
WHO Radio .....	Mike McGinnis, Sue Danielson, Pat Curtis, Rachel Conradt
WOI Radio .....	Joyce Russell
WHO – TV .....	Patrick Bell, Brooke Bouma, Patrick Dix, Jim Hibbs, Loren Halifax, Laurie Groves, Cal Woods, Bobbi Silvernail, Melanie Posey
WOI TV .....	Jay Villwock, Don Schmith, Matt Raisch, Stacy Kennell, Tim Knol, Chris Mycoskie, Joy Benedict

## APPOINTMENT

### WORKFORCE DEVELOPMENT BOARD (Chapter 84A.1A, Code of Iowa)

Willard Jenkins .....	Replaces Bev Nelson-Forbes
-----------------------	----------------------------

## CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\27 Elda and Harold Perry, Toledo – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\28 Lenora and Ed Bohlman, Onawa – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\29 Clara Henningsen, Denison – For celebrating her 90<sup>th</sup> birthday.
- 2001\30 Florence Ruchti, Mapleton – For celebrating her 90<sup>th</sup> birthday.
- 2001\31 Gwen Nilles, Dubuque – For her 25 years of service to the State of Iowa and the Dubuque area Iowa Workforce Development.
- 2001\32 Rachael Stewart, Dubuque – For being selected as a state finalist in the Iowa State Bar Association's "Know Your Constitution."
- 2001\33 Bill Folger, Dubuque – For being named a Friend in Education by the Iowa State Education Association.
- 2001\34 Justin Mills, Dubuque – For being named Student Government Leader of the National Conference of Student Services.
- 2001\35 Jeff Derner, Milford – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\36 Matt Sewell, Milford – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\37 Matt Lockey, Milford – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\38 Florence Scott, Spirit Lake – For celebrating her 90<sup>th</sup> birthday.
- 2001\39 Margaret Bunkers, Spirit Lake – For celebrating her 80<sup>th</sup> birthday.
- 2001\40 Mr. and Mrs. Arlin Kulow, Graettinger – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\41 Mr. and Mrs. Robert and Donna Blum, Terril – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\42 Phyllis and Herb Price, Carlisle – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\43 Jane and Ivil Dyer, Merrill – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\44 Rachel Van Ryswyk, Indianola – For celebrating her 80<sup>th</sup> birthday.



- 2001\45 Olive Ruth Hodson, Indianola – For celebrating her 90<sup>th</sup> birthday.
- 2001\46 Lorraine and Stan Lake, Merrill – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\47 Adam M. Elliot, Des Moines – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 9

Appropriations: Brunkhorst, Chair; Falck and Jacobs.

##### House File 14

Education: Brunkhorst, Chair; Lensing and Tymeson.

##### House File 21

Appropriations: Brunkhorst, Chair; Raecker and Warnstadt.

##### House File 26

Appropriations: Heaton, Chair; Brunkhorst and Wise.

##### House File 40

Appropriations: Barry, Chair; Dix and Mertz.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

##### House Study Bill 1

Natural Resources: Weidman, Chair; Dotzler and Huseman.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENT

##### H.S.B. 2.1 Education

Including specified foreign exchange pupils in the actual enrollment of a school district, and providing an effective date.

On motion by Rants of Woodbury the House adjourned at 1:05 p.m., until 8:45 a.m., Thursday, January 11, 2001.

# JOURNAL OF THE HOUSE

Fourth Calendar Day - Fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, January 11, 2001

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

Prayer was offered by the Honorable Steven Warnstadt, state representative from Woodbury County.

The Journal of Wednesday, January 10, 2001 was approved.

## INTRODUCTION OF BILL

**House File 42**, 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**.

## ADOPTION OF THE REPORT OF COMMITTEE ON MILEAGE

Cormack of Webster called up for consideration the report of the committee on mileage and moved its adoption.

## 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
Andra L. Atteberry.....	336
Donna M. Barry.....	272
Clel E. Baudler.....	122
Paul A. Bell.....	76
Carmine R. Boal.....	NONE
Daniel J. Boddicker.....	300.6
Effie Lee Boggess.....	270
Clyde E. Bradley.....	408

Barry D. Brauns.....	300
Roger A. Broers.....	228
Robert J. Brunkhorst.....	240
Mary P. Bukta.....	400
Danny C. Carroll.....	104
Frank J. Chiodo.....	NONE
Dennis M. Cohoon.....	322
John H. Connors.....	NONE
Michael G. Cormack.....	180
Betty R. De Boef.....	136
William C. Dix.....	240
Cecil Dolecheck.....	180
William A. Dotzler, Jr.....	226
Jack E. Drake.....	180
Russell J. Eddie.....	320
George S. Eichhorn.....	126
Jeffrey C. Elgin.....	262
Steven L. Falck.....	288
Edward S. Fallon, Jr.....	NONE
Barbara A. Finch.....	58
Romaine H. Foege.....	270
Wayne W. Ford.....	NONE
Marcella R. Frevert.....	340
Teresa A. Garman.....	68
Charles R. Gipp.....	400
Jane L. Greimann.....	70
Betty A. Grundberg.....	NONE
James F. Hahn.....	300
Brad L. Hansen.....	280
John G. Hatch.....	NONE
David E. Heaton.....	284
Clarence C. Hoffman.....	250
Lance J. Horbach.....	150
Hubert M. Houser.....	244
Gregory B. Hoversten.....	412
Daniel A. Huseman.....	330
Geri D. Huser.....	NONE
Elizabeth S. Jacobs.....	NONE
G. Willard Jenkins.....	216
Mary Pamela Jochum.....	400
David J. Johnson.....	456
Steven C. Kettering.....	240
Ralph F. Klemme.....	440
Keith A. Kreiman.....	204
Mark A. Kuhn.....	280
Richard L. Larkin.....	349
Charles W. Larson, Jr.....	270
Victoria S. Lensing.....	240
Gene A. Manternach.....	340
Mary J. Mascher.....	240
Dennis J. May.....	270
Dolores M. Mertz.....	260

Janet S. Metcalf .....	NONE
David A. Millage .....	350
Patrick J. Murphy .....	400
Richard E. Myers .....	224
Michael J. O'Brien .....	104
Robert J. Osterhaus .....	364
Janet A. Petersen .....	NONE
Brian J. Quirk .....	320
Jeffrey S. Raecker .....	NONE
Christopher C. Rants .....	416
Henry V. Rayhons .....	250
Leigh A. Rekow .....	400
Rebecca J. Reynolds .....	320
Steven R. Richardson .....	34
Rodney A. Roberts .....	180
Paul J. Scherrman .....	368
David F. Schrader .....	62
Joe M. Seng .....	334
Patrick S. Shey .....	240
Donald L. Shoultz .....	220
John Brent Siegrist .....	256
Bryan J. Sievers .....	324
Mark D. Smith .....	104
Gregory R. Stevens .....	400
Steven E. Sukup .....	218
Richard D. Taylor .....	272
Todd E. Taylor .....	242
Russell W. Teig .....	112
Mark A. Tremmel .....	180
Jodi S. Tymeson .....	60
Phillip E. Tyrrell .....	200
James L. Van Engelenhoven .....	104
James K. Van Fossen .....	340
Steven H. Warnstadt .....	400
Dick B. Weidman .....	212
Cindy L. Winckler .....	334
Philip L. Wise .....	360
William G. Witt .....	216

Respectfully submitted,  
 MICHAEL G. CORMACK, Chair  
 DICK B. WEIDMAN  
 STEVEN H. WARNSTADT

The motion prevailed and the report was adopted.

On motion by Rants of Woodbury, the House was recessed at 8:54 a.m., until 2:00 p.m.

## AFTERNOON SESSION

The House reconvened at 2:00 p.m., Speaker Siegrist in the chair.

## INTRODUCTION OF BILL

**House File 43**, by committee on natural resources, a bill for an act relating to the rulemaking authority of the natural resource commission regarding the taking and possession of migratory birds.

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

## APPOINTMENT

INVESTMENT BOARD, IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
(Chapter 19A.1, 97B.8, Code of Iowa)

Janet Metcalf .....  
Replaces Mona Martin

## HOUSE FILE 35 REREFERRED

The Speaker announced that House File 35, previously referred to committee on **judiciary** was rereferred to committee on **human resources**.

## CERTIFICATES OF RECOGNITION

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

**MARGARET A. THOMSON**  
Chief Clerk of the House

- |         |   |
|---------|---|
| 2001\48 | Lucia and Gasper Anania, Des Moines – For celebrating their 50 <sup>th</sup> wedding anniversary.               |
| 2001\49 | Billie and Curtis Jans, Dysart – For celebrating their 50 <sup>th</sup> wedding anniversary.                    |
| 2001\50 | Mr. and Mrs. William Boies, Okoboji – For celebrating their 60 <sup>th</sup> wedding anniversary.               |
| 2001\51 | Coach Becky Pfeifer, Ankeny – For coaching the 2001 State Debate Champions, the Ankeny High School Debate Team. |

2001\52 Laura Rhoades, Ankeny – For being the 2001 State Champion at the State Debate Tournament for the Lincoln-Douglas debate.

2001\53 Katie Martin, Ankeny – For being the 2001 State Champion at the State Debate Tournament for the Student Congress debate.

#### **SUBCOMMITTEE ASSIGNMENTS**

##### **House File 3**

Labor and Industrial Relations: Horbach, Chair; Dolecheck, Dotzler, Hoffman and Taylor, T.

##### **House File 22**

Human Resources: Grundberg, Chair; Tymeson and Witt.

##### **House File 25**

Transportation: Eddie, Chair; Osterhaus and Rekow.

##### **House File 29**

Transportation: Wiedman, Chair; Arnold and Quirk.

#### **HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT**

##### **House Study Bill 2.1**

Education: Boal, Chair; Finch and Winckler.

#### **HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**

##### **H.S.B. 3 Administration and Rules**

To approve and confirm the appointment of the Citizens' Aide.

##### **H.S.B. 4 Judiciary**

Relating to child endangerment violations and injuries to a child and providing penalties.

##### **H.S.B. 5 Labor and Industrial Relations**

Relating to administrative and corrective changes to the workers' compensation law.

## 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.

MARGARET A. THOMSON  
Chief Clerk of the House

### COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly House Study Bill 1), relating to the rulemaking authority of the natural resource commission regarding the taking and possession of migratory birds.

Fiscal Note is not required.

Recommended **Do Pass** January 11, 2001.

## RESOLUTION FILED

**HR 4**, by Roberts, a resolution congratulating Mr. Thomas H. Paulsen for being named the Iowa Teacher of the Year for 2000.

Laid over under **Rule 25**.

On motion by Jacobs of Polk the House adjourned at 2:01 p.m., until 8:45 a.m., Friday, January 12, 2001.

# JOURNAL OF THE HOUSE

Fifth Calendar Day - Fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, January 12, 2001

The House met pursuant to adjournment at 8:45 a.m., Myers of Johnson in the chair.

The Journal of Thursday, January 11, 2001 was approved.

## INTRODUCTION OF BILLS

**House Joint Resolution 2**, by Kreiman, a joint resolution proposing an amendment to the Constitution of the State of Iowa to eliminate the requirement that an indictment by trial information for certain misdemeanors be under oath.

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

**House Joint Resolution 3**, by Cormack, a joint resolution proposing an amendment to the Constitution of the State of Iowa to limit the number of times members of the Senate and the House of Representatives, and the Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of State, and Treasurer of State may be elected.

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

**House File 44**, by Johnson, Klemme, Alons, Kettering, Dolecheck, Huseman, Drake, Boggess, Eddie, Van Engelenhoven, Arnold, Teig, Rekow, De Boef, Manternach, Eichhorn, Sievers, Finch, Weidman, Roberts, Baudler, Barry, Tyrrell, Mertz, Rayhons, Hoffman, O'Brien, Houser, May, Frevert, Scherrman, Kreiman, Brauns, Kuhn, Atteberry, Sukup, and Tymeson, a bill for an act relating to the annual appropriation for livestock production tax credit claims.

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

**House File 45**, by Grundberg, a bill for an act relating to eligibility requirements for certain persons with disabilities under the medical assistance program.



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

**House File 46**, by Kreiman, a bill for an act relating to the assignment of social security numbers as driver's license numbers.

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

**House File 47**, by Shoultz, a bill for an act authorizing the juvenile court, when specified conditions exist, 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 **human resources**.

**House File 48**, by Garman, a bill for an act relating to the exemption from the sales and use taxes of heat for use in residential-type dwellings and for fuel used to provide heat for residential-type dwellings and including an applicability date provision.

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

**House File 49**, by Millage, a bill for an act establishing English as the official language of the state.

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

**House File 50**, by Gipp, Larson, Jacobs, Chiodo, Huser, and T. Taylor, a bill for an act providing for the establishment of 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 **state government**.

**House File 51**, by Alons, a bill for an act changing the criminal penalties relating to possession, manufacture, or delivery of cocaine and heroin.

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

**House File 52**, 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 53**, by Cormack, a bill for an act relating to the registration of deer antlers and creating a deer antler advisory committee within the department of natural resources.

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

**House File 54**, by Cormack, a bill for an act relating to the annual sales tax exemption for clothing and footwear.

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

**House File 55**, by Cormack, a bill for an act relating to the application date for renewal of an owner's free deer or wild turkey hunting license.

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

**House File 56**, by Cormack, a bill for an act limiting the number of times a person may be elected to serve as Iowa secretary of agriculture and providing applicability and effective date provisions.

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

#### COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on January 12, 2001, and is on file in the office of the Chief Clerk:

January 11, 2001

Chief Clerk  
House of Representatives  
Statehouse  
LOCAL

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 26 claims of general nature that were denied by the State Appeal Board during May 2000 through January, 2001.

The attached index shows claim number, name and address of claimant and the amount requested in the claim.

Sincerely,  
Cynthia P. Eisenhower  
Chairperson  
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

MARGARET A. THOMSON  
Chief Clerk of the House

DENIED GENERAL CLAIMS BY THE STATE APPEAL BOARD  
SUBMITTED TO THE 79TH GENERAL ASSEMBLY  
May 2000 Through January 2001

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G000121	Allamakee County	Waukon, IA	Mileage	\$162.70
G000133	Barbara L. Griffith	Cedar Rapids, IA	Insurance Refund	\$1,505.98
G000239	Black Hawk County Relief	Waterloo, IA	Medical Costs	\$21.21
G000240	Black Hawk County Relief	Waterloo, IA	Medical Bills	\$2,111.91
G000241	Black Hawk County Relief	Waterloo, IA	Medical Costs	\$18.03
G000299	Karla J. Wilken	Aurora, CO	License Refund	\$150.00
G000309	Robert Von Arb	Alton, IA	License Refund	\$94.00
G000310	Robert Von Arb	Alton, IA	License Refund	\$19.00
G000353	Irvin M. Ritland	Hubbard, IA	License Refund	\$55.00
G000360	Craig J. or Deborah L. Dentlinger	West Des Moines, IA	License Refund	\$29.00
G000369	Brandon T. James	Charles City, IA	Provider Services	\$1,000,000.00
G000370	Douglas K. Lindaman	Charles City, IA	Provider Services	\$1,000,000.00

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G000385	Eugene Carlyn Johanningmeier dba The "J" Line	Luana, IA	IFTA Credit	\$824.85
G000386	Eugene Carlyn Johanningmeier dba The "J" Line	Luana, IA	IFTA Credit	\$1,568.25
G000390	Jennifer N. Thompson	Longmont, CO	License Refund	\$103.00
G000439	Mike Clarey	Le Mars, IA	Refund	\$329.67
G000476	Richard L. Barkdoll or Margaret Barkdoll	Garrison, IA	License Refund	\$380.00
G000499	Kathryn McCarthy % Mike Fynn Motors Inc.	Dubuque, IA	License Refund	\$475.00
G000506	George Merchan	Cedar Rapids, IA	Back Pay	\$1,320.18
G010018	Allamakee County	Waukon, IA	Court Ordered	\$29.04
G010044	Nowning, Judy	Nevada, IA	Microfilm	\$8,618.12
G010080	Norman L. Mest	Bettendorf, IA	License Refund	\$146.00
G010081	Constance S. Limke	Grimes, IA	Medicaid	\$162.35
G010084	Troy D. Baumberger	Ankeny, IA	Homestead Credit	\$155.92
G010221	Pathology Consultants PC	Billings, MT	Expert Witness Fees	\$3,422.71
G990306	Svestka Trucking	Garnavillo, IA	License Refund	Unspecified

### RESOLUTION FILED

**HR 5**, by Warnstadt, Osterhaus, Murphy, Bukta, Greimann, Atteberry, Smith, Lensing, Witt, Stevens, Reynolds, Jochum, Richardson, Cohoon, D. Taylor, Seng, Tremmel, Quirk, Dotzler, T. Taylor, Falck, O'Brien, Foege, Myers, Kuhn, and Connors, a resolution requesting the Speaker of the House of Representatives to appoint a committee on veterans affairs.

Laid over under **Rule 25**.

On motion by Huser of Polk the House adjourned at 9:09 a.m., until 10:00 a.m., Tuesday, January 16, 2001.

# JOURNAL OF THE HOUSE

Ninth Calendar Day - Sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, January 16, 2001

The House met pursuant to adjournment at 10:00 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Daniel Parsch, pastor of Gloria Dei Lutheran, Urbandale.

The Journal of Friday, January 12, 2001 was approved.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Speaker's page, Kyle McCullough.

On motion by Rants of Woodbury, the House was recessed at 10:06 a.m., until 1:00 p.m.

## AFTERNOON SESSION

The House reconvened at 1:03 p.m., Speaker Siegrist in the chair.

## INTRODUCTION OF BILLS

**House File 57**, by Grundberg, a bill for an act relating to the medical assistance program by providing for presumptive eligibility and twelve-month continuous eligibility for children.

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

**House File 58**, by Grundberg, a bill for an act relating to the designation of hospitals that provide care to indigent patients.

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

**House File 59**, 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 60**, by Alons, a bill for an act relating to termination of pregnancy reporting.

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

**House File 61**, 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 62**, by Reynolds, a bill for an act making a standing appropriation to the school budget review committee to provide school transportation assistance aid to certain school districts.

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

**House File 63**, 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**.

#### ADOPTION OF HOUSE RESOLUTION 4

Roberts of Carroll called up for consideration **House Resolution 4**, a resolution congratulating Mr. Thomas H. Paulsen for being named the Iowa Teacher of the Year for 2000, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### COMMUNICATIONS RECEIVED

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

#### BOARD OF EDUCATIONAL EXAMINERS

A report titled: "Pilot Testing Study Report," pursuant to Chapter 191, 1999 Acts of the Seventy-eighth General Assembly.

## BOARD OF REGENTS

The Five-Year Capital Building Program for Fiscal Years 2002-2006, pursuant to Chapter 262A.3, Code of Iowa.

## DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

A Report on the Iowa Agrichemical Remediation Act, pursuant to Chapter 161.11, 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 Annual Report on the status of utility customer contribution funds, pursuant to Chapter 476.66(6), Code of Iowa.

## DEPARTMENT OF CORRECTIONAL SERVICES

The Intermediate Criminal Sanctions Program Report for the First Judicial District, pursuant to Chapter 1229.7, 2000 Acts of the Seventy-eighth General Assembly.

## DEPARTMENT OF ECONOMIC DEVELOPMENT

The Fiscal Year 2000 Community Economic Betterment Account (CEBA) Annual Report, pursuant to Chapter 15, Code of Iowa.

## DEPARTMENT OF EDUCATION

The statewide survey results for the beginning teacher induction program, pursuant to Chapter 256E.5, Code of Iowa.

## DEPARTMENT OF ELDER AFFAIRS

The 2000 Annual Report, pursuant to Chapter 231.42(7), Code of Iowa.

## DEPARTMENT OF HUMAN SERVICES

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

## DEPARTMENT OF MANAGEMENT

The Contract Compliance Report for Fiscal Year 2000, pursuant to Chapter 19B.7, Code of Iowa.



A report on a study concerning the possible implementation of a system to provide retirement benefits to volunteer fire fighters and emergency medical service personnel, pursuant to Chapter 1077.118, 2000 Acts of the Seventy-eighth General Assembly.

A report concerning written recommendations with respect to the manner in which the state's three data centers should be managed, pursuant to Chapter 1167, 2000 Acts of the Seventy-eighth General Assembly.

#### DEPARTMENT OF PUBLIC DEFENSE

An Annual Report regarding the status of Iowa's E911 implementation and operations, pursuant to Chapter 34A.7A, Code of Iowa.

#### DEPARTMENT OF TRANSPORTATION

The preliminary report on the Biodiesel Fuel Pilot Project, pursuant to Chapter 1018.2, 2000 Acts of the Seventy-eighth General Assembly.

#### IOWA CITIZEN FOSTER CARE REVIEW BOARD

The Annual Report for Fiscal Year 2000, pursuant to Chapter 237.18(6), Code of Iowa.

#### IOWA COMMUNICATIONS NETWORK

The Voice-over Internet Protocol Technology Report, pursuant to Chapter 1167, 2000 Acts of the Seventy-eighth General Assembly.

#### IOWA HIGHER EDUCATION LOAN AUTHORITY

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

#### OFFICE OF DRUG CONTROL POLICY

A comprehensive three-year plan for addressing substance abuse in our state, pursuant to Chapter 80E.1, Code of Iowa.

#### SUPREME COURT

A report concerning Enhanced Court Collections Fund and Court Technology Fund, pursuant to Chapter 1227.1(1)(i), 2000 Acts of the Seventy-eighth General Assembly.

#### CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\54 Molly Brant, Correctionville – For celebrating her 80<sup>th</sup> birthday.
- 2001\55 Irene Weifenbach, Battle Creek – For celebrating her 80<sup>th</sup> birthday.
- 2001\56 Evelyn Sanderman, Schaller – For celebrating her 90<sup>th</sup> birthday.
- 2001\57 Marie Werner, Galva – For celebrating her 90<sup>th</sup> birthday.
- 2001\58 Betty and Robert Casey, Ida Grove – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\59 Lois and Lloyd Siebrecht, Odebolt – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\60 Henrietta and Marvin Franz, Odebolt – For celebrating their 63<sup>rd</sup> wedding anniversary.
- 2001\61 Mary Nutt, Boone – For celebrating her 100<sup>th</sup> birthday.
- 2001\62 Alene Pieper, Stuart – For celebrating her 80<sup>th</sup> birthday.
- 2001\63 Betty and Norwood “Bud” Louis, Iowa City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\64 Daisy Schlotter, Milton – For celebrating her 100<sup>th</sup> birthday.
- 2001\65 Betty and Donald Vannoy, Douds – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\66 Iola and Bob Thomas, Eldon – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\67 Maxine and Robert Vernon, Fairfield – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\68 Yevonne and Edwin Helling, Mt. Sterling – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\69 Catherine Hanlin, Denison – For celebrating her 80<sup>th</sup> birthday.
- 2001\70 Mr. and Mrs. Gordon Swenson, Soldier – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\71 Marlon Stearns, Oelwein – For his 50 years of service with Fareway.
- 2001\72 Ruth and Bernard Schnepf, Independence – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\73 Mary Meyer, Stanley – For celebrating her 80<sup>th</sup> birthday.
- 2001\74 Edna Buhr, Sumner – For celebrating her 85<sup>th</sup> birthday.

- 2001\75 Lois and Edward Hegtvedt, Mason City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\76 Jane and Arvid Stokesbary, Clear Lake – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2001\77 Marilyn and Billy Broers, Mason City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\78 Mary and Wes Greenan, Mason City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\79 Agnes Lage, Meservey – For celebrating her 90<sup>th</sup> birthday.
- 2001\80 Vivian Nelson, Clear Lake – For celebrating her 90<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 12

Judiciary: Shey, Chair; Eichhorn and Kreiman.

##### House File 20

Judiciary: Raecker, Chair; Kettering and Tremmel.

##### House File 23

Judiciary: Raecker, Chair; Eichhorn and Jochum.

##### House File 24

Judiciary: Broers, Chair; Raecker and Witt.

##### House File 35

Human Resources: Boal, Chair; Carroll and Smith.

##### House File 37

Judiciary: Boddicker, Chair; Eichhorn and Kreiman.

##### House File 41

Judiciary: Baudler, Chair; Broers and Kreiman.

##### House File 44

Appropriations: Millage, Chair; Brunkhorst and Mertz.

**House File 45**

Human Resources: Grundberg, Chair; Tymeson and Witt.

**House File 47**

Human Resources: Boddicker, Chair; Hoversten and Tremmel.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT****House Study Bill 5**

Labor and Industrial Relations: Hoffman, Chair; Horbach and Smith.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENT****H.S.B. 6 Human Resources**

Establishing a family investment program eligibility requirement of participation in drug testing and compliance with a treatment plan.

**AMENDMENTS FILED**

H—1001	H.F.	43	Dotzler of Black Hawk Ford of Polk
H—1002	H.F.	43	Dotzler of Black Hawk
H—1003	H.F.	43	Mascher of Johnson
H—1004	H.F.	43	Mascher of Johnson
H—1005	H.F.	43	Mascher of Johnson
H—1006	H.F.	43	Dotzler of Black Hawk
H—1007	H.F.	43	Mascher of Johnson

On motion by Rants of Woodbury the House adjourned at 1:09 p.m., until 8:45 a.m., Wednesday, January 17, 2001.

# JOURNAL OF THE HOUSE

Tenth Calendar Day - Seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, January 17, 2001

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

Prayer was offered by Dr. J. Albert Calaway, pastor of Heartland Assembly of God Church, Ankeny.

The Journal of Tuesday, January 16, 2001 was approved.

## ADOPTION OF HOUSE CONCURRENT RESOLUTION 3

Grundberg of Polk called up for consideration **House Concurrent Resolution 3**, a concurrent resolution supporting the admission of the Baltic States of Estonia, Latvia, and Lithuania to the North Atlantic Treaty Organization, and moved its adoption.

The motion prevailed and the resolution was adopted.

## 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	Margaret Thomson	\$80,000	Annual Salary	1/8/01
		Grade and Step	Class of Appointment	Eff. Date
<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
AA I to Leader	Jacquelyn M. Seymour	29-2 to 29-3	P-FT	05-12-00
Legislative Secretary	Roberta J. Schrader	18-3 to 27-2	S-O	05-12-00
Administrative Secretary to Leader			P-PT	

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Assistant to the Legal Counsel	Doreen R. Terrell	19-4 to	S-O	05-26-00
Assistant Legal Counsel		27-1	P-FT	
Leg. Research Analyst	Dwayne Dean Fiihr, Jr.	27-1 to	P-FT	06-09-00
		27-2		
Text Processor II	Judy K. Graesch	22-3 to	P-FT	06-23-00
Engrossing & Enrolling Processor		27-1		
Confidential Secretary to Speaker	Becky L. Lorenz	27-1 to	P-FT	06-23-00
		27-2		
Leg. Research Analyst III	Lewis E. Olson	35-3 to	P-FT	06-23-00
		35-4		
Leg. Research Analyst II	Patricia A. Schultz	32-2 to	P-FT	07-07-00
		32-3		
Leg. Research Analyst I	Bradley A. Trow	29-3 to	P-FT	07-07-00
Leg. Research Analyst II		32-2		
Leg. Research Analyst	Gentry T. Collins	27-2 to	P-FT	07-21-00
		27-3		
Leg. Research Analyst II	Craig R. Schoenfeld	32-3 to	P-FT	07-21-00
Leg. Research Analyst III		35-2		
Assistant Legal Counsel	Doreen R. Terrell	27-1 to	P-FT	11-24-00
		27-2		
Legislative Secretary	Linda C. Rosky	16-2 to	S-O	11-28-00
Supervisor of Secretaries I		24-1	P-FT	
Sr. Caucus Secretary	David L. Epley	24-1 to	P-FT	12-08-00
		24-2		
Assistant Chief Clerk I	Susan K. Jennings	32-2 to	E-FT	12-08-00
		32-3		
Leg. Research Analyst	Gentry T. Collins	27-3 to	P-FT	12-11-00
AA I to Leader		32-3		
Sr. AA to Leader	Jeffrey G. Mitchell	38-3 to	P-FT	12-11-00
Caucus Staff Director		38-5		
Sr. Leg. Research Analyst	Mary C. Braun	38-4 to	P-FT	12-22-00
		38-5		
Editor II	Gayle A. Goble	25-1 to	P-FT	12-22-00
Sr. Editor		30-1		
Sr. Leg. Research Analyst	Jenifer L. Parsons	38-2 to	P-FT	12-22-00
		38-3		
Sr. Leg. Research Analyst	Joseph P. Romano	38-5 to	P-FT	12-22-00
		38-6		
Editor I	Trina L. Rudicil	22-2 to	P-FT	12-22-00
Editor II		25-1		
AA to Leader	Mary K. Earnhardt	27-1	P-FT	12-28-00
Indexing Assistant	Tara L. Fletcher	19-1	P-FT	01-02-01
Leg. Research Analyst	Stefani K. Millie	27-1	P-FT	01-02-01
Leg. Research Analyst	Kellie L. Paschke	27-2	P-FT	01-02-01
Editor I	C. Elaine Schoonover	22-5 to	P-FT	01-02-01
Text Processor II		22-6		

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Leg. Research Analyst	Jason E. White	27-1	P-FT	01-02-01
Switchboard Operator	Howard S. Cowles	14-3 to	S-O	01-03-01
Doorkeeper		11-3		
Doorkeeper	John E. Feller	11-1	S-O	01-03-01
Doorkeeper	Gerald V. Orman	11-3 to	S-O	01-03-01
Assistant Sergeant-at-Arms		14-2		
Assistant Editor	Laurel K. Sandbulte	19-1	P-FT	01-04-01
Clerk to Chief Clerk	Shane D. Doeppke	16-1	S-O	01-05-01
Assistant Chief Clerk I	Susan K. Jennings	32-3 to	E-FT	01-05-01
		32-4		
Leg. Research Analyst III	Stacie S. Maass	35-4 to	P-FT	01-05-01
Sr. Leg. Research Analyst		38-3		
Sr. AA to Speaker	Susan D. Severino	38-4 to	P-FT	01-05-01
		38-5		
Confidential Sec. II to Chief Clerk	Betty M. Soener	32-3 to	P-FT	01-05-01
		32-4		
Doorkeeper	Paul W. Aardsma	11-2 to	S-O	01-08-01
Switchboard Operator		14-1		
Assistant to the Legal Counsel	Jessica M. Bash	19-1	S-O	01-08-01
Clerk to Chief Clerk	Kathryn M. Farrell	16-3 to	S-O	01-08-01
Recording Clerk I		21-1		
Indexer I	Kristin L. Wentz	22-6 to	P-FT	01-08-01
Indexer II		25-5		
Doorkeeper	Robert B. Yeager	11-1	S-O	01-08-01
Legislative Committee Secretary	Clarice Alons	17-1	S-O	01-08-01
Legislative Secretary	Christopher Amerman	18-1	S-O	01-08-01
Legislative Secretary	Mollie Applegate	15-1	S-O	01-08-01
Legislative Secretary	Ben Banowetz	15-1	S-O	01-08-01
Legislative Secretary	Michelle K. Bauer	17-2 to	S-O	01-08-01
		15-2		
Legislative Secretary	Diane K. Burget	15-2 to	S-O	01-08-01
		17-2		
Legislative Secretary	Jonathan Burke	16-1	S-O	01-08-01
Legislative Secretary	Annie Carlson	16-1	S-O	01-08-01
Legislative Secretary	Lisa Jo Chiodo	16-1	S-O	01-08-01
Legislative Secretary	Karen Conley	17-1	S-O	01-08-01
Legislative Secretary	Marjorie I. Connors	18-4 to	S-O	01-08-01
		16-4		
Legislative Secretary	Mary Beth Danzer	16-2 to	S-O	01-08-01
Legislative Committee Secretary		17-2		
Legislative Secretary	Jason Darrah	16-1	S-O	01-08-01
Legislative Secretary	Mary K. Davis	15-1 to	S-O	01-08-01
		18-1		

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
Legislative Secretary	Dawn R. Dillman	17-1 to 16-1	S-O	01-08-01
Legislative Secretary Legislative Committee Secretary	Shirley J. Drake	16-3 to 17-3	S-O	01-08-01
Legislative Secretary	Judith K. Elliott	16-2 to 17-2	S-O	01-08-01
Legislative Committee Secretary	Kelley Fifer	17-1	S-O	01-08-01
Legislative Secretary Legislative Committee Secretary	Lynn K. Frank	16-2 to 17-2	S-O	01-08-01
Legislative Committee Secretary	LaVena M. Fries	17/6+2 to 16/6+2	S-O	01-08-01
Legislative Secretary Legislative Committee Secretary	Linda Gesling	17-1	S-O	01-08-01
Legislative Committee Secretary	Donna Greenwood	17-6	S-O	01-08-01
Legislative Secretary	Brendan Greiner	16-1	S-O	01-08-01
Legislative Secretary	Justin Gross	16-1	S-O	01-08-01
Legislative Secretary	Carol F. Hansen	16-3	S-O	01-08-01
Legislative Secretary	Jeff Happe	15-1	S-O	01-08-01
Legislative Secretary	Alicia Held	16-1	S-O	01-08-01
Legislative Committee Secretary	Ann I. Ihm	17-2 to 16-2	S-O	01-08-01
Legislative Secretary Legislative Committee Secretary	H. Kay Jenkins	16-2 to 17-2	S-O	01-08-01
Legislative Committee Secretary	Jenni Jackson	17-1	S-O	01-08-01
Legislative Secretary	Karen L. Jostes	15-2 to 16-2	S-O	01-08-01
Legislative Secretary	Jarad Klein	16-1	S-O	01-08-01
Legislative Secretary	Meredith G. Lorinser	17-1 to 16-1	S-O	01-08-01
Legislative Committee Secretary	Katie M. Mammen	17-1	S-O	01-08-01
Legislative Secretary	Clark E. McMullen	16-1 to 15-1	S-O	01-08-01
Legislative Secretary	Kerri E. Moran	17-1	S-O	01-08-01
Legislative Committee Secretary	Diane E. Nandell	17-2 to 16-2	S-O	01-08-01
Legislative Secretary	Maureen Nichols	15-1	S-O	01-08-01
Legislative Secretary	Sara Norris	15-1	S-O	01-08-01



<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Legislative Committee Secretary	Dorothy E. Potthoff	17/6+2 to	S-O	01-08-01
Legislative Secretary		16/6+2		
Legislative Secretary	Mark J. Powell	15-1	S-O	01-08-01
Legislative Secretary	Gwen L. Rekow	16-1	S-O	01-08-01
Legislative Secretary	Susan Reynolds	15-1	S-O	01-08-01
Legislative Secretary	Sharon Ringstad	15-1	S-O	01-08-01
Legislative Secretary	Mary M. Sanders	15-2 to	S-O	01-08-01
		16-2		
Legislative Committee Secretary	Betty J. Sorenson	17-3 to	S-O	01-08-01
Legislative Secretary		16-3		
Legislative Secretary	Molly Scherrman	15-1	S-O	01-08-01
Legislative Secretary	Betsy Shelton	16-1	S-O	01-08-01
Legislative Secretary	Mary Lee A. Stephens	16-2 to	S-O	01-08-01
		18-2		
Legislative Secretary	Josh Steward	16-1	S-O	01-08-01
Legislative Committee Secretary	Jackie L. Syverson	18-2 to	S-O	01-08-01
		17-2		
Legislative Secretary	Eileen M. Tyler	15-4 to	S-O	01-08-01
		17-4		
Legislative Secretary	Jennifer E. VanZante	16-1	S-O	01-08-01
Legislative Secretary	Deloris S. Wacht	16-1	S-O	01-08-01
Legislative Secretary	Philip Waits	16-1	S-O	01-08-01
Legislative Secretary	Hope Welander	15-1	S-O	01-08-01
Legislative Secretary	Teresa Welsh	15-1	S-O	01-08-01
Legislative Secretary	Kara Wilber	16-1	S-O	01-08-01

Class of  
Appointment

<u>Position</u>	<u>Name</u>	<u>Per Hr.</u>	<u>ment</u>
PAGES—GROUP I			
Speaker's Page	Kyle McCullough	Minimum Wage	S-O
Chief Clerk's Page	Juliana P. Anderson	Minimum Wage	S-O
Chief Clerk's Page	Andrea Pratt	Minimum Wage	S-O
Page	Chandra R. Allen	Minimum Wage	S-O
Page	Joni M. Carroll	Minimum Wage	S-O
Page	Brian M. Christensen	Minimum Wage	S-O
Page	Alicia D. Cotten	Minimum Wage	S-O
Page	Robert R. Donuhoo	Minimum Wage	S-O
Page	Laura K. Genz	Minimum Wage	S-O
Page	Autumn L. Griffieon	Minimum Wage	S-O
Page	Peter J. Iversen	Minimum Wage	S-O
Page	MaryJune L. Jackson	Minimum Wage	S-O
Page	Natasha M. Kerns	Minimum Wage	S-O
Page	Sarah J. Knepper	Minimum Wage	S-O

<u>Position</u>	<u>Name</u>	<u>Per Hr.</u>	<u>Class of Appointment</u>
Page	Brandie A. Koopman	Minimum Wage	S-O
Page	Jessica A. Krogmeier	Minimum Wage	S-O
Page	Austin J. Lapierre	Minimum Wage	S-O
Page	Amanda F. Loder	Minimum Wage	S-O
Page	Sophia A. Magill	Minimum Wage	S-O
Page	Latha D. Mietzner	Minimum Wage	S-O
Page	Melinda C. Padley	Minimum Wage	S-O
Page	Hannah K. Roberts	Minimum Wage	S-O
Page	Teresa R. Rottinghaus	Minimum Wage	S-O
Page	Matthew G. Sease	Minimum Wage	S-O
Page	Heather D. Sellers	Minimum Wage	S-O
Page	Jennie M. VanVelzen	Minimum Wage	S-O
Page	Travis J. Van Zetten	Minimum Wage	S-O
Page	Kaitlyn A. Weltha	Minimum Wage	S-O

## GROUP II

Page	Debra L. Lorimor	Minimum Wage	S-O
Page	Robert J. Nitz	Minimum Wage	S-O

The following are resignations from the officers and employees of the House:

Assistant Legal Counsel	E. Jane Fowler	05-24-00
AA I to Leader	Jacquelyn M. Seymour	08-08-00
Administrative Sec. to Leader	Robert J. Schrader	11-09-00
Supervisor of Secretaries I	Colleen Dillon	11-29-00
Sr. Caucus Staff Director	Warren L. Fye	12-01-00
Leg. Research Analyst I	Justin D. Hupfer	12-01-00
Engrossing & Enrolling Processor	Judy K. Graesch	12-15-00
Leg. Research Analyst III	Craig R. Schoenfeld	01-04-01
Recording Clerk II	Alyce M. Elmitt	01-05-01
Indexer II	Juanita F. Swackhammer	01-05-01

CARROLL of Poweshiek, Chair

On motion by Rants of Woodbury, the House was recessed at 8:55 a.m., until 4:00 p.m.

## AFTERNOON SESSION

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

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Carroll of Poweshiek for the remainder of the day and for Thursday, January 18, 2001, on request of Rants of Woodbury; Hoffman of Crawford and Hoversten of Woodbury, until their return, on request of Rants of Woodbury.

## INTRODUCTION OF BILLS

**House File 64**, by Jenkins, a bill for an act increasing fines for moving traffic violations that occur while a vehicle operator is using a cellular telephone.

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

**House File 65**, by Mascher, Greimann, Lensing, Fallon, and Myers, a bill for an act prohibiting discrimination based upon a person's sexual orientation under the Iowa civil rights Act.

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 January 17, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 1, a concurrent resolution supporting the admission of the Baltic States of Estonia, Latvia, and Lithuania to the North Atlantic Treaty Organization.

MICHAEL E. MARSHALL, Secretary

## CONSIDERATION OF BILL

### Regular Calendar

**House File 43**, a bill for an act relating to the rulemaking authority of the natural resource commission regarding the taking and possession of migratory birds, was taken up for consideration.

Mascher of Johnson offered the following amendment H-1005 filed by her and moved its adoption:

H-1005

- 1 Amend House File 43 as follows:
- 2 1. Page 1, line 7, by inserting after the word

3 "applicable," the following: "However, the rules  
4 adopted by the commission on or after July 1, 2001,  
5 under this section, that provide for the taking and  
6 possession of mourning doves shall prohibit the taking  
7 of a mourning dove while the dove is perched on a  
8 power line."

Amendment H-1005 was adopted.

Dotzler of Black Hawk offered the following amendment H-1006 filed by him and moved its adoption:

H-1006

1 Amend House File 43 as follows:  
2 1. Page 1, line 7, by inserting after the word  
3 "applicable," the following: "However, the rules  
4 adopted by the commission on or after July 1, 2001,  
5 under this section, that provide for the taking and  
6 possession of mourning doves shall provide that  
7 mourning doves shall be taken with nontoxic shot  
8 only."

Amendment H-1006 lost.

Mascher of Johnson offered the following amendment H-1007 filed by her and moved its adoption:

H-1007

1 Amend House File 43 as follows:  
2 1. Page 1, line 7, by inserting after the word  
3 "applicable," the following: "The rules may prohibit  
4 the taking of migratory birds under this section  
5 within the right-of-way of a public road."

Dix of Butler in the chair at 4:35 p.m.

Amendment H-1007 lost.

Dotzler of Black Hawk asked and received unanimous consent to withdraw amendment H-1001 filed by him and Ford of Polk on January 16, 2001.

Dotzler of Black Hawk offered the following amendment H-1002 filed by him and moved its adoption:

H-1002

- 1 Amend House File 43 as follows:
- 2 1. Page 1, line 10, by inserting after the word
- 3 "section," the following: "If the commission adopts a
- 4 mourning dove hunting season, the season shall not
- 5 begin prior to September 15 of each year."

A non-record roll call was requested.

The ayes were 41, nays 53.

Amendment H-1002 lost.

Mascher of Johnson offered amendment H-1003 filed by her as follows:

H-1003

- 1 Amend House File 43 as follows:
- 2 1. Page 1, line 10 by inserting after the word
- 3 "section," the following: "The commission shall not
- 4 establish a hunting season for the bobwhite, American
- 5 woodcock, and sora rail."

Mascher of Johnson offered the following amendment H-1009, to amendment H-1003, filed by her from the floor and moved its adoption:

H-1009

- 1 Amend the amendment, H-1003, to House File 43 as
- 2 follows:
- 3 1. Page 1, line 4, by striking the words
- 4 "bobwhite, American" and inserting the following:
- 5 "mourning dove."
- 6 2. Page 1, by striking line 5.

Amendment H-1009 was adopted.

Mascher of Johnson asked and received unanimous consent to withdraw amendment H-1010, to amendment H-1003, filed by her from the floor.

Mascher of Johnson moved the adoption of amendment H-1003, as amended.

Amendment H-1003, as amended, lost.

Mascher of Johnson offered amendment H-1004 filed by her as follows:

H-1004

- 1 Amend House File 43 as follows:
- 2 1. Page 1, line 10, by inserting after the word
- 3 "section:" the following: "The commission shall
- 4 annually review the population of migratory birds and
- 5 prohibit hunting seasons for migratory birds with the
- 6 three lowest populations."

Mascher of Johnson offered the following amendment H-1008, as amendment H-1004, filed by her from the floor and moved its adoption:

H-1008

- 1 Amend the amendment, H-1004, to House File 43 as
- 2 follows:
- 3 1. Page 1, by striking lines 4 through 6 and
- 4 inserting the following: "prohibit hunting seasons
- 5 for the American woodcock and the sora rail and shall
- 6 annually review the populations of other migratory
- 7 birds."

Speaker Siegrist in the chair at 5:00 p.m.

Amendment H-1008 was adopted.

On motion by Mascher of Johnson, amendment H-1004, as amended, lost.

The House stood at ease at 5:45 p.m., until the fall of the gavel.

The House resumed session at 5:48 p.m., Speaker Siegrist in the chair.

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. 43)

The ayes were, 57:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Bukta
Chiodo	Cphoon	Cormack	Dix
Dolecheck	Drake	Eddie	Eichhorn
Elgin	Hahn	Hansen	Horbach
Houser	Huseman	Huser	Jacobs
Johnson	Kettering	Klemme	Kreiman
Larkin	Larson	Manternach	Mertz
Millage	O'Brien	Raecker	Rants
Rayhons	Reynolds	Richardson	Roberts
Sievers	Stevens	Sukup	Teig
Tremmel	Tymeson	Tyrrell	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Mr. Speaker			
Siegrist			

The nays were, 41:

Atteberry	Bell	Connors	De Boef
Dotzler	Falck	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Grundberg	Hatch
Heaton	Hoversten	Jenkins	Jochum
Kuhn	Lensing	Mascher	May
Metcalfe	Murphy	Myers	Osterhaus
Petersen	Quirk	Rekow	Scherrman
Schrader	Seng	Shey	Shoultz
Smith	Taylor, D.	Taylor, T.	Van Engelenhoven
Witt			

Absent or not voting, 2:

Carroll	Hoffman
---------	---------

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

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 43** be immediately messaged to the Senate.

### ASSIGNMENT OF SEAT IN PRESS GALLERY

The following named persons are accredited members of the press and are entitled to access to the press gallery:

Legislative Radio Network ..... Chad Thompson  
Michael Hartwig

## HOUSE FILE 53 REREFERRED

The Speaker announced that House File 53, previously referred to committee on **state government** was rereferred to committee on **natural resources**.

## COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

### DEPARTMENT OF MANAGEMENT

The Annual Status Report of the Task Force Study on the utility property tax replacement program, pursuant to Chapter 437A.15(7), 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\81 Ashlin Christensen-Szlanski, Iowa City – For receiving a perfect ACT score.
- 2001\82 Nancy Andreasen, Iowa City – For receiving the President's National Medal of Science in the area of Biological Science.
- 2001\83 Cyrus Renshaw, Mason City – For celebrating his 90<sup>th</sup> birthday.
- 2001\84 Marjorie and Howard Jansa, Cedar Rapids – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\85 Margaret and Howard Phelps, Lisbon – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\86 Wilma and Harry Larson, Swisher – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\87 Mr. and Mrs. Dallas Custer, Estherville – For celebrating their 50<sup>th</sup> wedding anniversary.



2001\88 Brian Petty, Adair – For being selected for the 2000 U.S. Navy Scholastic AU-American Football District Team.

2001\89 Eileen and Dean Brown, Fontanelle – For celebrating their 50<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 46

Transportation: Garman, Chair; Cohoon and Heaton.

##### House File 60

Human Resources: Carroll, Chair; De Boef and Kreiman.

##### House File 61

Transportation: Klemme, Chair; Larkin and Manternach.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENT

##### H.S.B. 7 Labor and Industrial Relations

Relating to workers' compensation.

#### 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.

MARGARET A. THOMSON  
Chief Clerk of the House

#### COMMITTEE ON WAYS AND MEANS

**House File 1**, a bill for an act relating to the exemption during a certain period from the sales and use taxes of the gross receipts from the sale, furnishing, or service of metered gas and electricity and of fuel used for heating of residential-type dwellings and including an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1011** January 17, 2001.

**House File 2**, a bill for an act phasing out the tax on social security benefits under the state individual income tax and including a retroactive applicability date provision.

Fiscal Note is not required.

Recommended **Do Pass** January 16, 2001.

### RESOLUTIONS FILED

**HCR 4**, by Mascher, Myers, Foege, and Lensing, 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 and to direct the commission to develop designs incorporating the Old Capitol as a symbol for the state.

Laid over under **Rule 25**.

**HR 6**, by Richardson and Schrader, a resolution requesting the United States Congress to enact legislation requiring the Federal Energy Regulatory Commission to regulate the price of the production and transmission of natural gas.

Laid over under **Rule 25**.

**SCR 1**, by Kramer, McKibben, Schuerer, Lundby, Veenstra, McKinley, Drake, Redwine, King, Freeman, Rehberg, Johnson, Boettger, Zieman, and Iverson, a concurrent resolution supporting the admission of the Baltic States of Estonia, Latvia, and Lithuania to the North Atlantic Treaty Organization.

Laid over under **Rule 25**.

### AMENDMENT FILED

H—1011      H.F.      1      Committee on Ways and Means

On motion by Rants of Woodbury the House adjourned at 5:58 p.m., until 8:45 a.m., Thursday, January 18, 2001.

JOURNAL OF THE HOUSE

Eleventh Calendar Day - Eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, January 18, 2001

The House met pursuant to adjournment at 8:49 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Darrel Mitchell, pastor of Hope United Methodist Church, Marshalltown.

The Journal of Wednesday, January 17, 2001 was approved.

INTRODUCTION OF BILLS

**House Joint Resolution 4**, 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 66**, by Cormack, a bill for an act establishing a state-county relations committee.

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

**House File 67**, by Osterhaus, a bill for an act relating to requiring school districts to provide application forms to all students for the healthy and well kids in Iowa program.

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

APPOINTMENTS

ADMINISTRATIVE RULES REVIEW COMMITTEE  
(Chapter 17A.8, Code of Iowa)

Marcie Frevert .....To a term ending April 30, 2003

## ADVISORY COMMITTEE ON INTERGOVERNMENTAL RELATIONS

(Chapter 28J.2, Code of Iowa)

Rebecca Reynolds..... To a term ending January 31, 2003

## ADVISORY COMMITTEE TO THE CENTER FOR RURAL HEALTH AND PRIMARY

(Chapter 135.107, Code of Iowa)

Dennis May ..... To a term ending January 1, 2003

## CHILD SUPPORT ADVISORY COMMITTEE

(Chapter 252B.18, Code of Iowa)

Polly Bukta ..... To a term ending January 1, 2003

## COMMISSION ON INTERSTATE COOPERATION

(Chapter 28B.1, Code of Iowa)

Dolores Mertz..... To a term ending January 31, 2003

John Connors ..... To a term ending January 31, 2003

## INTERNATIONAL RELATIONS ADVISORY COUNCIL

(Chapter 2D.1, Code of Iowa)

Paul Bell..... To a term ending January 1, 2003

## IOWA LAW ENFORCEMENT ACADEMY COUNCIL

(Chapter 80B.6, Code of Iowa)

Mark Tremmel.....To a term ending April 30, 2003

## PREVENTION OF DISABILITIES COUNCIL

(Chapter 225B.3, Code of Iowa)

Rebecca Reynolds..... To a term ending January 1, 2003

## PUBLIC RETIREMENT SYSTEMS COMMITTEE

(Chapter 97D.4, Code of Iowa)

John Connors ..... To a term ending January 1, 2003

Rick Larkin ..... To a term ending January 1, 2003

## STATE-COUNTY MANAGEMENT COMMITTEE

(Chapter 331.438, Code of Iowa)

Mark Smith..... To a term ending January 1, 2003

## EXPLANATION OF VOTE

I was necessarily absent from the House chamber on January 17, 2001. Had I been present, I would have voted "nay" on House File 43.

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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\90 Bev and Webb Anderson, Grinnell – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\91 Grace and Virgil Adams, Malcom – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\92 Norma and Don McKee, Montezuma – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\93 Zelda and Phil Watt, Montezuma – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\94 Sarah McClure, Grinnell – For celebrating her 96<sup>th</sup> birthday.
- 2001\95 Rose Stoops, Grinnell – For celebrating her 105<sup>th</sup> birthday.
- 2001\96 Lyle Truman, Grinnell – For celebrating his 80<sup>th</sup> birthday.
- 2001\97 Joyce and Paul Stone, Grinnell – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\98 Opal Tietsort, Woodbine – For celebrating her 90<sup>th</sup> birthday.
- 2001\99 Jerry Kearns, Keokuk – For his 18 years of service as a Lee County Supervisor.
- 2001\100 Nila and Earl Bisgard, Fairfield – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\101 Ramona and Eugene Clark, Stockport – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\102 Beryl and Hollis Loeffler, Keosauqua – For celebrating their 50<sup>th</sup> wedding anniversary.

**SUBCOMMITTEE ASSIGNMENTS****House File 4**

Local Government: Houser, Chair; Kuhn, Richardson, Sievers and Van Engelenhoven.

**House File 8**

Local Government: Eddie, Chair; Connors and Van Engelenhoven.

**House File 15**

State Government: Jacobs, Chair; Boddicker and O'Brien.

**House File 17**

State Government: Gipp, Chair; Elgin and Larkin.

**House File 30**

State Government: Connors, Chair; Bradley and Millage.

**House File 31**

State Government: Gipp, Chair; Eichhorn and Tremmel.

**House File 34**

State Government: Jacobs, Chair; Falck and Millage.

**House File 39**

State Government: Jacobs, Chair; Boddicker and Reynolds.

**House File 42**

State Government: Millage, Chair; Jacobs and Jochum.

**House File 48**

Ways and Means: Sukup, Chair; Finch and Shoultz.

**House File 50**

State Government: Gipp, Chair; Chiodo and Cormack.

**House File 57**

Human Resources: Grundberg, Chair; Foege and Hoversten.

**House File 58**

Human Resources: Grundberg, Chair; Boal and Foege.

**House File 62**

Appropriations: Millage, Chair; Brunkhorst and Murphy.

**House File 63**

State Government: Bradley, Chair; Garman and T. Taylor.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 6**

Human Resources: Hoversten, Chair; Kreiman and Tymeson.

**House Study Bill 7**

Labor and Industrial Relations: Horbach, Chair; Hoffman and Smith.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 8 Local Government**

Relating to the acceptance of credit card transactions by county treasurers and providing an effective date.

**H.S.B. 9 Local Government**

Relating to the collection of a technology fee by the county recorder.

**H.S.B. 10 Local Government**

Relating to the powers and duties of the county recorder relating to the recording and keeping of documents.

**RESOLUTION FILED**

**HCR 5**, by Boddicker, a concurrent resolution promoting National Heart Failure Awareness Week.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H—1013	H.F.	2	Osterhaus of Jackson
H—1014	H.F.	1	Shoultz of Black Hawk
H—1015	H.F.	1	Shoultz of Black Hawk
			Richardson of Warren
H—1016	H.F.	1	Richardson of Warren

On motion by Rants of Woodbury the House adjourned at 8:56 a.m., until 9:30 a.m., Friday, January 19, 2001.



# JOURNAL OF THE HOUSE

Twelfth Calendar Day - Ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, January 19, 2001

The House met pursuant to adjournment at 9:34 a.m., Dolecheck of Ringgold in the chair.

Prayer was offered by Susan Severino, Administrative Assistant to the Speaker of the House.

The Journal of Thursday, January 18, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 68**, by Drake, a bill for an act relating to the burning of wood by sanitary landfills.

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

**House File 69**, by Grundberg, a bill for an act relating to types of regulated containers and reimbursement amounts under the beverage container control law.

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

**House File 70**, by O'Brien, Kuhn, Mertz, Frevert, Petersen, Fallon, Myers, Hatch, Witt, Reynolds, Connors, Ford, May, Osterhaus, Dotzler, Bell, Cohoon, Bukta, Stevens, Falck, T. Taylor, Chiodo, Warnstadt, Larkin, Mascher, Winckler, Lensing, Smith, and Richardson, 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 including an effective date.

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

**House File 71**, by Murphy, a bill for an act relating to the development and implementation of a citizenship grade by the board of directors of a school district.

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

**House File 72**, by Jochum, a bill for an act relating to third-party payment of health care coverage costs for mental health conditions, including substance abuse treatment services.

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

**House File 73**, by Eichhorn and Cormack, a bill for an act relating to the powers and duties of the executive director of the commission of veterans affairs by providing for the recognition of honor guard units of veterans organizations to perform honor guard services.

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

**House File 74**, by Roberts, a bill for an act relating to suspension of a practitioner by the board of directors of a school district.

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

**House File 75**, by Bukta, Cohoon, Atteberry, Winckler, Falck, Smith, and Scherrman, a bill for an act relating to county marker signs on interstate highways.

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

#### CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

2001\104 Miles Adam Shelman, Mt. Pleasant – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

##### House Study Bill 8

Local Government: Weidman, Chair; Reynolds and Van Engelenhoven.

##### House Study Bill 9

Local Government: Van Engelenhoven, Chair; Eddie and Petersen.

##### House Study Bill 10

Local Government: Van Engelenhoven, Chair; Eddie and Petersen.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENT

##### H.S.B. 11 Ways and Means

Relating to activities of a foreign corporation which do not constitute doing business in or deriving income from sources within the state for state income tax purposes and including effective and retroactive applicability date provisions.

On motion by Heaton of Henry the House adjourned at 9:36 a.m., until 1:00 p.m., Monday, January 22, 2001.

# JOURNAL OF THE HOUSE

Fifteenth Calendar Day - Tenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, January 22, 2001

The House met pursuant to adjournment at 1:06 p.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Jim Newby, pastor of Plymouth Congregational United Church of Christ, Des Moines.

The Journal of Friday, January 19, 2001 was approved.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Juliana Anderson, the Chief Clerk's page.

## SPECIAL PRESENTATION

Larson of Linn introduced to the House Iowa artist Gordon Kellenberger, whose work is currently displayed in the rotunda of the Capitol.

The House rose and expressed its welcome.

## 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 for Fiscal Year 2000, pursuant to Chapter 8D.10, Code of Iowa.

### DEPARTMENT OF PUBLIC HEALTH

The 2000 Iowa Child Death Review Team Report, 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\105 Harold Boney, Lake View – For celebrating his 86<sup>th</sup> birthday.
- 2001\106 Carolyn and James Young, Galva – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\107 Adam Sievers, Storm Lake – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\108 Edith and Don Rankin, Marshalltown – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\109 Lela and Homer Teatsworth, Lenox – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\110 Virgina Engstrom, Clarinda – For celebrating her 90<sup>th</sup> birthday.
- 2001\111 Lynn and Dan Winterhof, Aurelia – For being named 2000 Iowa Master Pork Producers.
- 2001\112 Joshua Dodd, Marcus – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\113 Lenore Rasmussen, Guthrie Center – For celebrating her 80<sup>th</sup> birthday.
- 2001\114 Gertie Mantz, Bayard – For celebrating her 90<sup>th</sup> birthday.
- 2001\115 Betty and Leroy Dill, Adair – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\116 Inez Craven Michael, Stuart – For celebrating her 95<sup>th</sup> birthday.
- 2001\117 Thelma Staats, Hedrick – For celebrating her 84<sup>th</sup> birthday.
- 2001\118 Gladys and Milo Nekola, Toledo – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\119 Jo and Verle Burgason, Ames – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\120 Harvey Jordan, Huxley – For celebrating his 90<sup>th</sup> birthday.
- 2001\121 Oley B. Eide, Ames – For celebrating his 95<sup>th</sup> birthday.

2001\122 Cecil Rasmussen, Traer – For celebrating her 80<sup>th</sup> birthday.

2001\123 Ethel and George Rosenburger, Tama – For celebrating their 60<sup>th</sup> wedding anniversary.

2001\124 Maxine Jenkins, Woodbine – For celebrating her 80<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENT

##### House File 52

State Government: Jacobs, Chair; Boddicker and Jochum.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

##### **H.S.B. 12 Transportation**

Relating to grants of permission for the laying of certain utility mains in, under, or along highways.

##### **H.S.B. 13 Appropriations**

Providing supplemental funding for the low-income home energy assistance program for the fiscal year beginning July 1, 2000, and providing an effective date.

##### **H.S.B. 14 Commerce and Regulation**

Relating to delinquency charges on certain precomputed consumer credit transactions.

##### **H.S.B. 15 Commerce and Regulation**

Permitting cooperative associations to deal with nonmembers, to use fictitious names, and to issue memberships without charge; to permit electric cooperatives to have multiple classes of members; and providing an effective date.

##### **H.S.B. 16 Commerce and Regulation**

Relating to the provision under a group health insurance policy or health maintenance organization contract for compensation of podiatrists, and providing for applicability.

## AMENDMENTS FILED

H—1017	H.F.	1	Kreiman of Davis
H—1018	H.F.	1	Fallon of Polk
H—1019	H.F.	1	Fallon of Polk
H—1020	H.F.	1	Fallon of Polk
H—1021	H.F.	1	Shoultz of Black Hawk

On motion by Rants of Woodbury the House adjourned at 1:20 p.m., until 8:45 a.m., Tuesday, January 23, 2001.

# JOURNAL OF THE HOUSE

Sixteenth Calendar Day - Eleventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, January 23, 2001

The House met pursuant to adjournment at 8:47 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Ron Bryan, pastor of LeGrand Friends Church, Marshalltown.

The Journal of Monday, January 22, 2001 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Van Fossen of Scott on request of Sievers of Scott.

## INTRODUCTION OF BILLS

**House File 76**, by Eddie, a bill for an act relating to the duration of the additional weighting provided for limited English proficient students.

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

**House File 77**, by Gipp, a bill for an act relating to presidential electors' compensation.

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

**House File 78**, by Smith, Osterhaus, Atteberry, Scherrman, Reynolds, Winckler, Tremmel, Falck, Bukta, Quirk, May, Seng, Jochum, Mertz, Richardson, and Greimann, a bill for an act relating to prohibition of certain telephone solicitations, establishment of certain requirements for contracts associated with such solicitations, establishment of a list of persons not wishing to receive such solicitations, making an appropriation, and providing for a civil penalty.



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

**House File 79**, by Teig, Klemme, and Arnold, a bill for an act limiting the liability of rural water districts and associations in connection with the provision of water for fire protection.

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

**House File 80**, by Grundberg, a bill for an act relating to notice of change in assessment due to an equalization order for purposes of property taxation.

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

**House File 81**, by Carroll, a bill for an act providing an exemption from continuing education requirements for barbers under specified circumstances.

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

**House File 82**, by Teig and O'Brien, a bill for an act relating to the exemption of the sales of horses from state sales and use taxes.

Read first time and 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 EDUCATION

The Annual Report of the Division of Vocational Rehabilitation Services cost savings related to holding ICN meetings, pursuant to Chapter 8D.10, Code of Iowa.

The School District Reorganization and Sharing Incentive Study Report, pursuant to Chapter 1143, 2000 Acts of the Seventy-eighth General Assembly.

#### DEPARTMENT OF HUMAN SERVICES

The Third Annual Report of the Healthy and Well Kids in Iowa (HAWK-I) Board, pursuant to Chapter 514.I(7)(g), Code of Iowa.

A report relative to child care reimbursement alternatives, pursuant to Chapter 1067.17, 2000 Acts of the Seventy-eighth General Assembly.

A report on the most appropriate methodology and manner for payment for services provided by psychiatric medical institutions for children (PMICs), pursuant to Chapter 1228.15(19), 2000 Acts of the Seventy-eighth General Assembly.

#### DEPARTMENT OF PUBLIC HEALTH

The Domestic Abuse Death Team Annual Report for Calendar Year 2000, pursuant to Chapter 135.10(1), Code of Iowa.

#### PSEUDORABIES ADVISORY COMMITTEE

The Official 2001 Report On Calendar Year 2000 Activities, pursuant to Chapter 166D.3(2), Code of Iowa.

#### SUPREME COURT

A report concerning mediation in family law cases, pursuant to Chapter 1159.3, 2000 Acts of the Seventy-eighth General Assembly.

#### CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\125 Marjorie and Floyd Cornelius, Maquoketa – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\126 Elizabeth and Don Miller, Maquoketa – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\127 Frederieke Mohr, Bellevue – For celebrating her 100<sup>th</sup> birthday.
- 2001\128 Darrell Begley, Atlantic – For being named a 2000 Iowa Master Pork Producer.
- 2001\129 Janet and Virgil Ehlers, Soldier – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\130 Lila and John Ankerstjerne, Onawa – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\131 Lyle Rosburg, Mapleton – For celebrating his 80<sup>th</sup> birthday.
- 2001\132 Inez M. Glotfetty, Fairfield – For celebrating her 100<sup>th</sup> birthday.

- 2001\133 Nate Dvorak, Dubuque – For being selected as a state finalist in the Iowa State Bar Association's "Know Your Constitution."
- 2001\134 Steve Cornelius, Dubuque – For being distinguished Principal of the Year by the National Catholic Education Association.
- 2001\135 Shawn Balvanz, Eldora – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\136 Ethel and George Rosenburger, Tama – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\137 Karen and Melvin Van Cleve, Newton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\138 Lucine and Frank Owens, Newton – For celebrating their 50<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 73

State Government: Eichhorn, Chair; Connors and Cormack.

##### House File 74

Education: Roberts, Chair; Bukta and Finch.

##### House File 76

Education: Eddie, Chair; Petersen and Tymeson.

##### House File 77

State Government: Gipp, Chair; Chiodo and Metcalf.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

##### House Study Bill 14

Commerce and Regulation: Raecker, Chair; Chiodo and Van Fossen.

##### House Study Bill 15

Commerce and Regulation: Johnson, Chair; Hoffman and Quirk.

##### House Study Bill 16

Commerce and Regulation: Shey, Chair; Bradley and Osterhaus.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 17 State Government**

Allowing elections in certain cities to be conducted by mail ballots and providing penalties.

### **H.S.B. 18 State Government**

Relating to the office of secretary of state and the conduct of elections and voter registration in the state and providing effective and applicability dates.

### **H.S.B. 19 State Government**

Relating to youth participation in the electoral process.

### **H.S.B. 20 State Government**

Relating to the terms "registered voter", "eligible elector", and "qualified voter" for purposes of elections, voter registration, statutory petition requirements, absentee voting by armed forces, and drainage district elections.

### **H.S.B. 21 State Government**

Relating to persons authorized to occupy a voting booth with a voter.

### **H.S.B. 22 State Government**

Requiring the state registrar of voters to contract for evaluating and updating Iowa's voter registration and elections computer systems.

### **H.S.B. 23 State Government**

Relating to the regulation of games of skill or chance, subjecting violators to criminal and civil penalties, and appropriating certain penalties to the department of inspections and appeals.

**H.S.B. 24 Human Resources**

Relating to the composition of the medical assistance advisory council.

**H.S.B. 25 Human Resources**

Relating to family investment program requirements regarding the time period allowed for supported postsecondary education assistance and including an applicability provision.

**H.S.B. 26 Human Resources**

Relating to coverage of podiatric physician services under the medical assistance program.

**H.S.B. 27 Human Resources**

Applying child in need of assistance and child abuse provisions to a child in whose presence a controlled substance has been manufactured or possessed by the child's parent, guardian, or custodian.

**H.S.B. 28 Human Resources**

Relating to child support enforcement, including disclosure of certain juvenile court records to the child support recovery unit, waiting periods for administrative review and adjustment of orders, and federal tax and nontax setoff payments for accrued support, and providing effective dates.

**H.S.B. 29 Natural Resources**

Relating to membership in an interstate wildlife violators compact by the department of natural resources.

**H.S.B. 30 Natural Resources**

Relating to the regulatory authority and procedures of the department of natural resources by providing for the issuance of

limited quota licenses and the issuance of licenses and permits by electronic means.

### **H.S.B. 31 State Government**

Providing that certain financial information of certain foundations which support state institutions is a public record.

### **H.S.B. 32 State Government**

Authorizing certain criminal history and abuse record and registry access to the department of inspections and appeals for purposes of data verification and record checks of applicants for employment with the department.

### **H.S.B. 33 Ethics**

Relating to the rules governing lobbyists in the House of Representatives.

### **H.S.B. 34 Ethics**

Relating to the House Code of Ethics.

### **H.S.B. 35 Ways and Means**

Relating to the allocation to Iowa of income earned by an S corporation, for purposes of the state individual income tax, and including a retroactive applicability date provision.

### **H.S.B. 36 Transportation**

Making corrective transportation-related Code changes relating to temporary restricted permits and temporary entry and exit permits, child restraint devices in motor vehicles, unsatisfied judgments, and bulk liquid transport.

**H.S.B. 37 Transportation**

Relating to transportation, including provisions on road construction and maintenance projects, vehicle sales, movement, and reports, and mailing of notices.

**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.

MARGARET A. THOMSON  
Chief Clerk of the House

**COMMITTEE ON EDUCATION**

**Committee Bill (Formerly House File 14)**, relating to the supervision of curriculum received via the Iowa communications network.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 22, 2001.

On motion by Rants of Woodbury the House adjourned at 8:52 a.m., until 8:45 a.m., Wednesday, January 24, 2001.

# JOURNAL OF THE HOUSE

Seventeenth Calendar Day - Twelfth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, January 24, 2001

The House met pursuant to adjournment at 8:47 a.m., Dix of Butler in the chair.

Prayer was offered by Reverend Donna Joseph, pastor of Unity Lutheran Church, Des Moines.

The Journal of Tuesday, January 23, 2001 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Connors of Polk, until his arrival, on request of Myers of Johnson.

## INTRODUCTION OF BILLS

**House File 83**, by Brauns and Hahn, a bill for an act relating to the standard for investment of retirement funds by municipal utilities.

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

**House File 84**, by Rayhons, Mertz, and Klemme, a bill for an act relating to the drainage of land involving improvements.

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

**House File 85**, by Grundberg, a bill for an act providing a refundable newborn tax credit under the individual income tax and including effective date and retroactive applicability date provisions.

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

**House File 86**, by Brunkhorst, a bill for an act relating to the recruitment of former Iowans and making an appropriation.



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

**House File 87**, by Shoultz, a bill for an act exempting property passing to a stepgrandchild from the state inheritance tax and including an applicability date provision.

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

**House File 88**, by Heaton, a bill for an act establishing an income tax deduction for certain volunteer emergency medical services providers and volunteer fire fighters and providing a retroactive applicability date.

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

**House File 89**, by committee on education, a bill for an act relating to the supervision of curriculum received via the Iowa communications network.

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

**House File 90**, by May, a bill for an act relating to the maximum length allowable for certain combinations of vehicles traveling on the highways of the state.

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

**House File 91**, by Heaton, a bill for an act relating to windshield wiper operation and the use of certain vehicle lights and making a penalty applicable.

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

**House File 92**, by Gipp and Jacobs, 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 93**, by Richardson, a bill for an act relating to the inclusion of income of a parent's spouse in the calculation of the parent's child support obligation.

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

**House File 94**, by Richardson, a bill for an act relating to the discarding of solid waste and providing a penalty.

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

**House File 95**, by Dotzler, Weidman and Huseman, 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 referred to committee on **natural resources**.

**House File 96**, by Tyrrell, a bill for an act providing an exemption from state individual income tax for pension and retirement income and providing a retroactive applicability date.

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

**House File 97**, by Brunkhorst, a bill for an act relating to applications for absentee ballots by eligible electors.

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

**House File 98**, by Baudler, a bill for an act relating to residency and other requirements of brood mares producing Iowa-foaled racehorses.

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

**House File 99**, by Barry, Boggess, Klemme, Johnson, De Boef, Roberts, O'Brien, Mertz, May, and Rayhons, a bill for an act relating to a requirement that the state department of transportation give preference to soydiesel fuel when purchasing fuel for use in its vehicles.

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

**House File 100**, by Huser, a bill for an act relating to the registration and regulation of off-highway vehicles, providing fees, making penalties applicable, and providing an effective date.

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

**House File 101**, by Baudler, a bill for an act requiring motor vehicle operators to take certain precautions when passing certain stationary vehicles and providing a penalty.

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

On motion by Rants of Woodbury, the House was recessed at 9:01 a.m., until 1:00 p.m.

### AFTERNOON SESSION

The House reconvened at 1:02 p.m., Speaker Siegrist in the chair.

### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-six members present, thirty-four absent.

### INTRODUCTION OF BILLS

**House File 102**, by Bradley, a bill for an act relating to moving traffic violations in school zones and increasing fines.

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

**House File 103**, by committee on labor and industrial relations, a bill for an act relating to information included in written promotional materials distributed by the department of economic development.

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

### CONSIDERATION OF BILL

#### Regular Calendar

**House File 1**, a bill for an act relating to the exemption during a certain period from the sales and use taxes of the gross receipts from the sale, furnishing, or service of metered gas and electricity and of fuel used for heating of residential-type dwellings and including an effective date, was taken up for consideration.

## SPECIAL PRESENTATION

Speaker Siegrist introduced to the House the Honorable Don Hanson, former state representative from Black Hawk County.

The House rose and expressed its welcome.

Carroll of Poweshiek in the chair at 1:17 p.m.

Sukup of Franklin offered amendment H-1011 filed by the committee on ways and means as follows:

H-1011

- 1 Amend House File 1 as follows:
- 2 1. Page 1, line 4, by striking the words "and
- 3 electricity".
- 4 2. Page 1, by striking lines 5 and 6 inserting
- 5 the following: "provide energy for residential
- 6 customers and the".
- 7 3. Page 1, line 12, by striking the words "and
- 8 electricity".
- 9 4. Page 1, line 13, by striking the word "heat"
- 10 and inserting the following: "energy".
- 11 5. Page 1, line 14, by inserting after the figure
- 12 "2001," the following: "or April 2001,".
- 13 6. Page 1, line 14, by striking the word "and"
- 14 and inserting the following: "or".
- 15 7. Page 1, line 17, by inserting after the figure
- 16 "2001" the following: "or March 2001".
- 17 8. Title page, line 3, by striking the words "and
- 18 electricity".
- 19 9. Title page, line 4, by striking the words "for
- 20 heating of" and inserting the following: "in".

Shoultz of Black Hawk offered the following amendment H-1015, to the committee amendment H-1011, filed by him and Richardson of Warren and moved its adoption:

H-1015

- 1 Amend the committee amendment, H-1011, to House
- 2 File 1 as follows:
- 3 1. Page 1, by striking lines 2 through 20 and
- 4 inserting the following:
- 5 " \_\_\_\_\_. By striking everything after the enacting
- 6 clause and inserting the following:
- 7 "Section 1. Section 422.45, Code 2001, is amended

8 by adding the following new subsection:

9 **NEW SUBSECTION. 60. a.** Subject to paragraph "b",  
10 the gross receipts from the sale, furnishing, or  
11 service of metered gas for residential customers and  
12 the gross receipts from the sale, furnishing, or  
13 service of fuel, including propane and heating oil,  
14 used to provide heat for residential customers.  
15 b. The exemption in this subsection shall be  
16 phased in by means of a reduction in the tax rate as  
17 follows:

18 (1) If the date of the utility billing of the  
19 customer for the sale, furnishing, or service of  
20 metered gas is between March 1, 2001, and December 31,  
21 2001, or the sale, furnishing, or service of fuel for  
22 heating purposes occurs between March 1, 2001, and  
23 December 31, 2001, the rate of tax is four percent of  
24 the gross receipts.

25 (2) If the date of the utility billing of the  
26 customer for the sale, furnishing, or service of  
27 metered gas is between January 1, 2002, and December  
28 31, 2002, or the sale, furnishing, or service of fuel  
29 for heating purposes occurs between January 1, 2002,  
30 and December 31, 2002, the rate of tax is three  
31 percent of the gross receipts.

32 (3) If the date of the utility billing of the  
33 customer for the sale, furnishing, or service of  
34 metered gas is between January 1, 2003, and December  
35 31, 2003, or the sale, furnishing, or service of fuel  
36 for heating purposes occurs between January 1, 2003,  
37 and December 31, 2003, the rate of tax is two percent  
38 of the gross receipts.

39 (4) If the date of the utility billing of the  
40 customer for the sale, furnishing, or service of  
41 metered gas is between January 1, 2004, and December  
42 31, 2004, or the sale, furnishing, or service of fuel  
43 for heating purposes occurs between January 1, 2004,  
44 and December 31, 2004, the rate of tax is one percent  
45 of the gross receipts.

46 (5) If the date of the utility billing of the  
47 customer for the sale, furnishing, or service of  
48 metered gas is on or after January 1, 2005, or the  
49 sale, furnishing, or service of fuel for heating  
50 purposes occurs on or after January 1, 2005, the rate

Page 2

1 of tax is zero percent of the gross receipts.

2 Sec. 2. **EFFECTIVE DATE.** This Act, being deemed of  
3 immediate importance, takes effect upon enactment."

4 2. Title page, by striking lines 1 through 5 and  
5 inserting the following: "An Act relating to the  
6 phasing in of an exemption from state sales and use

7 taxes on the gross receipts from the sale, furnishing,  
 8 or service of metered gas and heating fuel used by  
 9 residential customers and including an effective  
 10 date."

### SPECIAL PRESENTATION

Carroll of Poweshiek introduced to the House the Honorable Bob Krause, former state representative from Kossuth County.

The House rose and expressed its welcome.

Roll call was requested by Shoultz of Black Hawk and Myers of Johnson.

Rule 75 was invoked.

On the question "Shall amendment H-1015, to the committee amendment H-1011 be adopted?" (H.F. 1)

The ayes were, 42:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Dotzler	Falck	Foege
Ford	Frevert	Greimann	Hatch
Huser	Jochum	Kreiman	Kuhn
Larkin	Lensing	Mascher	May
Mertz	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Reynolds
Richardson	Scherrman	Schrader	Seng
Shoultz	Smith	Stevens	Taylor, D.
Taylor, T.	Tremmel	Warnstadt	Winckler
Wise	Witt		

The nays were, 56:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Fallon
Finch	Garman	Gipp	Grundberg
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Siegrist, Spkr.

Sievers  
Tyrrell

Sukup  
Van Engelenhoven

Teig  
Weidman

Tymeson  
Carroll,  
Presiding

Absent or not voting, 2:

Connors

Van Fossen

Amendment H-1015 lost.

Richardson of Warren asked and received unanimous consent to withdraw amendment H-1016, to the committee amendment H-1011, filed by him on January 18, 2001.

Shoultz of Black Hawk asked and received unanimous consent to withdraw amendment H-1021, to the committee amendment H-1011, filed by him on January 22, 2001.

Kreiman of Davis offered the following amendment H-1017, to the committee amendment H-1011, filed by him and moved its adoption:

H-1017

- 1 Amend the committee amendment, H-1011, to House
- 2 File 1 as follows:
- 3 1. Page 1, by striking lines 15 and 16 and
- 4 inserting the following:
- 5 "\_\_\_ Page 1, line 16, by striking the word
- 6 "February" and inserting the following: "the period
- 7 beginning with the effective date of this Act and
- 8 ending on March 31,".

Amendment H-1017 was adopted.

Fallon of Polk asked and received unanimous consent to withdraw amendments H-1018 and H-1019, to the committee amendment H-1011, filed by him on January 22, 2001.

Fallon of Polk offered amendment H-1020, to the committee amendment H-1011, filed by him as follows:

H-1020

- 1 Amend the Committee amendment, H-1011, to House
- 2 File 1 as follows:
- 3 1. Page 1, by inserting after line 16 the

4 following:  
5 "\_\_\_\_. Page 1, by inserting after line 17 the  
6 following:  
7 "Sec.\_\_\_\_. Section 476.20, Code 2001, is amended  
8 by adding the following new subsection:  
9 NEW SUBSECTION. 6. A utility shall waive any late  
10 charge or penalty on utility bills dated during the  
11 period beginning November 1, and ending March 31."  
12 2. Page 1, by inserting after line 20 the  
13 following:  
14 "\_\_\_\_. Title page, by inserting after line 4 the  
15 following: "limiting the ability to charge a penalty  
16 for late payment by utilities and"."

Sukup of Franklin rose on a point of order that amendment H-1020, to the committee amendment H-1011, was not germane.

The Speaker ruled the point well taken and amendment H-1020, to the committee amendment H-1011, not germane.

Fallon of Polk asked for unanimous consent to suspend the rules to consider amendment H-1020, to the committee amendment H-1011.

Objection was raised.

Fallon of Polk moved to suspend the rules to consider amendment H-1020, to the committee amendment H-1011.

A non-record roll call was requested.

The ayes were 39, nays 52.

The motion to suspend the rules lost.

Sukup of Franklin offered the following amendment H-1023, to the committee amendment H-1011, filed by him from the floor and moved its adoption:

H-1023

1 Amend the Committee amendment, H-1011, to House  
2 File 1 as follows:  
3 1. Page 1, by inserting after line 16 the  
4 following:  
5 "\_\_\_\_. Page 1, by inserting after line 17 the  
6 following:



7 "Sec. \_\_\_\_\_. If a utility that sells, furnishes, or  
 8 services metered gas to provide energy for residential  
 9 customers is unable to timely adjust its billing  
 10 system to provide the sales and use tax exemption  
 11 provided in section 1 of this Act, the utility is  
 12 authorized to charge the sales or use tax on utility  
 13 bills that are dated during March 2001 or until the  
 14 billing system is adjusted for the sales and use tax  
 15 exemption provided in section 1 of this Act. The  
 16 utility shall grant to each residential customer from  
 17 which the tax was collected on such gross receipts a  
 18 credit equal to the amount of tax collected. The  
 19 credit shall appear on the first utility billing which  
 20 is dated after March 31, 2001. The department of  
 21 revenue is granted emergency rulemaking authority to  
 22 implement this section.""

Amendment H-1023 was adopted.

On motion by Sukup of Franklin the committee amendment H-1011, as amended, was adopted.

Shoultz of Black Hawk asked and received unanimous consent to withdraw amendment H-1014 filed by him on January 18, 2001.

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. 1)

The ayes were, 93:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Chiodo	Cohoon
Cormack	De Boef	Dix	Dolecheck
Dotzler	Drake	Eddie	Eichhorn
Elgin	Falck	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hansen	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien

Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Schrader	Seng	Shey
Siegrist, Spkr.	Sievers	Smith	Stevens
Sukup	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Carroll, Presiding			

The nays were, 6:

Hatch	Osterhaus	Scherrman	Shoultz
Taylor, D.	Taylor, T.		

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.

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 1** be immediately messaged to the Senate.

### APPOINTMENTS

The following individuals are appointed to the Legislative Council and Committees of the Council:

#### 2001-2002 LEGISLATIVE COUNCIL (Chapter 2.41, Code of Iowa)

Representative Brent Siegrist  
 Representative Steve Sukup  
 Representative Christopher Rants  
 Representative Richard Myers  
 Representative John Connors  
 Representative Chuck Gipp  
 Representative Betty Grundberg  
 Representative Elizabeth "Libby" Jacobs  
 Representative Pam Jochum  
 Representative Dolores Mertz  
 Representative David Millage  
 Representative Pat Murphy

**ADMINISTRATION COMMITTEE**

Representative Steve Sukup  
Representative Elizabeth "Libby" Jacobs  
Representative Pam Jochum

**CAPITAL PROJECTS**

Representative Chuck Gipp  
Representative Betty Grundberg  
Representative Pam Jochum  
Representative Dave Millage  
Representative Pat Murphy

**FISCAL COMMITTEE**

Representative Dave Millage  
Representative Elizabeth "Libby" Jacobs  
Representative Pat Murphy  
Representative Don Shultz  
Representative James Van Fossen

**INTERNATIONAL RELATIONS**

Representative Willard Jenkins  
Representative Paul Bell  
Representative Jack Drake  
Representative Chuck Gipp  
Representative Jane Greimann  
Representative Elizabeth "Libby" Jacobs  
Representative Scott Raecker  
Representative Paul Scherrman  
Representative Vicki Lensing

**SERVICE**

Representative Christopher Rants  
Representative John Connors  
Representative Steve Sukup

**STUDIES**

Representative Chuck Gipp  
Representative Dolores Mertz  
Representative Richard Myers  
Representative Christopher Rants  
Representative Brent Siegrist

## EXPLANATION OF VOTE

I was necessarily absent from the House chamber on January 24, 2001. Had I been present, I would have voted "nay" on Amendment H-1015 to House File 1.

VAN FOSSEN of Scott

## CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

2001\139 Ruby and Robert Thompson, Altoona – For celebrating their 60<sup>th</sup> wedding anniversary.

2001\140 Blake Larsen, Atlantic – For being named Parade Magazine's 2000 High School All-American.

## SUBCOMMITTEE ASSIGNMENTS

### House File 13

State Government: Brauns, Chair; Larkin and Van Engelenhoven.

### House File 64

Transportation: Van Engelenhoven, Chair; Johnson and Scherrman.

### House File 68

Environmental Protection: Drake, Chair; Lensing and Sievers.

### House File 80

Ways and Means: Houser, Chair; Kuhn and Sievers.

### House File 81

State Government: Bradley, Chair; Elgin and O'Brien.

### House File 84

Agriculture: Rayhons, Chair; Klemme and Mertz.

**House File 92**

State Government: Gipp, Chair; Chiodo and Cormack.

**House File 97**

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and Reynolds.

**House File 98**

State Government: Garman, Chair; O'Brien and Van Engelenhoven.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 11**

Ways and Means: Hoversten, Chair; Richardson and Sievers.

**House Study Bill 13**

Appropriations: Alons, Chair; Jacobs and Murphy.

**House Study Bill 17**

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and Reynolds.

**House Study Bill 18**

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and Reynolds.

**House Study Bill 19**

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and Reynolds.

**House Study Bill 20**

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and Reynolds.

**House Study Bill 21**

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and Reynolds.

**House Study Bill 22**

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and Reynolds.

**House Study Bill 23**

State Government: Brauns, Chair; Larkin and Van Engelenhoven.

**House Study Bill 29**

Natural Resources: Baudler, Chair; Bell and Weidman.

**House Study Bill 30**

Natural Resources: Alons, Chair; Huseman and O'Brien.

**House Study Bill 31**

State Government: Millage, Chair; Chiodo and Garman.

**House Study Bill 32**

State Government: Boddicker, Chair; Falck and Gipp.

**House Study Bill 35**

Ways and Means: Larson, Chair; Eichhorn and Richardson.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 38 State Government**

Relating to the administration and management of the department of personnel and the creation of a revolving fund, and providing for the appropriation and use of the moneys credited to the fund.

**H.S.B. 39 Ways and Means**

Relating to the definition of factory-built structures, the relocation of factory-built structures, the certification of installers of manufactured homes, and providing a fee, an appropriation, and a civil penalty.

**H.S.B. 40 State Government**

Relating to provision of notice by state agencies prior to providing new products or services.

**H.S.B. 41 Ways and Means**

Relating to the taxation of garages and other appurtenances located on mobile home sites.

**H.S.B. 42 Transportation**

Relating to the regulation of motor vehicle rental companies.

**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.

MARGARET A. THOMSON  
Chief Clerk of the House

**COMMITTEE ON JUDICIARY**

**Committee Bill** (Formerly House Study Bill 4), relating to child endangerment violations and injuries to a child and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 23, 2001.

**COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS**

**Committee Bill** (Formerly House File 3), relating to information included in written promotional materials distributed by the department of economic development.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 23, 2001.

**RESOLUTIONS FILED**

**HCR 6**, by Jochum, a concurrent resolution requesting that the legislative council establish a family and work forum to bring together a diverse group of legislators, community leaders, and other interests to explore new approaches for supporting families in the evolving economy.

Laid over under **Rule 25**.

**HR 7**, by Grundberg, Smith, Lensing, Mascher, Foege, Myers, Alons, Arnold, Atteberry, Barry, Baudler, Bell, Boal, Boddicker, Boggess, Bradley, Brauns, Broers, Brunkhorst, Carroll, Connors, De Boef, Dix,

Dolecheck, Dotzler, Drake, Eddie, Eichhorn, Elgin, Falck, Fallon, Finch, Ford, Frevert, Garman, Gipp, Greimann, Hahn, Hansen, Heaton, Hoffman, Horbach, Houser, Hoversten, Huseman, Huser, Jacobs, Jenkins, Jochum, Johnson, Kettering, Klemme, Kuhn, Larkin, Larson, Manternach, May, Mertz, Metcalf, Millage, Murphy, O'Brien, Osterhaus, Quirk, Raecker, Rants, Rayhons, Rekow, Reynolds, Richardson, Roberts, Scherrman, Schrader, Seng, Shey, Siegrist, Sievers, Sukup, D. Taylor, T. Taylor, Teig, Tymeson, Tyrrell, Van Engelenhoven, Van Fossen, Warnstadt, Weidman, and Witt, a resolution recognizing the achievements of Nancy Coover Andreasen.

Laid over under **Rule 25.**

#### AMENDMENT FILED

H—1022      H.F.      2      Millage of Scott

On motion by Rants of Woodbury the House adjourned at 2:45 p.m., until 8:45 a.m., Thursday, January 25, 2001.



# JOURNAL OF THE HOUSE

Eighteenth Calendar Day - Thirteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, January 25, 2001

The House met pursuant to adjournment at 8:51 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Neal Cross, pastor of New Hope United Methodist Church, Des Moines.

The Journal of Wednesday, January 24, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 104**, by committee on judiciary, a bill for an act relating to child endangerment violations and injuries to a child or minor and providing penalties.

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

**House File 105**, by Quirk, a bill for an act relating to the boundaries of an enterprise zone under the enterprise zone program.

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

**House File 106**, by Mascher, Wise, Petersen, Lensing, Winckler, Tremmel, Murphy, Falck, T. Taylor, Dotzler, Reynolds, Smith, Greimann, Larkin, Cohoon, D. Taylor, O'Brien, Kuhn, Foege, Quirk, Mertz, Kreiman, Witt, Chiodo, Bukta, Myers, and Warnstadt, a bill for an act relating to and extending the duration of the additional weighting provided for limited English proficient students.

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

**House File 107**, by Grundberg, a bill for an act relating to third-party payment of health care coverage for neurobiological disorder treatment services, and providing for a study of third-party payment of substance abuse coverage.

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

**House File 108**, by committee on appropriations, a bill for an act providing supplemental funding for the low-income home energy assistance program for the fiscal year beginning July 1, 2000, and providing an effective date.

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 January 24, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 65, a bill for an act providing supplemental funding for the low-income home energy assistance program for the fiscal year beginning July 1, 2000, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGE CONSIDERED

**Senate File 65**, by committee on appropriations, a bill for an act providing supplemental funding for the low-income home energy assistance program for the fiscal year beginning July 1, 2000, and providing an effective date.

Read first time and **passed on file**.

### PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Five Student Senate students from Marshalltown Community College, Marshalltown, Iowa, accompanied by Advisor Judy Freese. By Smith of Marshall.

## COMMUNICATIONS RECEIVED

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

### DEPARTMENT OF COMMERCE Iowa Utilities Board

A report on issues relating to railroad rights of way crossings by utilities, pursuant to Chapter 1134, 2000 Acts of the Seventy-eighth General Assembly.

### LEGISLATIVE SERVICE BUREAU

The Progress Report of the Legislative Advisory Committee on Electronic Filing of Real Property Instruments, pursuant to Chapter 1189.27, 2000 Acts of the Seventy-eighth General Assembly.

## CERTIFICATES OF RECOGNITION

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

**MARGARET A. THOMSON**  
Chief Clerk of the House

2001\141 Mr. and Mrs. Kenneth Spears, Hedrick – For celebrating their 60<sup>th</sup> wedding anniversary.

2001\142 Mabel Huber, Wellman – For celebrating her 100<sup>th</sup> birthday.

### SUBCOMMITTEE ASSIGNMENTS

#### House Joint Resolution 2

Judiciary: Shey, Chair; Barry and Kreiman.

#### House File 51

Judiciary: Baudler, Chair; Broers and Kreiman.

#### House File 65

Judiciary: Boddicker, Chair; Baudler and Jochum.

#### House File 67

Commerce and Regulation: Hansen, Chair; Johnson and Osterhaus.

**House File 72**

Commerce and Regulation: Johnson, Chair; Osterhaus, Schrader, Shey and Van Fossen.

**House File 78**

Commerce and Regulation: Raecker, Chair; Chiodo and Dix.

**House File 79**

Local Government: Klemme, Chair; Arnold and Connors.

**House File 90**

Transportation: Rayhons, Chair; Garman and May.

**House File 94**

Environmental Protection: Cormack, Chair; Finch and Greimann.

**House File 99**

Transportation: Klemme, Chair; Johnson and Quirk.

**House File 101**

Transportation: Weidman, Chair; Huser and Rekow.

**House File 102**

Transportation: Garman, Chair; Bukta and Manternach.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 4**

Judiciary: Shey, Chair; Kreiman and Sukup.

**House Study Bill 36**

Transportation: Brauns, Chair; Arnold, Eddie, Huser and May.

**House Study Bill 37**

Transportation: Brauns, Chair; Arnold, Eddie, Huser and May.

**House Study Bill 38**

State Government: Elgin, Chair; Larkin and Van Engelenhoven.

**House Study Bill 39**

Ways and Means: Shey, Chair; Larkin and Larson.

**House Study Bill 40**

State Government: Bradley, Chair; Falck and Metcalf.

**House Study Bill 41**

Ways and Means: Shey, Chair; Larkin and Larson.

**House Study Bill 42**

Transportation: Weidman, Chair; Bukta and Johnson.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 43 Environmental Protection**

Renaming the waste management assistance division of the department of natural resources.

**H.S.B. 44 Environmental Protection**

Relating to tonnage fees paid by sanitary landfills and transfer stations.

**H.S.B. 45 Education**

Relating to the administration and care of the Iowa battle flag collection.

**H.S.B. 46 Economic Development**

Relating to targeted industries under the new jobs and income program.

**H.S.B. 47 Economic Development**

Amending the strategic planning duties of the Iowa economic development board.

**H.S.B. 48 Transportation**

Relating to the allocation of special fees collected from the sale of Iowa heritage license plates.

**H.S.B. 49 Commerce and Regulation**

Relating to the healthy and well kids in Iowa program.

**H.S.B. 50 Commerce and Regulation**

Relating to balloon payments on consumer loans secured by a certificate of title in a motor vehicle.

**H.S.B. 51 Commerce and Regulation**

Permitting state banks to establish additional bank offices, and containing effective dates.

**H.S.B. 52 Environmental Protection**

Relating to the certification of persons providing water pump services.

**H.S.B. 53 Human Resources**

Establishing a family investment program eligibility requirement of participation in drug testing.

**H.S.B. 54 Human Resources**

Relating to the registration requirements for persons who manufacture, prescribe, distribute, administer, or dispense controlled substances.

**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.

MARGARET A. THOMSON  
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

**Committee Bill** (Formerly House Study Bill 13), providing supplemental funding for the low-income home energy assistance program for the fiscal year beginning July 1, 2000, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 24, 2001.

AMENDMENTS FILED

H-1024	S.F.	65	Kreiman of Davis Hatch of Polk Mascher of Johnson Seng of Scott Tremmel of Wapello Myers of Johnson
H-1025	S.F.	65	Mertz of Kossuth
H-1026	S.F.	65	Murphy of Dubuque

On motion by Rants of Woodbury the House adjourned at 9:07 a.m., until 9:30 a.m., Friday, January 26, 2001.

# JOURNAL OF THE HOUSE

Nineteenth Calendar Day - Fourteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, January 26, 2001

The House met pursuant to adjournment at 9:32 a.m., Larson of Linn in the chair.

Prayer was offered by Susan Severino, Administrative Assistant to the Speaker of the House.

The Journal of Thursday, January 25, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 109**, by Richardson, Larkin, Fallon, Huser, Bell, Kuhn, Foege, and Atteberry, a bill for an act allowing certain elections to be conducted by mail ballots, establishing a pilot project, providing penalties, and providing an applicability date.

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

**House File 110**, by Richardson, Mertz, Quirk, T. Taylor, Dotzler, Reynolds, Greimann, Frevert, Larkin, Cohoon, Huser, Bell, May, O'Brien, Kuhn, Foege, Falck, Murphy, Stevens, Tremmel, Schrader, Osterhaus, Petersen, Wise, Mascher, Shoultz, and Jochum, a bill for an act relating to medical information and individual medical records.

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

**House File 111**, by Johnson, Kettering, Huseman, Sukup, Eichhorn, Alons, and Hoffman, a bill for an act relating to the exemption from the inheritance tax of property passing to a brother or sister of the decedent and including an applicability date provision.

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



**House File 112**, by Warnstadt, 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 113**, by Grundberg, a bill for an act relating to coverage of neurobiological disorders and substance abuse treatment services for state employees.

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

**House File 114**, 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 115**, by Alons, Brauns, Kettering, and Cormack, a bill for an act relating to speed limits for vehicular traffic on interstate and fully controlled-access, divided, multilaned highways.

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

**House File 116**, by Johnson and Alons, a bill for an act relating to information to be included in termination of pregnancy reporting.

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

**House File 117**, by Bukta, a bill for an act relating to approval of applications under the vision Iowa program.

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

**House File 118**, by Bukta, a bill for an act directing the director of transportation to designate an interstate highway coordinator.

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

**House File 119**, by Hoversten, a bill for an act relating to the enterprise zone program by creating an eligible development business portion of the program, amending the incentives and assistance provisions available under the enterprise zone program, and providing a retroactive applicability 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 January 25, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 1, a bill for an act relating to the exemption during a certain period from the sales and use taxes of the gross receipts from the sale, furnishing, or service of metered gas and electricity and of fuel used for heating of residential-type dwellings and including an effective date.

Also: That the Senate has on January 25, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 5, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-ninth general assembly.

MICHAEL E. MARSHALL, Secretary

### COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on January 16, 2001, and is on file in the office of the Chief Clerk:

January 11, 2001

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 2000 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,  
Cynthia P. Eisenhauer  
Chairperson  
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

MARGARET A. THOMSON  
Chief Clerk of the House

CHAPTER 669 TORT CLAIMS APPROVED  
BY THE STATE APPEAL BOARD—2000

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T940002	City of Iowa City	State vehicle sideswiped claimant vehicle	\$74.45	\$74.45
T940033	Teddy J. Legg	State vehicle sideswiped claimant vehicle	\$681.71	\$681.71
T940043	American Family Insurance as Subrogee of Jonathan Hruska	State vehicle backed into claimant vehicle	\$543.55	\$543.55
T940276	Karen Lynn Meyer	State vehicle backed into claimant vehicle	\$642.31	\$642.31
T940294	Gary Clark Nerem	State vehicle backed into claimant vehicle	\$617.44	\$617.44
T940319	Church Mutual Insurance Company	State vehicle backed into claimant vehicle	\$449.84	\$449.84
T940505	John Kuddes II	State vehicle sideswiped claimant vehicle	\$782.00	\$782.01
T940536	Heather M. Reutter/ IMT Insurance	State vehicle hit claimant vehicle	\$1,424.60	\$1,424.60
T940574	Anthony Kocak	State vehicle hit claimant vehicle	\$1,538.25	\$1,538.25
T950011	Carol A. Ives	State vehicle hit claimant vehicle	Undetermined	\$514.13
T950035	Elsie Newton	State vehicle backed into claimant vehicle	\$1,000.00	\$734.34
T950055	Travis J. Decker	State vehicle backed into claimant vehicle	\$1,886.00	\$1,937.12
T950059	Carol Nancy Stegink	State vehicle backed into claimant vehicle	\$414.00	\$372.02

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T950082	Thomas F. Grogan Jr.	State vehicle rear-ended claimant vehicle	\$617.85	\$617.85
T950090	Michael Hugh Huston	State vehicle sideswiped claimant vehicle	\$392.73	\$392.73
T950101	Hinman Contractors & Builders	State vehicle sideswiped claimant vehicle	\$234.90	\$234.90
T950182	Kellie Kristine Shollenbarger	State vehicle backed into claimant vehicle	\$304.06	\$304.06
T950196	Hall A. Koontz	State vehicle backed into claimant vehicle	Unspecified	\$907.73
T950210	Tami Jo Lai	State vehicle backed into claimant vehicle	\$593.25	\$348.75
T950289	Colonial Insurance Company of California as Subrogee of Carl Greiner	State vehicle sideswiped claimant vehicle	\$722.02	\$722.02
T950386	Donald D. Elderkin	State vehicle hit claimant vehicle	\$1,201.77	\$1,207.77
T950464	Dorothy P. Allen	State vehicle backed into claimant's vehicle	Undetermined	\$417.46
T950576	Russell Wivell	State vehicle backed into claimant vehicle	\$837.26	\$837.26
T960071	Lori Anderson	State vehicle rear-ended claimant vehicle	\$322.35	\$322.35
T960109	Donna Taylor	State vehicle backed into claimant vehicle	\$192.64	\$192.64
T960209	Dean Stone	State vehicle rear-ended claimant vehicle	\$857.64	\$1,259.82
T960573	David Wayne Lundy	State vehicle backed into claimant vehicle	\$2,107.54	\$1,901.38
T960830	Kenneth Lee Cavanaugh	State vehicle hit claimant vehicle	\$415.74	\$415.74
T970042	Terry White	Alleges property damaged by UIHC patient	\$34.95	\$34.95
T970131	Pamela S. Joab	State vehicle struck claimant's vehicle	Unspecified	\$455.91
T970387	State Farm Insurance as Subrogee of Marc E. Olsen	State driver damaged claimant vehicle	\$1,017.49	\$1,017.49

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T970748	Hawkeye-Security Insurance Company as Subrogee for Mary T. Watkins	State vehicle sideswiped claimant vehicle	\$2,686.11	\$2,617.00
T970766	Jeanine M. Beranek	State vehicle slid into claimant vehicle	\$1,340.00	\$1,323.42
T980077	The Hertz Corp.	State driver sideswiped claimant vehicle	\$293.60	\$293.60
T980254	Jack Lee Werstein	State vehicle backed into claimant vehicle	\$1,100.00	\$922.69
T980446	State Farm Insurance as Subrogee of Patricia & Brown Anglin	State vehicle rear-ended claimant vehicle	\$495.90	\$495.90
T980524	State Farm Insurance as Subrogee of Shyral Nelson	State vehicle hit claimant vehicle	\$1,014.91	\$911.28
T980669	Don William Nordyke	State vehicle backed into claimant vehicle	\$481.80	\$481.80
T980707	Mandy Rae Unsen	State vehicle backed into claimant vehicle	\$944.49	\$895.49
T980712	City of Ames	State vehicle sideswiped claimant vehicle	\$2,268.00	\$2,268.00
T980741	Secura Insurance Company as Subrogee of Richard & Desiree Lewis	State vehicle sideswiped claimant vehicle	\$271.50	\$271.50
T980780	Charlotte Louise Kraai	State driver damaged claimant vehicle	\$491.65	\$487.65
T980832	Marlin Howard Eitland	State vehicle sideswiped claimant vehicle	\$162.12	\$162.12
T981015	David Wesley Orth	State driver damaged claimant vehicle	\$468.68	\$468.68
T981036	Unitrin as Subrogee of Jay Dee & Carol Coffland	State vehicle backed into claimant vehicle	Unspecified	\$872.97
T981046	Mediapolis Community School District	State vehicle sideswiped claimant vehicle	\$333.56	\$333.56
T981057	Thrifty Car Rental	State driver found damage to rental vehicle	\$535.38	\$535.68
T981068	Susan M. Ytsen	State vehicle struck claimant vehicle	\$1,191.40	\$1,099.98

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T990064	Lee Miller, as Administrator of the Donna Miller Estate	Claimant left unattended in bathtub and drowned	\$506,346.70	\$200,000.00
T990233	Richard R. Clark & Roger K Clark, Co-Administrators of the Robin Lee Clark Estate School	Claimant injured when he swallowed toothbrush at Woodward State Hospital	\$753,000.00	\$200,000.00
T990335	Alamo Rent-A-Car	Rental vehicle struck by unknown	\$140.84	\$140.84
T990337	Progressive as Subrogee of Jody Gibson	State driver rear-ended claimant's vehicle	\$2,587.88	\$2,934.38
T990425	Karen C. Steinbach Toptani, Administrator of the Estate of Richard Z. Toptani	Claimant was involuntarily committed to the UIHC Psychiatric Unit and then later discharged and then proceeded to commit suicide by carbon monoxide	\$5,000,000.00	\$42,500.00
T990517	Mary Ann Nelson	Claimant suffered injuries when she fell exiting the Iowa National Guard	\$75,000.00	\$30,000.00
T990585	Requitta Ann Balk	DOT snowplow allegedly entered intersection claimant struck right rear of the DOT snowplow	Unspecified	See T990800
T990675	Larry Lee Kocour	Claimant's vehicle rear-ended by a DOT vehicle	\$10,000.00	\$7,500.00
T990707	Donald Eric Thomas #1040206	Claimant alleges the dentist fractured his jaw while attempting to extract a molar	\$150,000.00	\$32,000.00
T990729	Melissa Mosher	Claimant's vehicle collided with state vehicle	\$353.57	\$452.19
T990730	FAP Enterprises, Inc. d/b/a Gasbys Conoco	State vehicle damaged fuel pump	\$195.64	\$195.64
T990758	Clark Transportation, Inc.	DOT plow allegedly backed into turning semi	\$1,312.00	\$656.00
T990764	MidAmerican Energy Company	DOT vehicle allegedly struck two power poles while plowing	\$7,418.80	\$4,000.00

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T990777	State Farm Insurance as Subrogee of James A. Meek	Alleges vehicle damaged by ISU	\$846.99	\$846.99
T990792	Ronald Leroy Bilslund	Claimant arrested illegally	\$4,000.00	\$500.00
T990800	American Family Insurance as Subrogee for Requitta & Chris Balk	Claimant's vehicle damaged and personal injuries received when a DOT snowplow allegedly entered the intersection and struck vehicle	\$8,072.55	\$1,069.50
T990816	Shawanda Faye (Matthews) Jones	1820 East 13th Street, Davenport, Iowa 52803	\$2,500,000.00	\$707,843.47
T990920	Farmers Insurance Group of as Subrogee of Mark Finn	Companies Claimant was a passenger in an ISU van which was involved in a motor vehicle accident on the Kansas Turnpike. He sustained injuries	\$1,035.15	\$1,035.15
T990931	Shelly Ileen Huffman	Claimant alleges electrical damage to vehicle due to a power surge while camping at George Wyth State Park	\$1,164.17	\$1,164.17
T990953	Jeanne Ann Reynolds	Claimant's vehicle rear-ended by a DOT truck which caused a chain reaction involving two other vehicles	\$13,400.00	\$17,500.00
T990957	Jennifer E. Lemish	Alleges artwork damaged by SUI employees	\$1,270.20	\$1,000.00
T990959	Hee-Eun Lee	State vehicle rear-ended claimant's vehicle	\$1,988.25	\$1,988.25
T990973	Aero Rental, Inc.	State employee in rental vehicle hit curb	Unspecified	\$942.73
T991072	Richard Armstrong	Alleges personal injury sustained during medical procedure	Unspecified	\$2,660.00
T991074	Stevie M. Hart	Claimant alleges wrongful death due to negligence at Woodward	\$3,500,000.00	\$45,000.00/Deny
T991075	Krista M. Hart, Individually	Claimant alleges wrongful death due to negligence at Woodward	\$3,500,000.00	See T991074

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T991076	Krista M. Hart, as mother and next friend of Morgan Hart, Minor	Claimant alleges wrongful death due to negligence at Woodward	\$3,500,000.00	See T991074
T991077	Krista M. Hart, Administrator of Terry Hart Estate	Claimant alleges wrongful death due to negligence of Woodward staff	\$3,500,000.00	See T991074
T991079	American Family Insurance, as Subrogee for Trudy Murphy	Spilled paint on road allegedly splattered on vehicle	\$603.86	\$603.86
T991095	Sandra Chavez	State vehicle side-swiped claimant's vehicle	\$3,576.00	\$800.00
T000014	John McEnaney	Claimant's camper damaged by tractor mower that slid downhill	\$45.00	\$45.00
T000021	Thomas J. Tomaszek	Claimant's vehicle rear-ended by an employee of the U of I	\$31,008.77	See T000022
T000022	Thomas J. Tomaszek	Claimant's vehicle rear-ended by an employee of U of I	\$31,008.77	\$13,000.00
T000042	Hawkeye Security Insurance Company as Subrogee for Kevin and Nicole Miller	State vehicle turning left sideswiped claimant's vehicle	\$618.24	\$618.24
T000059	Estate of Juanita Jackson - Verl Junior Jackson and Nancy Carol Jackson, Co-Executors	Claimant alleges a suspected fall at UHC caused a subdural hematoma, which contributed to Mrs. Jackson's death	\$800,000.00	\$60,000.00
T000076	Michael W. Fiscus	Alleges vehicle damaged by debris from lawn equipment	\$100.00	\$100.00
T000085	Leslie Cosman (Mother of Aaron)	Claimant's son bitten by stallion at ISU Horse Barn while feeding the animal	\$5,000.00	\$500.00
T000086	Tami Gorvin	DOT mower lag threw rock damaging van	\$452.40	\$452.40



<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000095	Habib Chinichian	State vehicle backed into parked claimant's vehicle	\$4,258.00	\$3,659.86
T000126	Kathryn Burzlaff	State vehicle rear-ended claimant vehicle	Unspecified	\$2,338.72
T000141	Kendra Rae Larson	State vehicle sideswiped parked claimant's vehicle	\$1,293.07	\$1,293.07
T000156	Brower Construction Company Attention - Doris	DOT vehicle allegedly backed into contractor's vehicle	\$576.20	\$576.20
T000162	Judith A. O'Connor	Alleges glasses damaged while patient at UIHC	\$145.00	\$145.00
T000209	Farmers Casualty as Subrogee of Joseph D. Griffin	Claimant's vehicle damaged by gate arm in Lot 8	\$870.21	\$870.21
T000231	Philip G. Bryant	Claimant asserts that his razor was broken by staff at IVH	Unspecified	\$57.99
T000236	Roger P. Escher	DOT mower allegedly threw rock damaging windshield	\$569.76	\$569.76
T000240	Kristin Rae Lane	Allegedly bed spring damaged when stopped at scale	\$50.00	\$50.00
T000244	Thomas Joseph Anderson	Claimant sustained severe bruising when he fell at Union Grove Park	\$400,177.00	\$32,500.00
T000245	Krueger's Amoco Food Shop No.5	DOT vehicle allegedly damaged gas pumps	\$528.42	\$528.42
T000247	Teresa Ellen Lehmer	Claimant alleges she was wrongfully imprisoned for a crime she never committed	\$490,000.00	\$30,000.00
T000261	Jason Wayland Blunt #1062003	Claimant's loss of personal property	\$911.02	\$800.00
T000266	Theron Eugene Lowrey II	State vehicle backed into parked claimant's vehicle	\$2,000.00	\$1,952.37
T000268	Joel Calvin Lehmer	Claimant alleges he was wrongfully imprisoned for a crime that never occurred	\$490,000.00	\$30,000.00

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000272	Brian Decoster	Alleges vehicle damaged by debris from lawn equipment	\$306.45	\$306.45
T000281	State Farm on behalf of Clarence Anderson	Alleges vehicle damaged by property which fell from SUI residence hall	\$1,815.10	\$1,815.00
T000282	Research Industries	Claimant's vehicle damaged by state vehicle	Unspecified	\$5,718.71
T000287	Ronald Gene Hageman	Alleges vehicle damaged by debris thrown from groundskeeping equipment	\$189.91	\$189.91
T000292	Dennis Terven	DOT truck allegedly lost rock, damaging vehicle windshield	\$238.27	\$238.27
T000297	Brian E. Thomsen	Alleges property flooded from borrow pit	Not specified	\$3,823.32
T000298	John Brace	Alleges property damaged by malfunctioning sprinkler system	\$538.95	\$538.95
T000299	Le Mars Mutual Insurance Company as Subrogee of Bernard and Garnet Jorgensen	Claimant's vehicle damaged when state vehicle collided with it	\$9,000.00	\$8,896.53
T000300	Cheryl Sytsma-Sellner	State vehicle backed into claimant's vehicle	\$566.47	\$305.03
T000304	Larry L. Ditch	Trees on DOT row fell on fence. Allegedly survey error	Unspecified	\$600.00
T000315	Joy Ellen Kuper	Claimant's vehicle damaged from a dropped tape measurer	\$236.58	\$86.58
T000316	Steven Duane Halfhill	DOT vehicle allegedly threw rock from tires damaging vehicle	\$555.18	\$555.18
T000317	John William Gardner	DOT mower allegedly threw rock damaging windshield	\$100.00	\$100.00
T000320	Steven J. Muell	DOT mower allegedly threw rock damaging vehicle rear window	\$404.33	\$404.33
T000321	Iowa Mutual Insurance Company as Subrogee of James & Donna Snead	State vehicle caused collision with claimant vehicle	\$419.00	\$419.00

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000322	Iowa Mutual Insurance Company as Subrogee of James & Donna Snead	State vehicle caused collision with claimant's vehicle	\$3,622.01	\$3,622.01
T000324	Amy Stockman	Alleges property lost by UHC employee	\$94.50	\$94.50
T000325	Alberta Triplett	Alleges property lost by UHC employee	\$115.00	\$115.00
T000329	Advanced Systems Inc.	DOT mower allegedly threw object, damaging door window	\$169.28	\$169.28
T000330	Janine A. Sawada	Alleges property damaged by ceiling leak in SUI building	\$248.00	\$236.00
T000331	Steven Scott Folie	DOT vehicle allegedly backed into parked vehicle in closed lane	\$1,094.48	\$1,094.48
T000332	Roger A. Tan	State vehicle backed into parked claimant's vehicle	\$155.82	\$155.82
T000333	Cynthia Marie Gerardi	State vehicle backed into parked claimant's vehicle	\$2,205.51	\$2,205.51
T000335	Allied Mutual Insurance Company as Subrogee of Beverly Tirado	State vehicle backed into parked claimant vehicle	\$1,475.10	\$1,475.10
T000341	Woodbury County, Iowa	State vehicle side-swiped parked claimant's vehicle	\$1,044.34	\$1,044.34
T000342	Carolyn Lo Eberle	DOT mower allegedly threw rocks damaging windshield	\$301.09	\$301.09
T000344	Debra Linn Hodges	DOT vehicle allegedly rear-ended stopped vehicle	Unspecified	\$1,180.53
T000345	Maureen Dockstaaer	DOT mower allegedly threw chunk of concrete into vehicle	\$703.94	\$703.94
T000350	State Farm Insurance Company as Subrogee of Rober Chow	State vehicle and claimant's vehicle had collision	\$1,524.39	\$1,524.39
T000358	Sanjay Singhui	Alleges vehicle damaged by gate arm in parking ramp	\$79.93	\$79.93

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000359	Malone Motors, Inc.	DOT mower allegedly threw debris, damaging vehicle door & box	\$700.00	\$717.54
T000360	Mark S. Henshaw for minor son Seth Henshaw	Alleges minor son injured at SUI wrestling camp	\$2,055.00	\$2,055.00
T000361	The Shoe Plaise Corp - Ann Ash	Alleges property damaged by U of I homecoming Council	\$1,130.97	\$1,130.97
T000365	JoAnn Elaine Beasley	DOT mower allegedly threw debris, damaging vehicle hood	\$2,247.13	\$2,247.13
T000366	Marilyn J. Dean	Alleges property damaged by steam release in SUI residence hall	\$269.49	\$269.49
T000372	Kathleen Owens	Rocks allegedly left on roadway by DOT damaging vehicle	Unspecified	\$1,703.16
T000375	Pavel Lotkov	Alleges vehicle damaged by debris from lawn equipment	\$323.53	\$323.53
T000377	Meridith H. Fennell	State vehicle backed into parked claimant vehicle	\$1,476.10	\$1,476.10
T000378	Carrie Sue Davidson	State vehicle rear-ended claimant vehicle	\$282.05	\$282.05
T000383	Michael Alan Andresen	State vehicle backed into parked claimant vehicle	\$784.67	\$784.67
T000384	Elizabeth Sue Breuer	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$102.35	\$426.49
T000385	Melissa Jane Breuer	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$102.35	See T000384
T000386	Luke James Breuer	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$114.77	See T000384
T000387	Lucy Jane Breuer	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$107.02	See T000384

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000390	Jerold W. Westphal	DOT mower allegedly threw object, damaging vehicle windshield	\$59.95	\$59.59
T000391	Bruce Riordan	DOT mower allegedly threw rock, damaging grille	\$127.11	\$127.11
T000392	Kristy Jo Scheuermann	DOT mower allegedly threw rocks, damaged vehicle	\$451.60	\$451.60
T000394	Bernie Larson - Minnehaha County Sheriff's Dept	DOT mower allegedly threw rock, damaging grille	\$83.16	\$83.16
T000395	Robin L. Grant	Claimant's vehicle damaged by a rock thrown by mower	\$326.55	\$326.55
T000398	Steven W. Peters	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$2,020.00	\$2,020.00
T000399	Daryl L. Van Hyfte	Alleges sign from operation blew into vehicle	\$663.62	\$511.53
T000401	Mary Beth Bucklin	DOT mower allegedly threw rocks, damaging side of van	\$518.60	\$518.60
T000402	Tammy Lynn Cameron	Claimants jeans damaged when she sat on bench at ISP that had paint on it.	\$19.96	\$19.96
T000408	Joan D. Holt	Claimant's vehicle damaged by gate arm at Capitol	Unspecified	\$445.66
T000415	David Robert Woodson	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$162.75	\$162.75
T000416	Lynn Marie Greunke	DOT mower allegedly threw rocks damaging vehicle	\$1,161.00	\$1,356.00
T000418	State Farm Insurance as Subrogee of Harriette Shear	DOT mower allegedly threw rock, damaging vehicle side window	\$301.88	\$301.88
T000419	John A. McEnaney	Claimant's travel trailer damaged by rock thrown by mower	\$85.14	\$85.14

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000421	Melvin Douglas Kingery	State vehicles door hit claimant's vehicle	\$580.00	\$580.00
T000422	Motel Six	Pole on DOT row allegedly fell onto fence	\$1,075.50	\$1,075.50
T000425	Larry Schott	Alleges crops damaged during archaeological dig	\$125.00	\$125.00
T000427	Clarion Winzenburg	DOT vehicle allegedly lost rocks damaging windshield	\$421.00	\$421.00
T000428	Steve C. Allen	DOT truck allegedly lost rocks damaging vehicle windshield	\$198.62	\$198.62
T000430	Connie Sue Farnham	State vehicle backed into parked claimant's vehicle	\$467.21	\$422.15
T000432	Veronica Nixon	State vehicle collided with claimant's vehicle	\$1,048.01	\$995.62
T000433	Brandon Jeffrey Iben	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$1,723.79	\$3,245.48
T000434	Jenna Ann Iben	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$1,521.69	See T000433
T000435	Tom Eric Arneson	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$232.63	\$697.88
T000436	Bonnie Lou Arneson	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$232.63	See T000435
T000437	Kirsten Elizabeth Arneson	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$232.62	See T000435
T000439	Lynzee Danielle Henriksen	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment.	\$875.52	\$1,116.38

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000440	Landon Eric Henriksen	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$174.06	See T000439
T000441	Lucas Eugene Henriksen	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$66.80	See T000439
T000443	Carolyn Ann Breuer	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$2,167.90	\$8,167.90
T000444	Linda Nicole Breuer	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$1,440.00	See T000443
T000445	Kimberly Rose Breuer	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$1,535.00	See T000443
T000446	Julie Ann Breuer	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$1,440.00	See T000443
T000447	Daniel Lee Breuer	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$1,585.00	See T000443
T000452	Karen Jane Studer	Alleges vehicle damaged by food cart operated by SUI employee	\$394.65	\$394.65
T000455	Lloyd W. Henderson Jr.	DOT vehicle door allegedly struck EE's parked vehicle	\$75.00	\$75.00
T000458	Angela Rae Malone	State vehicle struck parked claimant's vehicle	\$521.15	\$521.15
T000460	Laura Sue Stolte	State vehicle had collision with claimant at intersection	Unspecified	\$970.50
T000464	Tina Marie McCumber	State vehicle backed into parked claimant's vehicle	\$643.08	\$643.08
T000465	Carol Ann Edwards	DOT mower allegedly threw rocks, damaging vehicle	\$170.13	\$214.53

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000467	Douglas D. Hammerand	State vehicle door hit parked claimant's vehicle	\$270.28	\$197.40
T000470	Lois Jean Miller	State vehicle collided with claimant's vehicle	\$2,494.70	\$2,494.70
T000472	Danielle Dehne	State vehicle in accident with passengers	\$1,190.00	\$860.52
T000482	State Farm Insurance as Subrogee of John Phipps	Claimant seeks reimbursement for damage to their insured's vehicle when struck by vehicle owned by state	\$3,177.65	\$3,177.65
T000490	Paul Hansen	State vehicle backed into claimant's vehicle	\$739.49	\$739.49
T000492	Jesus T. Rodriguez	DOT vehicle allegedly backed into parked vehicle in work zone	\$869.70	\$869.70
T000494	David W. Turner	Alleges calves died after developing surgical complications	\$4,240.00	\$4,240.00
T000495	Tom Hamilton	DOT vehicle allegedly threw rock from shoulder onto vehicle	\$3,000.00	\$2,901.27
T000497	Joseph A. Tiffany	State vehicle backed into parked claimant's vehicle	\$274.48	\$274.48
T000502	Jeffrey Scot Wrage	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$2,272.82	\$2,272.82
T000503	Farmers Insurance Company as Subrogee for Shalon Clark	State vehicle rear-ended claimant's vehicle	Unspecified	\$2,163.22
T000508	US West - Claims Department	DOT placing sign - auger damaged buried cable	\$2,206.10	\$2,206.10
T000510	Janice Peterson (for Jason Peterson, minor child)	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$330.91	\$330.91
T000511	Elaine Junice Ilvess	Claimant's vehicle damaged when she tried to back out and hit the brick wall	\$443.02	\$443.02



<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000513	George W. Walker	Alleges property was lost while in possession of SUI employees	\$2,800.00	\$2,800.00
T000516	Theresa Rutherford	Alleges complications following surgical hysterectomy	\$870.17	\$870.17
T000519	Richard Mark Williams	DOT tree spade allegedly lost rock damaging grille of vehicle	\$190.16	\$179.76
T000520	US West	DOT allegedly damaged buried cable while landscaping	\$95.30	\$95.30
T000523	Sylvia Twilla	Claimant alleges she missed work due to a founded child abuse report made in error	\$348.00	\$348.00
T000524	Jayne L. Bouska	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$1,056.64	\$1,056.64
T000526	Wesley Wayne Crawford	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$662.63	\$662.63
T000529	George W. Walker	Alleges property was lost while in possession of SUI employees	\$2,800.00	See T000513
T000530	Johnathan T. Prince	DOT plow allegedly struck parked vehicle	\$3,907.98	\$3,907.98
T000531	Dorothy E. Stoner	DOT plow allegedly struck parked vehicle	\$1,183.97	\$1,183.97
T000532	Joan Butikofer	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$34.77	\$34.77
T000533	Heather Johanningmeier	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$7.23	\$71.69
T000534	Brittany Johanningmeier	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$157.23	See T000533

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000535	Steve Johanningmeier	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$7.23	See T000533
T000536	Richard A. Wagner	Claimant's vehicle damaged by DOT snowplow making a U-turn	\$4,408.96	\$4,739.79
T000538	Jonathan R. Visek	DOT plow allegedly threw slush, damaging vehicle windshield	\$129.56	\$129.56
T000539	Larry Dean Gochenour	Rock allegedly came off DOT vehicle, damaging vehicle hood/windshield	\$718.87	\$718.87
T000540	Michael J. Nedved	State vehicle struck claimant's mailbox	\$40.00	\$40.00
T000542	Annette P. Wunderlich	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$697.00	\$697.00
T000543	Dennis Lee Tanner	Vehicle allegedly struck snowplow shoe	\$147.70	\$147.70
T000545	Rebecca M. Britten	State vehicle had collision with claimant at intersection	\$1,067.25	\$1,067.25
T000546	Rebecca J. Weatherbee	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$1,600.00	\$1,600.00
T000547	Christopher Mark Stelzer	State vehicle in accident with passengers	\$1,488.50	\$1,488.50
T000558	Daryn J. Hamilton	DOT EE vehicle allegedly damaged by tire chains on tractor/plow	\$219.48	\$219.00
T000560	Anthony Johnson #0806312	Claimant alleges staff broke his headphone at New Facility	\$168.07	\$168.07
T000561	Dan Deery Rental	Rental vehicle hit animal	\$716.22	\$716.22
T000567	City of Sibley	DOT snowplow allegedly struck & damaged utility pole	\$43.63	\$43.63
T000568	Richard J. Dolphin	State vehicle rear-ended claimant's vehicle	\$5,000.00	\$3,842.37

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000569	Charlotte A. Grunder	Alleges property damaged by UIHC employee	\$1,800.00	\$1,800.00
T000576	Wendall H. Rusch	Alleges property was lost while a patient at UIHC	Unspecified	\$163.95
T000577	Coca-Cola Bottling Co. of Mid-America	State vehicle backed into parked claimant's vehicle	\$941.22	\$941.22
T000578	Patrick R. McNally	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$978.39	\$2,262.31
T000579	Susan Lynn McNally	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$968.96	See T000578
T000580	Gabrielle Lynn McNally	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$314.96	See T000578
T000582	James D. Kleppe	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$2,035.00	\$2,035.00
T000583	Aaron John Blockhus	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$292.14	\$367.14
T000584	Brenda Renee Moore	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$2,035.00	\$2,130.00
T000589	Kris Cline	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$419.30	\$419.30
T000590	Andrew Lee Clark	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$1,000.00	\$1,284.60
T000591	Austen Brian Clark	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$1,000.00	See T000590

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000592	Natalie Moore	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$95.00	See T000584
T000593	Bradley Walter Utecht	DOT plow allegedly slid on ice into vehicle	\$1,200.00	\$1,062.41
T000596	Diane Lynne Thompson	DOT vehicle allegedly threw metal, damaging vehicle window	\$165.00	\$162.12
T000597	Jason Joe Elledge	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$332.60	\$332.60
T000601	Frank H. Rabon	Claimant alleges to have suffered emotional as well as physical injury as a result of a search warrant	\$50,000.00	\$1,750.00
T000603	Rhonda Phillips	DOT plow allegedly sideswiped vehicle parked on shoulder	Unspecified	\$3,475.13
T000604	Lucille A. Strotman	DOT vehicle allegedly backed into vehicle in parking lot	\$1,099.29	\$1,099.29
T000609	Kerry Marie Royer	Claimant's vehicle damaged by DOT snowplow that was backing up	\$4,228.80	\$4,659.75
T000610	Patrick Alan Ney	DOT overspray allegedly damaged beans	\$45.54	\$45.54
T000613	Matthew Devan Pyle	Alleges injuries sustained in slip and fall at Phillips Hall	\$993.52	\$993.52
T000616	State Farm Insurance as Subrogee of Bob Idler	State vehicle backing hit claimant's vehicle	\$743.61	\$807.39
T000617	Medical Associates Health Plan as Subrogee of Andrew Lee Clark	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$1,000.00	\$3,202.42
T000618	Medical Associates as Subrogee of Austen Brian Clark	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$1,000.00	See T000617

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000620	Ruth Marie Beran	DOT sand truck allegedly threw rock damaging window	\$183.10	\$183.10
T000621	Carol Jean Saddoris	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$119.62	\$432.96
T000622	Carol Jean Saddoris on behalf of minor child Tonya Louise Saddoris	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$65.14	See T000621
T000623	Carol Jean Saddoris on behalf of minor child Kelsey Ann Saddoris	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$86.72	See T000621
T000624	Steven Guy Saddoris	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$161.48	See T000621
T000631	McNall & Associates, attorneys for Allstate Insurance Company	Rental struck claimant vehicle	\$3,971.80	\$3,971.80
T000634	Bradley Boleyn	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$155.33	\$382.62
T000635	Leo LaVern Nagel	Claimant alleges they received unnecessary rabies immunizations	\$9,750.05	See T000638
T000636	Bailey Quinn Nagel	Claimant alleges they received unnecessary rabies immunizations	\$6,355.93	See T000638
T000637	Victoria Louise Nagel	Claimant alleges they received unnecessary rabies immunizations	\$6,504.68	See T000638
T000638	Shannon Fay Nagel	Claimant alleges they received unnecessary rabies immunizations	\$9,737.31	\$11,500.00
T000642	Tiffany Beth Greenfield	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$426.69	\$426.69

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000643	Carol R. Greenfield	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$694.57	\$694.57
T000646	Helen Black	Alleges property damaged while a patient at UIHC	\$120.00	\$120.00
T000648	Justin Dean Elledge	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$430.80	\$374.80
T000649	Mark Alan Fienhold	Alleges property damaged from steam leak in dormitory room	\$88.47	\$88.47
T000653	Mitchell James Ihde	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$649.58	\$649.58
T000657	Brian P. Watson	DOT plow allegedly threw rock/salt damaging vehicle	\$1,500.00	\$1,153.64
T000658	Cynthia A. Goode	Claimant's vehicle damaged when collided with a state vehicle	Unspecified	\$24,224.08
T000659	Kevin James Neumann	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$1,918.00	\$1,918.00
T000660	Jordan Leon Jorgensen	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$275.25	\$275.25
T000662	Connie Renee Jorgensen	Alleges incorrect diagnosis of rabid bear resulted in unnecessary treatment	\$381.00	\$381.00
T000663	Jackie Sue Cline	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$545.50	\$545.50
T000664	Cathy Boleyn	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$211.59	See T000634

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000665	Katie Boleyn	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$15.70	See T000634
T000666	Robert Allen Bowman	Claimant's vehicle damaged by DOT blade when claimant had pulled onto the shoulder to secure the spare tire carrier	\$5,864.38	\$8,131.94
T000668	Janet M. Parrott	Claimant fell on bus steps	\$197.56	\$721.62
T000670	Janice A. Minarsich	Claimant's vehicle damaged when it was hit by a vehicle that had been hit by a state vehicle	Unspecified	\$15,878.37
T000671	David Benton Seibel	Vehicle struck sand pile that allegedly came off DOT vehicle	\$2,336.03	\$2,500.00
T000672	Dennis Nordling, d/b/a Dennis Nordling Grain	DOT wing allegedly struck vehicle parked at rest area	\$3,000.86	\$3,178.86
T000675	Angela Sue Michels	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$87.50	\$87.50
T000676	Shannan L. Mortell	DOT vehicle allegedly backed into vehicle at intersection	\$630.55	\$630.55
T000677	State Farm Insurance as Subrogee of Thomas Fenton	State vehicle backed into parked claimant's vehicle	\$2,349.43	\$2,349.43
T000679	Joyce O'Malley	Alleges personal injury when UIHC employee accidentally struck her with a wheelchair	\$152.00	\$152.00
T000680	Willard F. Turner	State vehicle backed into parked claimant's vehicle	\$600.00	\$543.18
T000683	Allen D. Rindels	State vehicle lost control, collided with claimant's vehicle	\$614.40	\$614.40
T000687	Jeffrey Alan Hedges	Box of DOT vehicle allegedly pulled down wire & broke pole	\$792.34	\$792.34

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000696	Randy Struthers	DOT vehicle wing allegedly struck parked vehicle	\$972.17	\$972.17
T000699	Jarrold Craig Hauk	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$2,020.00	\$2,020.00
T000700	Catherine C. Hauck	State vehicle rear-ended claimant's vehicle	\$616.95	\$534.60
T000702	Elizabeth Korth	Claimant alleges they received unnecessary rabies immunizations	\$7,893.35	See T000708
T000703	Cassandra Jensen	Claimant alleges they received unnecessary rabies immunizations	\$7,833.35	See T000708
T000704	Michael Jensen	Claimant alleges they received unnecessary rabies immunizations	\$7,833.35	See T000708
T000705	Jonathan Korth	Claimant alleges that they received unnecessary rabies immunizations	\$7,833.35	See T000708
T000706	Jade Korth	Claimant alleges they received unnecessary rabies immunizations	\$7,833.35	See T000708
T000707	Alexander Korth	Claimant alleges they received unnecessary rabies immunizations	\$7,833.35	See T000708
T000708	Haylee Korth	Claimant alleges they received unnecessary rabies immunizations	\$7,833.35	\$20,600.00
T000709	Stacy Oehlert	Claimant alleges she received unnecessary rabies immunizations	\$7,947.90	\$3,500.00
T000710	Judith Anne O'Connor	State vehicle collided with claimant's vehicle	\$1,492.90	\$1,492.90
T000713	Colwell Cooperative	DOT vehicle allegedly struck overhead canopy with dump body	\$3,465.00	\$3,465.00
T000723	Abbey Jean Carter	State vehicle backed into claimant's vehicle	\$1,217.24	\$1,142.76



<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000725	Penny M. Wulfekuhle	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$244.14	\$244.14
T000726	Sarah Ann Jacobs	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$154.63	\$424.05
T000727	Martin L. Jacobs	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$284.42	See T000726
T000729	Keith Freilingner	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$161.24	\$161.24
T000730	Lorri Pladsen	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$823.50	\$823.50
T000734	Robert Weinheimer	Claimant asserts that a duplicate pair of shoes had been purchased for him which spouse had not authorized IVU to purchase	\$73.45	\$73.45
T000735	American Family Insurance as Subrogee of Dale D. Grosvenor	State vehicle rear-ended claimant's vehicle	\$3,130.00	\$3,638.59
T000736	National Car Rental System, Inc.	Claimant's vehicle damaged when a state vehicle collided with claimant's vehicle	\$4,807.83	\$4,807.83
T000737	Jeffrey Bishop	State vehicle collided with a claimant's vehicle	\$628.53	\$628.53
T000744	Wendy Sue Greggersen	Rock allegedly flew off DOT vehicle damaging vehicle windshield	\$496.84	\$280.67
T000745	Patrick Anthony Perry	DOT plow alt hit parked vehicle, damaging tailgate, bumper	\$793.36	\$793.36
T000747	Elizabeth Kouri	Valet struck fountain	\$873.21	\$873.21
T000749	Jessie Morgan Hale	State vehicle sideswiped stopped claimant's vehicle	\$600.00	\$596.45

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000751	Kori Renee McCabe	Claimant alleges they received unnecessary rabies immunizations	\$6,863.24	See T000756
T000752	Holly Renee McCabe	Claimant alleges she received unnecessary rabies immunizations	\$9,566.49	See T000756
T000753	Carly Jo McCabe	Claimant alleges they received unnecessary rabies immunizations	\$6,863.24	See T000756
T000754	Kevin Eugene McCabe	Claimant alleges they received unnecessary rabies immunizations	\$9,940.14	See T000756
T000755	Dylan Kevin McCabe	Claimant alleges they received unnecessary rabies immunizations	\$6,863.24	See T000756
T000756	Rikki Elaine McCabe	Claimant alleges they received unnecessary rabies immunizations	\$6,863.24	\$18,400.00
T000759	State Farm Insurance Company as Subrogee of Steven Maurice Paul	State vehicle struck claimant vehicle	Unspecified	\$547.51
T000766	Linda Lou Dinger	Claimant alleges they received unnecessary rabies immunizations	\$9,694.00	See T000767
T000767	Brian Lynn Dinger	Claimant alleges they received unnecessary rabies immunizations	\$9,700.00	\$7,200.00
T000768	Clayton Andrew Burke	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	Unspecified	\$584.89
T000769	Jerome Edward Burke	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	Unspecified	See T000768
T000770	Briana Rae Burke	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	Unspecified	See T000768
T000771	Dianne Charlene Burke	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	Unspecified	See T000768

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000778	Hannah Denise Marek-Zahs	Alleges vehicle damaged when Public Safety provided assistance	\$480.34	\$480.34
T000779	Patricia Ann Steele	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$266.48	\$266.48
T000783	Dairyland Insurance Company as Subrogee of Marcia Pencook	DOT plow allegedly struck vehicle while changing lanes	\$1,291.32	\$1,428.64
T000785	Quenton E. Carnes	Claimant alleges that he lost 3 new Fruit of the Loom pocket t-shirts that were sent to be marked but never were returned to him	Unspecified	\$40.95
T000789	Randall L. Dancer	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$1,675.20	\$4,485.65
T000790	Jan C. Dancer	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$365.45	See T000789
T000791	Fred D. Dancer	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$607.05	See T000789
T000792	Courtney K. Dancer	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$1,837.95	See T000789
T000795	Ned Doran Figgins	State vehicle turning left sideswiped claimant's vehicle	\$405.55	\$405.55
T000796	Avis Rent-A-Car	State vehicle backed into parked claimant's vehicle	\$249.50	\$249.50
T000798	Katrina Callahan	Alleges damage to art piece fall 1999	Unspecified	\$900.00
T000810	Jo E. Carter	Alleges vehicle damaged by snow covered parking barriers	\$329.10	\$329.10

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000814	Mary Reed	Claimant alleges her children received unnecessary rabies immunizations due to a misdiagnosis	\$14,454.05	\$6,000.00
T000815	Randy Magee	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$144.29	\$458.21
T000816	Vera S. Magee	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$76.85	See T000815
T000817	Destiny Magee	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$237.07	See T000815
T000819	James Alan Calef	Motorcycle allegedly struck pothole causing damage	\$3,119.90	\$3,139.90
T000820	Kent Edward Heitman	Alleges injuries sustained during fall at a workshop at ISU	\$684.40	\$684.40
T000822	State Farm Insurance as Subrogee of James Becker	State vehicle backed into claimant's vehicle	\$630.84	\$630.84
T000823	James (Jimmy) Walter Young	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$142.51	\$313.73
T000824	Mary Waldrop	Alleges property was lost while in UIHC possession	\$2,249.00	\$2,249.00
T000826	Victoria (Tori) Ane Young	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$171.22	See T000823
T000829	Michelle Denise Mullica	Sign allegedly blew into claimant's vehicle	\$89.25	\$89.25
T000830	Amanda Marie Grieme	DOT vehicle allegedly slid thru stop sign, struck vehicle	\$892.45	\$892.45
T000831	Brandon Michael Finley	DOT vehicle making u-turn, struck by vehicle	\$2,900.15	\$2,900.16

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000832	Susan E. Schmoker	State vehicle lost control hit claimant's vehicle	\$1,539.57	\$1,539.57
T000833	George James Tegeler	Claimant alleges they received unnecessary rabies immunizations because of a misdiagnosis	\$100,000.00	See T000835
T000834	Pamela Mae Tegeler	Claimant alleges they received unnecessary rabies immunizations	\$100,000.00	See T000835
T000835	Naomi Rose Tegeler	Claimant alleges they received unnecessary rabies immunizations	\$100,000.00	\$11,000.00
T000836	Nicole Luann Luett	Alleges injuries sustained from broken copy machine in SUI dormitory	\$231.15	\$231.15
T000838	Sarah M. Genskow	Alleges property damaged when steam leak occurred in Kate Daum Residence Hall	Unspecified	\$900.00
T000840	Amy Marie Blumhoff	Alleges property damaged by steam leak in Rienow Residence Hall	\$527.50	\$414.23
T000841	Emily Kay Prasil	Alleges property damaged by steam leak in Rienow Residence Hall	\$502.50	\$391.36
T000843	Marvin Petersen	DOT plow allegedly threw gravel damaging vehicle	\$967.59	\$967.59
T000844	Ruth H. Kalafut	Claimant's vehicle damaged while parked at Glenwood Hospital	\$589.51	\$589.51
T000850	Brandon Dittman	Alleges vehicle damaged by damaged parking barrier	\$75.00	\$36.49
T000855	Farm Bureau Mutual Insurance Company as Subrogee of William Hockensmith	DOT vehicle allegedly backed into parked vehicle, damaging vehicle	\$1,271.31	\$1,271.31
T000856	Joseph Butler Jr.	Alleges clothing accidentally discarded by UIHC employee	\$189.95	\$189.95
T000858	Gail Ann Banowetz	State vehicle accident with Gail as a passenger	\$582.00	\$582.00

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000859	Roberta Hartkemeyer	State vehicle backed into claimant post	\$327.70	\$327.70
T000862	Geni Marie McCarty	Vehicle kicked up rock from tires, damaging windshield	\$350.23	\$350.23
T000867	Steven L. Carlson	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$455.92	\$455.92
T000869	Janet Sheridan	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$1,778.80	\$1,178.80
T000872	University of Iowa Foundation	State vehicle backed into a door	\$3,163.65	\$3,163.65
T000873	Hertz Financial Center	Rental/hit and run	\$102.50	\$102.50
T000874	Caryl Ann Rewerts	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$228.72	\$228.72
T000875	Chauncey Edward Wright	State vehicle backed into parked claimant vehicle	\$87.68	\$87.68
T000876	Jonie Novotny	Alleges property lost while in the possession of UIHC	\$144.50	\$144.50
T000880	Maren Dianne Enslow	Vehicle allegedly hit salt pile, damaging vehicle, deployed air bags	Unspecified	\$2,911.93
T000881	Alysha Jean Gamm	Alleges incorrect diagnosis or rabid bear resulted in unnecessary medical treatment	\$15.00	\$311.00
T000883	Paul M. Klopfenstein	DOT plow allegedly backed into parked vehicle	\$150.00	\$136.76
T000884	Effie Marcia Boyer	Alleges vehicle damaged by parking barrier improperly placed by Parking Department	\$230.00	\$224.40
T000885	Woodrow David Lightle	Rock allegedly fell off DOT vehicle, damaging vehicle windshield	\$367.40	\$367.40

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000886	Tanya Marie Smith	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$2,270.00	\$2,270.00
T000887	Patricia K. Michaels	Alleges property stolen while in possession of UIHC	\$188.95	\$188.95
T000889	David L. Schutt	DOT sign allegedly blew into vehicle	\$1,622.06	\$1,798.02
T000891	Nadia Lea Tamling	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$26.38	\$26.38
T000893	Danny Lawrence Drabek	DOT vehicle allegedly rear-ended stopped vehicle	\$1,686.75	\$1,141.40
T000894	Michael Henriksen - minor child/David Henriksen, Father	Claimant alleges they received unnecessary rabies immunizations	\$36,670.00	See T000896
T000895	Daniel Henriksen - minor child/David Henriksen, Father	Claimant alleges they received unnecessary rabies immunizations	\$36,670.00	See T000896
T000896	Elizabeth Henriksen - minor child/David Henriksen, Father	Claimant alleges they received unnecessary rabies immunizations	\$36,815.00	\$8,000.00
T000898	JoAnn Hoffman	State vehicle backed into parked claimant vehicle	\$858.99	\$858.99
T000899	Kari Marie Tamling	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$336.00	\$336.00
T000901	Jean A. Johnson	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$862.61	\$862.61
T000902	Allan J. Johnson	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$1,061.12	\$1,061.12
T000903	Blake A. Johnson	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$755.14	\$755.14

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000904	Depositors Insurance Company as Subrogee for Dennis Edgar	State vehicle struck claimant's vehicle	\$641.65	\$641.65
T000905	Carol Marie Meyers	Alleges injuries sustained in fall on sidewalk near Pharmacy Building	\$86.40	\$86.40
T000906	Billy Schroeder - minor child and Randy Schroeder, Father	Alleges misdiagnosis of rabid bear resulted in unnecessary medical treatment	\$1,217.90	\$1,217.90
T000908	Amoco Pep Stop - Tony Fedler	DOT plow allegedly backed into utility pole	\$1,610.00	\$1,610.00
T000909	Amy Shearn	State vehicle struck parked claimant vehicle	\$908.85	\$908.85
T000912	Larry Dean Parkes	DOT vehicle making U-Turn, struck by vehicle	\$137.00	\$200.00
T000913	Laurie Anne Ankenbauer	State vehicle struck claimant vehicle	\$449.90	\$361.21
T000917	Evans E. Phillips	Collision in roadway	\$1,586.57	\$1,746.13
T000918	Vona Mae Currier	Salt from DOT vehicle allegedly struck & damaging vehicle windshield	\$403.03	\$403.03
T000925	Delores Baker	Claimant vehicle struck by rock from state vehicle	\$41.70	\$278.03
T000926	Andrew Benjamin Estey	Rock allegedly fell off DOT vehicle, damaging vehicle windshield	\$212.00	\$212.26
T000931	Bruce Lee Goodell	Claimant seeks compensation for organic matter loss, yield loss on this year's crop due to lack of top soil moisture, sandblast damage to crop from wind erosion and top soil loss	\$3,898.62	\$3,898.62
T000936	Dustin Everett Tower	State vehicle backed into parked claimant vehicle	\$3,035.01	\$3,035.01
T000938	Tamara Sue Koopman	Rock allegedly came off DOT truck, damaging windshield	\$357.04	\$189.71



<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000940	Miller Truck Lines, Inc.	Claimant's vehicle damaged when state vehicle collided with it	Unspecified	\$16,432.17
T000944	Ashley Van Wong	Alleges injuries sustained in fall on stairs in McLean Hall	\$720.20	\$721.00
T000947	Robert Mustard	Claimant alleges that staff lost his razor at IVH	Unspecified	\$50.00
T000950	LuVerne Ross	Claimant alleges that staff members at IVH broke his picture frame	\$25.00	\$25.00
T000951	Eileen Marie Sutton	State vehicle struck stopped claimant vehicle	\$1,116.04	\$1,116.04
T000952	Clarice Stone	Claimant alleges that staff at IVH broke her vase	\$15.00	\$15.00
T000954	James David Boydston	Claimant's razor damaged at Iowa Veterans Home	\$80.00	\$80.00
T000956	Kary Lee Winebrenner	DOT plow hit semi parked on shoulder, damaging fender	\$1,394.89	\$1,394.89
T000957	Louis Raymon Reese	Claimant's land and property sustained damage due to DNR's controlled burn at the waterfowl production area	\$8,022.93	\$8,022.93
T000961	Deborah Lin-Dyken	State vehicle backed into claimant's vehicle	\$4,036.20	\$4,036.20
T000963	Gerald E. Parcel	Claimant's razor blades damaged at Iowa Veterans Home	\$28.00	\$28.00
T000964	USDA-ARS-MWA	State vehicle backed into claimant's vehicle	\$1,015.70	\$1,015.70
T000967	Synco, Inc.	Claimant seeks compensation for the fence posts, tree and an estimated loss of top soil	\$2,085.00	\$2,085.00
T000970	Avis Rent-A-Car System, Inc.	State hit curb with rental car	Unspecified	\$403.40
T000973	Roger Evans Smith	State vehicle struck claimant's vehicle	\$1,059.16	\$1,059.16

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T000974	Kay Berger	Alleges injuries sustained in slip and fall at Black Engineering Building	\$391.05	\$391.05
T000979	Alvin G. Hartgers	DOT mower allegedly threw rocks, damaging windshield	\$349.36	\$214.07
T000980	Gi R. Kim	Alleges complications following dental procedure	\$2,000.00	\$2,000.00
T000985	Jim D. Steele	Claimant suffered injuries when he fell in an open post hole at the edge of the parking lot at the end of Williams Drive near a boat ramp	\$341.85	\$341.85
T000987	Ann Loerzel	Template flew off DOT Paint Truck, damaging windshield	\$1,778.81	\$2,389.31
T000989	Damon L. Head	Mower allegedly threw object, damaging vehicle passenger door	\$560.03	\$340.05
T000996	Tyler Scott Bushman	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$864.90	\$2,492.20
T000997	Anthony Raymond Bushman	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$1,285.60	See T000996
T000998	Scott Darrel Bushman	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$376.20	See T000996
T001003	Jih-Graw Lin	Alleges personal injury sustained when TV and stand fell on his son	\$333.33	\$333.33
T001005	William Patrick Korleski	State vehicle backed into claimant vehicle	\$3,111.10	\$3,111.10
T001007	Thomas E. McDavid	DOT EE allegedly threw shovel off and onto passing vehicle	\$325.68	\$325.68
T001008	Terry Moorman	State vehicle backed into claimant's vehicle	\$981.33	\$981.33
T001010	Daniel D. Klein	State vehicle backed into parked claimant's vehicle	\$149.10	\$149.10

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T001011	Griffith Ford Mercury, Inc.	DOT mower allegedly threw rock, damaging side window	\$224.49	\$224.49
T001012	MidAmerican Energy Company	DOT backhoe allegedly pulled down overhead electric line	\$409.38	\$409.38
T001013	Robert J. Reihman	State vehicle struck claimant's vehicle	\$1,498.25	\$1,498.25
T001014	Brenda Kaye Tope	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$121.15	\$420.15
T001015	Callie Ann Tope	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$299.00	See T001014
T001016	Michael L. Ahnberg	DOT broom truck allegedly threw rock, damaging windshield	\$220.50	\$220.50
T001017	Christopher D. Costa	State vehicle struck claimant's vehicle	\$1,067.79	\$1,067.79
T001020	Allied Property & Casualty as Subrogee of Hazel Probasco	Claimant injured when struck by state vehicle	\$5,000.00	\$5,000.00
T001022	Butler County Conservation Board	State vehicle struck by rock from state vehicle	\$856.76	\$856.76
T001024	Keith A. Huls Sales, Inc.	DOT truck raised box, gravel damaged windshield	\$306.74	\$306.74
T001026	Rebecca Monohon	Alleges property accidentally discarded by UIHC staff	\$120.00	\$120.00
T001032	Jason Matthew Conn	Plywood allegedly flew out of DOT truck damaging vehicle	\$1,035.33	\$1,035.33
T001034	Randy L. Underwood	DOT mower allegedly threw tire into passing vehicle	\$2,332.29	\$2,794.50
T001035	Casey Nolan	State vehicle backed into claimant's vehicle	\$1,616.00	\$1,615.80
T001036	Sibyl Eunice Smith	Oil from DOT truck allegedly sprayed on vehicle	\$149.10	\$149.10

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T001042	Cheryl Pirri	Claimant was bit by ISP canine animal in Officer Barnes home	\$369.45	\$369.45
T001044	Rebecca Jane Gamm	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$296.00	See T000881
T001045	Shugnang Jiang	DOT vehicle allegedly rear-ended vehicle in stop & go traffic	\$434.26	\$434.26
T001046	Shawn Anthony Peverill	Claimant alleges his guitar was damaged when he was transferred	\$200.00	\$186.00
T001048	Karen L. Johnson	Reserved parking sign allegedly blew into EE's vehicle	\$246.16	\$246.16
T001050	Newcomer & Associates, Inc. for Commercial Union a/s/o Richard and Kelvin Kurkowski	State vehicle struck claimant's vehicle	\$3,324.00	\$3,324.00
T001052	Kimberly J. Gray	DOT truck hit barricade, pieces hit vehicle	\$2,500.00	\$2,752.32
T001053	State Farm Insurance as Subrogee of Duane Garden	Claimant's vehicle damaged when struck by state vehicle	\$4,238.41	\$4,238.41
T001055	Audubon-Exira Ready Mix, Inc.	DOT mower allegedly threw metal damaging vehicle	\$409.40	\$409.40
T001057	Christopher Kingma	Alleges property lost while being held at SUI Residence Hall information desk	\$119.95	\$119.95
T001058	Duane & Sandra Klipping	DOT mower allegedly threw rock damaging side window	\$330.87	\$313.92
T001059	Enriqueta Ramos	Cement from bridge overpass allegedly fell onto vehicle	\$191.13	\$191.13
T001060	Jennifer Sue Parsons	DOT mower allegedly threw rock, damaging windshield	\$197.07	\$197.07
T001062	Michael Edwin Jespersen #404411	Claimant alleges his property was damaged by staff at ISP	\$453.13	\$400.00

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T001065	Betty Forihash	DOT mower allegedly threw rocks into car, damaging left side	\$587.00	\$554.40
T001070	Kenneth L. Hammes	DOT mower allegedly threw rocks, damaging side of vehicle	\$475.50	\$475.50
T001071	Jan Annette Kester	State vehicle backed into claimant's vehicle	\$1,911.66	\$2,226.61
T001074	Lee E. Gordon	DOT mower allegedly threw rock damaging vehicle windshield	\$405.68	\$405.68
T001081	Ronald L. Knapp	DOT mower allegedly threw object, damaging vehicle windshield	\$492.51	\$492.51
T001084	Farm Bureau Mutual Insurance Company as Subrogee of Keith Prugh, Jr.	State vehicle struck claimant's vehicle	\$1,200.00	\$1,200.00
T001085	GTE	Alleges damage to 50pr cable when replacing guardrail	\$696.58	\$696.58
T001086	Breanne Louise Traub	Sign allegedly blew into EE's parked vehicle	\$766.95	\$709.49
T001089	Marylyn J. Walton	State vehicle struck claimant's vehicle	\$1,267.83	\$1,267.83
T001091	Denise Meister-Guevara	DOT mower allegedly threw rocks damaging side of vehicle	\$428.88	\$428.88
T001093	Robin R. Michel	State vehicle backed into claimant vehicle	\$245.67	\$245.67
T001095	Christel Marie Vorwald	State vehicle struck claimant's vehicle	\$770.05	\$753.08
T001097	Barbara J. Kalsem	State vehicle backed into claimant's vehicle	\$255.37	\$255.37
T001098	Ruth M. Jordan	DOT mower allegedly threw rock, damaging vehicle window	\$401.25	\$401.25
T001102	Darrell C. Britton	DOT weedeater allegedly threw rock damaging vehicle windshield	\$262.37	\$262.37

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T001103	CON-STRUCT, Inc.	Alleges vehicle damaged by rock thrown by lawn mowing equipment	\$610.05	\$583.25
T001104	Paul M. French	DOT mower allegedly threw rock, damaging vehicle window	\$247.00	\$247.44
T001107	John R. Williams	Claimant seeks attorney fees in defending a paternity action filed against him by the Iowa Department of Human Services Child Support Recovery Unit	\$1,056.00	\$956.00
T001108	James Kurt Olberding	Rocks allegedly fell off DOT truck, damaging vehicle windshield	\$275.56	\$275.56
T001110	Jeff L. Wilkerson	DOT mower allegedly threw rock, damaging vehicle side window	\$292.92	\$292.92
T001111	Linda Kay Slusher	DOT mower allegedly threw rock, damaging vehicle	\$388.37	\$388.87
T001115	Paul L. Flanders	When claimant's TV was moved, the cable on the back of set was broken	\$37.50	\$37.50
T001116	Jerry Ray Lathrop	DOT EE allegedly threw shovel of patching material on vehicle	\$1,352.91	\$1,352.92
T001119	Larry J. Gloden	Vehicle allegedly damaged by rocks from DOT maintenance operation	\$1,621.46	\$1,070.58
T001120	Fredrick Kramer	DOT vehicle allegedly struck vehicle stopped in traffic	\$1,454.18	\$1,454.18
T001127	Donald Charles Soule	DOT mower allegedly threw rock damaging vehicle windshield	\$195.21	\$195.21
T001131	Pamela B. Connelly	DOT mower allegedly threw rock, damaging right side of vehicle	\$422.62	\$422.62
T001132	Tri-State Signing Inc.	DOT mower allegedly ran over contractor's flagger sign	\$150.00	\$75.00

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T001133	Michael A. Andresen	State vehicle backed into claimant's vehicle	\$1,024.04	\$1,024.04
T010001	Craig David Fritzjunker	DOT mower allegedly threw rocks damaging vehicle	\$615.30	\$665.30
T010005	Maria T. Barrientos	Alleges property damaged by SUI staff while in dormitory room	\$100.00	\$100.00
T010006	John Robert Burt	DOT mower allegedly threw object damaging vehicle	\$195.82	\$243.52
T010008	City of Iowa City	State vehicle collided with claimant's vehicle	\$976.16	\$976.16
T010009	Rebekkah Sarah Mazze	Alleges bicycle damaged when SUI employee hit it with a lawnmower	\$72.96	\$72.96
T010011	Loren E. Christophel	Alleges vehicle damaged by gate arm	\$436.26	\$436.26
T010013	Edward Robert Carroll	DOT truck allegedly lost rocks damaging vehicle	\$1,441.53	\$1,441.53
T010014	William Bruce Bueker	DOT truck allegedly lost rock damaging windshield	\$410.02	\$384.85
T010015	Bobby Gene Ruehlow	DOT mower allegedly threw rock damaging windshield	\$144.91	\$143.19
T010016	Linda L. Hinton	Claimant's vehicle damaged when exiting North gate of Capitol Complex	\$203.40	\$203.40
T010017	Betty J. Hamilton	Claimant's vehicle damaged when exiting North gate of Capitol Complex	\$297.85	\$297.85
T010019	Steven L. Wallace	Claimant incurred out-of-pocket expense while extinguishing fire	\$157.06	\$157.06
T010025	Halcyon Jimmerson	DOT mower allegedly threw rocks damaging window	\$219.14	\$219.14
T010027	Edward Andrew Shuttleworth	Rock allegedly fell off DOT truck damaging vehicle windshield	\$206.85	\$180.63

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T010028	Terry J. Gloden	Vehicle allegedly damaged by rocks from DOT maintenance operation	\$1,515.62	\$1,158.93
T010029	James Noethe	State vehicle backed into claimant's vehicle	\$588.53	\$588.53
T010032	Bettie T. and Sammie L. Jolly	DOT mower allegedly threw debris into vehicle, damaging right side	\$496.65	\$496.65
T010033	Dr. Jerry A. Barnett	DOT mower allegedly threw piece of metal, damaging vehicle	\$960.92	\$869.05
T010035	Christine Marie Karstens	DOT mower allegedly threw object damaging windshield	\$720.33	\$720.33
T010036	Greg Dow	State vehicle accident with Greg as a passenger	\$350.94	\$350.94
T010039	Douglas David Dostal	Claimant's vehicle damaged when struck by state mower	\$872.72	\$855.33
T010040	John Fred Stebbins	DOT vehicle allegedly lost rock, damaging vehicle windshield	\$261.54	\$261.54
T010041	Harry's Farm Tire, Inc.	DOT mower allegedly threw rock, damaging vehicle windshield	\$360.98	\$360.98
T010043	Dennis B. Tharp	Claimant alleges his children received unnecessary rabies immunizations	\$13,540.00	\$6,600.00
T010044	Meghan K. Woods (minor)	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$259.97	\$259.97
T010045	Ryan D. Woods (minor)	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$232.46	\$232.46
T010048	Carol Frances Tammen	DOT allegedly placed sharp rocks in drive, damaged tree	\$96.33	\$96.33
T010050	Farm Bureau Mutual Insurance Company ASO Michael Houser	State vehicle struck claimant's vehicle	\$1,146.21	\$573.11



<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T010062	Belinda G. Alden-Ritze	Claimant alleges she received unnecessary rabies immunizations	\$132.89	\$1,010.00
T010069	Allied Insurance as Subrogee of Dallas Wingate, ATTN: Jeanette Davis	State vehicle backed into claimant vehicle	\$1,318.60	\$1,318.60
T010070	Midwest Security Administrators as Subrogee of Janet Sheridan	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$600.45	\$600.45
T010071	Trisha Ann Hogan	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$659.51	\$659.61
T010075	ACI Mechanical, Inc./ Conquip Leasing, L.C.	State vehicle collided with claimant's vehicle	\$85.60	\$85.60
T010076	Clayton F. Emmert	State valet struck claimant vehicle	\$741.94	\$741.94
T010078	Frederick William Pflibsen	State vehicle backed into claimant vehicle	\$830.29	\$814.90
T010079	Frank J. Fisher	State vehicle backed into claimant's vehicle	\$1,129.65	\$1,129.65
T010080	Wayne Schmitt	State vehicle collided with claimant's vehicle	\$438.54	\$438.54
T010084	Patricia Wright	DOT mower allegedly threw piece of rubber, damaging vehicle	\$1,985.73	\$2,299.33
T010087	Cindy Schinstock	DOT mower allegedly threw rock damaging windshield	\$334.26	\$334.26
T010088	Nicholas N. Ritze	Alleges incorrect diagnosis of rabid bear resulted in unnecessary medical treatment	\$250.00	\$333.00
T010089	Darci Marie Kilby	DOT truck allegedly lost rocks, damaged windshield	\$381.85	\$381.85
T010090	Ronald James Welch	State vehicle struck claimant's vehicle	\$380.85	\$380.85

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T010092	Michael Patrick Bauerly	Alleges bicycle stolen while in storage facility at SUI	\$438.84	\$438.84
T010093	Steven Greene	Claimant was the driver of a vehicle struck by a U of I employee who was driving a rental car while on business in Washington, D.C.	\$4,374.09	\$4,374.09
T010095	David Scot Orsinger	State vehicle backed into claimant's vehicle	\$802.19	\$802.19
T010098	Hertz Corporation	Claimant is the owner of a vehicle rented by U of I employee who was on state business while in Washington, D.C.	\$3,340.96	\$3,340.96
T010101	American Family Insurance as Subrogee of Arin J. Schroeder	State vehicle backed into claimant's vehicle	\$1,715.94	\$1,715.94
T010103	Elizabeth M. Rohret	Alleges injuries sustained when coffee pot malfunctioned	\$153.00	\$153.00
T010106	State Farm Insurance on behalf of Darwin Johnson	State vehicle struck claimant vehicle	Unspecified	\$3,325.57
T010109	Dennis T. Schipper	State vehicle backed into claimant vehicle	\$1,020.35	\$927.15
T010123	Paul Edward Davis	Alleges vehicle damaged when pipe thrown by SUI employee accidentally struck it	\$632.40	\$632.40
T010132	Steven Darwin Meister #0000640	Claimant's Penney's order was never delivered to him	\$258.76	\$258.76
T010135	David La Pole	DOT truck allegedly lost rock damaging windshield	\$307.73	\$307.73
T010139	Todd L. Wagner	Vehicle allegedly struck pothole, spring street bridge	\$309.39	\$194.00
T010140	Angela Christine Geppert	DOT brushwacker allegedly threw rock damaging vehicle window	\$661.65	\$661.65
T010142	William Charles Puskas	Vehicle allegedly struck pothole, spring street bridge	\$180.64	\$180.64

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T010152	Rosetta Joyce Ealy	Rock allegedly fell off DOT vehicle, damaging vehicle windshield	Unspecified	\$232.90
T010153	Michael S. Howard	Alleges property accidentally discarded by UIHC staff	\$1,300.00	\$1,300.00
T010156	Stephanie Nichole Dengler	State vehicle struck claimant's vehicle	\$924.59	\$1,011.59
T010157	Kenneth S. Simpson	Claimant's vehicle damaged when lawnmower hit claimant's parked vehicle	\$500.40	\$526.65
T010159	John Craig O'Neill	Vehicle allegedly struck pothole, spring street bridge	\$103.99	\$103.99
T010170	Jennifer Neir	DOT mower threw rock damaging windshield	\$441.04	\$441.04
T010179	Cathie LavFenberg - Flying J Travel Plaza	State vehicle backed into claimant vehicle	\$1,500.00	\$1,500.00
T010182	Kevin C. Kregel	State vehicle changed lanes forced claimant to hit curb	\$158.41	\$158.41
T010185	Charlene Tackett	Vehicle allegedly struck pothole, spring street bridge	\$341.06	\$118.88
T010186	Garland E. Dixon Sr.	Claimant's vehicle damaged when a park employee was mowing and threw a large rock through the inside of claimant's entrance door	Unspecified	\$592.73
T010187	Jeffrey Scott Fulfs	Vehicle allegedly struck pothole, spring street bridge	\$715.00	\$650.95
T010190	Calvin Bockenstedt	DOT plow allegedly struck & damaged mailbox	\$159.92	\$159.92
T010192	Drew T. Madden	Alleges bicycle stolen while in storage facility at SUI	\$159.98	\$159.98
T010193	Kwik Shop, Inc.	State vehicle struck overhang	\$3,731.84	\$3,731.84

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T010197	Jesse Donald Hunt	Claimant alleges they received unnecessary rabies immunizations	\$6,250.00	\$2,100.00
T010198	Michael Roger Gratton	Alleges personal property damaged in accident involving a UNI employee driving a rental vehicle	\$470.00	\$470.00
T010200	Perry Senior Housing	State vehicle struck post of private property	\$107.80	\$107.80
T010201	Craig James Oberbroeckling	State vehicle backed into claimant vehicle	\$901.00	\$943.10
T010205	Jonathan Okeoghene Onewokae	Alleges property damaged by malfunctioning sprinkler head in Burge Residence Hall	\$2,465.00	\$1,500.00
T010211	Gerald Bruck	DOT mower allegedly threw debris, damaging vehicle windshield	\$336.27	\$294.28
T010212	Merlin L. Frey	Claimant's vehicle damaged while parked at Cherokee Mental Health Institute	\$176.86	\$176.86
T010214	CGU Hawkeye Security Insurance as Subrogee of Don Lukas	State vehicle sideswiped parked claimant vehicle	\$1,448.03	\$1,448.03
T010215	Hordstrom Oil Company d/b/a Handimart Food Stores	DOT vehicle backed into gas pump	\$772.91	\$772.91
T010217	Jacob Charles Bass	State vehicle collided with claimant vehicle	\$423.78	\$423.78
T010218	Taylor John Kopf	Claimant alleges they received unnecessary rabies immunizations	Unspecified	\$3,710.00
T010219	John Scott Kopf	Claimant alleges they received unnecessary rabies immunizations	Unspecified	See T010218
T010220	Michelle Marie Kopf	Claimant alleges they received unnecessary rabies immunizations	Unspecified	See T010218
T010221	Steve Haxton	DOT riding mower allegedly threw rock into EE vehicle	\$78.89	\$78.89

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T010223	Craig Voss	DOT vehicle backed into parked truck, damaging wheel well	\$409.69	\$409.69
T010225	Jerry Wright	Claimant's jeans/shoes damaged when he sat on a newly painted table	\$60.00	\$60.00
T010232	Michael A. Scione	State vehicle backed into claimant vehicle	\$1,528.04	\$1,528.04
T010241	Genuine Parts Company	State vehicle backed into claimant's vehicle	\$635.84	\$635.84
T010242	Betty A. Burgett	Claimant's vehicle damaged when entrance gate at Fairgrounds' swung shut and hit the side of her car	\$473.66	\$473.66
T010244	Allstate Insurance Co. as Subrogee of Kelvin Judy Kurkowski	Claimant's vehicle damaged when hit by state vehicle	\$17,658.70	\$17,658.70
T010245	Michael Robert Bruss/Holiday Wrecker	State vehicle struck claimant's vehicle	\$2,500.00	\$2,099.00
T010253	Diamond F. Transportation, Inc.	DOT mower allegedly threw rock, damaging window & door	\$1,648.87	\$1,648.87
T010257	Frederick Robert Hews	State vehicle struck claimant vehicle	\$785.63	\$785.63
T010260	Craig Anthony Nolen	DOT mower allegedly threw rock, damaging windshield & door	\$1,279.35	\$1,279.35
T010264	Christine A. Jarvis	Vehicle allegedly drove in white paint	\$329.60	\$329.60
T010270	Lois J. Magnusson	DOT mower allegedly threw rock, damaging vehicle door	\$703.12	\$703.12
T010272	Matt Padavich	DOT truck allegedly threw rock damaging windshield	\$362.63	\$362.63
T010279	Essex Corporation by Layne Yahnke	DOT mower allegedly threw rocks damaging window & vehicle	\$1,664.95	\$1,664.95
T010280	Rankin Mayfair Cleaners Inc.	State vehicle damaged when it struck an awning	\$8,300.86	\$8,300.86

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T010281	Marsha Ann Klostermann	Vehicle allegedly received slurry from DOT maintenance operation	\$294.00	\$294.00
T010288	Kathryn A. Meyer	State vehicle backed into claimant's vehicle	\$704.79	\$704.79
T010289	Robert W. Larsen	Vehicle allegedly received slurry from DOT maintenance operation	\$131.25	\$131.25
T010292	Lynn D. Parr	Claimants vehicle damaged from object thrown by mower at Beeds Park	\$245.46	\$245.46
T010293	Larry George Waters	Claimant's received unnecessary rabies immunizations	\$7,000.00	\$6,500.00
T010303	Kristi L. Johnson	State vehicle struck claimant's vehicle	\$583.07	\$589.52
T010304	Theresa Chach	Alleges dentures accidentally discarded while a patient at UIHC	\$1,700.00	\$1,700.00
T010310	Rachel Recknor	State vehicle struck claimant's vehicle	\$1,384.74	\$1,384.74
T010311	Kelly Jean O'Brien	Vehicle allegedly struck pothole, spring street bridge	\$28.37	\$28.37
T010368	Lisa Ann Fahrni	State vehicle struck claimant in rear	\$902.53	\$869.42
T010379	Kristie M. Leibold	Claimant's vehicle damaged when she hit the protruding railroad track while attempting to park	\$616.76	\$616.76
T010389	Delbert M. Jones	DOT EE's parked vehicle struck by DOT vehicle	\$690.92	\$690.92
T010398	Gerald K. Fee	State vehicle backed into claimant's vehicle	\$1,019.42	\$978.48
T010432	Ohio Casualty Group for Kelvin Kurkowski	Claimant's vehicle damaged when he collided with state vehicle	\$75,654.54	\$76,514.54
T010450	Claudia S. Celestino	State and claimant both backing struck one another	\$713.87	\$713.87

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T010451	Eugene Guth	Alleges dentures accidentally damaged during surgical procedure at UIHC	\$690.00	\$690.00

## Monies Paid From General Fund For Settlements &amp; Judgements During 2000

<u>Warrant No.</u>	<u>Claimant</u>	<u>Amount Paid</u>
07564983	DeKoter, Thole & Dawson - Kimberly Rieck and Brent Rieck and IMT Insurance Company vs. State of Iowa	\$30,000.00
07558313	Daniel Ertz - Ertz vs. State of Iowa	\$26,522.50
07521524	Letha Culp - Letha Culp vs. State of Iowa	\$7,500.00
07403695	Woodbury County Clerk of Courts - in Interest of V.T. & E.T., Minors	\$1,138.80
07388927	Roxanne Conlin & Associates -Dennis Bittle vs. State of Iowa	\$6,500.00
07357871	Wagg, Scott & Schweitzer & Wink - Scott Wagg vs. State of Iowa	\$1,404.30
07339070	John Timm - Charlene Timm & John Timm vs. Jerry DeBaere & Jacob North Printing and Double S. Trucking & Troy Lane Ayers vs. State of Iowa	\$5,000.00
07339069	Charlene Timm n/k/a Charlene Thompson - Charlene Timm & John Timm vs. Jerry DeBaere & Jacob North Printing and Double S. Trucking & Troy Lane Ayers vs. State of Iowa	\$20,000.00
07330495	Planned Parenthood of Greater Des Moines - Planned Parenthood of Greater Des Moines vs. Thomas J. Miller	\$13,226.60
07331151	Patrick Sanford - Sanford vs. Manternach	\$6,609.00
EC	Lanette Maschino - Lanette Maschino/Iowa Public Television	\$4,686.02
EC	John D. Hinshaw - John Hinshaw vs. Iowa Department of Agriculture	\$42,010.00
07656473	Dickinson Law Firm - Lanette Maschino/Iowa Public Television	\$500.00
07668356	Jones County Clerk of Courts - Bryon Miller vs. Iowa District Court	\$290.40
07790012	Marquerite Brown and Darwin Bunger, Her Attorney - Marquerite Brown vs. State of Iowa	\$4,000.00
07790013	Lee County Clerk of Courts - Losee vs. State of Iowa	\$15.00
07923937	Bopp, Coleson & Bostrom Law Firm - Iowa Right to Life Committee, Inc. et al vs. Williams	\$76,469.68
07923935	Marion County Clerk of Courts - Bernard Nesbitt vs. State of Iowa	\$54.11
07923936	John R. Hearn - Attorney for Iowa Right to Life Committee, Inc. et al vs. Williams	\$13,626.00
Offset	Bethann Hickman - Bethann Hickman vs. Rollinger, et al	\$1,500.00
EC	Vanessa May - Vanessa May vs. Department of Education	\$11,991.67

<u>Warrant No.</u>	<u>Claimant</u>	<u>Amount Paid</u>
EC	Vanessa May - Vanessa May vs. Department of Education	\$5,382.50
02041151	James Judy & attorney Newbrough, Johnston, Brewer, Maddux & Sotak - James Judy vs. Michael Adams & State of Iowa	\$31,623.13
02041152	Robert Wright - Vanessa May vs. Department of Education	\$8,008.33
02466608	Babich, McConnell & Renzo Prusa vs. Iowa State University	\$10,500.00
02466609	Iowa State University Prusa vs. Iowa State University	\$19,500.00
02215046	Dennis G. Larson/Verlyn R. Oettchen Veryln Oettchen Settlement - DHS	\$24,000.00
02215045	The Estate of Gerald Nielsen and Riccolo & Baker Estate of Gerald Nielsen - Public Safety/DOT	\$200,000.00
02253514	Fitzgibbons Law Firm Robin L. Nelson vs. State of Iowa - Natural Resources	\$185,000.00
02842369	Meardon, Sueppel & Downer/James H. Hobart/Gail Hobart - Hobart vs. State of Iowa - UIHC - T960451, T960461, T960670	\$100,000.00
02842370	Parrish Law Firm - Devendra Bhagat vs. State of Iowa - Cherokee Mental Health Institute	\$37,823.22
02776463	Stan Munger/Melissa Holsinger - Holsinger vs. Calhoun - Judicial Branch	\$9,250.00
02949187	Horsley Specialities Inc. - Horsley Specialities, Inc. vs. Department of General Services	\$87,500.00
02949188	Farm Bureau Insurance Company/Ronald W. Kunz - Farm Bureau Mutual Insurance and Leo Miller vs. Terry Wilsson - Tort Claim T980861 - Department of Public Safety	\$650.00
01041532	Devendra Bhagat - Devendra Bhagat vs. State of Iowa - Cherokee Mental Health Institute - payroll	\$42,176.78
01041529	Brenda Tart - Brenda Tart vs. State of Iowa - Iowa Correctional Institution for Women - payroll	\$20,000.00
03137068	Clerk, U.S. District Court - Spates, et al vs. Vilsack - Iowa Correctional Institution for Women	\$15,787.32
03137067	Mears Law Office - Patrick Ingram - Spates, et al vs. Vilsack - Iowa Correctional Institution for Women	\$23,819.18
03449119	Ahlers Law Firm - Aswegan vs. Emmett	\$29,456.11
03762337	Parrish, Kruidenier, Moss, Dunn, Montgomery & Thomas; Michael Sheeley; Jeffrey Lipman - Christine Heyer vs. Terry King - Department of Corrections	\$5,000.00
03762336	Lipman Law Firm - Christine Heyer vs. Terry King - Department of Corrections	\$15,000.00



<u>Warrant No.</u>	<u>Claimant</u>	<u>Amount Paid</u>
03738036	Iowa State University - Prusa vs. Iowa State University	\$1,491.75
03576415	Fitzgibbons Law Firm - Valerie Monson vs. State of Iowa - Department of Natural Resources	\$50,000.00
03576416	Von Holtum, Malters & Shepherd - Sylvia Martha Temnitz vs. State of Iowa - Department of Natural Resources	\$4,000.00
03966143	Coppola, Sandre, McConville; Michael Carroll - Eugenia Fletcher vs. State of Iowa - Department of Human Services	\$18,333.33
03966142	Lewis Law Firm and Nancy Sheehy, Executor of Estate of Robert Sheldahl - Iowa State University	\$2,000.00
03966145	Wapello County Clerk of Courts - Collins vs. Officer Dauphit - Clarinda Correctional Facility	\$1,806.79
03966146	Newton Correctional Facility - Collins vs. Officer Dauphit - Clarinda Correctional Facility	\$205.40
EC	Shane Shook vs. State of Iowa - Department of Human Services	\$10,000.00
EC	Eugenia Fletcher vs. State of Iowa - Department of Human Services	\$36,666.67
04037841	Daniel Salazar - Eldora Training School	\$26,250.00
03999283	Harrison Brennecke Moore Smaha & McKibben and Douglas Beals - Salazar vs. State Training School - Eldora Training School	\$8,750.00
03999284	Patricia Wengert - Vicki Brown and Charles Brown vs. State of Iowa and Department of Veterans Affairs	\$21,000.00
03999285	Charles B. Brown - Vicki Brown and Charles Brown vs. State of Iowa and Department of Veterans Affairs	\$21,000.00
EC	Vicki L. Brown - Vicki Brown and Charles Brown vs. State of Iowa and Department of Veterans Affairs	\$21,000.00
03999282	Janet R. Oberbillig - UIHC	\$23,544.00
03762337	Parrish, Kruidenier, Moss, Dunn - Montgomery & Thomas; Michael S. Sheeley; Jeffrey M. Lipman - Christine Heyer vs. Terry King - Department of Corrections	-\$5,000.00
03762336	Lipman Law Firm - Christine Heyer vs. Terry King - Department of Corrections	-\$15,000.00
04197823	Manke, Crystal Estate of Nancy Manke Administrator of Estate and Nancy Manke Individually - Manke vs. State of Iowa - Department of Human Services	\$12,000.00
04197824	Paramedic Assisted Life Support Services, Inc. vs. Scott Wagg - State Fair Authority	\$250.00
04197825	Schweitzer and Wink Jay T. Schweitzer Scott Wagg - Paramedic Assisted Life Support Services vs. Scott Wagg - State Fair Authority	\$387.50

<u>Warrant No.</u>	<u>Claimant</u>	<u>Amount Paid</u>
04197826	Polk County District Court - Paramedic Assisted Life Support Services vs. Scott Wagg - State Fair Authority	\$50.00
04341897	Jack Johnson Jr. vs. State of Iowa - University of Iowa College of Dentistry	\$20,000.00
04341898	Mark Sherinian - Phyllis Blood vs. State of Iowa - Department of Public Health	\$22,000.00
EC	Phyllis Blood - Phyllis Blood vs. State of Iowa - Department of Public Health	\$45,965.38
04482038	David Goldman - David Wright vs. Iowa Department of Education	\$2,837.37
04469850	Swisher & Cohrt/Joyce Hornby - Joyce Hornby vs. State of Iowa - Board of Regents	\$160,000.00
04400287	McCleary, Jason E/Corey J.L. Walker-Jason McCleary vs. University of Northern Iowa - Regents - UNI	\$10,000.00
04469851	Imogene McHose - Diacide and Interest Award - Commerce-Insurance Division	\$10,113.20
04528843	Johnson ERB Bice Kramer Good & Mulholland/Robert & Marilyn Wells - Robert Wells vs. State of Iowa - Regents - UIHC	\$126,175.00
04763638	Tom Riley Law Firm Trust Account on behalf of Kaleb Steven & Jill Weintraut - UIHC	\$450,000.00
04835005	Clay County Clerk of Courts - Alvin Henderson vs. IDHS	\$80.00
EC	Karen Cooper - Department of Human Rights	\$10,103.00
04710495	Karen Cooper - Department of Human Rights	\$15,500.00
04621296	Powell Law Firm - Karen Cooper - Department of Human Rights	\$20,000.00
04721829	Johnson Eb Bice Kramer Good & Mulholland/Robert and Marilyn Wells - UIHC	\$700.00
	Napier, Wright & Wolf - George Palmer vs. State of Iowa - UIHC	\$60,000.00
04729467	Eddie C. Risdal - Department of Corrections	\$1.00
04729468	Hoth Law Firm/Eddie C. Risdal - Department of Corrections	\$10,000.00
01091824 - EC	Carl M. McPherson - Elder Affairs	\$2,829.16
04635346	Parrish, Kruidenier, Moss, Dunn, Montgomery & Thomas - Carl M. McPherson - Elder Affairs	\$2,170.84
04675095	David H. Goldman - David Wright vs. Iowa Department of Education	\$132.43
EC	Iowa Department of Corrections - Sidney Charles/Chris McCormick	\$2,184.85
04614452	Woodbury County Clerk of Courts - Sidney Charles/Chris McCormick - Department of Corrections	\$2,486.55
04614451	Mears Law Firm - Sidney Charles/Chris McCormick - Department of Corrections	\$13,513.45
04665893	Karen Vacco, Mother and Next Friend of Dalton James Davis a minor - Berger & Gajdel - Iowa State Fairgrounds	\$160,000.00

<u>Warrant No.</u>	<u>Claimant</u>	<u>Amount Paid</u>
EC	Darlene Spears vs. Department of Human Rights	\$1,984.49
04965538	Thune Law Firm /Paul Thune - Dalton	\$1,170.00
	James Davis vs. State of Iowa - State Fair Board	
04931104	Duncan, Green, Brown, Langress & Eckley/Timothy Eckley - Blaser vs. State of Iowa - Iowa State University	\$11,500.00
04931522	Carolyn Brown/Christine E. Branstad - Carolyn A. Brown vs. State of Iowa - Iowa State University	\$15,000.00
04903939	Sullivan & Ward/Michael Joynt - Cornell V. Emmett - Iowa State Penitentiary	\$2,000.00
05096469	Lipman Law Firm/Jeffrey Lipman - Brenda Tart vs. State of Iowa - Iowa Correctional Institution for Women	\$79,000.00

Money Paid From DOT Fund For Settlements & Judgements June 2000

<u>Warrant No.</u>	<u>Claimant</u>	<u>Amount Paid</u>
	Max E. Kirk - Susan M. Risse vs. State of Iowa and Larry W. Suntken	\$102.74
	Black Hawk County Clerk of Court - Susan M. Risse vs. State of Iowa and Larry W. Suntken	\$15.00
03405304	Ball, Kirk & Holm - Crystal Smith & Shawn Smith vs. IDOT and State of Iowa	\$1,500.00
02860652	William R. Schooler and Joan J. Schooler - Schooler vs. IDOT	\$12,000.00
02860653	Warren County Clerk of Courts - Schooler vs. IDOT	\$97.50
02339664	Ronald J. Palagi - Joseph Ueding and Doris Ueding vs. Roxanne Rene Martindale & IDOT	\$1,729.38
02339663	Joseph Ueding and Doris Ueding - Joseph Ueding and Doris Ueding vs. Roxanne Rene Martindale & IDOT	\$5,270.62
05004277	Jon Purdy, as administrator of the Estate of Jesse Purdy - Jon Purdy vs. State of Iowa and Carrie Allen	\$160,289.79
05004275	Redfern, Mason, Dieter, Larsen & Moore - Jon Purdy vs. State of Iowa and Carrie Allen	\$114,710.21
05004276	Redfern, Mason, Dieter, Larsen & Moore - Jon Purdy vs. State of Iowa and Carrie Allen	\$80.00
05004278	Black Hawk County Clerk of Court - Jon Purdy vs. State of Iowa and Carrie Allen	\$55.00
07339723	Steven Richard Clark - Steven Richard Clark vs. State of Iowa	\$646.78

Money Paid From State Vehicle Fund For Settlements & Judgements October 2000

<u>Warrant No.</u>	<u>Claimant</u>	<u>Amount Paid</u>
04567379	Charlene Rundall/Simmons Perrine Albright & Elwood - Department of Human Services/Cherokee Mental Health Institute	\$66,000.00

## COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

## DEPARTMENT OF PUBLIC SAFETY

The 1999 Rate Comparisons, pursuant to Chapter 80, 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\143 Bill Murphy, Oelwein – For celebrating his 80<sup>th</sup> birthday.
- 2001\144 Marvel and Ethan Brayton, Independence – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\145 Jean and Joe Burke, Independence – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\146 Dorene and Gib McConnell, Indianola – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\147 Ruth and Herb Dutcher, Indianola – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\148 Billie and Delbert Eastwood, Indianola – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\149 Luella Wadle, Indianola – For celebrating her 85<sup>th</sup> birthday.
- 2001\150 Ethelda Ledlie, Indianola – For celebrating her 80<sup>th</sup> birthday.
- 2001\151 Ralph Henry, Indianola – For celebrating his 96<sup>th</sup> birthday.
- 2001\152 Vadis L. Fry, Indianola – For celebrating her 80<sup>th</sup> birthday.

- 2001\153 Maddie Muhlenbruck, Ankeny – For being named a finalist in the Sunny Delight 3 v 3 National Soccer Championships.
- 2001\154 Rebecca Nikl, Ankeny – For being named a finalist in the Sunny Delight 3 v 3 National Soccer Championships.
- 2001\155 Maggie Riley, Ankeny – For being named a finalist in the Sunny Delight 3 v 3 National Soccer Championships.
- 2001\156 Marissa Hurt, Ankeny – For being named a finalist in the Sunny Delight 3 v 3 National Soccer Championships.
- 2001\157 Brady Clark, Ankeny – For being named a finalist in the Sunny Delight 3 v 3 National Soccer Championships.
- 2001\158 Coach Tom Muhlenbruck, Ankeny – For coaching the finalists in the Sunny Delight 3 v 3 National Soccer Championships.
- 2001\159 Coach Jeff Clark, Ankeny – For coaching the finalists in the Sunny Delight 3 v 3 National Soccer Championships.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

##### House Study Bill 24

Human Resources: Hoversten, Chair; Boal and Murphy.

##### House Study Bill 25

Human Resources: Boal, Chair; Ford and Tymeson.

##### House Study Bill 26

Human Resources: Boal, Chair; Atteberry and Larson.

##### House Study Bill 27

Human Resources: Boddicker, Chair; Carroll and Tremmel.

##### House Study Bill 28

Human Resources: Boddicker, Chair; Kreiman and Larson.

##### House Study Bill 43

Environmental Protection: Elgin, Chair; Huseman and Mascher.

##### House Study Bill 44

Environmental Protection: Cormack, Chair; De Boef and Hatch.

**House Study Bill 49**

Commerce and Regulation: Hansen, Chair; Johnson and Osterhaus.

**House Study Bill 50**

Commerce and Regulation: Raecker, Chair; Bradley and Seng.

**House Study Bill 51**

Commerce and Regulation: Shey, Chair; Bradley, Chiodo, Dix and Wise.

**House Study Bill 53**

Human Resources: Carroll, Chair; Boddicker and Kreiman.

**House Study Bill 54**

Human Resources: Hoversten, Chair; Reynolds and Roberts.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENT****H.S.B. 55 Administration and Rules**

Concerning the consideration of proposed congressional and legislative redistricting bills and providing an effective date.

**RESOLUTIONS FILED**

**HR 8**, by Quirk, Falck, Mertz, Dotzler, Hatch, T. Taylor, Reynolds, Smith, Greimann, Larkin, Wise, Winckler, Petersen, Richardson, Myers, Hoversten, Atteberry and Kuhn, a resolution requesting the United States Congress to hold hearings and investigate possible wrongdoings related to the production and sale of natural gas.

Laid over under **Rule 25**.

**SCR 5**, by committee on rules and administration, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-ninth general assembly.

Referred to committee on **administration and rules**.

**AMENDMENTS FILED**

H-1027

H.F.

103

Dotzler of Black Hawk

H-1028	H.F.	2	Shey of Linn
H-1029	H.F.	1	Senate Amendment
H-1030	H.F.	103	Connors of Polk
H-1031	H.F.	103	T. Taylor of Linn

On motion by Elgin of Linn the House adjourned at 9:36 a.m., until 1:00 p.m., Monday, January 29, 2001.

# JOURNAL OF THE HOUSE

Twenty-second Calendar Day - Fifteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, January 29, 2001

The House met pursuant to adjournment at 1:06 p.m., Speaker pro tempore Sukup in the chair.

Prayer was offered by Reverend Daniel Loeschen, pastor of Our Savior Lutheran Church, Denison.

The Journal of Friday, January 26, 2001 was approved.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Reverend Daniel Loeschen.

## INTRODUCTION OF BILLS

**House File 120**, by Cormack, a bill for an act providing for telephone directory notation of telephone numbers providing text telephone device services.

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

**House File 121**, by Osterhaus, a bill for an act relating to the establishment of a program for hunting and fur harvesting on United States department of agriculture conservation reserve program land and related land.

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

**House File 122**, by T. Taylor, D. Taylor, Hatch, Reynolds, Smith, Larkin, Cohoon, O'Brien, Foege, Atteberry, Falck, Stevens, Tremmel, Schrader, Richardson, Osterhaus, Winckler, Lensing, Petersen, Mascher, Jochum, and Chiodo, a bill for an act relating to employee choice of medical care in workers' compensation.

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



**House File 123**, by T. Taylor, a bill for an act relating to the right of an employee at will to sue when involuntarily discharged.

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

**House File 124**, by T. Taylor, D. Taylor, Hatch, Smith, Greimann, Larkin, Cohoon, Fallon, Shoultz, Mascher, Osterhaus, Schrader, Stevens, Tremmel, Murphy, Falck, Atteberry, Foege, Kuhn, May, Bell, and Chiodo, a bill for an act relating to minimum wage requirements.

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

**House File 125**, 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 **labor and industrial relations**.

**House File 126**, by T. Taylor, Dotzler, Reynolds, Smith, D. Taylor, Fallon, Huser, Bell, Atteberry, Falck, Murphy, Tremmel, Schrader, Richardson, Osterhaus, Mascher, Jochum, and Hatch, a bill for an act relating to prohibiting use of state funds and facilities to assist, promote, or deter union organizing, providing penalties, and including an applicability provision.

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

**House File 127**, by Jacobs, a bill for an act providing for the Iowa state fair, by changing references from Iowa state fairgrounds to Iowa state fair park.

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

#### RULE 34 SUSPENDED

Rants of Woodbury asked and received unanimous consent to suspend Rule 34, relating to the House calendars, making the

Monday blue daily debate calendar applicable for Tuesday, January 30, 2001.

### CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\160 Nina Matter, Sac City – For celebrating her 80<sup>th</sup> birthday.
- 2001\161 Glen Kolbe, Lake View – For celebrating his 91<sup>st</sup> birthday.
- 2001\162 Eva Liston, Lake View – For celebrating her 94<sup>th</sup> birthday.
- 2001\163 Dorene and Marvin Miller, Ida Grove – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\164 Ruth and Lawrence Peters, Lake View – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\165 Verna and Everett Ploeger, Sac City – For celebrating their 61<sup>st</sup> wedding anniversary.
- 2001\166 Eunice and Harry Rice, Auburn – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\167 Vera and Fargo Ehlert, Missouri Valley – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\168 Zelna and Donnie Jarvis, Persia – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2001\169 Helen Weaver, Dunlap – For celebrating her 90<sup>th</sup> birthday.
- 2001\170 Nettie and Bob Nuzum, Dunlap – For celebrating their 50<sup>th</sup> wedding anniversary.

### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

#### House Study Bill 45

Education: Broers, Chair; Greimann and Roberts.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 56 Judiciary**

Defining assault to include certain acts which are intended to place another in fear of imminent physical contact.

### **H.S.B. 57 Judiciary**

Relating to the state inheritance tax by exempting intangible personal property owned by a person not domiciled in this state; determining the net market value of transfers made within three years of death as the net market value on the date of transfer; exempting the tax only upon the portion of retirement benefits and individual retirement accounts that will be subject to federal income tax when paid; applying compromised settlements for federal estate tax purposes in the same manner for state tax purposes; and requiring deferred estates to be recorded by the department of revenue and finance if tax is not paid when tax accrues; and including an applicability date provision.

### **H.S.B. 58 Judiciary**

Relating to the disclosure of certain information by persons engaged in the selling or leasing of goods or services via the internet.

### **H.S.B. 59 Judiciary**

Relating to the pronouncement of death by a licensed practical nurse or a registered nurse.

### **H.S.B. 60 Judiciary**

Creating a new criminal offense of trespass on property that is under construction, and providing a penalty.

### **H.S.B. 61 Judiciary**

Relating to exceptions to the required participation in a court-approved course prior to the granting of a final dissolution of marriage decree or the entering of a final custody order.

**H.S.B. 62 Judiciary**

Relating to the duties and peace officer employees of the department of public safety.

**H.S.B. 63 Judiciary**

Relating to judicial district departments of correctional services by providing for a restitution lien for supervision fees, for the establishment of a reserve peace officer force, and for authorization for the sixth judicial district to extend a lease-purchase agreement, and providing an effective date.

**H.S.B. 64 Judiciary**

Relating to limitations on filing medical assistance claims against a decedent's estate.

**AMENDMENT FILED**

H-1032      S.F.      65      Rants of Woodbury

On motion by Rants of Woodbury the House adjourned at 1:12 p.m., until 8:45 a.m., Tuesday, January 30, 2001.

# JOURNAL OF THE HOUSE

Twenty-third Calendar Day - Sixteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, January 30, 2001

The House met pursuant to adjournment at 8:47 a.m., Speaker Siegrist in the chair.

Prayer was offered by the Honorable Jane Greimann, state representative from Story County.

The Journal of Monday, January 29, 2001 was approved.

## RULE 57 SUSPENDED

Rants of Woodbury asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for the committee meetings scheduled for Monday, January 29, 2001, to meet today.

## CONSIDERATION OF BILL Appropriations Calendar

**House File 108**, a bill for an act providing supplemental funding for the low-income home energy assistance program for the fiscal year beginning July 1, 2000, and providing an effective date, was taken up for consideration.

## SENATE FILE 65 SUBSTITUTED FOR HOUSE FILE 108

Alons of Sioux asked and received unanimous consent to substitute Senate File 65 for House File 108.

**Senate File 65**, a bill for an act providing supplemental funding for the low-income home energy assistance program for the fiscal year beginning July 1, 2000, and providing an effective date, was taken up for consideration.

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

The House resumed session and consideration of Senate File 65 at 10:10 a.m., Speaker Siegrist in the chair.

Alons of Sioux offered the following amendment H-1032 filed by Rants of Woodbury and moved its adoption:

H-1032

- 1 Amend Senate File 65, as passed by the Senate, as
- 2 follows:
- 3 1. Page 2, line 27, by striking the figure
- 4 "\$1,995,780" and inserting the following:
- 5 "\$2,663,921".
- 6 2. Page 3, line 9, by striking the figure
- 7 "\$640,561" and inserting the following: "\$715,000".

Amendment H-1032 was adopted.

Kreiman of Davis offered amendment H-1024 filed by Kreiman, et al., as follows:

H-1024

- 1 Amend Senate File 65, as passed by the Senate, as
- 2 follows:
- 3 1. By striking page 1, line 1 through page 3,
- 4 line 23 and inserting the following:
- 5 "Sec. \_\_\_\_ LOW-INCOME HOME ENERGY ASSISTANCE
- 6 PROGRAM. There is appropriated from the general fund
- 7 of the state to the department of human rights for the
- 8 fiscal year beginning July 1, 2000, and ending June
- 9 30, 2001, the following amount, or so much thereof as
- 10 is necessary, to be used for the purpose designated:
- 11 For supplementation of the low-income home energy
- 12 assistance appropriation made in 2000 Iowa Acts,
- 13 chapter 1220, section 11:
- 14 ..... \$20,000,000"
- 15 20,000,000"
- 16 2. By renumbering as necessary.

Kreiman of Davis offered the following amendment H-1034, to amendment H-1024, filed by him from the floor and moved its adoption:

H-1034

- 1 Amend the amendment, H-1024, to Senate File 65, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, by striking line 15.

Amendment H-1034 was adopted.

Rants of Woodbury asked and received unanimous consent that Senate File 65 be deferred and that the bill retain its place on the calendar. (Amendment H-1024, as amended, pending)

### 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 25, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 43, a bill for an act relating to the rulemaking authority of the natural resource commission regarding the taking and possession of migratory birds.

MICHAEL E. MARSHALL, Secretary

On motion by Rants of Woodbury, the House was recessed at 10:53 a.m., until 4:00 p.m.

### AFTERNOON SESSION

The House reconvened at 4:01 p.m., Speaker pro tempore Sukup in the chair.

### INTRODUCTION OF BILLS

**House File 128**, by Wise, Myers, Bukta, Chiodo, Witt, Kreiman, Mertz, Scherrman, Quirk, Hatch, T. Taylor, Dotzler, Reynolds, Smith, Greimann, Larkin, Cohoon, D. Taylor, Huser, Lensing, Petersen, and Winckler, a bill for an act relating to the phasing in of an exemption from state sales and use taxes on the gross receipts from the sale, furnishing, or service of metered gas and heating fuel used by residential customers and including an effective date.

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

**House File 129**, by Tyrrell, a bill for an act relating to cities' authority to set speed limits on city streets.

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

**House File 130**, by Wise, a bill for an act providing a state percent of growth of four percent for purposes of the state school foundation program and providing an applicability date.

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

**House File 131**, by Wise, a bill for an act providing a state percent of growth of five percent for purposes of the state school foundation program and providing an applicability date.

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

**House File 132**, by Wise, a bill for an act providing a state percent of growth of six percent for purposes of the state school foundation program and providing an applicability date.

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

**House File 133**, by Wise, a bill for an act relating to the establishment of charter schools.

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

**House File 134**, by Bradley, 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 and regulation**.

### QUORUM CALL

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



## CONSIDERATION OF BILL

### Appropriations Calendar

The House resumed consideration of **Senate File 65**, a bill for an act providing supplemental funding for the low-income home energy assistance program for the fiscal year beginning July 1, 2000, and providing an effective date, previously deferred with amendment H-1024, as amended, and found on page 220 of the House Journal, pending.

Kreiman of Davis moved the adoption of amendment H-1024, as amended.

Roll call was requested by Kreiman of Davis and Myers of Johnson.

On the question "Shall amendment H-1024, as amended, be adopted?" (S.F. 65)

The ayes were, 45:

Atteberry	Bell	Bukta	Chiodo
Cohon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Garman	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Reynolds	Richardson
Scherrman	Schrader	Seng	Shoultz
Smith	Stevens	Taylor, D.	Taylor, T.
Tremmel	Warnstadt	Winckler	Wise
Witt			

The nays were, 55:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Finch	Gipp	Grundberg	Hahn
Hansen	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Jacobs
Jenkins	Johnson	Kettering	Klemme
Larson	Manternach	Metcalf	Millage
Raecker	Rants	Rayhons	Rekow

Roberts	Shey	Siegrist, Spkr.	Sievers
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Sukup,	
		Presiding	

Absent or not voting, none.

Amendment H-1024 lost.

Mertz of Kossuth offered amendment H-1025 filed by her as follows:

H-1025

- 1 Amend Senate File 65, as passed by the Senate, as
- 2 follows:
- 3 1. By striking page 1, line 30 through page 2,
- 4 line 9.
- 5 2. By renumbering as necessary.

Speaker Siegrist in the chair at 5:04 p.m.

Roll call was requested by Myers of Johnson and T. Taylor of Linn.

On the question "Shall amendment H-1025 be adopted?" (S.F. 65)

The ayes were, 45:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Garman	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Reynolds	Richardson
Roberts	Scherrman	Seng	Shoultz
Smith	Stevens	Taylor, D.	Taylor, T.
Tremmel	Warnstadt	Winckler	Wise
Witt			

The nays were, 55:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Finch	Gipp	Grundberg	Hahn

Hansen	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Jacobs
Jenkins	Johnson	Kettering	Klemme
Larson	Manternach	Metcalf	Millage
Raecker	Rants	Rayhons	Rekow
Schrader	Shey	Sievers	Sukup
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Mr. Speaker	
		Siegrist	

Absent or not voting, none.

Amendment H-1025 lost.

Murphy of Dubuque asked and received unanimous consent to withdraw amendment H-1026 filed by him on January 25, 2001.

Alons of Sioux 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. 65)

The ayes were, 56:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Finch	Garman	Gipp	Grundberg
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Sievers
Sukup	Teig	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Mr. Speaker
			Siegrist

The nays were, 44:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Huser	Jochum
Kreiman	Kuhn	Larkin	Lensing
Mascher	May	Mertz	Murphy

Myers	O'Brien	Osterhaus	Petersen
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Winckler	Wise	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

Rants of Woodbury asked and received unanimous consent that **Senate File 65** be immediately messaged to the Senate.

### SENATE AMENDMENT CONSIDERED

Sukup of Franklin called up for consideration **House File 1**, a bill for an act relating to the exemption during a certain period from the sales and use taxes of the gross receipts from the sale, furnishing, or service of metered gas and electricity and of fuel used for heating of residential-type dwellings and including an effective date, amended by the Senate amendment H-1029 as follows:

H-1029

- 1 Amend House File 1, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting after line 17 the
- 4 following:
- 5 "Sec. \_\_\_\_ Section 422.45, Code 2001, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 61. a. Subject to paragraph "b",
- 8 the gross receipts from the sale, furnishing, or
- 9 service of metered gas and electricity to provide
- 10 energy for residential customers and the gross
- 11 receipts from the sale, furnishing, or service of
- 12 fuel, including propane and heating oil, used to
- 13 provide heat for residential dwellings and units of
- 14 apartment and condominium complexes used for human
- 15 occupancy.
- 16 b. The exemption in this subsection shall be
- 17 phased in by means of a reduction in the tax rate as
- 18 follows:
- 19 (1) If the date of the utility billing of the
- 20 customer for the sale, furnishing, or service of
- 21 metered gas and electricity is between January 1,

22 2002, and December 31, 2002, or the sale, furnishing,  
23 or service of fuel for heating purposes occurs between  
24 January 1, 2002, and December 31, 2002, the rate of  
25 tax is four percent of the gross receipts.

26 (2) If the date of the utility billing of the  
27 customer for the sale, furnishing, or service of  
28 metered gas and electricity is between January 1,  
29 2003, and December 31, 2003, or the sale, furnishing,  
30 or service of fuel for heating purposes occurs between  
31 January 1, 2003, and December 31, 2003, the rate of  
32 tax is three percent of the gross receipts.

33 (3) If the date of the utility billing of the  
34 customer for the sale, furnishing, or service of  
35 metered gas and electricity is between January 1,  
36 2004, and December 31, 2004, or the sale, furnishing,  
37 or service of fuel for heating purposes occurs between  
38 January 1, 2004, and December 31, 2004, the rate of  
39 tax is two percent of the gross receipts.

40 (4) If the date of the utility billing of the  
41 customer for the sale, furnishing, or service of  
42 metered gas and electricity is between January 1,  
43 2005, and December 31, 2005, or the sale, furnishing,  
44 or service of fuel for heating purposes occurs between  
45 January 1, 2005, and December 31, 2005, the rate of  
46 tax is one percent of the gross receipts.

47 (5) If the date of the utility billing of the  
48 customer for the sale, furnishing, or service of  
49 metered gas and electricity is on or after January 1,  
50 2006, or the sale, furnishing, or service of fuel for

## Page 2

1 heating purposes occurs on or after January 1, 2006,  
2 the rate of tax is zero percent of the gross receipts.

3 c. The exemption in this subsection does not apply  
4 to local option sales and services tax imposed  
5 pursuant to chapters 422B and 422E."

6 2. Title page, line 1, by striking the words

7 "during a certain period".

The House stood at ease at 5:51 p.m., until the fall of the gavel.

The House resumed session at 6:24 p.m., Speaker Siegrist in the chair.

Millage of Scott offered amendment H-1033, to the Senate amendment H-1029, filed by him from the floor as follows:

H-1033

1 Amend the Senate amendment, H-1029, to House File 1  
2 as follows:

3 1. Page 1, by inserting after line 2 the  
4 following:

5 "\_\_\_ Page 1, by inserting before line 1 the  
6 following:

7 "Section 1. Section 422.7, subsection 13, Code  
8 2001, is amended by striking the subsection and  
9 inserting in lieu thereof the following:

10 13. a. For a person who is disabled, or is fifty-  
11 five years of age or older, or is the surviving spouse  
12 of an individual or a survivor having an insurable  
13 interest in an individual who would have qualified for  
14 the exemption under this paragraph for the tax year,  
15 subtract, to the extent included, the total amount of  
16 a governmental or other pension or retirement pay,  
17 including, but not limited to, defined benefit or  
18 defined contribution plans, annuities, individual  
19 retirement accounts, plans maintained or contributed  
20 to by an employer, or maintained or contributed to by  
21 a self-employed person as an employer, and deferred  
22 compensation plans or any earnings attributable to the  
23 deferred compensation plans, up to a maximum of eight  
24 thousand five hundred dollars for tax years beginning  
25 in the 2001 calendar year, twelve thousand dollars for  
26 tax years beginning in the 2002 calendar year, and the  
27 total amount of pension included for tax years  
28 beginning on or after January 1, 2003, for a person,  
29 other than a husband or wife, who files a separate  
30 state income tax return and up to a maximum of  
31 seventeen thousand dollars for tax years beginning in  
32 the 2001 calendar year, twenty-four thousand dollars  
33 for tax years beginning in the 2002 calendar year, and  
34 the total amount of pension included for tax years  
35 beginning on or after January 1, 2003, for a husband  
36 and wife who file a joint state income tax return.  
37 However, a surviving spouse who is not disabled or  
38 fifty-five years of age or older can only exclude the  
39 amount of pension or retirement pay received as a  
40 result of the death of the other spouse. A husband  
41 and wife filing separate state income tax returns or  
42 separately on a combined state return are allowed a  
43 combined maximum exclusion under this paragraph of up  
44 to seventeen thousand dollars for tax years beginning  
45 in the 2001 calendar year, and twenty-four thousand  
46 dollars for tax years beginning in the 2002 calendar  
47 year. The seventeen thousand dollar or twenty-four  
48 thousand dollar exclusion, as applicable, shall be  
49 allocated to the husband or wife in the proportion  
50 that each spouse's respective pension and retirement

## Page 2

1 pay received bears to total combined pension and  
2 retirement pay received.

3 b. Subtract, to the extent included, the amount of  
4 additional social security benefits taxable under the  
5 Internal Revenue Code for tax years beginning on or  
6 after January 1, 1994, but before January 1, 2006.  
7 The amount of social security benefits taxable as  
8 provided in section 86 of the Internal Revenue Code,  
9 as amended up to and including January 1, 1993,  
10 continues to apply for state income tax purposes for  
11 tax years beginning on or after January 1, 1994, but  
12 before January 1, 2006.

13 c. Subtract, to the extent included after the  
14 subtraction in paragraph "b", the following:

15 (1) For tax years beginning in the 2004 calendar  
16 year, one-third of taxable social security benefits  
17 received.

18 (2) For tax years beginning in the 2005 calendar  
19 year, two-thirds of taxable social security benefits  
20 received.

21 d. Married taxpayers, who file a joint federal  
22 income tax return and who elect to file separate  
23 returns or who elect separate filing on a combined  
24 return for state income tax purposes, shall allocate  
25 between the spouses the amount of benefits subtracted  
26 under paragraphs "b" and "c" from net income in the  
27 ratio of the social security benefits received by each  
28 spouse to the total of these benefits received by both  
29 spouses.

30 e. Subtract, to the extent included, the amount of  
31 social security benefits taxable under section 86 of  
32 the Internal Revenue Code for tax years beginning on  
33 or after January 1, 2006.

34 Sec. \_\_. Section 422.7, subsection 31, Code 2001,  
35 is amended by striking the subsection."

36 2. Page 1, line 22, by striking the words and  
37 figures "2002, and December 31, 2002" and inserting  
38 the following: "2005, and December 31, 2005".

39 3. Page 1, line 24, by striking the words and  
40 figures "2002, and December 31, 2002" and inserting  
41 the following: "2005, and December 31, 2005".

42 4. Page 1, line 29, by striking the words and  
43 figures "2003, and December 31, 2003" and inserting  
44 the following: "2006, and December 31, 2006".

45 5. Page 1, line 31, by striking the words and  
46 figures "2003, and December 31, 2003" and inserting  
47 the following: "2006, and December 31, 2006".

48 6. Page 1, line 36, by striking the words and  
49 figures "2004, and December 31, 2004" and inserting  
50 the following: "2007, and December 31, 2007".

## Page 3

1 7. Page 1, line 38, by striking the words and  
2 figures "2004, and December 31, 2004" and inserting  
3 the following: "2007, and December 31, 2007".

4 8. Page 1, line 43, by striking the words and  
5 figures "2005, and December 31, 2005" and inserting  
6 the following: "2008, and December 31, 2008".

7 9. Page 1, line 45, by striking the words and  
8 figures "2005, and December 31, 2005" and inserting  
9 the following: "2008, and December 31, 2008".

10 10. Page 1, line 50, by striking the figure  
11 "2006" and inserting the following: "2009".

12 11. Page 2, line 1, by striking the figure "2006"  
13 and inserting the following: "2009".

14 12. Page 2, by inserting after line 5 the  
15 following:

16 "\_\_\_\_. Page 1, line 33, by inserting after the  
17 word "enactment." the following: "The sections of  
18 this Act amending Code section 422.7, subsections 13  
19 and 31, apply retroactively to January 1, 2001, for  
20 tax years beginning on or after that date."

21 13. Page 2, by striking lines 6 and 7 and  
22 inserting the following:

23 "\_\_\_\_. Title page, by striking lines 1 through 4  
24 and inserting the following: "An Act relating to  
25 state taxes imposed on retirement benefits under the  
26 individual income tax and imposed on the gross  
27 receipts from the sale, furnishing, or service of  
28 metered gas and electricity and of fuel used in  
29 residential-type dwellings and including effective and  
30 retroactive applicability date provisions.""

Sukup of Franklin rose on a point of order that amendment H-1033 was not germane, to the Senate amendment H-1029.

The Speaker ruled the point well taken and amendment H-1033 not germane.

On motion by Sukup of Franklin the House concurred in the Senate amendment H-1029.

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. 1)



The ayes were, 89:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Drake	Eddie
Eichhorn	Elgin	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hansen	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
O'Brien	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Schrader	Seng
Shey	Sievers	Smith	Stevens
Sukup	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, 11:

Dotzler	Falck	Hatch	Jochum
Murphy	Myers	Osterhaus	Scherrman
Shoultz	Taylor, D.	Taylor, T.	

Absent or not voting, none.

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

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 1** be immediately messaged to the Senate.

### HOUSE FILE 108 WITHDRAWN

Alons of Sioux asked and received unanimous consent to withdraw House File 108 from further consideration by the House.

## HOUSE FILE 109 REREFERRED

The Speaker announced that House File 109, previously referred to committee on **state government** was rereferred to committee on **local government**.

## COMMUNICATIONS RECEIVED

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

## DEPARTMENT OF MANAGEMENT

Recommendations for resolution of the overbilling of the federal government for certain services provided by the state to the federal government, pursuant to Chapter 1226.29, 2000 Acts of the Seventy-eighth General Assembly.

The Annual Report of standing appropriations, pursuant to Chapter 8.6(2), Code of Iowa.

## DEPARTMENT OF NATURAL RESOURCES

The Biennial Report for Iowa's State Preserves 1999-2000, pursuant to Chapter 465C, Code of Iowa.

## DEPARTMENT OF PERSONNEL

The "Just the Facts for 2000: Iowa Executive Branch Workforce Almanac Report," pursuant to Chapter 19, 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\171 Barbara and Olin Shuler, Corning – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\172 Velma and Robert Hankemeier, Maquoketa – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\173 Clyde Evans, Muscatine – For being named District 9 Central Office Administrator of the Year for 2001, by School Administrators of Iowa.

- 2001\174 Lavera and Raymond Bruns, Sigourney – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\175 Vesta Linsley, Fremont – For celebrating her 90<sup>th</sup> birthday.
- 2001\176 Josephine Sloan Harks, Independence – For celebrating her 90<sup>th</sup> birthday.
- 2001\177 Arnold and Shirley Raatz, Hawkeye – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\178 Marge and Luke Kuennen, Oelwein – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\179 Germaine and Louis Keiper, Palo – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\180 Rose and Don Kasperek, Solon – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\181 Joan and Ralph Hobt, Chariton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\182 Joyce and Earl Latham, Osceola – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\183 Pat and Bill Healy, Vail – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\184 Beverly and Don Finnegan, Boone – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\185 Gail and June Brown, Boone – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\186 Leona and Lester Freeman, Ogden – For celebrating their 68<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 91

Transportation: Weidman, Chair; Arnold and Warnstadt.

##### House File 92 Reassigned

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and Reynolds.

##### House File 115

Transportation: Johnson, Chair; Klemme and Larkin.

**House File 116**

Human Resources: Carroll, Chair; Hoversten and Kreiman.

**House File 127**

State Government: Eichhorn, Chair; Chiodo and Jacobs.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 33  
(Committee of the Whole)**

Ethics: Huseman, Chair; Cormack, Garman, Mascher, Scherrman and Warnstadt.

**House Study Bill 34  
(Committee of the Whole)**

Ethics: Huseman, Chair; Cormack, Garman, Mascher, Scherrman and Warnstadt.

**House Study Bill 48**

Transportation: Manternach, Chair; Heaton and Osterhaus.

**House Study Bill 52**

Environmental Protection: Bradley, Chair; Kettering and Stevens.

**House Study Bill 56**

Judiciary: Millage, Chair; Eichhorn and Ford.

**House Study Bill 57**

Judiciary: Millage, Chair; Eichhorn and Kreiman.

**House Study Bill 58**

Judiciary: Kettering, Chair; Broers and Witt.

**House Study Bill 59**

Judiciary: Grundberg, Chair; Boddicker and Mertz.

**House Study Bill 60**

Judiciary: Raecker, Chair; Eichhorn and Kreiman.

**House Study Bill 61**

Judiciary: Eichhorn, Chair; Kreiman and Raecker.

**House Study Bill 62**

Judiciary: Barry, Chair; Bell and Shey.

**House Study Bill 63**

Judiciary: Shey, Chair; Baudler and Tremmel.

**House Study Bill 64**

Judiciary: Raecker, Chair; Kettering and Kreiman.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 65 Judiciary**

Relating to felonious misconduct by a public officer or employee and providing a penalty.

**H.S.B. 66 Judiciary**

Relating to the victim rights compensation fund.

**H.S.B. 67 Judiciary**

Providing for protection from domestic abuse for persons in an intimate relationship.

**H.S.B. 68 Judiciary**

Establishing child endangerment offenses for certain criminal acts committed in the presence of a child or minor.

**H.S.B. 69 Judiciary**

Relating to the verification of a uniform citation and complaint issued by a law enforcement agency.

**H.S.B. 70 Judiciary**

Relating to nonsubstantive Code corrections and including effective and retroactive applicability provisions.

**H.S.B. 71 Commerce and Regulation**

Adding document preparation and modification to the list of acts defining the activities of a real estate broker.

**H.S.B. 72 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. 73 Human Resources**

Relating to compliance with mandatory child and dependent adult abuse reporter training requirements.

**H.S.B. 74 State Government**

Relating to the establishment of flammability standards for furniture and providing an applicability date and a penalty.

**H.S.B. 75 State Government**

Relating to the financial operations and transactions of the information technology department.

**H.S.B. 76 Judiciary**

Relating to sales and possession of pistols and revolvers, by requiring a gun-locking device to be provided and related information to be posted in connection with the retail sale of a pistol or revolver.

**H.S.B. 77 Judiciary**

Providing for increased penalties for successive violations of court orders for persons who are the subject of certain protective and no-contact orders and making conforming changes.

**H.S.B. 78 Judiciary**

Relating to the possession, transfer, or sale of firearms and offensive weapons by persons in violation of any federal law and providing a penalty.

**H.S.B. 79 Judiciary**

Relating to the physician-patient privilege to allow disclosure of certain medical information.

**H.S.B. 80 Judiciary**

Relating to the appointment of an acting or a temporary county attorney.

**H.S.B. 81 Judiciary**

Establishing the interstate compact for adult criminal offender supervision and providing a contingent effective date.

**H.S.B. 82 Judiciary**

Relating to certain driving offenses, including driving under suspension, operating without commercial driver's license, operating without driver's license, operating with expired driver's license, operating without driver's license in possession, and operating in violation of restrictions, 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.

MARGARET A. THOMSON  
Chief Clerk of the House

**COMMITTEE ON ETHICS**

**Committee Bill** (Formerly House Study Bill 33), relating to the rules governing lobbyists in the House of Representatives.

Fiscal Note is not required.

Recommended **Do Pass** January 30, 2001.

**Committee Bill** (Formerly House Study Bill 34), relating to the House code of ethics.

Fiscal Note is not required.

Recommended **Do Pass** January 30, 2001.

#### AMENDMENTS FILED

H-1035	H.F.	2	Warnstadt of Woodbury
H-1036	H.F.	2	Warnstadt of Woodbury

On motion by Rants of Woodbury the House adjourned at 6:56 p.m., until 8:45 a.m., Wednesday, January 31, 2001.



# JOURNAL OF THE HOUSE

Twenty-fourth Calendar Day - Seventeenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, January 31, 2001

The House met pursuant to adjournment at 8:46 a.m., Speaker pro tempore Sukup in the chair.

Prayer was offered by Reverend Terry Roberts, pastor of Trinity Christian Church, Decatur.

The Journal of Tuesday, January 30, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 135**, by Schrader, a bill for an act relating to the school year beginning date.

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

**House File 136**, by Huser, a bill for an act relating to the mandatory certification of real estate appraisers and providing exceptions.

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

**House File 137**, by Foege, a bill for an act relating to the ongoing status of absentee voters.

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

**House File 138**, 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 139**, by Sukup, a bill for an act relating to the maximum annual property tax levy for benefited street lighting districts.

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

**House File 140**, by Sukup, a bill for an act allowing cities to issue general obligation bonds, revenue bonds, or loan agreements to fund the construction and equipping of child care centers and providing an effective date.

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

**House File 141**, by Cohoon, a bill for an act relating to the designation of a "Bill of Rights Day".

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

**House File 142**, by Tymeson, Hansen, and Eichhorn, a bill for an act providing an individual income tax credit for certain teacher expenses and including a retroactive applicability date provision.

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

**House File 143**, by Richardson, a bill for an act relating to the division and development of land by amending provisions relating to subdivision plats and plats of survey and relating to annexation and other boundary adjustments, and providing for the Act's applicability.

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

**House File 144**, 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 145**, by Frevert, Kuhn, Stevens, Connors, Kreiman, Dotzler, Hatch, Witt, Reynolds, Bukta, Jochum, Mascher, Scherrman, D. Taylor, and Greimann, a bill for an act relating to the application of manure originating from confinement feeding operations, by providing for manure management plans and making penalties applicable.

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

**House File 146**, by Kuhn, Sukup, May, Johnson, Frevert, Scherrman, Alons, Huseman, Dix, Atteberry, Broers, Quirk, Falck, Eddie, Roberts, Stevens, Mertz, Reynolds, Kettering, Hoffman, Larkin, Eichhorn, O'Brien, Houser, Wise, Bukta, Foege, Smith, Dotzler, T. Taylor, Greimann, D. Taylor, Fallon, Huser, Bell, Murphy, Tremmel, Richardson, Osterhaus, Winckler, Petersen, Mascher, Jochum, Sievers, Myers, and Witt, a bill for an act providing for an income tax credit for making capital investments in a cooperative association organized to operate a renewable fuel production facility and including effective and retroactive applicability date provisions.

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

**House File 147**, by Kuhn and Reynolds, a bill for an act relating to genetically modified seeds by providing labeling requirements, providing for penalties, and providing an effective date.

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

**House File 148**, by Houser, a bill for an act relating to local government fiscal reform and providing authority for bonding.

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

**House File 149**, by Connors, Witt, Ford, Dotzler, Murphy, Hatch, Larkin, Cohoon, Mascher, Lensing, and Shoultz, a bill for an act relating to the unauthorized discharge of a patient as a prohibited insurance trade practice, and providing for a penalty.

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

**House File 150**, by Jochum and Kreiman, a bill for an act relating to the inclusion of firearm safety in the health education requirement of high school education standards.

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

**House File 151**, by Jochum, Bukta, Chiodo, Hatch, T. Taylor, Larkin, D. Taylor, Fallon, Falck, Wise, Petersen, Mascher, Shoultz, and Witt, a bill for an act establishing general election day as a state public holiday.

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

**House File 152**, by Jochum, Bukta, Chiodo, Hatch, T. Taylor, Dotzler, Reynolds, Smith, Greimann, Frevert, Larkin, Cohoon, D. Taylor, Fallon, Huser, Kuhn, Falck, Murphy, Stevens, Tremmel, Osterhaus, Lensing, Mascher, and Witt, 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**.

On motion by Rants of Woodbury, the House was recessed at 8:54 a.m., until 1:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 1:03 p.m., Speaker pro tempore Sukup in the chair.

#### INTRODUCTION OF BILLS

**House File 153**, by Grundberg, a bill for an act relating to third-party payment of health care coverage costs for children under the age of nineteen for treatment of neurobiological disorders and substance abuse.

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

**House File 154**, by Gipp, a bill for an act concerning paid time off for certain peace officer members of the department of public safety injured in the course of duty.

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

**House File 155**, by Jochum, Bukta, Seng, Scherrman, Hatch, Larkin, Cohoon, and Fallon, a bill for an act relating to the state minimum wage by establishing findings and increasing the state minimum hourly wage.

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

**House File 156**, by Jochum, Bukta, Mertz, Scherrman, Hatch, T. Taylor, Dotzler, Reynolds, Smith, Greimann, Frevert, Fallon, May, Kuhn, Foege, Murphy, Stevens, Tremmel, Schrader, Richardson, Osterhaus, and Mascher, a bill for an act requiring the development of clean air standards for confinement feeding operations and making penalties applicable.

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

### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-four members present, sixteen absent.

### CONSIDERATION OF BILL Regular Calendar

**House File 103**, a bill for an act relating to information included in written promotional materials distributed by the department of economic development, was taken up for consideration.

The House stood at ease at 1:15 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 103 at 2:02 p.m., Speaker pro tempore Sukup in the chair.

Dotzler of Black Hawk offered the following amendment H-1027 filed by him and moved its adoption:

H-1027

- 1 Amend House File 103 as follows:
- 2 1. Page 1, line 6, by striking the words "clear
- 3 and conspicuous".

Amendment H-1027 lost.

Connors of Polk offered the following amendment H-1030 filed by him and moved its adoption:

H-1030

1 Amend House File 103 as follows:  
2 1. Page 1, by inserting after line 7 the  
3 following:  
4 "The statement shall include that the right-to-work  
5 means that unions and management cannot negotiate a  
6 union security clause in their collective bargaining  
7 agreement, that a union must represent all employees  
8 in a bargaining unit whether or not they are a member  
9 of the union, and that a failure to do so constitutes  
10 a breach of the union's duty of fair representation  
11 and subjects the union to suits for breach of duty and  
12 substantial potential liability for damages. Thus, in  
13 a right-to-work state, nonmembers are required by law  
14 to get all the benefits of union representation, but  
15 pay none of the costs.  
16 The statement shall include that the right-to-work  
17 law was never meant to ensure a person could keep a  
18 job; rather, it was designed to weaken and destroy  
19 unions and the principle of collective bargaining.  
20 The statement shall include that the right-to-work law  
21 represents a state-sanctioned policy of union  
22 suppression.  
23 The statement shall include that the right-to-work  
24 law allows government interference in the ability of  
25 management and labor to negotiate contracts. The  
26 statement shall include that the right-to-work law is  
27 not about a person's right to have a job; rather, it  
28 is a collective bargaining issue. The statement shall  
29 include that the right-to-work law takes away the  
30 ability of unions and management to bargain over  
31 whether workers should have the right to pay for the  
32 services they receive from the union. The statement  
33 shall include that the right-to-work law allows  
34 employees at union shops to opt out of the union, and  
35 thus receive the wages and benefits negotiated by  
36 their coworkers without paying the dues."

Amendment H-1030 lost.

T. Taylor of Linn offered amendment H-1031 filed by him as follows:

H-1031

1 Amend House File 103 as follows:

2 1. Page 1, by inserting after line 7 the  
3 following:  
4 "Sec. \_\_\_\_ Section 15A.1, Code 2001, is amended by  
5 adding the following new subsection:  
6 NEW SUBSECTION. 5. In addition to the  
7 requirements of subsections 2 and 3, a state agency  
8 shall not provide a grant, loan, or other financial  
9 assistance to a private person or on behalf of a  
10 private person unless the business for whose benefit  
11 the financial assistance is to be provided pays at  
12 minimum a living wage to its employees. For purposes  
13 of this subsection, "living wage" means an hourly wage  
14 of no less than the annualized federal poverty level  
15 for a family of four, as defined by the most recently  
16 revised poverty income guidelines as published by the  
17 United States department of health and human services,  
18 divided by two thousand eighty. If any provision of  
19 this subsection, which relates to a living wage paid  
20 by a business applying for or receiving state  
21 financial assistance, is inconsistent or conflicts  
22 with other provisions of chapter 15 or this chapter,  
23 the provision that specifies the higher wage rate  
24 prevails."  
25 2. Title page, line 3, by inserting after the  
26 word "development" the following: "and state  
27 department financial assistance".  
28 3. By renumbering as necessary.

Horbach of Tama rose on a point of order that amendment H-1031 was not germane.

The Speaker ruled the point well taken and amendment H-1031 not germane.

T. Taylor of Linn moved to suspend the rules to consider amendment H-1031.

Roll call was requested by Myers of Johnson and Falck of Fayette.

On the question "Shall the rules be suspended to consider amendment H-1031?" (H.F. 103)

The ayes were, 44:

Atteberry  
Cohoon  
Fallon  
Greimann

Bell  
Connors  
Foege  
Hatch

Bukta  
Dotzler  
Ford  
Huser

Chiodo  
Falck  
Frevert  
Jochum

Kreiman	Kuhn	Larkin	Lensing
Mascher	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Winckler	Wise	Witt

The nays were, 55:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Finch	Garman	Gipp	Grundberg
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Manternach	Metcalf	Millage
Raecker	Rants	Rayhons	Rekow
Roberts	Shey	Siegrist, Spkr.	Sievers
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Sukup, Presiding	

Absent or not voting, 1:

Larson

The motion to suspend the rules lost.

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. 103)

The ayes were, 55:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Garman	Gipp	Grundberg	Hahn
Hansen	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Jacobs
Jenkins	Johnson	Kettering	Klemme
Larson	Manternach	Metcalf	Millage



Raecker	Rants	Rayhons	Rekow
Roberts	Shey	Siegrist, Spkr.	Sievers
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Sukup, Presiding	

The nays were, 45:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Cormack	Dotzler
Falck	Fallon	Foege	Ford
Frevert	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Reynolds	Richardson
Scherrman	Schrader	Seng	Shoultz
Smith	Stevens	Taylor, D.	Taylor, T.
Tremmel	Warnstadt	Winckler	Wise
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

Rants of Woodbury asked and received unanimous consent that **House File 103** be immediately messaged to the Senate.

### EXPLANATION OF VOTE

I was necessarily absent from the House chamber on January 31, 2001. Had I been present, I would have voted "nay" on amendment H-1031 to House File 103.

LARSON of Linn

### CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

2001\187 Marlus Perkins, Clear Lake – For celebrating her 90<sup>th</sup> birthday.

2001\188 Ed Mertes, Adair – For celebrating his 90<sup>th</sup> birthday.

2001\189 Inez Micheal, Stuart – For celebrating her 95<sup>th</sup> birthday.

2001\190 Maurine Peterson, Armstrong – For celebrating her 84<sup>th</sup> birthday.

2001\191 Louwinna Jensen, Graettinger – For celebrating her 104<sup>th</sup> birthday.

2001\192 Donna and Robert Blum, Terril – For celebrating their 50<sup>th</sup> wedding anniversary.

2001\193 Bertha Olson, Estherville – For celebrating her 97<sup>th</sup> birthday.

2001\194 Dennis Berry, Lake View – For being named 2000 Iowa Agriscience Teacher of the Year.

#### **SUBCOMMITTEE ASSIGNMENTS**

##### **House File 5**

Education: Sukup, Chair; Cohoon and Sievers.

##### **House File 86**

Economic Development: Boggess, Chair; Atteberry and Metcalf.

##### **House File 95**

Natural Resources: Weidman, Chair; Dotzler and Huseman.

##### **House File 105**

Economic Development: Jenkins, Chair; Hoversten and Quirk.

##### **House File 112**

Natural Resources: Huseman, Chair; Bell and Rekow.

##### **House File 117**

Economic Development: Horbach, Chair; Hoffman and Stevens.

##### **House File 119**

Economic Development: Jenkins, Chair; Hoversten and Quirk.

##### **House File 144**

Human Resources: Carroll, Chair; Reynolds and Roberts.

**House File 148**

Local Government: Houser, Chair; Kuhn, Richardson, Sievers and Van Engelenhoven.

**Senate Concurrent Resolution 5**

Administration and Rules: Dix, Chair; Barry and Warnstadt.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 46**

Economic Development: Manternach, Chair; Quirk and Teig.

**House Study Bill 47**

Economic Development: Roberts, Chair; Hoffman and Lensing.

**House Study Bill 55**

Administration and Rules: Carroll, Chair; Jacobs and Jochum.

**House Study Bill 65**

Judiciary: Baudler, Chair; Shoultz and Sukup.

**House Study Bill 66**

Judiciary: Grundberg, Chair; Barry and Chiodo.

**House Study Bill 67**

Judiciary: Shey, Chair; Baudler and Kreiman.

**House Study Bill 70**

Judiciary: Raecker, Chair; Eichhorn and Tremmel.

**House Study Bill 71**

Commerce and Regulation: Kettering, Chair; Falck and Jacobs.

**House Study Bill 72**

State Government: Bradley, Chair; Garman and T. Taylor.

**House Study Bill 74**

State Government: Bradley, Chair; Garman and T. Taylor.

**House Study Bill 75**

State Government: Bradley, Chair; Falck and Garman.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 83 State Government**

Relating to the Iowa civil rights Act by expanding the public accommodation protections of the Act to include correctional facilities.

**H.S.B. 84 Judiciary**

Relating to civil rights investigations by expanding the subpoena and discovery authority of the civil rights commission and providing the attorney general investigative authority in civil rights cases.

**H.S.B. 85 Judiciary**

Authorizing the sixth judicial district department of correctional services to extend a lease-purchase agreement and providing an effective date.

**H.S.B. 86 Judiciary**

Striking certain filing requirements related to campus crime statistics and sexual abuse policies.

**H.S.B. 87 Agriculture**

A concurrent resolution honoring Herb Plambeck.

**H.S.B. 88 State Government**

Relating to the duties and office of the secretary of state in commissioning notarial officers.

**H.S.B. 89 State Government**

Relating to campaign finance law and providing penalties.

**H.S.B. 90 State Government**

Regulating the practice of accounting, establishing fees, providing penalties, and providing an effective date.

**H.S.B. 91 Local Government**

Relating to duties of the county sheriff by increasing the fees and expenses collected by the county sheriff for various services and the release of a garnishment.

**RESOLUTIONS FILED**

**HR 9**, by committee on ethics, a resolution relating to the House code of ethics.

Placed on the **calendar**.

**HR 10**, by committee on ethics, a resolution relating to the rules governing lobbyists in the House of Representatives.

Placed on the **calendar**.

On motion by Rants of Woodbury the House adjourned at 3:03 p.m., until 8:45 a.m., Thursday, February 1, 2001.

# JOURNAL OF THE HOUSE

Twenty-fifth Calendar Day - Eighteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, February 1, 2001

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

Prayer was offered by Reverend Bob Davies, pastor of St. Edward Catholic Church, Waterloo.

The Journal of Wednesday, January 31, 2001 was approved.

## INTRODUCTION OF BILLS

**House Joint Resolution 5**, by Metcalf, Raecker, Sievers, Hansen, Jacobs, Boal, Grundberg, Van Fossen, Hoversten, Bukta, Atteberry, Mascher, Hatch, Foege, Falck, Witt, Petersen, Huser, May, Ford, Chiodo, Tyrrell, Finch, Barry, and Gipp, a joint resolution to nullify an administrative rule of the department of revenue and finance relating to the collection of a fee to recover direct costs in the administration of a local option sales and services tax and providing an effective date.

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

**House File 157**, by Schrader, Mertz, Witt, Ford, Dotzler, Murphy, Hatch, Larkin, Foege, Cohoon, Mascher, Lensing, and Osterhaus, a bill for an act relating to the appointment of a consumer advocate on insurance.

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

**House File 158**, by Foege, Huser, Greimann, Lensing, Winckler, Falck, Larkin, Cohoon, May, Bell, Chiodo, Stevens, O'Brien, Frevert, Kreiman, Kuhn, Tremmel, and Jochum, a bill for an act relating to proper methods of chemical management, establishing the comprehensive safe chemical management in schools program, and making an appropriation.

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

**House File 159**, by Atteberry, Scherrman, Stevens, Kuhn, Connors, Kreiman, Dotzler, Hatch, Witt, Reynolds, Bukta, Jochum, Mascher, Lensing, Murphy, Falck, Osterhaus, and Greimann, a bill for an act relating to confinement feeding operations, by providing that contractors are liable for civil penalties arising out of violations committed by contract producers.

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

**House File 160**, by Dolecheck and Grundberg, a bill for an act relating to physically and mentally disabled drivers, establishing a driver's license medical advisory council, and providing immunity, liability, and penalties.

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

**House File 161**, by Dix, a bill for an act relating to the exemption from individual income tax of capital gains and including effective and retroactive applicability date provisions.

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

**House File 162**, by Raecker, Kettering, and Heaton, a bill for an act relating to telephone solicitations, including establishing certain restrictions on solicitors and the use of automatic dialing-announcing device equipment, requiring written contracts associated with telephone solicitations prior to the fund transfers or charges, establishing registration for persons choosing not to receive telephone solicitations, establishing a private cause of action and providing for recovery of attorney fees, requiring consumer notification of rights, establishing fees and making an appropriation, and providing civil and criminal penalties.

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

**House File 163**, by Horbach, a bill for an act relating to agricultural production, by prohibiting acts relating to facilities or

operations, making penalties applicable, and providing penalties and civil liability.

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 January 31, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 63, a bill for an act relating to child endangerment violations and injuries to a child and providing penalties.

Also: That the Senate has on January 31, 2001, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 65, a bill for an act providing supplemental funding for the low-income home energy assistance program for the fiscal year beginning July 1, 2000, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

Carroll of Poweshiek in the chair at 8:53 a.m.

## 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 1<sup>st</sup> day of February, 2001: House Files 1 and 43.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

## COMMUNICATIONS RECEIVED

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



### BOARD OF VETERINARY MEDICINE

A report regarding the board's development of the veterinary clinic certification program, pursuant to Chapter 1183.2, 2000 Acts of the Seventy-eighth General Assembly.

### OFFICE OF THE GOVERNOR

Recommendations concerning the state's capital projects five year plan, pursuant to Chapter 8.3A, 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.

**MARGARET A. THOMSON**  
Chief Clerk of the House

- 2001\195 Carl Eugene and Jo Ann Betts, Iowa City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\196 Ruth Olson, Grinnell – For celebrating her 80<sup>th</sup> birthday.
- 2001\197 Jenny Bates, Deep River – For celebrating her 80<sup>th</sup> birthday.
- 2001\198 Dema and Robert Hall, Montezuma – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\199 Arlene and Claris (Pete) Peterson, Grinnell – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\200 Pat and Duane Phelps, Montezuma – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\201 Sammy Buckman, Cedar Rapids – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.

### SUBCOMMITTEE ASSIGNMENTS

#### House Joint Resolution 5

State Government: Metcalf, Chair; Bradley and Chiodo.

**House File 83**

Commerce and Regulation: Metcalf, Chair; Johnson and Petersen.

**House File 107**

Commerce and Regulation: Hansen, Chair; Seng and Shey.

**House File 110**

Commerce and Regulation: Jacobs, Chair; Seng and Van Fossen.

**House File 113**

Commerce and Regulation: Hansen, Chair; Schrader and Shey.

**House File 120**

Commerce and Regulation: Hansen, Chair; Falck and Jacobs.

**House File 122**

Labor and Industrial Relations: Dolecheck, Chair; Grundberg and Murphy.

**House File 123**

Labor and Industrial Relations: Millage, Chair; Barry and D. Taylor.

**House File 124**

Labor and Industrial Relations: Metcalf, Chair; Hoffman and T. Taylor.

**House File 125**

Labor and Industrial Relations: Dolecheck, Chair; Raecker and Winckler.

**House File 126**

Labor and Industrial Relations: Barry, Chair; Dolecheck and Smith.

**House File 134**

Commerce and Regulation: Hoffman, Chair; Bradley and Quirk.

**House File 136**

Commerce and Regulation: Dix, Chair; Bradley and Petersen.

**House File 138**

Appropriations: Millage, Chair; Brunkhorst and Warnstadt.

**House File 152**

Commerce and Regulation: Metcalf, Chair; Seng and Shey.

**House File 153**

Commerce and Regulation: Hansen, Chair; Osterhaus and Shey.

**House File 154**

State Government: Gipp, Chair; Cormack and T. Taylor.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 68**

Judiciary: Broers, Chair; Kreiman and Shey.

**House Study Bill 69**

Judiciary: Baudler, Chair; Grundberg and Tremmel.

**House Study Bill 76**

Judiciary: Baudler, Chair; Barry and Chiodo.

**House Study Bill 77**

Judiciary: Shey, Chair; Eichhorn and Jochum.

**House Study Bill 78**

Judiciary: Baudler, Chair; Kreiman and Shey.

**House Study Bill 79**

Judiciary: Boddicker, Chair; Barry and Shoultz.

**House Study Bill 80**

Judiciary: Baudler, Chair; Bell and Broers.

**House Study Bill 81**

Judiciary: Raecker, Chair; Baudler and Ford.

**House Study Bill 82**

Judiciary: Shey, Chair; Baudler and Tremmel.

**House Study Bill 84**

Judiciary: Millage, Chair; Eichhorn and Jochum.

**House Study Bill 85**

Judiciary: Shey, Chair; Barry and Chiodo.

**House Study Bill 86**

Judiciary: Kettering, Chair; Mertz and Sukup.

**House Study Bill 88**

State Government: Eichhorn, Chair; Millage and O'Brien.

**House Study Bill 89**

State Government: Gipp, Chair; Garman, Jochum, Reynolds and Van Engelenhoven.

**House Study Bill 90**

State Government: Elgin, Chair; Bradley, Larkin, Metcalf and Tremmel.

**House Study Bill 91**

Local Government: Weidman, Chair; Eddie and Huser.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 92 State Government**

Relating to the installation of sprinkler systems in school building construction and providing a conditional effective date.

**H.S.B. 93 Judiciary**

Allowing indirect purchasers to sue for antitrust violations under the Iowa antitrust statute and providing remedies.

**H.S.B. 94 Transportation**

Making modifications to certain transportation-related appropriations, fines, penalties, and fees and providing an effective date.

**H.S.B. 95 Judiciary**

Making changes to and reorganizing scheduled fines.

**H.S.B. 96 Economic Development**

Relating to the workforce development fund.

**H.S.B. 97 Economic Development**

Relating to the elimination of programs and duties of the department of 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.

MARGARET A. THOMSON  
Chief Clerk of the House

**COMMITTEE ON ADMINISTRATION AND RULES**

**Committee Resolution**, a resolution relating to joint rules of the Senate and House of Representatives for the seventy-ninth general assembly.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 1, 2001.

**Committee Resolution**, a resolution relating to permanent rules of the House for the Seventy-ninth General Assembly.

Fiscal Note is not required.

Recommended **Do Pass** February 1, 2001.

**COMMITTEE ON EDUCATION**

**Committee Bill** (Formerly House File 76), relating to the duration of the additional weighting provided for limited English proficient students.

Fiscal Note is not required.

Recommended **Do Pass** January 31, 2001.

## COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House File 22), relating to increasing the personal needs allowance under the medical assistance program for residents of health care facilities.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 1, 2001.

**Committee Bill** (Formerly House Study Bill 27), applying child in need of assistance and child abuse provisions to a child in whose presence a controlled substance has been manufactured or possessed by the child's parent, guardian, or custodian.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 1, 2001.

On motion by Rants of Woodbury the House adjourned at 8:54 a.m., until 9:30 a.m., Friday, February 2, 2001.

# JOURNAL OF THE HOUSE

Twenty-sixth Calendar Day - Nineteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, February 2, 2001

The House met pursuant to adjournment at 9:48 a.m., Speaker Siegrist in the chair.

Prayer was offered by Speaker Siegrist.

The Journal of Thursday, February 1, 2001 was approved.

## PETITION FILED

The following petition was received and placed on file:

By T. Taylor of Linn from three hundred ninety-six residents of Linn County favoring legislation increasing funding for school staff.

## INTRODUCTION OF BILLS

**House File 164**, by Jochum, Reynolds, Witt, Bukta, Chiodo, Quirk, Hatch, Dotzler, Smith, Greimann, Frevert, Larkin, Fallon, Huser, Bell, May, O'Brien, Kuhn, Foege, and Atteberry, a bill for an act relating to the Iowa clean elections Act and providing an effective date.

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

**House File 165**, by Jenkins and Boal, a bill for an act relating to casting and certification of the votes for United States president and vice president by the presidential electors of Iowa.

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

**House File 166**, by committee on education, a bill for an act relating to the duration of the additional weighting provided for limited English proficient students.

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

## SENATE MESSAGE CONSIDERED

**Senate File 63**, by committee on judiciary, a bill for an act relating to child endangerment violations and injuries to a child or minor and providing penalties.

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.

**MARGARET A. THOMSON**  
Chief Clerk of the House

2001\202 Pauline and Walt Ovel, New Hampton – For celebrating their 50<sup>th</sup> wedding anniversary.

2001\203 Kadsan and Sotaf Society, Des Moines – On behalf of the Iowa House of Representatives, we want to wish you a happy lunar New Year.

## SUBCOMMITTEE ASSIGNMENTS

### House File 93

Human Resources: Boddicker, Chair; Kreiman and Larson.

### House File 100

Transportation: Huser, Chair; Eddie and Weidman.

### House File 129

Transportation: Eddie, Chair; Cohoon and Rekow.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

### House Study Bill 73

Human Resources: Hoversten, Chair; Boddicker and Smith.

### House Study Bill 83

State Government: Millage, Chair; Eichhorn and Tremmel.



**House Study Bill 87**

Agriculture: Klemme, Chair; Johnson and Kuhn.

**House Study Bill 92**

State Government: Bradley, Chair; Garman and T. Taylor.

**House Study Bill 93**

Judiciary: Shey, Chair; Barry and Kreiman.

**House Study Bill 94**

Transportation: Brauns, Chair; Arnold, Eddie, Huser and May.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 98 Transportation**

Requesting the legislative council to establish a road use tax fund formula interim study committee.

**H.S.B. 99 Judiciary**

Requiring written notice to certain property owners concerning their responsibility for public places.

**H.S.B. 100 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. 101 Judiciary**

Relating to the appointment and dismissal of a police chief or marshal under a mayor-council form of city government.

**H.S.B. 102 Judiciary**

Relating to certain procedures for substance abuse commitments.

## 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.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON ADMINISTRATION AND RULES

**Senate Concurrent Resolution 5**, a concurrent resolution relating to the compensation of chaplains, officers and employees of the Seventy-ninth General Assembly.

Fiscal Note is not required.

Recommended **Do Pass** February 1, 2001.

## COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House File 24), relating to the confinement for biting of a police service dog used by police or correctional officers.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 1, 2001.

**Committee Bill** (Formerly House Study Bill 61), relating to exceptions to the required participation in a court-approved course prior to the granting of a final dissolution of marriage decree or the entering of a final custody order.

Fiscal Note is not required.

Recommended **Do Pass** February 1, 2001.

**Committee Bill** (Formerly House Study Bill 70), relating to nonsubstantive Code corrections and including effective and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 1, 2001.

On motion by Hansen of Pottawattamie, the House adjourned at 9:50 a.m., until 1:00 p.m., Monday, February 5, 2001.

# JOURNAL OF THE HOUSE

Twenty-ninth Calendar Day - Twentieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, February 5, 2001

The House met pursuant to adjournment at 1:10 p.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Hill, pastor of Calvary Evangelistic Center, Independence.

The Journal of Friday, February 2, 2001 was approved.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chris Hennigan, Jamie Aldrich and the SE Polk sixth grade class. They were the guests of the Honorable Geri Huser, state representative from Polk County and the Honorable Speaker pro tempore Sukup of Franklin County.

## INTRODUCTION OF BILLS

**House File 167**, by Alons, Baudler, and Tyrrell, a bill for an act relating to the confidentiality of and requests for certain information contained in weapons and pistol or revolver permit applications.

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

**House File 168**, by Petersen, Dotzler, T. Taylor, Cormack, Foege, Wise, Bukta, Kuhn, Huser, Osterhaus, Chiodo, and May, a bill for an act regulating the use of cellular telephones by minor drivers and providing a penalty.

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

**House File 169**, by Greimann, Wise, O'Brien, Schrader, Ford, Mertz, May, Osterhaus, T. Taylor, Lensing, Atteberry, Mascher, Petersen, Bukta, Cohoon, Richardson, Stevens, Witt, Falck, Dotzler, Foege, Reynolds, Quirk, Kuhn, Hatch, Chiodo, Jochum, and Huser, a

bill for an act providing for the development of a plan for alternative housing arrangements for elders.

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

**House File 170**, by Atteberry, Greimann, Wise, O'Brien, Schrader, Ford, Mertz, Osterhaus, T. Taylor, Lensing, Mascher, Petersen, Bukta, Cohoon, Richardson, Stevens, Witt, Falck, Foege, Dotzler, Reynolds, Quirk, Kuhn, Hatch, Jochum, and Huser, a bill for an act relating to resident advocate committee support and making an appropriation.

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

**House File 171**, by Osterhaus, a bill for an act establishing a senior pharmaceutical assistance and education program and providing for an appropriation.

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

**House File 172**, by Shoultz, Hatch, Smith, Foege, Winckler, Witt, Reynolds, Bukta, Jochum, Mascher, Fallon, Lensing, Falck, Osterhaus, Tremmel, Richardson, Connors, Kreiman, Petersen, Ford, Greimann, Larkin, Seng, D. Taylor, Mertz, Kuhn, and Dotzler, a bill for an act relating to beverage container control laws.

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

**House File 173**, by Brunkhorst, a bill for an act relating to the confidentiality of information contained in weapons and pistol or revolver permit applications.

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

**House File 174**, by Dix, a bill for an act relating to an investment tax credit for state individual and corporate tax purposes and including effective and retroactive applicability date provisions.

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

**House File 175**, by Jenkins, 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 referred to committee on **judiciary**.

**House File 176**, by Huser, a bill for an act establishing a volunteer fire fighters and emergency responders fund.

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

### SPECIAL PRESENTATION

Representative Jenkins of Black Hawk introduced to the House Liliana Serban, an expert of the Defense, Public Order and National Security Committee of the Romanian House of Deputies. She will be visiting for one month in Iowa and one month in Washington D.C.

The House rose and expressed its welcome.

### GOVERNOR'S VETO MESSAGE

A copy of the following communication was received and placed on file:

February 2, 2001

Brent Siegrist  
Speaker of the House  
State Capitol  
L O C A L

Dear Speaker Siegrist:

I hereby transmit House File 43, an Act relating to the rulemaking authority of the Natural Resource Commission regarding the taking and possession of migratory birds.

I am unable to approve House File 43. The majority of Iowans do not support changing the current law to legalize dove hunting. My office has received contact from thousands of concerned Iowans regarding this issue, and my conclusion is that this policy is not right for our state at this time.

Hunting provides significant recreational and economic development opportunities throughout our state. We worked last year with the Legislature, allocating approximately \$11.2 million toward the creation of the Clean Water Initiative. This

investment is aimed at improving Iowa's water resources through the establishment of buffer strips, efforts to restore and construct wetlands, and expansion of water quality monitoring and watershed programs. A significant benefit of last year's initiative is the expansion and creation of wildlife habitat for enhanced recreational opportunities.

Taking our efforts one step further this year, I have proposed a program offering to reimburse landowners in exchange for allowing public access to acres enrolled in the federal Conservation Reserve Program (CRP) through access agreements. Implementing this \$1,250,000 program will further expand the availability of game and non-game species for recreational purposes such as hunting, birdwatching, fishing, and hiking. Under this program, we expand wildlife populations and opportunities for sports men and women without expanding the number of species open to hunting.

Unfortunately, since the beginning of the 2001 legislative session, the Iowa Legislature has expended a great deal of time and effort on this issue. This issue has now been decided. Iowans expect the Legislature to now focus on the issues important to Iowa's families. I urge all members of the Legislature to now turn their attention to the important issues of teacher compensation/student achievement, reducing abuse, and supporting efforts to raise the incomes of all Iowans.

For the above reasons, I hereby respectfully disapprove House File 43.

Sincerely,  
Thomas J. Vilsack  
Governor

## COMMUNICATIONS RECEIVED

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

### DEPARTMENT OF HUMAN RIGHTS Commission on the Status of Women

The 29<sup>th</sup> Annual Report, pursuant to Chapter 216A.60, Code of Iowa.

### DEPARTMENT OF INSPECTIONS AND APPEALS

An Interim Report on the development and implementation of a quality-based inspection program for health care facilities licensed by the state, pursuant to Chapter 1180.3, 2000 Acts of the Seventy-eighth General Assembly.

## CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\204 Shirley Otteman, Lake View – For celebrating her 80<sup>th</sup> birthday.
- 2001\205 Phyllis Brotherson, Lake View – For celebrating her 83<sup>rd</sup> birthday.
- 2001\206 Jenne Hess, Wall Lake – For celebrating her 99<sup>th</sup> birthday.
- 2001\207 Daniel Letsche, Remsen – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\208 Opal Crouthamel, Kelley – For celebrating her 99<sup>th</sup> birthday.
- 2001\209 Sally and Ivan Jensen, Nevada – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\210 Joan and Glen Crawford, Maquoketa – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\211 Gloria and Verl White, Kelley – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\212 JoAn and Eugene Thomsen, Miles – For celebrating their 50<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 85

Ways and Means: Van Fossen, Chair; Shey and Shoultz.

##### House File 87

Ways and Means: Van Fossen, Chair; Shey and Shoultz.

##### House File 88

Ways and Means: Van Fossen, Chair; Shey and Shoultz.

##### House File 96

Ways and Means: Van Fossen, Chair; Shey and Shoultz.

##### House File 111

Ways and Means: Sukup, Chair; Eichhorn and Frevert.

##### House File 128

Ways and Means: Sukup, Chair; Finch and Shoultz.

##### House File 135

Education: Dolecheck, Chair; Cohoon and Sukup.

**House File 142**

Ways and Means: Tymeson, Chair; Eichhorn and Richardson.

**House File 146**

Ways and Means: Sukup, Chair; Eichhorn and Kuhn.

**House File 161**

Ways and Means: Van Fossen, Chair; Shey and Shoultz.

**House File 163**

Agriculture: Baudler, Chair; Frevert and Rekow.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 103 Agriculture**

To request that the Congress of the United States maintain its commitment to clean air and the ethanol industry, by maintaining the oxygenate requirement in the federal Clean Air Act that promotes the use of ethanol in reformulated gasoline, and urging the United States Environmental Protection Agency to resist California's attempt to waive the oxygenate requirement in that state.

**H.S.B. 104 Judiciary**

Creating a new criminal offense of escape from custody by a sexually violent predator civilly committed to confinement and providing a penalty.

**H.S.B. 105 Judiciary**

Relating to the mediation process in civil rights cases.

**H.S.B. 106 Judiciary**

Relating to a person eighteen years of age or older within the jurisdiction of the juvenile court.



**H.S.B. 107 Education**

Providing for the establishment of the state percent of growth for purposes of the state school foundation program and providing an applicability date.

**H.S.B. 108 Ways and Means**

Exempting from sales and use taxes the sales and rentals made and services furnished to licensed nonprofit nursing facilities.

**H.S.B. 109 Ways and Means**

Providing for a partial deduction under the individual income tax for the capital gain from the sale or exchange of capital stock of a corporation which was acquired by an individual on account of employment with the corporation or while employed by the corporation and including an effective and retroactive applicability date provision.

**H.S.B. 110 Ways and Means**

Excluding certain business property from being considered abandoned property under the state's disposition of unclaimed property law.

**H.S.B. 111 Ways and Means**

Relating to a sales tax exemption for supplies for machinery, equipment, and computers.

**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.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON AGRICULTURE

**Committee Bill** (Formerly House Study Bill 87), honoring Herb Plambeck.

Fiscal Note is not required.

Recommended **Do Pass** February 5, 2001.

## COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly House File 30), relating to a midwest interstate passenger rail compact.

Fiscal Note is not required.

Recommended **Do Pass** February 5, 2001.

**Committee Bill** (Formerly House Study Bill 32), authorizing certain criminal history and abuse record and registry access to the department of inspections and appeals for purposes of data verification and record checks of applicants for employment with the department.

Fiscal Note is not required.

Recommended **Do Pass** February 5, 2001.

## RESOLUTIONS FILED

**HCR 7**, by committee on administration and rules, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Seventy-ninth General Assembly.

Placed on the **calendar**.

**HR 11**, by committee on administration and rules, a resolution relating to permanent rules of the House for the Seventy-ninth General Assembly.

Placed on the **calendar**.

**HR 12**, by Barry, Larson, Dolecheck, Bradley, Huseman, Kettering, Broers, Sukup, Sievers, Finch, Houser, Metcalf, Raecker, Gipp, Siegrist, Cormack, Dix, Brunkhorst, Horbach, Rants, Johnson, Heaton, Jenkins, Boddicker, Roberts, De Boef, Tymeson, Boal, Elgin, Hoversten, Hoffman, Hansen, Baudler, Alons, Teig, Weidman, Van Engelenhoven, Eddie, Garman, Rekow, Manternach, Arnold and

Brauns, a resolution to recognize February 6 as "Ronald Reagan Day."

Laid over under **Rule 25**.

AMENDMENTS FILED

H-1037	H.F.	89	Kreiman of Davis
H-1038	S.F.	63	Shey of Linn

On motion by Rants of Woodbury the House adjourned at 1:26 p.m., until 8:45 a.m., Tuesday, February 6, 2001.

# JOURNAL OF THE HOUSE

Thirtieth Calendar Day - Twenty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 6, 2001

The House met pursuant to adjournment at 8:46 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Jeffrey Frese, pastor of Grace United Methodist Church, Marshalltown.

The Journal of Monday, February 5, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 177**, by Mascher, a bill for an act making an appropriation to the department of education for deposit in the school ready children grants account of the Iowa empowerment fund.

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

**House File 178**, by committee on human resources, a bill for an act applying child in need of assistance and child abuse provisions to a child whose parent or guardian or the person responsible for the child's care has manufactured or possessed a dangerous substance in a child's presence.

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

**House File 179**, by committee on judiciary, a bill for an act relating to excluding from confinement dogs used by police or correctional officers.

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

**House File 180**, by committee on judiciary, a bill for an act relating to exceptions to the required participation in a court-approved course prior to the granting of a final dissolution of marriage decree or the entering of a final custody order.

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

**House File 181**, by committee on human resources, a bill for an act relating to increasing the personal needs allowance under the medical assistance program for residents of health care facilities.

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

**House File 182**, by Brunkhorst, a bill for an act exempting from sales and use taxes the sales or rentals of tangible personal property to or the performing of services for authorized ambulance, rescue, and first-response service providers.

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

**House File 183**, by Dolecheck, a bill for an act relating to an increase in the amount of the minimum community resource allowance to be retained by the spouse of an institutionalized individual under the medical assistance program.

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

**House File 184**, by Hahn, a bill for an act relating to the issuance of an any-sex deer license to a resident who first takes an antlerless deer during a season.

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

**House File 185**, by Heaton, a bill for an act relating to the tobacco master settlement agreement and providing an effective date.

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

**House File 186**, by Wise, a bill for an act establishing a school bond credit enhancement program.

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

**House File 187**, by Huseman, a bill for an act exempting certain county bridge construction projects and materials from contract bidding procedures.

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

**House File 188**, by Horbach, a bill for an act relating to the population of cities which may post official publications.

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

**House File 189**, by Greimann, a bill for an act relating to the consideration of the historical performance of caretaking functions in the awarding of custody of a child.

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

**House File 190**, by Grundberg, a bill for an act relating to health care facility regulation.

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

#### ADOPTION OF HOUSE RESOLUTION 9

Huseman of Cherokee called up for consideration **House Resolution 9**, as follows and moved its adoption:

- 1                   HOUSE RESOLUTION 9
- 2                   BY COMMITTEE ON ETHICS
- 3                   (SUCCESSOR TO HSB 34)
- 4 A Resolution relating to the House code of ethics.
- 5   *Be It Resolved By The House Of Representatives,*
- 6 That the House code of ethics shall be as 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

Page 2

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

Page 3

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~~ expressly  
8 advocate the nomination, election, or defeat of a  
9 candidate for public office in this state or expressly

10 advocate the passage or defeat of a ballot issue in  
11 this state and which is not interested in issues  
12 before the general assembly.  
13 For the purpose of this rule, a political action  
14 committee means a committee, but not a candidate's  
15 committee, which accepts contributions, makes  
16 expenditures, or incurs indebtedness in the aggregate  
17 of more than five hundred dollars in any one calendar  
18 year ~~for the purpose of supporting or opposing to~~  
19 expressly advocate the nomination, election, or defeat  
20 of a candidate for public office or to expressly  
21 advocate the passage or defeat of a ballot issue or  
22 for the purpose of influencing legislative action.  
23 e. A member or employee of the house shall not  
24 solicit employment on behalf of the member or  
25 employee, or on behalf of another legislator or  
26 employee, as a lobbyist while the general assembly is  
27 in session.  
28 f. Certain goods or services. A member or  
29 employee of the house shall not solicit or obtain  
30 goods or services from another person under

#### Page 4

1 circumstances where the member or employee knows or  
2 should know that the goods or services are being  
3 offered or sold with the intent to influence the  
4 member's or employee's conduct in the performance of  
5 official duties. If a member or employee of the house  
6 is afforded goods or services by another person at a  
7 price that is not available to other members or  
8 classes of members of the general public or is  
9 afforded goods or services that are not available to  
10 other members or classes of members of the general  
11 public by another person where the member or employee  
12 knows or should know that the other person intends to  
13 influence the member's or employee's official conduct,  
14 the member or employee shall not take or purchase the  
15 goods or services.  
16 3. APPEARANCE BEFORE STATE AGENCY. A member or  
17 employee of the house may appear before a state agency  
18 in any representation case but shall not act as a  
19 lobbyist with respect to the passage, defeat,  
20 approval, veto, or modification of any legislation,  
21 rule, or executive order. Whenever a member or  
22 employee of the house appears before a state agency,  
23 the member or employee shall carefully avoid all  
24 conduct which might in any way lead members of the  
25 general public to conclude that the member or employee  
26 is using the member's or employee's official position  
27 to further the member's or employee's professional  
28 success or personal financial interest.



29 4. CONFLICTS OF INTEREST. In order for the  
30 general assembly to function effectively, members of

**Page 5**

1 the house may be required to vote on bills and  
2 participate in committee work which will affect their  
3 employment and other areas in which they may have a  
4 monetary interest. Action on bills and committee work  
5 which furthers a member's specific employment,  
6 specific investment, or other specific interest, as  
7 opposed to the interests of the public in general or  
8 the interests of a profession, trade, business, or  
9 other class of persons, shall be avoided. In making a  
10 decision relative to a member's activity on particular  
11 bills or in committee work, the following factors  
12 should be considered:

13 a. Whether a substantial threat to the member's  
14 independence of judgment has been created by the  
15 conflict situation.

16 b. The effect of the member's participation on  
17 public confidence in the integrity of the general  
18 assembly.

19 c. Whether the member's participation is likely to  
20 have any significant effect on the disposition of the  
21 matter.

22 d. The need for the member's particular  
23 contribution, such as special knowledge of the subject  
24 matter, to the effective functioning of the general  
25 assembly.

26 If a member decides not to participate in committee  
27 work or to abstain from voting because of a possible  
28 conflict of interest, the member should disclose this  
29 fact to the legislative body. The member shall not  
30 vote on any question in which the member has an

**Page 6**

1 economic interest that is distinguishable from the  
2 interests of the general public or a substantial class  
3 of persons.

4 5. STATUTORY REQUIREMENTS. Members and employees  
5 of the house shall comply with the requirements  
6 contained in chapters 68B (Conflicts of Interest of  
7 Public Officers and Employees), 721 (Official  
8 Misconduct), and 722 (Bribery and Corruption), and  
9 sections 2.18 (Contempt) and 711.4 (Extortion) of the  
10 Code.

11 6. CHARGE ACCOUNTS. Members and employees of the  
12 house shall not charge any amount or item to a charge  
13 account to be paid for by a lobbyist or any client of  
14 a lobbyist.

15 7. TRAVEL EXPENSES. A member or employee of the  
16 house shall not charge to the state of Iowa amounts  
17 for travel and expenses unless the member or employee  
18 actually has incurred those mileage and expense costs.  
19 Members or employees shall not file the vouchers for  
20 weekly mileage reimbursement required by section 2.10,  
21 subsection 1 of the Code, unless the travel expense  
22 was actually incurred.  
23 A member or employee of the house shall not file a  
24 claim for per diem compensation for a meeting of an  
25 interim study committee or a visitation committee  
26 unless the member or employee attended the meeting.  
27 However, the speaker may waive this provision and  
28 allow a claim to be filed if the member or employee  
29 attempted to attend the meeting but was unable to do  
30 so because of circumstances beyond the member's or

Page 7

1 employee's control.

2 8. GIFTS ACCEPTED OR RECEIVED. Members and  
3 employees of the house shall comply with the  
4 restrictions relating to the receipt or acceptance of  
5 gifts contained in section 68B.22 of the Code.

6 9. HONORARIA RESTRICTIONS. Members and employees  
7 of the house shall comply with the restrictions  
8 relating to the receipt of honoraria contained in  
9 section 68B.23 of the Code.

10 10. DISCLOSURE REQUIRED. Each member of the house  
11 and the chief clerk of the house shall file the  
12 personal financial disclosure statements required  
13 under section 68B.35 of the Code by February 15 of  
14 each year for the prior calendar year.

15 11. SEXUAL HARASSMENT. Members and employees of  
16 the house shall not engage in conduct which  
17 constitutes sexual harassment as defined in section  
18 19B.12 of the Code or pursuant to the sexual  
19 harassment policy adopted by the house committee on  
20 administration and rules.

21 12. COMPLAINTS.

22 a. Filing of complaint. Complaints may be filed  
23 by any person believing that a member or employee of  
24 the house, a lobbyist, or a client of a lobbyist is  
25 guilty of a violation of the house code of ethics, the  
26 house rules governing lobbyists, or chapter 68B of the  
27 Code.

28 b. Complaints by committee. The ethics committee  
29 may initiate a complaint on its own motion. Committee  
30 complaints may be initiated by the committee as a

**Page 8**

1 result of a committee investigation or as a result of  
2 receipt of any complaint or other information that  
3 does not meet the requirements of these rules  
4 regarding the form of a complaint but that contains  
5 allegations that would form the basis for a valid  
6 complaint.

7 c. Form and contents of complaint. A complaint  
8 shall be in writing.

9 Complaint forms shall be available from the chief  
10 clerk of the house, but a complaint shall not be  
11 rejected for failure to use the approved form if it  
12 complies with the requirements of these rules. The  
13 complaint shall contain a certification made by the  
14 complainant, under penalty of perjury, that the facts  
15 stated in the complaint are true to the best of the  
16 complainant's knowledge.

17 To be valid, a complaint shall allege all of the  
18 following:

19 (1) Facts, including the approximate date and  
20 location of any event, incident, or transaction that,  
21 if true, establish a violation of a provision of  
22 chapter 68B of the Code, the house code of ethics, or  
23 house rules governing lobbyists for which penalties or  
24 other remedies are provided.

25 (2) That the conduct providing the basis for the  
26 complaint occurred within three years of the filing of  
27 the complaint.

28 (3) That the party charged with a violation is a  
29 member or employee of the house, a lobbyist, or a  
30 client of a lobbyist.

**Page 9**

1 d. Confidentiality of complaint. The filing of  
2 the complaint and the contents of the complaint shall  
3 be confidential until the time that the committee  
4 meets to determine whether the complaint is valid,  
5 unless either the complainant or the party charged in  
6 the complaint makes the existence of, or the  
7 information contained in, the complaint public.

8 However, if either the complainant or party alleged to  
9 have committed the violation requests that the meeting  
10 to determine whether the complaint is valid be a  
11 closed meeting and the filing of the complaint or the  
12 contents of the complaint have not been disclosed, the  
13 meeting shall be closed.

14 e. Notice of complaint. Upon receipt of the  
15 complaint, the chief clerk of the house shall promptly  
16 notify the chairperson and ranking member of the  
17 ethics committee that a complaint has been filed and

18 provide both the chairperson and the ranking member  
19 with copies of the complaint and any supporting  
20 information. Within two working days, the chief clerk  
21 shall send notice, either by personal delivery or by  
22 certified mail, return receipt requested, to the  
23 person or persons alleged to have committed the  
24 violation, along with a copy of the complaint and any  
25 supporting information. The notice to the accused  
26 person shall contain a request that the person submit  
27 a written response to the complaint within ten working  
28 days of the date that the notice was sent by the chief  
29 clerk. At the request of the accused person, the  
30 committee may extend the time for the response, not to

#### Page 10

1 exceed ten additional calendar days.  
2 f. Hearing regarding validity of complaint. The  
3 committee chairperson and the ranking member shall  
4 review the complaint and supporting information to  
5 determine whether the complaint meets the requirements  
6 as to form. If the complaint is deficient as to form,  
7 the complaint shall be returned to the complainant  
8 with instructions indicating the deficiency unless the  
9 committee decides to proceed on its own motion. If  
10 the complaint is in writing and contains the  
11 appropriate certification, as soon as practicable, the  
12 chairperson shall call a meeting of the committee to  
13 review the complaint to determine whether the  
14 complaint meets the requirements for validity and  
15 whether the committee should request that the chief  
16 justice of the supreme court appoint an independent  
17 special counsel to conduct an investigation to  
18 determine whether probable cause exists to believe  
19 that a violation of the house code of ethics, house  
20 rules governing lobbyists, or chapter 68B of the Code,  
21 has occurred.  
22 If the committee finds that a complaint does not  
23 meet the content requirements for a valid complaint,  
24 the committee shall dismiss the complaint and notify  
25 both the complainant and the party alleged to have  
26 committed the violation of the dismissal and the  
27 reasons for dismissal. A dismissal for failure to  
28 meet the formal requirements for the filing of a  
29 complaint shall be without prejudice and the  
30 complainant may refile the complaint at any time

#### Page 11

1 within three years of the date that the alleged  
2 violation took place. If the dismissal is based upon  
3 a failure to allege facts and circumstances necessary

4 for a valid complaint, the dismissal shall be with  
5 prejudice and the party shall not be permitted to file  
6 a complaint based upon the same facts and  
7 circumstances.

8 g. Request for appointment of independent special  
9 counsel. If, after review of the complaint and any  
10 response made by the party alleged to have committed  
11 the violation, the committee determines that the  
12 complaint meets the requirements for form and content,  
13 the committee shall request that the chief justice of  
14 the supreme court appoint independent special counsel  
15 to investigate the matter and determine whether  
16 probable cause exists to believe that a violation of  
17 chapter 68B of the Code, the house code of ethics, or  
18 the house rules governing lobbyists has occurred.

19 h. Receipt of report of independent special  
20 counsel. The report from independent special counsel  
21 regarding probable cause to proceed on a complaint  
22 shall be filed with the chief clerk of the house.  
23 Upon receipt of the report of the independent special  
24 counsel, the chief clerk shall notify the chairperson  
25 of the filing of the report and shall send copies of  
26 the report to the members of the ethics committee. As  
27 soon as practicable after the filing of the report,  
28 the chairperson shall schedule a public meeting for  
29 review of the report. The purpose of the public  
30 meeting shall be to determine whether the complaint

#### Page 12

1 should be dismissed, whether a formal hearing should  
2 be held on the complaint, or whether other committee  
3 action is appropriate. The complainant and the person  
4 alleged to have committed the violation shall be given  
5 notice of the public meeting, shall have the right to  
6 be present at the public meeting, and may, at the  
7 discretion of the committee, present testimony in  
8 support of or against the recommendations contained in  
9 the report.

10 If the committee determines that the matter should  
11 be dismissed, the committee shall cause an order to be  
12 entered dismissing the matter and notice of the  
13 dismissal shall be given to the complainant and the  
14 party alleged to have committed the violation. If the  
15 committee determines that the complaint should be  
16 scheduled for formal hearing, the committee shall  
17 issue a charging statement which contains the charges  
18 and supporting facts that are to be set for formal  
19 hearing and notice shall be sent to the complainant  
20 and the accused person.

21 The notice shall include a statement of the nature  
22 of the charge or charges, a statement of the time and

23 place of hearing, a short and plain statement of the  
24 facts asserted, and a statement of the rights of the  
25 accused person at the hearing.  
26 i. Formal hearing. Formal hearings shall be  
27 public and conducted in the manner provided in section  
28 68B.31, subsection 8 of the Code. At a formal hearing  
29 the accused shall have the right to be present and to  
30 be heard in person and by counsel, to cross-examine

#### Page 13

1 witnesses, and to present evidence. Members of the  
2 committee shall also have the right to question  
3 witnesses.  
4 Evidence at the formal hearing shall be received in  
5 accordance with rules and procedures applicable to  
6 contested cases under chapter 17A of the Code.  
7 The committee chairperson, or the vice chairperson  
8 or ranking member in the absence of the chairperson,  
9 shall preside at the formal hearing and shall rule on  
10 the admissibility of any evidence received. The  
11 ruling of the chairperson may be overturned by a  
12 majority vote of the committee. Independent special  
13 counsel shall present the evidence in support of the  
14 charge or charges. The burden shall be on the  
15 independent special counsel to prove the charge or  
16 charges by a preponderance of clear and convincing  
17 evidence. Upon completion of the formal hearing, the  
18 committee shall adopt written findings of fact and  
19 conclusions concerning the merits of the charges and  
20 make its report and recommendation to the house.  
21 j. Recommendations by the committee. The  
22 committee shall recommend to the house that the  
23 complaint be dismissed, or that one or more of the  
24 following be imposed:  
25 (1) That the member or employee of the house or  
26 lobbyist or client of a lobbyist be censured or  
27 reprimanded, and the recommended appropriate form of  
28 censure or reprimand be used.  
29 (2) That the member of the house be suspended or  
30 expelled from membership in the house and required to

#### Page 14

1 forfeit the member's salary for that period, the  
2 employee of the house be suspended or dismissed from  
3 employment, or that the lobbyist's or lobbyist's  
4 client's lobbying privileges be suspended.  
5 13. COMMUNICATIONS WITH ETHICS COMMITTEE. After a  
6 complaint has been filed or an investigation has been  
7 initiated, a party to the complaint or investigation  
8 shall not communicate, or cause another to

9 communicate, as to the merits of the complaint or  
10 investigation with a member of the committee, except  
11 under the following circumstances:  
12 a. During the course of any meetings or other  
13 official proceedings of the committee regarding the  
14 complaint or investigation.  
15 b. In writing, if a copy of the writing is  
16 delivered to the adverse party or the designated  
17 representative for the adverse party.  
18 c. Orally, if adequate prior notice of the  
19 communication is given to the adverse party or the  
20 designated representative for the adverse party.  
21 d. As otherwise authorized by statute, the house  
22 code of ethics, house rules governing lobbyists, or  
23 vote of the committee.  
24 14. PERMANENT RECORD. The chief clerk of the  
25 house shall maintain a permanent record of all  
26 complaints filed and any corresponding committee  
27 action. The permanent record shall be prepared by the  
28 ethics committee and shall contain the date the  
29 complaint was filed, name and address of the  
30 complainant, name and address of the accused person, a

#### Page 15

1 brief statement of the charges made, any evidence  
2 received by the committee, any transcripts or  
3 recordings of committee action, and ultimate  
4 disposition of the complaint. The chief clerk shall  
5 keep each complaint confidential until public  
6 disclosure is made by the ethics committee.  
7 15. MEETING AUTHORIZATION. The house ethics  
8 committee is authorized to meet at the discretion of  
9 the committee chairperson in order to conduct hearings  
10 and other business that properly may come before it.  
11 If the committee submits a report seeking house action  
12 against a member or employee of the house or lobbyist  
13 after the second regular session of a general assembly  
14 has adjourned sine die, the report shall be submitted  
15 to and considered by the subsequent general assembly.  
16 16. ADVISORY OPINIONS.  
17 a. Requests for formal opinions. A request for a  
18 formal advisory opinion may be filed by any person who  
19 is subject to the authority of the ethics committee.  
20 The ethics committee may also issue a formal advisory  
21 opinion on its own motion, without having previously  
22 received a formal request for an opinion, on any issue  
23 that is within the jurisdiction of the committee.  
24 Requests shall be filed with either the chief clerk of  
25 the house or the chairperson of the ethics committee.  
26 b. Form and contents of requests. A request for a  
27 formal advisory opinion shall be in writing and may

28 pertain to any subject matter that is related to  
29 application of the house code of ethics, the house  
30 rules governing lobbyists, or chapter 68B of the Code

Page 16

1 to any person who is subject to the authority of the  
2 ethics committee. Requests shall contain one or more  
3 specific questions and shall relate either to future  
4 conduct or be stated in the hypothetical. A request  
5 for an advisory opinion shall not specifically name  
6 any individual or contain any other specific  
7 identifying information, unless the request relates to  
8 the requester's own conduct. However, any request may  
9 contain information which identifies the kind of  
10 individual who may be affected by the subject matter  
11 of the request. Examples of this latter kind of  
12 identifying information may include references to  
13 conduct of a category of individuals, such as but not  
14 limited to conduct of legislators, legislative staff,  
15 or lobbyists.

16 c. Confidentiality of formal requests and  
17 opinions. Requests for formal opinions are not  
18 confidential and any deliberations of the committee  
19 regarding a request for a formal opinion shall be  
20 public. Opinions issued in response to requests for  
21 formal opinions are not confidential, shall be in  
22 writing, and shall be placed on file in the office of  
23 the chief clerk of the house. Persons requesting  
24 formal opinions shall personally receive a copy of the  
25 written formal opinion that is issued in response to  
26 the request.

27 17. PERSONAL FINANCIAL DISCLOSURE FORM. The  
28 following form shall be used for disclosure of  
29 economic interests under these rules and section  
30 68B.35 of the Code:

Page 17

1 STATEMENT OF ECONOMIC INTERESTS  
2 Name: \_\_\_\_\_  
3 (Last) (First) (Middle Initial)  
4 Address: \_\_\_\_\_  
5 (Street Address, Apt.#/P.O. Box)  
6 \_\_\_\_\_  
7 (City) (State) (Zip)  
8 Phone: (Home)\_\_\_\_\_/\_\_\_\_\_- (Business)\_\_\_\_\_/\_\_\_\_\_-  
9 \*\*\*\*\*

10 This form is due each year on or before February  
11 15. The reporting period is the most recently  
12 completed calendar year.  
13 In completing Division III of this form, if your



14 percentage of ownership of an asset is less than 100  
15 percent, multiply your percentage of ownership by the  
16 total revenue produced to determine if you have  
17 reached the \$1,000 threshold.

18 Do not report income received by your spouse or  
19 other family members.

20 In completing this form, if insufficient space is  
21 provided for your answer, you may attach additional  
22 information/answers on full-size sheets of paper.

23 Division I. Business, Occupation, Profession.

24 List each business, occupation, or profession in  
25 which you are engaged, the nature of the business if  
26 not evident, and your position or job title. No  
27 income threshold or time requirement applies.

28 Examples:

29 If you are employed by an individual, state the  
30 name of the individual employer, the nature of the

#### Page 18

1 business, and your position.

2 If you are self-employed and are not incorporated  
3 or are not doing business under a particular business  
4 name, state that you are self-employed, the nature of  
5 the business, and your position.

6 If you own your own corporation, are employed by a  
7 corporation, or are doing business under a particular  
8 business name, state the name and nature of the  
9 business or corporation and your position.

10 1 \_\_\_\_\_  
11 2 \_\_\_\_\_  
12 3 \_\_\_\_\_  
13 4 \_\_\_\_\_  
14 5 \_\_\_\_\_  
15 6 \_\_\_\_\_

16 Division II. Commissions from Sales of Goods or  
17 Services to Political Subdivisions.

18 This part is to be completed only by Legislators.

19 If you received income in the form of a commission  
20 from the sale of goods or services to a political  
21 subdivision, state the name of the purchasing  
22 political subdivision. The amount of commission  
23 earned is not required to be listed.

24 1 \_\_\_\_\_  
25 2 \_\_\_\_\_  
26 3 \_\_\_\_\_  
27 4 \_\_\_\_\_  
28 5 \_\_\_\_\_  
29 6 \_\_\_\_\_

30 Division III. Sources of Gross Income.

## Page 19

1 In each one of the following categories list each  
2 source which produces more than \$1,000 in annual gross  
3 income, if the revenue produced by the source was  
4 subject to federal or state income taxes last year.  
5 List the nature or type of each company, business,  
6 financial institution, corporation, partnership, or  
7 other entity which produces more than \$1,000 of annual  
8 gross income. Neither the amount of income produced  
9 nor value of the holding is required to be listed in  
10 any of the items.  
11 A. Securities: State the nature of the business of  
12 any company in which you hold stock, bonds, or other  
13 pecuniary interests that generate more than \$1,000 in  
14 annual gross income. Income generated by multiple  
15 holdings in a single company are deemed received from  
16 a single source.

17 \_\_\_\_\_  
18 \_\_\_\_\_  
19 \_\_\_\_\_  
20 \_\_\_\_\_  
21 \_\_\_\_\_  
22 \_\_\_\_\_  
23 B. Instruments of Financial Institutions: State the  
24 types of institutions in which you hold financial  
25 instruments, such as certificates of deposit, savings  
26 accounts, etc., that produce annual gross income in  
27 excess of \$1,000, e.g., banks, savings and loans, or  
28 credit unions.  
29 \_\_\_\_\_  
30 \_\_\_\_\_

## Page 20

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
5 C. Trusts: State the nature or type of any trust  
6 from which you receive more than \$1,000 of gross  
7 income annually.  
8 \_\_\_\_\_  
9 \_\_\_\_\_  
10 \_\_\_\_\_  
11 \_\_\_\_\_  
12 \_\_\_\_\_  
13 \_\_\_\_\_  
14 D. Real Estate: State the general nature of real  
15 estate interests that generate more than \$1,000 of  
16 gross income annually, e.g., residential leasehold  
17 interest or farm leasehold interest. The size or

18 location of the property interest is not required to  
19 be listed.

20 \_\_\_\_\_  
21 \_\_\_\_\_  
22 \_\_\_\_\_  
23 \_\_\_\_\_  
24 \_\_\_\_\_  
25 \_\_\_\_\_  
26 E. Retirement Systems: State the name of each  
27 pension plan or other corporation or company that pays  
28 you more than \$1,000 annually in retirement benefits.  
29 \_\_\_\_\_  
30 \_\_\_\_\_

Page 21

1 \_\_\_\_\_  
2 \_\_\_\_\_  
3 \_\_\_\_\_  
4 \_\_\_\_\_  
5 F. Other Income Categories Specified in State and  
6 Federal Income Tax Regulations.  
7 \_\_\_\_\_  
8 \_\_\_\_\_  
9 \_\_\_\_\_  
10 \_\_\_\_\_  
11 \_\_\_\_\_  
12 \_\_\_\_\_  
13 \_\_\_\_\_  
14 (Signature of Filer) \_\_\_\_\_ (Date) \_\_\_\_\_

The motion prevailed and the resolution was adopted.

### ADOPTION OF HOUSE RESOLUTION 10

Huseman of Cherokee called up for consideration **House Resolution 10**, as follows and moved its adoption:

1 HOUSE RESOLUTION 10  
2 BY COMMITTEE ON ETHICS  
3 (SUCCESSOR TO HSB 33)  
4 A Resolution relating to the rules governing lobbyists in the  
5 House of Representatives.  
6 *Be It Resolved By The House Of Representatives,*  
7 That the house rules governing lobbyists shall be as  
8 follows:  
9 HOUSE RULES GOVERNING LOBBYISTS  
10 1. DEFINITIONS OF TERMS. As used in these rules,  
11 "client", "gift", "immediate family member",  
12 "lobbyist", and "person" have the meanings provided in

13 section 68B.2 of the Code, except that the terms  
14 "lobbyist" and "client" shall only refer to persons  
15 who are lobbyists or clients of lobbyists of the house  
16 of 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  
6 required by this rule shall be registered with the  
7 chief clerk of the house within ten days from the time  
8 the 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 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.

On motion by Rants of Woodbury, the House was recessed at 8:58 a.m., until 1:00 p.m.

## AFTERNOON SESSION

The House reconvened at 1:01 p.m., Speaker Siegrist in the chair.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Ford of Polk for the remainder of the day and for Wednesday, February 7, 2001, on request of Myers of Johnson.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

### House Study Bill 107 (Committee of the Whole)

Education: Grundberg, Chair; Boal, Broers, Brunkhorst, Bukta, Carroll, Dolecheck, Eddie, Foege, Greimann, Lensing, Mascher, Petersen, Roberts, Sievers, Stevens, Sukup, Tymeson, Winckler and Wise.

## 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.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House Study Bill 107), providing for 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** February 6, 2001.

## INTRODUCTION OF BILLS

**House File 191**, by committee on education, a bill for an act providing for 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 **calendar**.

**House File 192**, by committee on state government, a bill for an act authorizing certain criminal history and abuse record and registry access to the department of inspections and appeals for purposes of data verification and record checks of applicants for employment with the department.

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

**House File 193**, by committee on state government, a bill for an act relating to a midwest interstate passenger rail compact.

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



**House File 194**, by committee on judiciary, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability provisions.

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

**House File 195**, by Broers, a bill for an act relating to transportation, including proof of financial responsibility, driver's licenses, and motor vehicle operation, and making penalties applicable.

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

**House File 196**, by Rants, a bill for an act relating to the transition of city property taxes imposed in annexed areas.

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

**House File 197**, by Kettering and Johnson, a bill for an act relating to the distribution of revenues collected from the imposition of the local option school infrastructure sales and services tax by counties and including an effective date.

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

**House File 198**, by Smith, Witt, Ford, Dotzler, Murphy, Greimann, Foege, Mascher, Lensing, and Osterhaus, a bill for an act prohibiting direct financial incentives for health care providers to withhold medically necessary, covered services in managed care health plans.

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

**House File 199**, by Millage, a bill for an act providing requirements for an itemized statement for certain services provided to state agencies.

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

**House File 200**, by Mascher, Winckler, Reynolds, Fallon, Hatch, Dotzler, Murphy, Connors, O'Brien, T. Taylor, 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 **commerce and regulation**.

**House File 201**, by Mascher, Bukta, Frevert, Winckler, Lensing, Stevens, Wise, Foege, Cohoon, Jochum, Quirk, Atteberry, Greimann, Mertz, Hatch, Dotzler, Murphy, Kuhn, May, Bell, Larkin, D. Taylor, and Reynolds, a bill for an act relating to educational standards and waivers for school districts and accredited nonpublic schools.

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

**House File 202**, by Mascher, Lensing, Fallon, Atteberry, Mertz, D. Taylor, Petersen, Stevens, Murphy, and Connors, a bill for an act relating to industrial hemp, by providing for its production, harvesting, and marketing, and providing penalties.

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

**House File 203**, by Hansen, a bill for an act relating to the residency requirements for city civil service employees.

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

**House File 204**, by Warnstadt, a bill for an act relating to destruction of ballots not voted and providing for the Act's applicability.

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

### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-three members present, thirty-seven absent.

Rants of Woodbury asked and received unanimous consent for the immediate consideration of House Resolution 12.

### ADOPTION OF HOUSE RESOLUTION 12

Barry of Harrison called up for consideration **House Resolution 12**, a resolution to recognize February 6 as "Ronald Reagan Day", and moved its adoption.

The motion prevailed and the resolution was adopted.

### RULES SUSPENDED

Rants of Woodbury asked and received unanimous consent to suspend the rules for the immediate consideration of House File 191.

### CONSIDERATION OF BILL Regular Calendar

**House File 191**, a bill for an act providing for the establishment of the state percent of growth for purposes of the state school foundation program and providing an applicability date, 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. 191)

The ayes were, 99:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins

Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Mr. Speaker	
		Siegrist	

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

Rants of Woodbury asked and received unanimous consent that **House File 191** be immediately messaged to the Senate.

### ADOPTION OF HOUSE RESOLUTION 7

Grundberg of Polk called up for consideration **House Resolution 7**, a resolution recognizing the achievements of Nancy Coover Andreassen, and moved its adoption.

The motion prevailed and the resolution was adopted.

### SPECIAL PRESENTATION

Grundberg of Polk and Smith of Marshall introduced to the House Dr. Nancy Coover Andreassen. Dr. Coover Andreassen presented her book to Speaker Siegrist.

The House rose and expressed its welcome and appreciation.

## HOUSE FILE 166 REFERRED

The Speaker announced that House File 166, presently placed on the **calendar** was referred to committee on **appropriations**.

## HOUSE FILE 175 REREFERRED

The Speaker announced that House File 175, previously referred to committee on **judiciary** was rereferred to committee on **commerce and regulation**.

## BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 5, 2001, he approved and transmitted to the Secretary of State the following bill:

House File 1, an act relating to the exemption from the sales and use taxes of the gross receipts from the sale, furnishing, or service of metered gas and of fuel used in residential-type dwellings and including an effective date.

## PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

High School Seniors from Grinnell High School, Grinnell. By Carroll of Poweshiek.

## COMMUNICATIONS RECEIVED

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

## DEPARTMENT OF NATURAL RESOURCES

A report regarding the results of the Toxic Cleanup Day events conducted in the 2000 calendar year and the Regional Collection Center Program results from Fiscal Year 2000, pursuant to Chapter 455F.8, Code of Iowa.

The 2000 Annual Report, pursuant to Chapters 455B.425 and 455B.427, Code of Iowa.

## DEPARTMENT OF REVENUE AND FINANCE

The 2000 Iowa Citizens Report, pursuant to Chapter 421, 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\213 Stella Kirkendall, Marshalltown – For celebrating her 90<sup>th</sup> birthday.
- 2001\214 Georgette and Gale Eaton, Marshalltown – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\215 Mildred and Howard Rogers, Marshall County – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2001\216 Darlene and Jack Kenison, Marshalltown – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\217 Mildred and Emmett Ryan, Marshalltown – For celebrating their 63<sup>rd</sup> wedding anniversary.
- 2001\218 Arthur and Gertrude Merkel, Mason City – For celebrating their 67<sup>th</sup> wedding anniversary.
- 2001\219 Vietta and Eugene Thornton, Mason City – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2001\220 Charlotte and Warren Tilton, Mason City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\221 Ruth and Marvin Boyenga, Mason City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\222 Agnes Clapsaddle, Mason City – For celebrating her 97<sup>th</sup> birthday.
- 2001\223 Alma K. Thompson, Mason City – For celebrating her 100<sup>th</sup> birthday.

## SUBCOMMITTEE ASSIGNMENTS

## House File 155

Labor and Industrial Relations: Metcalf, Chair; Hoffman and T. Taylor.

**House File 156**

Environmental Protection: Drake, Chair; De Boef and Schrader.

**House File 165**

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and Reynolds.

**House File 168**

Transportation: Van Engelenhoven, Chair; Johnson and Scherrman.

**House File 170**

Appropriations: Alons, Chair; Heaton and Mertz.

**House File 190**

State Government: Bradley, Chair; Garman and T. Taylor.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 95**

Judiciary: Eichhorn, Chair; Shey and Tremmel.

**House Study Bill 96**

Economic Development: Boggess, Chair; Dotzler and Metcalf.

**House Study Bill 97**

Economic Development: Elgin, Chair; Cohoon and Teig.

**House Study Bill 98**

Transportation: Manternach, Chair; Quirk and Rekow.

**House Study Bill 99**

Judiciary: Raecker, Chair; Shey and Tremmel.

**House Study Bill 100**

Judiciary: Eichhorn, Chair; Jochum and Sukup.

**House Study Bill 101**

Judiciary: Kettering, Chair; Chiodo and Raecker.

**House Study Bill 102**

Judiciary: Grundberg, Chair; Eichhorn and Tremmel.

**House Study Bill 103**

Agriculture: Klemme, Chair; Kuhn and Rayhons.

**House Study Bill 104**

Judiciary: Broers, Chair; Kreiman and Sukup.

**House Study Bill 105**

Judiciary: Grundberg, Chair; Raecker and Witt.

**House Study Bill 106**

Judiciary: Baudler, Chair; Barry and Shoultz.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 112 Commerce and Regulation**

Authorizing the charging of fees for the filing of certain forms required by a governmental body and providing an effective date.

**H.S.B. 113 Commerce and Regulation**

Relating to the regulation of real estate appraisers.

**H.S.B. 114 Commerce and Regulation**

Relating to charitable gift annuities, by providing for notice and filing requirements and providing for penalties.

**H.S.B. 115 Commerce and Regulation**

Relating to regulation of multiple employer welfare arrangements by the commissioner of insurance, repealing the future repeal date for such regulation, and providing an effective date.



**H.S.B. 116 Commerce and Regulation**

Relating to insurance, by addressing the operation and regulation of insurance companies, mutual insurance associations, the Iowa insurance guaranty association, and other insurance or risk-assuming entities, including the rights and duties of such entities and the powers and authority of the insurance commissioner; by establishing jurisdiction and venue requirements for actions against the Iowa insurance guaranty association; and by setting forth a prohibition on intentional motor vehicle collisions, and providing penalties, repeals, and effective dates.

**H.S.B. 117 Education**

Relating to the duties of the board of directors of a school district prior to a regular school election.

**H.S.B. 118 Education**

Relating to contracts and compensation that benefit a member of the board of directors of a school district.

**H.S.B. 119 Environmental Protection**

Relating to benefits provided through funds administered by the Iowa comprehensive petroleum underground storage tank fund board.

**H.S.B. 120 Natural Resources**

Relating to the registration and titling of all-terrain vehicles and snowmobiles, and subjecting violators to a penalty.

**H.S.B. 121 Agriculture**

Providing an income tax credit relating to sales of certain ethanol blended gasoline, making penalties applicable, and providing an applicability date.

**H.S.B. 122 State Government**

Providing for the regulation of fire protection systems and personnel, making an appropriation, and providing civil and criminal penalties.

**H.S.B. 123 Human Resources**

Relating to children's program and juvenile court provisions involving the department of human services in regard to the foster home insurance fund, psychiatric medical institutions for children, group child care providers, juvenile delinquency and child in need of assistance dispositions, and termination of parental rights.

**H.S.B. 124 Agriculture**

Requiring agricultural equipment suppliers to repurchase certain items upon termination of an agricultural equipment dealership agreement.

**H.S.B. 125 State Government**

Relating to conflicts of interest of public officers and employees, including lobbyist and clients reports, and review of documents related to campaign finance disclosure reports.

**H.S.B. 126 Natural Resources**

Nullifying an amendment to an administrative rule of the department of natural resources eliminating the unprotected nongame status of reptiles and providing an effective date.

**RESOLUTIONS FILED**

**HCR 8**, by committee on agriculture, a concurrent resolution honoring Herb Plambeck.

Placed on the **calendar**.

**HR 13**, by Warnstadt, Tymeson, Alons, and Murphy, a resolution recognizing Task Force Alpha of the Iowa Army National Guard for its dedication and outstanding performance of duty.

Laid over under **Rule 25**.

**AMENDMENT FILED**

H-1039      H.R.    11      Carroll of Poweshiek

On motion by Rants of Woodbury the House adjourned at 1:43 p.m., until 8:45 a.m., Wednesday, February 7, 2001.

# JOURNAL OF THE HOUSE

Thirty-first Calendar Day - Twenty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, February 7, 2001

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 Tuesday, February 6, 2001 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Finch of Story on request of Rants of Woodbury.

## INTRODUCTION OF BILLS

**House File 205**, by Murphy, a bill for an act specifying that health insurance benefits for retirees are included within the topic of insurance as a mandatory subject of bargaining for public employees.

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

**House File 206**, by Schrader, a bill for an act prohibiting certain acts associated with telemarketing sales calls and making a civil penalty applicable.

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

**House File 207**, by Scherrman, Frevert, Murphy, Kreiman, T. Taylor, D. Taylor, Witt, Shoultz, Mascher, Osterhaus, Kuhn, Dotzler, Reynolds, Petersen, Bukta, Greimann, Atteberry, Lensing, Fallon, Ford, Hatch, and Connors, 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 **environmental protection**.

**House File 208**, by Warnstadt, a bill for an act giving the county commissioner of elections authority to allow elections in certain cities to be conducted by mail ballots and providing penalties.

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

**House File 209**, by Warnstadt, a bill for an act relating to absentee voting at the commissioner's office on election day in certain elections.

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

**House File 210**, by Warnstadt, a bill for an act relating to the published sample ballot print size.

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

**House File 211**, by Alons, Tymeson, Larson, Quirk, D. Taylor, Bradley, Warnstadt, Brauns, and Hahn, a bill for an act extending veterans benefits, preferences, and tax exemptions to certain members of reserve forces of the United States and the Iowa national guard, and providing an effective date for property tax exemption claims.

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

**House File 212**, by Warnstadt, a bill for an act relating to determining the number of ballots to be delivered to polling places for primary and general elections.

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

**House File 213**, by Baudler, a bill for an act relating to the willful failure to pay delinquent support and providing penalties.

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

**House File 214**, by Cormack, a bill for an act relating to assessment and taxation of equipment used to dispense gasoline and equipment used to operate a car wash for purposes of property taxation and providing an applicability date.

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

**House File 215**, by T. Taylor, Hoffman, D. Taylor, Hatch, Smith, Bell, May, O'Brien, Atteberry, Broers, Tremmel, Drake, Huseman, Eddie, Horbach, Brunkhorst, Tyrrell, Johnson, and Kettering, a bill for an act relating to the salaries of deputy officers in the offices of the county auditor, treasurer, and recorder.

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

**House File 216**, by Millage, a bill for an act relating to the protection of free speech at public postsecondary institutions.

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 February 6, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 103, a bill for an act relating to information included in written promotional materials distributed by the department of economic development.

Also: That the Senate has on February 6, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 191, a bill for an act providing for 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 February 6, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 6, a concurrent resolution relating to joint rules of the senate and house of representatives for the seventy-ninth general assembly.

MICHAEL E. MARSHALL, Secretary

## SPECIAL PRESENTATION

Elgin of Linn introduced to the House the Honorable Rosemary Thomson, former state representative from Linn County.

## ADOPTION OF SENATE CONCURRENT RESOLUTION 5

Dix of Butler called up for consideration **Senate Concurrent Resolution 5**, as follows and moved its adoption:

- 1 Senate Concurrent Resolution 5
- 2 By Committee On Rules And Administration
- 3 A Concurrent Resolution relating to the compensation
- 4 of chaplains, officers and employees of the
- 5 seventy-ninth 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 11, 1999~~ January 8, 2001
- 15 and ending ~~January 8, 2001~~ January 13, 2003, shall be
- 16 within the following ranges:
- 17 Secretary of the Senate and Chief
- 18 Clerk of the House..... \$49,700 to \$85,772
- 19 \$59,404 to \$94,994
- 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.

Page 2

- 1 *Be It Further Resolved*, That the compensation of

2 the employees of the ~~seventy-eighth~~ seventy-ninth  
 3 general assembly is set, effective from ~~January 11,~~  
 4 ~~1999 January 8, 2001, until January 8, 2001~~ January  
 5 13, 2003, in accordance with the following salary  
 6 schedule:

7 #10	#11	#12	#13	#14
8 \$14,851.20	\$15,600.00	\$16,390.40	\$17,180.80	\$18,096.00
9 7.14	7.50	7.88	8.26	8.70
10				
11 #15	#16	#17	#18	#19
12 \$19,073.60	\$20,009.60	\$20,904.00	\$21,923.20	\$22,942.40
13 9.17	9.62	10.05	10.54	11.03
14				
15 #20	#21	#22	#23	#24
16 \$24,128.00	\$25,209.60	\$26,457.60	\$27,768.00	\$29,016.00
17 11.60	12.12	12.72	13.35	13.95
18				
19 #25	#26	#27	#28	#29
20 \$30,472.00	\$31,886.40	\$33,425.60	\$35,068.80	\$36,732.80
21 14.65	15.33	16.07	16.86	17.66
22				
23 #30	#31	#32	#33	#34
24 \$38,500.80	\$40,393.60	\$42,244.80	\$44,345.60	\$46,425.60
25 18.51	19.42	20.31	21.32	22.32
26				
27 #35	#36	#37	#38	#39
28 \$48,651.20	\$50,980.80	\$53,476.80	\$55,993.60	\$58,718.40
29 23.39	24.51	25.71	26.92	28.23
30				

## Page 3

1 #40	#41	#42	#43	#44
2 \$61,568.00	\$64,500.80	\$67,641.60	\$70,803.20	\$74,276.80
3 29.60	31.01	32.52	34.04	35.71
4				
5 #45	#46	#47	#48	#49
6 \$77,833.60	\$81,536.00	\$85,446.40	\$91,395.20	\$95,950.40
7 37.42	39.20	41.08	43.94	46.13
8 #9				
9 \$14,913.60				
10 7.17				
11 #10	#11	#12	#13	#14
12 \$15,745.60	\$16,556.80	\$17,388.80	\$18,241.60	\$19,198.40
13 7.57	7.96	8.36	8.77	9.23
14				
15 #15	#16	#17	#18	#19
16 \$20,238.40	\$21,236.80	\$22,172.80	\$23,275.20	\$24,336.00
17 9.73	10.21	10.66	11.19	11.70
18				
19 #20	#21	#22	#23	#24
20 \$25,604.80	\$26,728.00	\$28,059.20	\$29,452.80	\$30,784.00



21	12.31	12.85	13.49	14.16	14.80
22					
23	#25	#26	#27	#28	#29
24	\$32,323.20	\$33,820.80	\$35,464.00	\$37,211.20	\$38,979.20
25	15.54	16.26	17.05	17.89	18.74
26					
27	#30	#31	#32	#33	#34
28	\$40,851.20	\$42,848.00	\$44,824.00	\$47,049.60	\$49,254.40
29	19.64	20.60	21.55	22.62	23.68
30					

## Page 4

1	#35	#36	#37	#38	#39
2	\$51,604.80	\$54,100.80	\$56,721.60	\$59,404.80	\$62,296.00
3	24.81	26.01	27.27	28.56	29.95
4					
5	#40	#41	#42	#43	#44
6	\$65,312.00	\$68,432.00	\$71,780.80	\$75,108.80	\$78,790.40
7	31.40	32.90	34.51	36.11	37.88
8					
9	#45	#46	#47	#48	#49
10	\$82,576.00	\$86,507.20	\$90,646.40	\$94,993.60	\$99,507.20
11	39.70	41.59	43.58	45.67	47.84

12 In this schedule, each numbered block shall be the  
13 yearly and hourly compensation for the pay grade of  
14 the number heading the block. Within each grade there  
15 shall be six steps numbered "1" through "6". In the  
16 above schedule the steps for all grades are determined  
17 in the following manner. Each numbered block is  
18 counted as the "1" step for that grade. The next  
19 higher block is counted as the "2" step; the next  
20 higher block is the "3" step; the next higher block is  
21 the "4" step; the next higher block is the "5" step;  
22 the next higher block is the "6" step.

23 Alternatively, the senate rules and administration  
24 committee for senate employees, and the house  
25 administration and rules committee for house employees  
26 may allow their employees' compensation to be flexibly  
27 set anywhere between steps "1" through "6" for an  
28 employee's prescribed pay grade.

29 All employees shall be available to work daily  
30 until completion of the senate's and house of

## Page 5

1 representatives' business. The employee's division  
2 supervisor shall schedule all employees' working hours  
3 to, as far as possible, maintain regular working  
4 hours.

5 All employees, other than those designated "part-  
6 time" shall be compensated for 40 hours of work in a

7 one-week pay period. Secretaries to senators and  
8 representatives are presumed to have 40 hours of work  
9 each week the legislature is in session and shall be  
10 paid only on that basis. Except for the personnel  
11 designated to the contrary in this resolution,  
12 employees who are required to work in excess of 40  
13 hours in a one-week pay period shall either be  
14 compensated at a rate of pay equal to one and one-half  
15 times the hourly pay provided in this resolution or  
16 allowed compensatory time off at a rate of one and  
17 one-half hours for each hour of overtime.

18 The following personnel shall not be paid an  
19 overtime premium:

20 Secretary of the Senate  
21 Chief Clerk of the House  
22 Assistant Secretary of the Senate  
23 Assistant Chief Clerk of the House  
24 Senate Legal Counsel  
25 House Legal Counsel  
26 ~~Finance Officer~~  
27 Senior Finance Officer I  
28 Senior Finance Officer II  
29 Senior Journal Editor  
30 Senior Indexer

#### Page 6

1 All Administrative Assistants  
2 All Research Analysts  
3 All Research Assistants  
4 All Secretaries to Senators and Representatives  
5 All Caucus Staff Directors  
6 All Caucus Secretaries  
7 Administrative, Executive, and Confidential  
8 Secretaries to President, Speaker, Leader or  
9 Secretary of Senate or Chief Clerk of House  
10 This list may be modified pursuant to the annual  
11 review authorized in this resolution.  
12 *Be It Further Resolved*, That part-time employees  
13 shall be compensated at the scheduled hourly rate for  
14 their pay grade and step.  
15 *Be It Further Resolved*, That compensatory time off  
16 shall be granted to employees not eligible for the  
17 overtime premium in a uniform manner for all  
18 legislative employees as determined by the legislative  
19 council.  
20 *Be It Further Resolved*, That in the event the  
21 salary schedule for employees of the State of Iowa as  
22 promulgated by the personnel commission pursuant to  
23 section 19A.9, subsection 2, ~~Code 1999~~, is revised  
24 upward at any time during the ~~seventy-eighth~~ seventy-  
25 ninth general assembly, such revised schedule shall

26 simultaneously be adopted for the compensation of the  
 27 employees of the ~~seventy-eighth~~ seventy-ninth general  
 28 assembly assigned a grade by this resolution. The pay  
 29 ranges of those positions specifically listed on page  
 30 one of this resolution shall be automatically adjusted

### Page 7

1 to reflect any cost of living increases granted to  
 2 those employees not included in the collective  
 3 bargaining agreements made final under chapter 20 of  
 4 the Code and increases provided by the legislative  
 5 council for agency directors.

6 *Be It Further Resolved*, That adjustments in the  
 7 positions and compensation listed in this resolution  
 8 may be made through an annual interim review of all  
 9 legislative employees for internal equity and to  
 10 assure compliance with appropriate legal standards for  
 11 granting of overtime and compensatory time off. Such  
 12 review shall be conducted by a legislative committee  
 13 made up of members of the service committee of  
 14 legislative council and the appropriate salary  
 15 subcommittees of the senate and house. Only one such  
 16 review may be done in any fiscal year and adjustments  
 17 suggested must be approved by the appropriate hiring  
 18 body.

19 *Be It Further Resolved*, That the employees of the  
 20 ~~seventy-eighth~~ seventy-ninth general assembly be  
 21 placed in the following pay grades:

#### 22 EMPLOYEES OF THE HOUSE

23 Sr. Assistant Chief Clerk of the House.....	Grade 41
24 Assistant Chief Clerk of the House III .....	Grade 38
25 Assistant Chief Clerk of the House II.....	Grade 35
26 Assistant Chief Clerk of the House I.....	Grade 32
27 Legal Counsel II.....	Grade 35
28 Legal Counsel I .....	Grade 32
29 Legal Counsel.....	Grade 30
30 Sr. Caucus Staff Director .....	Grade 41

### Page 8

1 Caucus Staff Director.....	Grade 38
2 Administrative Assistant to Leader	
3   or Speaker .....	Grade 27
4 Administrative Assistant I to Leader	
5   or Speaker .....	Grade 29
6 Administrative Assistant II to Leader	
7   or Speaker .....	Grade 32
8 Administrative Assistant III to Leader	
9   or Speaker .....	Grade 35
10 Sr. Administrative Assistant to	
11   Leader or Speaker.....	Grade 38

12	Research Assistant.....	Grade 24
13	Legislative Research Analyst.....	Grade 27
14	Legislative Research Analyst I.....	Grade 29
15	Legislative Research Analyst II.....	Grade 32
16	Legislative Research Analyst III.....	Grade 35
17	Sr. Legislative Research Analyst.....	Grade 38
18	Secretary to Leader or Speaker.....	Grade 19
19	Caucus Secretary.....	Grade 21
20	Senior Caucus Secretary.....	Grade 24
21	Administrative Secretary to Leader,	
22	Speaker, or Chief Clerk.....	Grade 21
23	Executive Secretary to Leader,	
24	Speaker or Chief Clerk.....	Grade 24
25	Confidential Secretary to Leader,	
26	Speaker, or Chief Clerk.....	Grade 27
27	Confidential Secretary II to Leader, Speaker	
28	or Chief Clerk.....	Grade 32
29	Clerk to Chief Clerk.....	Grade 16
30	Supervisor of Secretaries.....	Grade 21

#### Page 9

1	Supervisor of Secretaries I.....	Grade 24
2	Supervisor of Secretaries II.....	Grade 27
3	Senior Editor.....	Grade 30
4	Editor II.....	Grade 25
5	Editor I.....	Grade 22
6	Assistant Editor.....	Grade 19
7	Compositor/Desktop Top Specialist.....	Grade 17
8	Sr. Text Processor.....	Grade 25
9	Text Processor II.....	Grade 22
10	Text Processor I.....	Grade 19
11	<u>Senior Finance Officer II.....</u>	<u>Grade 35</u>
12	Senior Finance Officer I.....	Grade 31
13	Finance Officer II.....	Grade 27
14	Finance Officer I.....	Grade 24
15	Assistant Finance Officer.....	Grade 21
16	Recording Clerk II.....	Grade 24
17	Recording Clerk I.....	Grade 21
18	Assistant Legal Counsel.....	Grade 27
19	Engrossing & Enrolling Processor.....	Grade 27
20	Assistant to the Legal Counsel.....	Grade 19
21	<u>Senior Indexer.....</u>	<u>Grade 28</u>
22	Indexer II.....	Grade 25
23	Indexer I.....	Grade 22
24	Indexing Assistant.....	Grade 19
25	Supply Clerk.....	Grade 16
26	Switchboard Operator.....	Grade 14
27	Legislative Secretary.....	Grade 15
28	Legislative Committee Secretary.....	Grade 17
29	Bill Clerk.....	Grade 14
30	Assistant Bill Clerk.....	Grade 12

**Page 10**

1 Postmaster .....	Grade 12
2 <u>Sergeant-at-Arms II</u> .....	<u>Grade 20</u>
3 Sergeant-at-Arms I .....	Grade 17
4 Assistant Sergeant-at-Arms .....	Grade 14
5 Chief Doorkeeper .....	Grade 12
6 Doorkeepers .....	Grade 11
7 Pages .....	<del>Minimum Wage</del> <u>Grade 9</u>
8	<b>EMPLOYEES OF THE SENATE</b>
9 Sr. Assistant Secretary of the Senate .....	Grade 41
10 Assistant Secretary of the Senate III .....	Grade 38
11 Assistant Secretary of the Senate II .....	Grade 35
12 Assistant Secretary of the Senate I .....	Grade 32
13 Legal Counsel II .....	Grade 35
14 Legal Counsel I .....	Grade 32
15 Legal Counsel .....	Grade 30
16 Sr. Caucus Staff Director .....	Grade 41
17 Caucus Staff Director .....	Grade 38
18 Administrative Assistant to Leader	
19 or President .....	Grade 27
20 Administrative Assistant I to Leader	
21 or President .....	Grade 29
22 Administrative Assistant II to Leader	
23 or President .....	Grade 32
24 Administrative Assistant III to Leader	
25 or President .....	Grade 35
26 Sr. Administrative Assistant to	
27 Leader or President .....	Grade 38
28 Research Assistant .....	Grade 24
29 Legislative Research Analyst .....	Grade 27
30 Legislative Research Analyst I .....	Grade 29

**Page 11**

1 Legislative Research Analyst II .....	Grade 32
2 Legislative Research Analyst III .....	Grade 35
3 Sr. Legislative Research Analyst .....	Grade 38
4 Caucus Secretary .....	Grade 21
5 Senior Caucus Secretary .....	Grade 24
6 Secretary to Leader or President .....	Grade 19
7 Administrative Secretary to Leader, President,	
8 or Secretary of the Senate .....	Grade 21
9 Executive Secretary to Leader, President,	
10 or Secretary of the Senate .....	Grade 24
11 Confidential Secretary to Leader, President,	
12 or Secretary of the Senate .....	Grade 27
13 Confidential Secretary II to Leader, President,	
14 or Secretary of the Senate .....	Grade 32
15 Supervisor of Secretaries .....	Grade 21
16 Supervisor of Secretaries I .....	Grade 24
17 Supervisor of Secretaries II .....	Grade 27

18 Senior Editor .....	Grade 30
19 Editor II .....	Grade 25
20 Editor I .....	Grade 22
21 Assistant Editor .....	Grade 19
22 Compositor/Desktop Specialist .....	Grade 17
23 Assistant Legal Counsel .....	Grade 27
24 Assistant to the Legal Counsel .....	Grade 19
25 Proofreader .....	Grade 16
26 <u>Senior Finance Officer II .....</u>	<u>Grade 35</u>
27 Senior Finance Officer I .....	Grade 31
28 Finance Officer II .....	Grade 27
29 Finance Officer I .....	Grade 24
30 Assistant Finance Officer .....	Grade 21

## Page 12

1 Recording Clerk II .....	Grade 24
2 Recording Clerk I .....	Grade 21
3 <u>Senior Indexer .....</u>	<u>Grade 28</u>
4 Indexer II .....	Grade 25
5 Indexer I .....	Grade 22
6 Indexing Assistant .....	Grade 19
7 Records and Supply Clerk .....	Grade 18
8 Switchboard Operator .....	Grade 14
9 Legislative Secretary .....	Grade 15
10 Legislative Committee Secretary .....	Grade 17
11 Bill Clerk .....	Grade 14
12 Assistant Bill Clerk .....	Grade 12
13 Postmaster .....	Grade 12
14 <u>Sergeant-at-Arms II .....</u>	<u>Grade 20</u>
15 Sergeant-at-Arms I .....	Grade 17
16 Assistant Sergeant-at-Arms .....	Grade 14
17 Chief Doorkeeper .....	Grade 12
18 Doorkeepers .....	Grade 11
19 Pages .....	<del>Minimum Wage</del> <u>Grade 9</u>
20	JOINT SENATE/HOUSE EMPLOYEES
21 Facilities Manager I .....	Grade 35
22 Facilities Manager II .....	Grade 38
23 Sr. Facilities Manager .....	Grade 41
24	<i>Be It Further Resolved, That there shall be four</i>
25	<i>classes of appointments as employees of the general</i>
26	<i>assembly:</i>
27	<i>A "permanent full-time" or "permanent part-time"</i>
28	<i>employee is one who is employed the year around and</i>
29	<i>eligible to receive state benefits.</i>
30	<i>An "exempt full-time" employee is one who is</i>

## Page 13

- 1 employed for the period of the sessions with
- 2 extensions post-session and pre-session as scheduled.
- 3 This class is eligible to receive state benefits with

4 the cost of benefits to the state to be paid by the  
5 employee when not on the payroll.

6 A "session-only" employee is one who is employed  
7 for only a portion of the year, usually the  
8 legislative session. This class is not eligible for  
9 state benefits, except IPERS, and insurance as  
10 provided in section 2.40.

11 A "part-time" employee is one who is employed to  
12 work less than 40 hours per week. This class is not  
13 eligible for state benefits, except IPERS if eligible.

14 *Be It Further Resolved*, That the exact  
15 classification for individuals in a job series created  
16 by this resolution shall be set or changed for senate  
17 employees by the senate rules and administration  
18 committee and for the house employees by the house  
19 administration and rules committee. The committees  
20 shall base the classification upon the following  
21 factors:

22 1. The extent of formal education required of the  
23 position; and,

24 2. The extent of the responsibilities to be  
25 assigned to the position; and,

26 3. The amount of supervision placed over the  
27 position; and,

28 4. The number of persons the position is assigned  
29 to supervise and skill and responsibilities of those  
30 positions supervised.

#### Page 14

1 The committees shall report the exact  
2 classifications assigned to each individual on the  
3 next legislative day, or, if such action is during the  
4 interim, on the first day the senate or house shall  
5 convene. Any action by the senate or house to  
6 disapprove a report or a portion of a report shall be  
7 effective the day after the action.

8 Recommendations for a pay grade for a new position  
9 shall be developed in accordance with the factor  
10 scores in the comparable worth report. Beginning in  
11 1999, every four years the senate rules and  
12 administration committee, the house administration and  
13 rules committee, and the legislative council shall  
14 review all positions in the legislative branch to  
15 assure conformity to comparable worth.

16 *Be It Further Resolved*, That a senator or  
17 representative may employ a secretary who in the  
18 judgment of the senator or representative employing  
19 such person, possesses the necessary skills to perform  
20 the duties such senator or representative shall  
21 designate, under the administrative direction, as  
22 appropriate, of the secretary of the senate or the

23 chief clerk of the house.  
24 Each standing committee chairperson, ethics  
25 committee chairperson, and each appropriations  
26 subcommittee chairperson shall designate a secretary  
27 who is competent to perform the following duties:  
28 prepare committee minutes, committee reports, type  
29 committee correspondence, maintain committee records,  
30 and otherwise assist the committee. Such duties shall

#### Page 15

1 be performed in accordance with standards which shall  
2 be provided by the secretary of the senate and chief  
3 clerk of the house. In making the designation,  
4 chairpersons shall consider persons for possible  
5 designation as the secretary to the committee in the  
6 following order:  
7 First: The secretary to the chairperson.  
8 Second: The secretary to the committee's vice-  
9 chairperson.  
10 Third: The secretary to any other member of the  
11 committee.  
12 Fourth: The secretary to any other member in the  
13 same house as the committee.  
14 *Be It Further Resolved, That a Legal Counsel II*  
15 *shall be a person who has graduated from an accredited*  
16 *school of law and is admitted to practice in Iowa as*  
17 *an Attorney and Counselor at Law and possesses either*  
18 *a Masters of Law degree or has at least two years of*  
19 *legal experience after admission to practice.*  
20 *A Legal Counsel I shall be a person who has*  
21 *graduated from an accredited school of law and is*  
22 *admitted to practice in Iowa as an Attorney and*  
23 *Counselor at Law.*  
24 *Be It Further Resolved, That employees of the*  
25 *general assembly may be eligible for either:*  
26 *a) increases in salary grade or step based on*  
27 *evaluation of their job performance and*  
28 *recommendations of their administrative officers,*  
29 *subject to approval of the senate committee on rules*  
30 *and administration or the house committee on*

#### Page 16

1 administration and rules, as appropriate, provided,  
2 however, that for promotions between classes with a  
3 three or more pay grade difference, the employee shall  
4 be given a two-step increase in pay or the employee's  
5 salary shall be adjusted to the entry level in the  
6 grade of the new position, whichever is greater; or  
7 b) mobility within a pay grade at the discretion  
8 of the chief clerk of the house upon recommendation by



9 the employee's division supervisor on the part of the  
10 house, and the discretion of the employee's division  
11 supervisor on the part of the senate, subject to the  
12 approval of the house committee on administration and  
13 rules or the senate committee on rules and  
14 administration, as appropriate -- either in accord  
15 with a flexible pay plan approved by the senate rules  
16 and administration committee or the house  
17 administration and rules committee, or in accord with  
18 the following schedule:

19 (1) Progression from step "1" to "2" for a newly  
20 hired employee -- six months of actual employment.

21 (2) Progression from step "1" to "2" following  
22 promotion within a job series -- twelve months of  
23 actual employment in that position.

24 (3) Progression from step "2" to "3", and step "3"  
25 to "4", and step "4" to "5", and step "5" to "6" --  
26 twelve months of actual employment.

27 *Be It Further Resolved*, that in addition to the  
28 steps provided in the preceding paragraph, that  
29 secretaries to senators and representatives who were  
30 employees of the senate or house of representatives

#### Page 17

1 during any general assembly prior to January 9, 1989,  
2 and who have received certification for passing a  
3 typing and shorthand performance examination shall be  
4 eligible for two additional steps.

5 *Be It Further Resolved*, That in addition to the  
6 steps provided in the preceding paragraph, that  
7 secretaries to senators and representatives shall be  
8 eligible for a maximum of three additional grades  
9 beyond grade 15, in any combination, as provided in  
10 this paragraph:

11 1. One additional grade for a secretary to a  
12 standing committee chair, ethics committee chair or  
13 appropriations subcommittee chair who is not the  
14 designated committee secretary.

15 2. One additional grade for a secretary to a vice-  
16 chairperson or ranking member of a standing committee,  
17 ethics committee or appropriations subcommittee.

18 3. One additional grade for a secretary to the  
19 chairperson of the chaplain's committee.

20 4. Two additional grades for a secretary to an  
21 assistant floor leader or speaker pro tempore or  
22 president pro tempore.

23 5. One additional grade for a designated committee  
24 secretary who is also the designated committee  
25 secretary for an additional standing committee, ethics  
26 committee, or appropriations subcommittee.

27 *Be It Further Resolved*, That in the event the

28 secretary to the chairperson of the chaplain's  
29 committee is the secretary to the president, president  
30 pro tempore, speaker, speaker pro tempore, or the

#### Page 18

1 majority or minority leader, such secretary shall  
2 receive one additional step.  
3 *Be It Further Resolved*, That the entrance salary  
4 for employees of the general assembly shall be at step  
5 1 in the grade of the position held. Such employee  
6 may be hired above the entrance step if possessing  
7 outstanding and unusual experience for the position,  
8 provided that the entrance is not beyond step 3. Such  
9 employee who is hired above the entrance step shall be  
10 mobile above that step in the same period of time as  
11 other employees in that same step. An officer or  
12 employee who is moved to another position may be  
13 considered for partial or full credit for their  
14 experience in the former position in determining the  
15 step in the new grade.  
16 The entry level for the position of research  
17 analyst shall be Legislative Research Analyst, unless  
18 extraordinary conditions justify increasing that entry  
19 level; however, that entry level may not be increased  
20 beyond Legislative Research Analyst I. A research  
21 analyst must have shown knowledge of legislative rules  
22 and procedures as well as the Code of Iowa to be  
23 considered at any level above a Legislative Research  
24 Analyst.  
25 *Be It Further Resolved*, That a pay increase for  
26 employees of one step within the pay grade for the  
27 position may be made for exceptionally meritorious  
28 service in addition to step increases provided for in  
29 this resolution, at the discretion of the chief clerk  
30 upon recommendation by the employee's division

#### Page 19

1 supervisor on the part of the house, and upon  
2 recommendation by the employee's division supervisor  
3 on the part of the senate, and the approval of the  
4 senate committee on rules and administration or the  
5 house committee on administration and rules.  
6 Exceptionally meritorious service pay increases shall  
7 be governed by the following:  
8 a. The employee must have served in the position  
9 for at least twelve months;  
10 b. Written justification, setting forth in detail  
11 the nature of the exceptionally meritorious service  
12 rendered, must be submitted to the senate rules and  
13 administration committee or house administration and

14 rules committee and approved in advance of granting  
15 the pay increase;

16 c. No more than one exceptionally meritorious  
17 service pay increase may be granted in any twelve-  
18 month period.

19 d. Such meritorious service pay increase shall not  
20 be granted beyond the six-step maximum for that  
21 position.

22 *Be It Further Resolved*, That the senate rules and  
23 administration committee and the house administration  
24 and rules committee shall both hire officers and  
25 employees for their respective bodies and fill any  
26 vacancies which may occur, to be effective at such  
27 time as they shall set. The committee shall report  
28 the names of those it has hired for the positions  
29 specified in this resolution or the filling of any  
30 vacancies on the next legislative day or, if such

#### Page 20

1 action is during the interim, on the first day the  
2 senate or house shall convene. Any action by the  
3 senate or house to amend or disapprove a report or a  
4 portion of a report shall be effective the day after  
5 the action.

6 The chief clerk of the house shall submit to the  
7 house committee on administration and rules and the  
8 secretary of the senate shall submit to the senate  
9 committee on rules and administration the list of  
10 names, or amendments thereto, of employee  
11 classifications and recommended pay step for each  
12 officer and employee. Such list shall include  
13 recommendations for the pay step for all employees.  
14 Each respective committee shall approve or amend the  
15 list of recommended classifications and pay steps and  
16 publish said list in the journal.

17 *Be It Further Resolved*, That permanent employees of  
18 the general assembly shall receive vacation  
19 allowances, sick leave, health and accident insurance,  
20 life insurance, and disability income insurance as are  
21 provided for full-time permanent state employees. The  
22 computations shall be maintained by the finance  
23 officers in each house and coordinated with the  
24 department of revenue and finance.

25 *Be It Further Resolved*, That should any employee  
26 have a grievance, the grievance shall be resolved as  
27 provided by procedures determined by the senate rules  
28 and administration committee for senate employees or  
29 the house administration and rules committee for house  
30 employees.

## Page 21

1 *Be It Further Resolved*, That the ~~general assembly~~  
2 legislative council adopt a resolution similar to this  
3 resolution which provides for the compensation and  
4 benefits of all legislative central staff agency  
5 employees for the ~~seventy-eighth~~ seventy-ninth general  
6 assembly. The resolution shall be adopted as soon as  
7 practicable after the convening of the ~~seventy-eighth~~  
8 seventy-ninth general assembly, and published in the  
9 journals of the senate and house.  
10 *Be It Further Resolved*, That the compensation of  
11 chaplains officiating at the opening of the daily  
12 sessions of the house of representatives and the  
13 senate of the ~~seventy-eighth~~ seventy-ninth general  
14 assembly be fixed at ten dollars for each house of the  
15 general assembly, and that mileage for chaplains be  
16 fixed at the rate of ~~twenty-four~~ twenty-nine cents per  
17 mile to and from the State Capitol.

The motion prevailed and the resolution was adopted.

Dix of Butler in the chair at 8:57 a.m.

The House stood at ease at 8:58 a.m., until the fall of the gavel.

The House resumed session at 8:59 a.m., Dix of Butler in the chair.

#### CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 7

Carroll of Poweshiek called up for consideration **House Concurrent Resolution 7**, a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Seventy-ninth General Assembly.

Rants of Woodbury asked and received unanimous consent that House Concurrent Resolution 7 be deferred and that the bill retain its place on the calendar.

On motion by Rants of Woodbury, the House was recessed at 9:01 a.m., until 1:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 1:04 p.m., Dix of Butler in the chair.

## QUORUM CALL

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

## INTRODUCTION OF BILLS

**House File 217**, by committee on natural resources, a bill for an act relating to the regulatory authority and procedures of the department of natural resources by providing for the issuance of limited quota licenses and the issuance of licenses and permits by electronic means.

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

**House File 218**, by committee on judiciary, a bill for an act relating to the appointment of an acting or a temporary county attorney.

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

**House File 219**, by Foege, a bill for an act requiring the department of natural resources to study and make recommendations relating to waste management strategies and providing an effective date.

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

**House File 220**, by Foege, a bill for an act relating to fees charged for release of an individual patient's health record.

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

**House File 221**, by T. Taylor, D. Taylor, Dotzler, Hatch, Reynolds, Smith, Greimann, Frevert, Larkin, Cohoon, Fallon, Huser, Bell, May, O'Brien, Shoultz, Jochum, Mascher, Petersen, Lensing, Winckler, Osterhaus, Richardson, Schrader, Stevens, Murphy, Falck, Foege, Kuhn, and Chiodo, 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**.

## CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 7

Carroll of Poweshiek called up for consideration **House Concurrent Resolution 7**, previously deferred on page 322 of the House Journal.

### RULE 31.8 SUSPENDED

Carroll of Poweshiek asked and received unanimous consent to suspend Rule 31.8, related to the timely filing of amendments, for the immediate consideration of amendment H-1040, filed by him from the floor as follows and moved its adoption:

H-1040

- 1 Amend House Concurrent Resolution 7 as follows:
- 2 1. Page 16, line 1, by inserting after the word
- 3 "bills," the following: "bills sponsored by standing
- 4 committees in response to a referral from the
- 5 president of the senate or the speaker of the house of
- 6 representatives relating to an administrative rule
- 7 whose effective date has been delayed until the
- 8 adjournment of the next regular session of the general
- 9 assembly by the administrative rules review
- 10 committee".

Amendment H-1040 was adopted.

## SENATE CONCURRENT RESOLUTION 6 SUBSTITUTED FOR HOUSE CONCURRENT RESOLUTION 7

Carroll of Poweshiek asked and received unanimous consent to substitute **Senate Concurrent Resolution 6** for House Concurrent Resolution 7, as follows and moved its adoption:

- 1 SENATE CONCURRENT RESOLUTION 6
- 2 BY COMMITTEE ON RULES AND ADMINISTRATION
- 3 A Concurrent Resolution relating to joint rules of
- 4 the Senate and House of Representatives for the
- 5 Seventy-ninth General Assembly.

6 *Be It Resolved By The Senate, The House Of*  
7 *Representatives Concurring, That the joint rules of*  
8 *the Senate and House of Representatives for the*  
9 ~~Seventy-eighth~~ Seventy-ninth General Assembly shall  
10 be:

11 JOINT RULES OF THE  
12 SENATE AND HOUSE

13 Rule 1

14 Suspension of Joint Rules

15 The joint rules of the general assembly may be  
16 suspended by concurrent resolution, duly adopted by a  
17 constitutional majority of the senate and the house.

18 Rule 2

19 Designation of Sessions

20 Each regular session of a general assembly shall be  
21 designated by the year in which such regular session  
22 commences.

23 Rule 3

24 Sessions of a General Assembly

25 The election of officers, organization, hiring and  
26 compensation of employees, and standing committees in  
27 each house of the general assembly and action taken by  
28 each house shall carry over from the first to the  
29 second regular session and to any extraordinary  
30 session of the same general assembly. The status of

Page 2

1 each bill and resolution shall be the same at the  
2 beginning of each second session as it was immediately  
3 before adjournment of the previous regular or  
4 extraordinary session; however the rules of either  
5 house may provide for re-referral of some or all bills  
6 and resolutions to standing committees upon  
7 adjournment of each session or at the beginning of a  
8 subsequent regular or extraordinary session, except  
9 those which have been adopted by both houses in  
10 different forms.

11 Upon final adoption of a concurrent resolution at  
12 any extraordinary session affecting that session, or  
13 at a regular session affecting any extraordinary  
14 session which may be held before the next regular  
15 session, the creation of any calendar by either house  
16 shall be suspended and the business of the session  
17 shall consist solely of those bills or subject matters  
18 stated in the resolution adopted. Bills named in the  
19 resolution, or bills containing the subject matter  
20 provided for in the resolution, may, at any time, be  
21 called up for debate in either house by the majority  
22 leader of that house.

23 Rule 3A'

24 International Relations Protocol

25 The senate and the house of representatives shall  
26 comply with the international relations protocol  
27 policy adopted by the international relations  
28 committee of the legislative council.

29 Rule 4

30 Presentation of Messages

### Page 3

1 All messages between the two houses shall be sent  
2 by the secretary of the senate or the chief clerk of  
3 the house of representatives, shall be communicated to  
4 the presiding officer.

5 Rule 5

6 Printing and Form of Bills  
7 and Other Documents

8 Bills and joint resolutions shall be introduced,  
9 numbered, prepared, and printed as provided by law, or  
10 in the absence of such law, in a manner determined by  
11 the secretary of the senate and the chief clerk of the  
12 house of representatives. Proposed bills and  
13 resolutions which are not introduced but are referred  
14 to committee shall be tracked in the legislative  
15 computer system as are introduced bills and  
16 resolutions. The referral of proposed bills and  
17 resolutions to committee shall be entered in the  
18 journal.

19 All bills and joint resolutions introduced shall be  
20 in a form and number approved by the secretary of the  
21 senate and chief clerk of the house.

22 The legal counsel's office of each house shall  
23 approve all bills before introduction.

24 Rule 6

25 Companion Bills

26 Identical bills introduced in each house shall be  
27 called companion bills. Each house shall designate  
28 the sponsor in the usual way followed in parentheses  
29 by the sponsor of the companion bill in the other  
30 house. The house where the bill is first introduced

### Page 4

1 shall print the complete text.

2 Rule 7

3 Reprinting of Bills

4 Whenever any bill has been substantially amended by  
5 either house, the secretary of the senate or the chief  
6 clerk of the house shall order the bill reprinted on  
7 paper of a different color. All adopted amendments  
8 shall be distinguishable.

9 The secretary of the senate or the chief clerk of  
10 the house may order the printing of a reasonable



11 number of additional copies of any bill, resolution,  
12 amendment, or journal.

13 Rule 8

14 Daily Clip Sheet

15 The secretary of the senate and the chief clerk of  
16 the house shall prepare a daily clip sheet covering  
17 all amendments filed.

18 Rule 9

19 Reintroduction of Bills and Other Measures

20 A bill or resolution which has passed one house and  
21 is rejected in the other shall not be introduced again  
22 during that general assembly.

23 Rule 10

24 Certification of Bills and Other Enrollments

25 When any bill or resolution which has passed one  
26 house is rejected or adopted in the other, notice of  
27 such action and the date thereof shall be given to the  
28 house of origin in writing signed by the secretary of  
29 the senate or the chief clerk of the house.

30 Rule 11

## Page 5

1 Code Editor's Correction Bills

2 A bill recommended by the Code editor which is  
3 passed out of committee to the floor for debate by a  
4 committee of the house or senate within the first four  
5 weeks of convening of a legislative session and which  
6 contains Code corrections of a nonsubstantive nature  
7 shall not be amended on the floor of either house  
8 except pursuant to corrective or nonsubstantive  
9 amendments filed by the judiciary committee of the  
10 senate or the house. Such committee amendments,  
11 whether filed at the time of initial committee passage  
12 of the bill to the floor for debate or after  
13 rereferral to the committee, shall not be incorporated  
14 into the bill in the originating house but shall be  
15 filed separately. Amendments filed from the floor to  
16 strike sections of the bill or the committee  
17 amendments shall be in order. Following amendment and  
18 passage by the second house, only amendments filed  
19 from the floor which strike sections of the amendment  
20 of the second house shall be in order.

21 A bill recommended by the Code editor which is  
22 passed out of committee to the floor for debate by a  
23 committee of the house or senate within the first four  
24 weeks of convening of a legislative session and which  
25 contains Code corrections beyond those of a  
26 nonsubstantive nature shall not be amended on the  
27 floor of either house except pursuant to amendments  
28 filed by the judiciary committee of the senate or the  
29 house. Such committee amendments, whether filed at

30 the time of initial committee passage of the bill to

Page 6

1 the floor for debate or after rereferral to the  
2 committee, shall not be incorporated into the bill in  
3 the originating house but shall be filed separately.  
4 Such a bill shall be limited to corrections which:  
5 Adjust language to reflect current practices, insert  
6 earlier omissions, delete redundancies and  
7 inaccuracies, delete temporary language, resolve  
8 inconsistencies and conflicts, update ongoing  
9 provisions, and remove ambiguities. Amendments filed  
10 from the floor to strike sections of the bill or the  
11 committee amendments shall be in order. Following  
12 amendment and passage by the second house, only  
13 amendments filed from the floor which strike sections  
14 of the amendment of the second house shall be in  
15 order.

16 Rule 12

17 Amendments by Other House

18 1. When a bill which originated in one house is  
19 amended in the other house, the house originating the  
20 bill may amend the amendment, concur in full in the  
21 amendment, or refuse to concur in full in the  
22 amendment. Precedence of motions shall be in that  
23 order. The amendment of the other house shall not be  
24 ruled out of order based on a question of germaneness.  
25 a. If the house originating the bill concurs in  
26 the amendment, the bill shall then be immediately  
27 placed upon its final passage.  
28 b. If the house originating the bill refuses to  
29 concur in the amendment, the bill shall be returned to  
30 the amending house which shall either:

Page 7

1 (1) Recede, after which the bill shall be read for  
2 the last time and immediately placed upon its final  
3 passage; or  
4 (2) Insist, which will send the bill to a  
5 conference committee.  
6 c. If the house originating the bill amends the  
7 amendment, that house shall concur in the amendment as  
8 amended and the bill shall be immediately placed on  
9 final passage, and shall be returned to the other  
10 house. The other house cannot further amend the bill.  
11 (1) If the amending house which gave second  
12 consideration to the bill concurs in the amendment to  
13 the amendment, the bill shall then be immediately  
14 placed upon its final passage.  
15 (2) If the amending house refuses to concur in the

16 amendment to the amendment, the bill shall be returned  
17 to the house originating the bill which shall either:  
18 (a) Recede, after which the bill shall be read for  
19 the last time as amended and immediately placed upon  
20 its final passage; or  
21 (b) Insist, which will send the bill to a  
22 conference committee.  
23 2. A motion to recede has precedence over a motion  
24 to insist. Failure to recede means to insist; and  
25 failure to insist means to recede.  
26 3. A motion to lay on the table or to indefinitely  
27 postpone shall be out of order with respect to motions  
28 to recede from or insist upon and to amendments to  
29 bills which have passed both houses.  
30 4. A motion to concur, refuse to concur, recede,

### Page 8

1 insist, or adopt a conference committee report is in  
2 order even though the subject matter has previously  
3 been acted upon.

4

#### Rule 13

5

#### Conference Committee

6 1. Within one legislative day after either house  
7 insists upon an amendment to a bill, the presiding  
8 officer of the house, after consultation with the  
9 majority leader, shall appoint three majority party  
10 members and, after consultation with the minority  
11 leader, shall appoint two minority party members to a  
12 conference committee. The majority leader of the  
13 senate, after consultation with the president, shall  
14 appoint three majority party members and, after  
15 consultation with and approval by the minority leader,  
16 shall appoint two minority party members to a  
17 conference committee. The papers shall remain with  
18 the house that originated the bill.

19 2. The conference committee shall meet before the  
20 end of the next legislative day after their  
21 appointment, shall select a chair and shall discuss  
22 the controversy.

23 3. The authority of the first conference committee  
24 shall cover only issues related to provisions of the  
25 bill and amendments to the bill which were adopted by  
26 either the senate or the house of representatives and  
27 on which the senate and house of representatives  
28 differed. If a conference committee report is not  
29 acted upon because such action would violate this  
30 subsection of this rule, the inaction on the report

### Page 9

1 shall constitute refusal to adopt the conference

2 committee report and shall have the same effect as if  
3 the conference committee had disagreed.  
4 4. An agreement on recommendations must be  
5 approved by at least three members from each house.  
6 The committee shall submit two originals of the report  
7 signed by at least three members of each house with  
8 one signed original and three copies to be submitted  
9 to each house. The report shall first be acted upon  
10 in the house originating the bill. Such action,  
11 including all papers, shall be immediately referred by  
12 the secretary of the senate or the chief clerk of the  
13 house of representatives to the other house.  
14 5. The report of agreement is debatable, but  
15 cannot be amended. If the report contains recommended  
16 amendments to the bill, adoption of the report shall  
17 automatically adopt all amendments contained therein.  
18 After the report is adopted, there shall be no more  
19 debate, and the bill shall immediately be placed upon  
20 its final passage.  
21 6. Refusal of either house to adopt the conference  
22 committee report has the same effect as if the  
23 committee had disagreed.  
24 7. If the conference committee fails to reach  
25 agreement, a report of such failure signed by at least  
26 three members of each house shall be given promptly to  
27 each house. The bill shall be returned to the house  
28 that originated the bill, the members of the committee  
29 shall be immediately discharged, and a new conference  
30 committee appointed in the same manner as the first

#### Page 10

1 conference committee.  
2 8. The authority of a second or subsequent  
3 conference committee shall cover free conference  
4 during which the committee has authority to propose  
5 amendments to any portion of a bill provided the  
6 amendment is within the subject matter content of the  
7 bill as passed by the house of origin or as amended by  
8 the second house.

#### Rule 14

10 Enrollment and Authentication of Bills  
11 A bill or resolution which has passed both houses  
12 shall be enrolled in the house of origin under the  
13 direction of either the secretary or the chief clerk  
14 and its house of origin shall be certified by the  
15 endorsement of the secretary of the senate or the  
16 chief clerk of the house.  
17 After enrollment, each bill shall be signed by the  
18 president of the senate and by the speaker of the  
19 house.

#### Rule 15

20

21           Concerning other Enrollments  
22   All resolutions and other matters which are to be  
23 presented to the governor for approval shall be  
24 enrolled, signed, and presented in the same manner as  
25 bills.  
26   All resolutions and other matters which are not to  
27 be presented to the governor or the secretary of state  
28 shall be enrolled, signed, and retained permanently by  
29 the secretary of the senate or chief clerk of the  
30 house.

## Page 11

1                           Rule 16  
2   Transmission of Bills to the Governor  
3   After a bill has been signed in each house, it  
4 shall be presented by the house of origin to the  
5 governor by either the secretary of the senate or the  
6 chief clerk of the house. The secretary or the chief  
7 clerk shall report the date of the presentation, which  
8 shall be entered upon the journal of the house of  
9 origin.

10                          Rule 17  
11                          Fiscal Notes  
12   A fiscal note shall be attached to any bill or  
13 joint resolution which reasonably could have an annual  
14 effect of at least one hundred thousand dollars or a  
15 combined total effect within five years after  
16 enactment of five hundred thousand dollars or more on  
17 the aggregate revenues, expenditures, or fiscal  
18 liability of the state or its subdivisions. This rule  
19 does not apply to appropriation and ways and means  
20 measures where the total effect is stated in dollar  
21 amounts.  
22   Each fiscal note shall state in dollars the  
23 estimated effect of the bill on the revenues,  
24 expenditures, and fiscal liability of the state or its  
25 subdivisions during the first five years after  
26 enactment. The information shall specifically note  
27 the fiscal impact for the first two years following  
28 enactment and the anticipated impact for the  
29 succeeding three years. The fiscal note shall specify  
30 the source of the information. Sources of funds for

## Page 12

1 expenditures under the bill shall be stated, including  
2 federal funds. If the fiscal director cannot make an  
3 accurate estimate, the director shall state the best  
4 available estimate or shall state that no dollar  
5 estimate can be made and state concisely the reason.  
6   The preliminary determination of whether the bill

7 appears to require a fiscal note shall be made by the  
8 legislative service bureau which shall send a copy of  
9 the request to the legislative fiscal bureau unless  
10 the requestor specifies the request is to be  
11 confidential. Upon completion of the bill draft, the  
12 legislative service bureau shall immediately send a  
13 copy to the legislative fiscal director for review.  
14 When a committee reports a bill to the floor, the  
15 committee shall state in the report whether a fiscal  
16 note is or is not required.

17 The legislative fiscal director shall review all  
18 bills placed on the senate or house calendars to  
19 determine whether the bills are subject to this rule.

20 Additionally, a legislator may request the  
21 preparation of a fiscal note by the legislative fiscal  
22 bureau for any bill or joint resolution introduced  
23 which reasonably could be subject to this rule.

24 The legislative fiscal director shall cause to be  
25 prepared and shall approve a fiscal note within a  
26 reasonable time after receiving a request or  
27 determining that a bill is subject to this rule. All  
28 fiscal notes approved by the legislative fiscal bureau  
29 director shall be transmitted immediately to the  
30 secretary of the senate or the chief clerk of the

### Page 13

1 house, after notifying the sponsor of the bill that a  
2 fiscal note has been prepared, for publication in the  
3 daily clip sheet. The secretary of the senate or  
4 chief clerk of the house shall attach the fiscal note  
5 to the bill as soon as it is available.

6 The legislative fiscal director may request the  
7 cooperation of any state department or agency in  
8 preparing a fiscal note.

9 A revised fiscal note may be requested by a  
10 legislator if the fiscal effect of the bill has been  
11 changed by adoption of an amendment. However, a  
12 request for a revised fiscal note shall not delay  
13 action on a bill unless so ordered by the presiding  
14 officer of the house in which the bill is under  
15 consideration.

16 If a date for adjournment has been set, then a  
17 constitutional majority of the house in which the bill  
18 is under consideration may waive the fiscal note  
19 requirement during the three days prior to the date  
20 set for adjournment.

### Rule 18

#### Legislative Interns

23 Legislators may arrange student internships during  
24 the legislative session with Iowa college, university,  
25 or law school students, for which the students may

26 receive college credit at the discretion of their  
27 schools. Each legislator is allowed only one intern  
28 at a time per legislative session, and all interns  
29 must be registered with the offices of the secretary  
30 of the senate and the chief clerk of the house.

#### Page 14

1 The purpose of the legislative intern program shall  
2 be: to provide useful staff services to legislators  
3 not otherwise provided by the general assembly; to  
4 give interested college, graduate, and law school  
5 students practical experience in the legislative  
6 process as well as providing a meaningful educational  
7 experience; and to enrich the curriculum of  
8 participating colleges and universities.

9 The secretary of the senate and the chief clerk of  
10 the house or their designees shall have the following  
11 responsibilities as regards the legislative intern  
12 program:

13 1. Identify a supervising faculty member at each  
14 participating institution who shall be responsible for  
15 authorizing students to participate in the intern  
16 program.

17 2. Provide legislators with a list of  
18 participating institutions and the names of  
19 supervising professors to contact if interested in  
20 arranging for an intern.

21 3. Provide interns with name badges which will  
22 allow them access to the floor of either house when  
23 required to be present by the legislators for whom  
24 they work.

25 4. Provide orientation materials to interns prior  
26 to the convening of each session.

#### 27 Rule 19

28 Administrative Rules Review Committee Bills  
29 and Rule Referrals

30 A bill which relates to departmental rules and

#### Page 15

1 which is approved by the administrative rules review  
2 committee by a majority of the committee's members of  
3 each house is eligible for introduction in either  
4 house at any time and must be referred to a standing  
5 committee, which must take action on the bill within  
6 three weeks of referral, except bills referred to  
7 appropriations and ways and means committees.

8 If, on or after July 1, 1999, the administrative  
9 rules review committee delays the effective date of a  
10 rule until the adjournment of the next regular session  
11 of the general assembly and the speaker of the house

12 or the president of the senate refers the rule to a  
13 standing committee, the standing committee shall  
14 review the rule within twenty-one days of the referral  
15 and shall take formal committee action by sponsoring a  
16 joint resolution to disapprove the rule, by proposing  
17 legislation relating to the rule, or by refusing to  
18 propose a joint resolution or legislation concerning  
19 the rule. The standing committee shall inform the  
20 administrative rules review committee of the committee  
21 action taken concerning the rule.

#### Rule 20

23 Time of Committee Passage and Consideration of Bills

24 1. This rule does not apply to concurrent or  
25 simple resolutions, joint resolutions nullifying  
26 administrative rules, senate confirmations, bills  
27 embodying redistricting plans prepared by the  
28 legislative service bureau pursuant to chapter 42, or  
29 bills passed by both houses in different forms.  
30 Subsection 2 of this rule does not apply to

#### Page 16

1 appropriations bills, ways and means bills, legalizing  
2 acts, administrative rules review committee bills,  
3 bills sponsored by standing committees in response to  
4 a referral from the president of the senate or the  
5 speaker of the house of representatives relating to an  
6 administrative rule whose effective date has been  
7 delayed until the adjournment of the next regular  
8 session of the general assembly by the administrative  
9 rules review committee, bills cosponsored by majority  
10 and minority floor leaders of one house, bills in  
11 conference committee, and companion bills sponsored by  
12 the majority floor leaders of both houses after  
13 consultation with the respective minority floor  
14 leaders. For the purposes of this rule, a joint  
15 resolution is considered as a bill. To be considered  
16 an appropriations or ways and means bill for the  
17 purposes of this rule, the appropriations committee or  
18 the ways and means committee must either be the  
19 sponsor of the bill or the committee of first referral  
20 in the originating house.

21 2. To be placed on the calendar in the house of  
22 origin, a bill must be first reported out of the a  
23 standing committee of first referral by Friday of the  
24 9th 10th week of the first session and the 7th 8th  
25 week of the second session. To be placed on the  
26 calendar in the other house, a bill must be first  
27 reported out of the a standing committee of first  
28 referral by Friday of the 12th 13th week of the first  
29 session and the 10th 11th week of the second session.

30 3. During the 10th 11th week of the first session



## Page 17

1 and the 8th 9th week of the second session, each house  
2 shall consider only bills originating in that house  
3 and unfinished business. During the 13th 14th week of  
4 the first session and the 11th 12th week of the second  
5 session, each house shall consider only bills  
6 originating in the other house and unfinished  
7 business. Beginning with the 14th 15th week of the  
8 first session and the 12th 13th week of the second  
9 session, each house shall consider only bills passed  
10 by both houses, bills exempt from subsection 2, and  
11 unfinished business.

12 4. A motion to reconsider filed and not disposed  
13 of on an action taken on a bill or resolution which is  
14 subject to a deadline under this rule may be called up  
15 at any time before or after the day of the deadline by  
16 the person filing the motion or after the deadline by  
17 the majority floor leader, notwithstanding any other  
18 rule to the contrary.

## Rule 21

## Resolutions

21 1. A "concurrent resolution" is a resolution to be  
22 adopted by both houses of the general assembly which  
23 expresses the sentiment of the general assembly or  
24 deals with temporary legislative matters. It may  
25 authorize the expenditure, for any legislative  
26 purpose, of funds appropriated to the general  
27 assembly. A concurrent resolution is not limited to,  
28 but may provide for a joint convention of the general  
29 assembly, adjournment or recess of the general  
30 assembly, or requests to a state agency or to the

## Page 18

1 general assembly or a committee. A concurrent  
2 resolution requires the affirmative vote of a majority  
3 of the senators or representatives present and voting  
4 unless otherwise specified by statute. A concurrent  
5 resolution does not require the governor's approval  
6 unless otherwise specified by statute. A concurrent  
7 resolution shall be filed with the secretary of the  
8 senate or the chief clerk of the house. A concurrent  
9 resolution shall be printed in the bound journal after  
10 its adoption.

11 2. A "joint resolution" is a resolution which  
12 requires for approval the affirmative vote of a  
13 constitutional majority of each house of the general  
14 assembly. A joint resolution which appropriates funds  
15 or enacts temporary laws must contain the clause "Be  
16 It Enacted by the General Assembly of the State of  
17 Iowa:", is equivalent to a bill, and must be

18 transmitted to the governor for his approval. A joint  
19 resolution which proposes amendments to the  
20 Constitution of the State of Iowa, ratifies amendments  
21 to the Constitution of the United States, proposes a  
22 request to Congress or an agency of the government of  
23 the United States of America, proposes to Congress an  
24 amendment to the Constitution of the United States of  
25 America, nullifies an administrative rule, or creates  
26 a special commission or committee must contain the  
27 clause "Be It Resolved by the General Assembly of the  
28 State of Iowa:" and shall not be transmitted to the  
29 governor. A joint resolution shall not amend a  
30 statute in the Code of Iowa.

### Page 19

#### 1 Rule 22

##### 2 Nullification Resolutions

3 A "nullification resolution" is a joint resolution  
4 which nullifies all of an administrative rule, or a  
5 severable item of an administrative rule adopted  
6 pursuant to chapter 17A of the Code. A nullification  
7 resolution shall not amend an administrative rule by  
8 adding language or by inserting new language in lieu  
9 of existing language.

10 A nullification resolution is debatable, but cannot  
11 be amended on the floor of the house or senate. The  
12 effective date of a nullification resolution shall be  
13 stated in the resolution. Any motions filed to  
14 reconsider adoption of a nullification resolution must  
15 be disposed of within one legislative day of the  
16 filing.

#### 17 Rule 23

##### 18 Consideration of Vetoes

19 1. The senate and house calendar shall include a  
20 list known as the "Veto Calendar." The veto calendar  
21 shall consist of:

22 a. Bills returned to that house by the governor in  
23 accordance with Article III, section 16 of the  
24 Constitution of the State of Iowa.

25 b. Appropriations items returned to that house by  
26 the governor in accordance with Article III, section  
27 16 of the Constitution of the State of Iowa.

28 c. Bills and appropriations items received from  
29 the other house after that house has voted to override  
30 a veto of them by the governor.

### Page 20

1 2. Vetoes bills and appropriations items shall  
2 automatically be placed on the veto calendar upon  
3 receipt. Vetoes bills and appropriations items shall

4 not be referred to committee.  
5 3. Upon first publication in the veto calendar,  
6 the senate majority leader or the house majority  
7 leader may call up a vetoed bill or appropriations  
8 item at any time.  
9 4. The affirmative vote of two-thirds of the  
10 members of the body by record roll call is required on  
11 a motion to override an executive veto or item veto.  
12 5. A motion to override an executive veto or item  
13 veto is debatable. A vetoed bill or appropriation  
14 item cannot be amended in this case.  
15 6. The vote by which a motion to override an  
16 executive veto or item veto passes or fails to pass  
17 either house is not subject to reconsideration under  
18 senate rule 24 or house rule 73.  
19 7. The secretary of the senate or the chief clerk  
20 of the house shall immediately notify the other house  
21 of the adoption or rejection of a motion to override  
22 an executive veto or item veto.  
23 8. All bills and appropriations items on the veto  
24 calendar shall be disposed of before adjournment sine  
25 die, unless the house having a bill or appropriation  
26 item before it declines to do so by unanimous consent.  
27 9. Bills and appropriations items on the veto  
28 calendar are exempt from deadlines imposed by joint  
29 rule 20.

30 Rule 24.

**Page 21**

1 Special Rules Regarding Redistricting for 2001  
2 1. If, pursuant to chapter 42, either the senate  
3 or the house of representatives rejects a  
4 redistricting plan submitted by the legislative  
5 service bureau, the house rejecting the plan shall  
6 convey the reasons for the rejection of the plan to  
7 the legislative service bureau by resolution.  
8 2. If, pursuant to chapter 42, the legislative  
9 service bureau submits a third redistricting plan as  
10 provided by law, the senate and the house of  
11 representatives, when considering a bill embodying  
12 plan III, shall be allowed to accept for filing as  
13 amendments only such amendments which constitute the  
14 total text of a congressional plan without striking a  
15 legislative redistricting plan, the total text of a  
16 legislative redistricting plan without striking a  
17 congressional plan, or the combined total text of a  
18 congressional plan and a legislative redistricting  
19 plan, and nonsubstantive, technical corrections to the  
20 text of any such bills or amendments.

The motion prevailed and the resolution was adopted.

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate Concurrent Resolution 6** be immediately messaged to the Senate.

### MOTION TO RECONSIDER (Senate Concurrent Resolution 5)

I move to reconsider the vote by which Senate Concurrent Resolution 5 passed the House on February 7, 2001.

HUSER of Polk

### GOVERNOR'S ITEM VETO MESSAGE

A copy of the following communication was received and placed on file:

February 6, 2001

Dear President Kramer:

I hereby transmit Senate File 65, an Act providing supplemental funding for the Low Income Home Energy Assistance Program (LIHEAP) for the current fiscal year.

As energy prices nationwide began to skyrocket this past winter and the weather conditions continued to become more severe, I called on the federal government to provide adequate funding for the LIHEAP program to assist Iowa's most vulnerable citizens. Following an allocation of over \$16 million in federal Emergency Contingency Awards, the Iowa Division of Community Action Agencies projected the need for an additional \$20 million to maintain the same proportionate level of energy assistance from LIHEAP as the previous year based on an estimated 20 percent increase in eligible households applying for assistance. I responded to this need with a \$20 million solution generated from the extension of the energy efficiency charge from natural gas customers amounting to approximately \$1.94 per customer. Unfortunately, the Republican Legislators rejected this solution, a solution that would have met the needs of low income Iowans.

Republican Leaders in the Legislature devised a plan that they claimed would provide \$15 million to LIHEAP. However, Senate File 65 approved by the Legislature authorizes only \$13,006,346 in state funding to meet the \$20 million need. While the attempt is less than adequate, I am approving relief totaling \$10.5 million for Iowans who now, more than ever, need relief from their high energy bills.

The following sections of Senate File 65 are, therefore, approved on this date with the noted exceptions, which I hereby disapprove.

I approve Section 1 appropriating \$2,343,051 from the Innovations Fund. This action will leave a balance of \$16,772 in the fund resulting in no new projects being funded until it can be sufficiently replenished. Adequate funding must be ensured for the Innovations Fund in future years to continue to maximize efficiencies in state government and realize significant cost savings.

I am unable to approve Section 2 appropriating \$2,446,260 from the Housing Program Fund. This section impacts the Down Payment/Closing Cost Grant Program, the First Home/First Home Plus Program, and the Housing Assistance Fund through a significant reduction in funding. These programs play an essential role in providing decent, safe, and affordable housing to low-income individuals and families in Iowa. The reduction passed by the Legislature will adversely impact the housing opportunities for the very people targeted to receive heating assistance. To accept this section would be taking from the very Iowans we are attempting to help, and I cannot approve this appropriation.

It is with great reluctance that I approve Section 3 appropriating \$4,127,270 of currently unencumbered and unobligated funding from the Groundwater Protection Fund. This fund was created for the specific purpose of protecting Iowa's valuable water resources, and there is an ongoing need for incentives to meet this purpose. However, the transfer of \$4,127,270 from the Solid Waste Account within the Groundwater Protection Fund will not impact current projects and will be used to meet a more immediate need in Iowa today. While Senate File 65 appropriates up to \$6,553,024 from the Groundwater Protection Fund, only \$4,127,270 is currently unencumbered and unobligated and therefore available for transfer.

I approve Section 4 placing a cap on LIHEAP funding for residential weatherization at \$3,305,016. This action results in an additional \$3,040,451 being made available for direct assistance to low-income Iowans. Because weatherization provides a long-term fix for high heating bills by improving the energy efficiency of low-income Iowans' homes, it is penny wise and pound foolish to reduce funding available for permanent prevention. However, I am directing the Division of Community Action Agencies to take the existing carryover from the weatherization fund and apply it to the next program year beginning April 1, 2001. Together with additional federal funding the Division will receive for the next program year, the weatherization program will have approximately \$11 million available as compared to \$9.5 million in estimated actual expenditures for the current year. Therefore, local weatherization programs will maintain an equivalent level and range of services.

I approve Section 5 providing Community Action Agencies the ability to deliver assistance from LIHEAP to low-income Iowans. By placing a cap of \$2,663,921 on the administration of the program, Section 5 provides an additional \$1,049,314 in LIHEAP payments.

I approve Section 6 establishing a limit of \$715,000 on expenditures for assessment and resolution of energy problems.

I approve Section 7 dedicating all federal emergency funding in excess of the original core funding for LIHEAP to assist eligible households meet their home energy

costs. Any future appropriations shall be used as direct assistance to those Iowans most in need.

While unfortunately this is not enough funding to meet the need that currently exists, this Act provides a significant amount of funding that will ease the pressure on some working families, senior citizens, and people with disabilities forced to decide between buying food, buying prescription drugs, or paying their heating bill.

For the above reasons, I hereby respectfully approve Senate File 65 with the exceptions noted above. While approval of this Act will provide immediate relief, the long-term answer to this problem is the development of a comprehensive energy policy for the state to ensure a reliable supply and stable price.

Sincerely,  
Thomas J. Vilsack  
Governor

### CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\224 Kathryn Fink, Denison – For celebrating her 80<sup>th</sup> birthday.
- 2001\225 Henrietta Reimers, Charter Oak – For celebrating her 80<sup>th</sup> birthday.
- 2001\226 Lucille and Ralph Kruse, Denison – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\227 Helen and Hubert Berens, Charter Oak – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\228 Hannah Anderson, Stratford – For celebrating her 90<sup>th</sup> birthday.
- 2001\229 Mildred and Loren Wing, Colfax – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\230 Shirley and Gordon Enyart, Prairie City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\231 Naomi and Ernest Wieck, Dysart – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2001\232 Joyce and Edward Hosek, Clutier – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2001\233 Iola Petersen, Traer – For celebrating her 80<sup>th</sup> birthday.

- 2001\234 Ruth Glascock, Indianola – For celebrating her 80<sup>th</sup> birthday.
- 2001\235 Bessie and Kenneth McCoy, Indianola – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\236 Elda and Harold Perry, Toledo – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\237 Esther Betts, Coon Rapids – For celebrating her 80<sup>th</sup> birthday.
- 2001\238 Erin Pfiffner, Waukon – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2001\239 Clarice and Dave Trotter, Newton – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\240 Darlyne and Larry Howard, Newton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\241 Lela Herrick, Winterset – For celebrating her 90<sup>th</sup> birthday.
- 2001\242 Effie Wilkinson, Corning – For celebrating her 98<sup>th</sup> birthday.
- 2001\243 Neta and Joseph McPherron, Clarinda – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2001\244 Lottie Peterson, Missouri Valley – For celebrating her 85<sup>th</sup> birthday.
- 2001\245 Bill Lees, Boone – For celebrating his 80<sup>th</sup> birthday.
- 2001\246 Fred Wagaman, Boone – For celebrating his 90<sup>th</sup> birthday.
- 2001\247 Pearl Lycke, Boone – For celebrating her 103<sup>rd</sup> birthday.
- 2001\248 James and Ruth Lamer, Boone – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\249 Annie and Charles Ethington, Marshalltown – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\250 Edna and Ed Ericson, Marshalltown – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\251 Luella Weber, Marshalltown – For celebrating her 80<sup>th</sup> birthday.
- 2001\252 Iva C. and Donald E. Showalter, Kalona – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\253 Hilda Wagner, Sigourney – For celebrating her 90<sup>th</sup> birthday.
- 2001\254 Janet and Charlie Gaffney, Manchester – For celebrating their 50<sup>th</sup> wedding anniversary.

2001\255 Mr. and Mrs. Gilbert Ahrenstorff, Estherville – For celebrating their 75<sup>th</sup> wedding anniversary.

2001\256 Mr. and Mrs. Russell Westfall, Estherville – For celebrating their 50<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 166

Appropriations: Millage, Chair; Brunkhorst and Wise.

##### House File 177

Appropriations: Dolecheck, Chair; Heaton and Mascher.

##### House File 185

Appropriations: Heaton, Chair; Alons and Smith.

##### House File 199

State Government: Millage, Chair; Bradley and Tremmel.

##### House File 202

Agriculture: Baudler, Chair; Mertz and Rekow.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

##### House Study Bill 108

Ways and Means: Hansen, Chair; Jochum and Sievers.

##### House Study Bill 109

Ways and Means: Sukup, Chair; Larson and Winckler.

##### House Study Bill 110

Ways and Means: Sukup, Chair; Fallon and Tymeson.

##### House Study Bill 111

Ways and Means: Shey, Chair; Kuhn and Larson.

##### House Study Bill 117

Education: Finch, Chair; Eddie and Stevens.



**House Study Bill 118**

Education: Boal, Chair; Roberts and Stevens.

**House Study Bill 119**

Environmental Protection: Gipp, Chair; Sievers and Witt.

**House Study Bill 120**

Natural Resources: Rayhons, Chair; Rekow and Scherrman.

**House Study Bill 121**

Agriculture: Klemme, Chair; Atteberry, Houser, Kuhn and Teig.

**House Study Bill 122**

State Government: Bradley, Chair; Garman and T. Taylor.

**House Study Bill 123**

Human Resources: De Boef, Chair; Carroll and Smith.

**House Study Bill 124**

Agriculture: Huseman, Chair; De Boef and Scherrman.

**House Study Bill 125**

State Government: Cormack, Chair; Garman, Jochum, Van Engelenhoven and Reynolds.

**House Study Bill 129**

State Government: Bradley, Chair; Falck and Millage.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 127 Ways and Means**

Updating the Iowa Code references to the Internal Revenue Code, increasing the minimum filing income requirement for dependents, lowering the threshold amount for making estimated payments for corporations and financial institutions, increasing the estimated tax payment standard for assessing a penalty for corporations and financial institutions, and providing retroactive applicability dates and an effective date.

**H.S.B. 128 Ways and Means**

Relating to a sales and use tax exemption for the purchase of certain appliances meeting the energy efficiency standards of the federal energy star program and providing an effective date.

**H.S.B. 129 State Government**

Providing for the protection of proprietary rights and collection of fees and revenue for software, network designs, and technology applications of the Iowa communications network.

**H.S.B. 130 Transportation**

Relating to the passengers in a motor vehicle operated by a person pursuant to a school license.

**H.S.B. 131 Ways and Means**

Relating to sales and use taxes on the delivery of electricity and natural gas.

**H.S.B. 132 Human Resources**

Designating chiropractors as licensed practitioners to whom clinical privileges cannot be denied by a hospital under specified circumstances.

**H.S.B. 133 Judiciary**

Prohibiting civil recovery under the dramshop Act by a person whose intoxication contributed to injuries sustained as a result of the person's intoxication and providing prospective and retroactive applicability dates.

**H.S.B. 134 Judiciary**

Relating to policies and procedures regarding sexual offenses occurring on community college and university campuses and private postsecondary school premises.

**H.S.B. 135 Judiciary**

Relating to the imposition of an additional sentence of mandatory parole or work release for persons convicted of certain criminal offenses.

**H.S.B. 136 Judiciary**

Creating new criminal offenses related to the drug 3,4-methylenedioxymethamphetamine.

**H.S.B. 137 Judiciary**

Eliminating filing and service fees for plaintiffs seeking relief from domestic abuse.

**H.S.B. 138 Judiciary**

Relating to the criminal offenses of enticing a minor away and sexual exploitation of a minor and providing a penalty.

**H.S.B. 139 Judiciary**

Relating to an indigent criminal defendant seeking postconviction relief and to the applicability of the Iowa administrative procedures Act to postconviction actions.

**H.S.B. 140 Judiciary**

Relating to recovery of prejudgment interest in relation to an offer to confess judgment.

**H.S.B. 141 Judiciary**

Relating to the exemption of certain rental property from city enterprise liens.

**H.S.B. 142 Environmental Protection**

Relating to redemption of empty beverage containers, creating a container redemption fund, appropriating certain fees, and providing an applicability 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.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON COMMERCE AND REGULATION

**Committee Bill** (Formerly House Study Bill 51), permitting state banks to establish additional bank offices, and containing effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 6, 2001.

## COMMITTEE ON ECONOMIC DEVELOPMENT

**Committee Bill** (Formerly House Study Bill 46), relating to targeted industries under the new jobs and income program.

Fiscal Note is not required.

Recommended **Do Pass** February 6, 2001.

**Committee Bill** (Formerly House Study Bill 47), amending the strategic planning duties of the Iowa economic development board.

Fiscal Note is not required.

Recommended **Do Pass** February 6, 2001.

## COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House Study Bill 62), relating to the duties and peace officer employees of the department of public safety.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 6, 2001.

**Committee Bill** (Formerly House Study Bill 63), relating to judicial district departments of correctional services by providing for a restitution lien for supervision fees, for the establishment of a reserve peace officer force, and for authorization for the sixth judicial district to extend a lease-purchase agreement, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 6, 2001.

**Committee Bill** (Formerly House Study Bill 66), relating to the victim rights compensation fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 6, 2001.

**Committee Bill** (Formerly House Study Bill 80), relating to the appointment of an acting or a temporary county attorney.

Fiscal Note is not required.

Recommended **Do Pass** February 6, 2001.

#### COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly House Study Bill 30), relating to the regulatory authority and procedures of the department of natural resources by providing for the issuance of limited quota licenses and the issuance of licenses and permits by electronic means.

Fiscal Note is not required.

Recommended **Do Pass** February 6, 2001.

#### RESOLUTION FILED

**HR 14**, by Mascher, Lensing, Myers and Foege, a resolution honoring Christine Grant, former Women's Athletic Director of the University of Iowa.

Laid over under **Rule 25**.

#### AMENDMENTS FILED

H-1041	H.F.	194	Committee on Judiciary
H-1042	H.F.	179	Kreiman of Davis
H-1043	H.F.	179	Shoultz of Black Hawk

On motion by Rants of Woodbury the House adjourned at 1:20 p.m., until 8:45 a.m., Thursday, February 8, 2001.

# JOURNAL OF THE HOUSE

Thirty-second Calendar Day - Twenty-third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, February 8, 2001

The House met pursuant to adjournment at 8:47 a.m., Speaker pro tempore Sukup in the chair.

Prayer was offered by the Honorable Cecil Dolecheck, state representative from Ringgold County.

The Journal of Wednesday, February 7, 2001 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Garman of Story, until her arrival, on request of Rants of Woodbury; Mertz of Kossuth, until her arrival, by Myers of Johnson; Witt of Black Hawk, until his arrival, by Wise of Lee.

## INTRODUCTION OF BILLS

**House File 222**, by committee on commerce and regulation, a bill for an act permitting banks in Iowa to establish additional bank offices, and containing effective dates.

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

**House File 223**, by Grundberg and Shey, a bill for an act relating to dependent tax credits under the individual income tax for household services and care for certain dependents and including a retroactive applicability date provision.

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

**House File 224**, by Atteberry, a bill for an act relating to the nondisclosure of certain information contained in psychological test material.

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

**House File 225**, by Brauns, a bill for an act providing for the reorganization of districts for the election of Iowa state fair board directors, and providing for an election.

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

**House File 226**, by Jochum, T. Taylor, and Dotzler, a bill for an act relating to wage discrimination in employment by providing for the determination of wage discrimination, creating an equal pay commission, and providing civil penalties and appropriating the penalties for enforcement purposes.

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

**House File 227**, by Barry, a bill for an act abolishing annual renewal fees for registration notices for aboveground petroleum storage tanks.

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

**House File 228**, by committee on judiciary, a bill for an act relating to the duties of the department of public safety.

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

**House File 229**, by committee on judiciary, a bill for an act relating to judicial district departments of correctional services by providing for a judgment lien for supervision fees and for the establishment of a reserve peace officer force.

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

#### SPECIAL PRESENTATION

Bukta of Clinton introduced to the House, Julie Nixon Eisenhower, daughter of former President Richard M. Nixon, author, editor and

public speaker as well as the granddaughter of the famous Iowan, Mamie Eisenhower.

The House rose and expressed its welcome.

**MOTION TO RECONSIDER WITHDRAWN**  
(Senate Concurrent Resolution 5)

Huser of Polk asked and received unanimous consent to withdraw the motion to reconsider Senate Concurrent Resolution 5, a concurrent resolution relating to the compensation of chaplains, officers and employees of the Seventy-ninth General Assembly, filed by her on February 7, 2001.

**IMMEDIATE MESSAGE**

Rants of Woodbury asked and received unanimous consent that **Senate Concurrent Resolution 5** be immediately messaged to the Senate.

**ADOPTION OF HOUSE CONCURRENT RESOLUTION 8**

Johnson of Osceola called up for consideration **House Concurrent Resolution 8**, a concurrent resolution honoring Herb Plambeck, and moved its adoption.

The motion prevailed and the resolution was adopted.

**CONSIDERATION OF BILL**  
Regular Calendar

**House File 104**, a bill for an act relating to child endangerment violations and injuries to a child or minor and providing penalties, was taken up for consideration.

**SENATE FILE 63 SUBSTITUTED FOR HOUSE FILE 104**

Shey of Linn asked and received unanimous consent to substitute Senate File 63 for House File 104.



**Senate File 63**, a bill for an act relating to child endangerment violations and injuries to a child and providing penalties, was taken up for consideration.

Shey of Linn asked and received unanimous consent to withdraw amendment H-1038 filed by him on February 5, 2001.

Shey 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?" (S.F. 63)

The ayes were, 93:

Alons	Atteberry	Barry	Baudler
Bell	Boal	Boddicker	Bogges
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Frevert	Gipp
Greimann	Grundberg	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Laron	Lensing	Manternach
Mascher	May	Metcalf	Millage
Murphy	Myers	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Sievers	Smith	Stevens
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Sukup,			
Presiding			

The nays were, none.

Absent or not voting, 7:

Arnold	Ford	Garman	Mertz
O'Brien	Siegrist, Spkr.	Witt	

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 Concurrent Resolution 8** and **Senate File 63**.

### EXPLANATION OF VOTE

I was necessarily absent from the House chamber on February 8, 2001. Had I been present, I would have voted "aye" on Senate File 63.

ARNOLD of Lucas

### 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 8<sup>th</sup> day of February, 2001: House File 191.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

### COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

STATE OF IOWA  
Information Technology Department

The Fiscal Year 2000 Annual Report, pursuant to Chapter 1141, 2000 Acts of the Seventy-eighth General Assembly.

## CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

2001\257 Kenneth Newton, Greenfield – For celebrating his 90<sup>th</sup> birthday.

2001\258 Steve Van Oort, Ankeny – For receiving the 2000 Outstanding Citizen of the Year Award from the Ankeny Area Chamber of Commerce.

2001\259 Lisa Morlock, Ankeny – For receiving the 2000 Educator of the Year Award from the Ankeny Area Chamber of Commerce.

2001\260 Lynn and Ted Deal, Ankeny – For receiving the 2000 Small Business Person of the Year Award from the Ankeny Area Chamber of Commerce.

## SUBCOMMITTEE ASSIGNMENTS

### House File 69

Environmental Protection: Brunkhorst, Chair; Elgin, Finch, Greimann and Shoultz.

### House File 157

Judiciary: Barry, Chair; Grundberg and Witt.

### House File 167

Judiciary: Baudler, Chair; Raecker and Witt.

### House File 172

Environmental Protection: Brunkhorst, Chair; Elgin, Finch, Greimann and Shoultz.

### House File 173

Judiciary: Baudler, Chair; Raecker and Shoultz.

### House File 183

Human Resources: Brunkhorst, Chair; Reynolds and Roberts.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

### House Study Bill 127

Ways and Means: Eichhorn, Chair; Jochum and Shey.

**House Study Bill 128**

Ways and Means: Sukup, Chair; Boal and Fallon.

**House Study Bill 131**

Ways and Means: Tymeson, Chair; Boal and D. Taylor.

**House Study Bill 132**

Human Resources: Tymeson, Chair; Boddicker and Tremmel.

**House Study Bill 133**

Judiciary: Eichhorn, Chair; Kreiman and Shey.

**House Study Bill 134**

Judiciary: Shey, Chair; Baudler and Chiodo.

**House Study Bill 135**

Judiciary: Boddicker, Chair; Kreiman and Raecker.

**House Study Bill 136**

Judiciary: Eichhorn, Chair; Larson and Tremmel.

**House Study Bill 137**

Judiciary: Broers, Chair; Baudler and Jochum.

**House Study Bill 138**

Judiciary: Eichhorn, Chair; Kreiman and Shey.

**House Study Bill 139**

Judiciary: Grundberg, Chair; Kreiman and Shey.

**House Study Bill 140**

Judiciary: Eichhorn, Chair; Kreiman and Sukup.

**House Study Bill 141**

Judiciary: Kettering, Chair; Ford and Sukup.

**House Study Bill 142**

Environmental Protection: Brunkhorst, Chair; Elgin, Finch, Greimann and Shoultz.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENT

### H.S.B. 143 Appropriations

Restricting the expenditure of moneys from the general fund of the state for out-of-state travel by members and employees of the general assembly 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.

MARGARET A. THOMSON  
Chief Clerk of the House

#### COMMITTEE ON AGRICULTURE

**Committee Bill** (Formerly House Study Bill 103), to request that the Congress of the United States maintain its commitment to clean air and the ethanol industry, by maintaining the oxygenate requirement in the federal Clean Air Act that promotes the use of ethanol in reformulated gasoline, and urging the United States Environmental Protection Agency to resist California's attempt to waive the oxygenate requirement in that state.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2001.

#### COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House Study Bill 68), establishing child endangerment offenses for certain criminal acts committed in the presence of a child or minor.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 8, 2001.

**Committee Bill** (Formerly House Study Bill 69), relating to the verification of a uniform citation and complaint issued by a law enforcement agency.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 2001.

## COMMITTEE ON STATE GOVERNMENT

**House Joint Resolution 5**, a joint resolution to nullify an administrative rule of the department of revenue and finance relating to the collection of a fee to recover direct costs in the administration of a local option sales and services tax and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2001.

**House File 81**, a bill for an act providing an exemption from continuing education requirements for barbers under specified circumstances.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1044** February 7, 2001.

## AMENDMENTS FILED

H-1044	H.F.	81	Committee on State Government
H-1045	H.F.	180	Kreiman of Davis
H-1046	H.F.	179	Seng of Scott

On motion by Rants of Woodbury the House adjourned at 9:19 a.m., until 9:30 a.m., Friday, February 9, 2001.

# JOURNAL OF THE HOUSE

Thirty-sixth Calendar Day - Twenty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, February 12, 2001

Due to inclement weather the House did not convene on Friday, February 9, 2001.

The House convened at 1:01 p.m., Monday, February 12, 2001, Speaker pro tempore Sukup in the chair.

Prayer was offered by Reverend John Moorlach, pastor of the First United Methodist Church, Indianola.

The Journal of Thursday, February 8, 2001 was approved.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Girl Scout Troop 2647 from Davenport including: Jenny Devita, Kristin Wilson, Adrienne Foley, Kate Maxwell, Sara Brimeyer, Sarah Peterson, Lauren Meanor and Hannah and Heather Van Fossen, daughters of the Honorable Jamie Van Fossen, state representative from Scott County.

## INTRODUCTION OF BILLS

**House File 230**, by committee on economic development, a bill for an act amending the strategic planning duties of the Iowa economic development board.

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

**House File 231**, by committee on judiciary, a bill for an act relating to the victim rights compensation fund.

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

**House File 232**, by Rants, a bill for an act relating to the custody of a child whose parent is convicted of an offense for which the person is sentenced to imprisonment.

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

**House File 233**, by Brunkhorst, a bill for an act relating to the taxation of state property rented or leased for commercial purposes and including an applicability date.

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

**House File 234**, by Atteberry, Kuhn, Scherrman, Mascher, Winckler, Murphy, Hatch, Frevert, Mertz, Reynolds, Smith, Falck, Kreiman, Stevens, Dotzler, D. Taylor, May, Connors, Jochum, and Foege, 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 235**, by Bradley and Bukta, a bill for an act relating to moving traffic violations in school districts and increasing fines.

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

**House File 236**, by Stevens, Greimann, O'Brien, Schrader, Ford, Mertz, T. Taylor, Lensing, Atteberry, Mascher, Petersen, Bukta, Cohoon, Richardson, Witt, Falck, Foege, Dotzler, Reynolds, Quirk, Kuhn, Bell, Hatch, Jochum, and Huser, a bill for an act relating to the elderly services program and making an appropriation.

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

**House File 237**, by Dotzler and Jenkins, a bill for an act relating to the purchase or lease of items of general use by the department of general services.

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

**House File 238**, by Stevens and Frevert, a bill for an act relating to utilization of the district management levy to pay the cost of employee health insurance benefits.



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

**House File 239**, by committee on economic development, a bill for an act relating to targeted industries under the new jobs and income program.

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

### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-one members present, nineteen absent.

### CONSIDERATION OF BILLS

#### Regular Calendar

**House File 179**, a bill for an act relating to excluding from confinement dogs used by police or correctional officers, was taken up for consideration.

Speaker Siegrist in the chair at 1:15 p.m.

Seng of Scott offered the following amendment H-1046 filed by him and moved its adoption:

H-1046

- 1 Amend House File 179 as follows:
- 2 1. Page 1, line 10, by striking the words "two
- 3 weeks" and inserting the following: "~~two weeks~~ ten
- 4 days".

Amendment H-1046 was adopted.

Shoultz of Black Hawk offered the following amendment H-1043 filed by him and moved its adoption:

H-1043

- 1 Amend House File 179 as follows:
- 2 1. Page 1, line 13, by inserting after the word
- 3 "dog" the following: "or a horse used by a law
- 4 enforcement agency, that is".

Amendment H-1043 was adopted.

Kreiman of Davis offered the following amendment H-1042 filed by him and moved its adoption:

H-1042

- 1 Amend House File 179 as follows:
- 2 1. Page 1, line 14, by inserting after the word
- 3 "duties" the following: "which has bitten a person".

Amendment H-1042 was adopted.

Broers 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. 179)

The ayes were, 98:

Alons	Arnold	Atteberry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, 1:

Mascher

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.

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 179** be immediately messaged to the Senate.

**House File 89**, a bill for an act relating to the supervision of curriculum received via the Iowa communications network, was taken up for consideration.

Kreiman of Davis asked and received unanimous consent to withdraw amendment H-1037 filed by him on February 5, 2001.

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. 89)

The ayes were, 66:

Alons	Arnold	Atteberry	Barry
Baudler	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Carroll	Chiodo	Cormack	De Boef
Dix	Dolecheck	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Gipp	Grundberg	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Johnson
Kettering	Klemme	Kreiman	Larson
Manternach	May	Mertz	Metcalf
Millage	Quirk	Raecker	Rants
Rayhons	Rekow	Roberts	Shey
Sievers	Stevens	Sukup	Teig

Tymeson  
Weidman

Tyrrell  
Mr. Speaker  
Siegrist

Van Engelenhoven Van Fossen

The nays were, 34:

Bell	Bukta	Cohoon	Connors
Dotzler	Foege	Ford	Frevert
Garman	Greimann	Jochum	Kuhn
Larkin	Lensing	Mascher	Murphy
Myers	O'Brien	Osterhaus	Petersen
Reynolds	Richardson	Scherrman	Schrader
Seng	Shoultz	Smith	Taylor, D.
Taylor, T.	Tremmel	Warnstadt	Winckler
Wise	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

Rants of Woodbury asked and received unanimous consent that **House File 89** be immediately messaged to the Senate.

**House File 180**, a bill for an act relating to exceptions to the required participation in a court-approved course prior to the granting of a final dissolution of marriage decree or the entering of a final custody order, was taken up for consideration.

Kreiman of Davis offered amendment H-1045 filed by him as follows:

H-1045

- 1 Amend House File 180 as follows:
- 2 1. Page 1, by inserting after line 25, the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 598.19A, Code 2001, is amended
- 5 by adding the following new subsection:
- 6 NEW SUBSECTION. 3A. If participation in the
- 7 court-approved course is waived or delayed for good
- 8 cause or is otherwise not required under this section,
- 9 the court shall order that the parties receive the
- 10 information described in subsection 4 through an
- 11 alternative format."

Kreiman of Davis offered the following amendment H-1048, to amendment H-1045, filed by him from the floor and moved its adoption:

H-1048

- 1 Amend the amendment, H-1045, to House File 180 as
- 2 follows:
- 3 1. Page 1, line 9, by striking the word "shall"
- 4 and inserting the following: "may".

Amendment H-1048 was adopted.

On motion by Kreiman of Davis amendment H-1045, as amended, was adopted.

Eichhorn 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. 180)

The ayes were, 99:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Grundberg	Hahn	Hansen	Hatch
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell

Van Fossen  
Wise

Warnstadt  
Witt

Weidman  
Mr. Speaker  
Siegrist

Winckler

The nays were, 1:

Van Engelenhoven

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

Rants of Woodbury asked and received unanimous consent that **House File 180** be immediately messaged to the Senate.

### HOUSE FILE 181 REFERRED

The Speaker announced that House File 181, presently placed on the **calendar** was referred to committee on **appropriations**.

### EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on February 8, 2001. Had I been present, I would have voted "aye" on Senate File 63.

MERTZ of Kossuth

I was necessarily absent from the House chamber on February 8, 2001. Had I been present, I would have voted "aye" on Senate File 63.

O'BRIEN of Boone

### 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 12<sup>th</sup> day of February, 2001: House File 103.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

### COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

#### DEPARTMENT OF JUSTICE

The OWI Task Force Report, pursuant to Chapter 321J, 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\261 Rick Allen Van Voorst, Sioux Center – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\262 Edna and Walter Jahn, Ute – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\263 Mr. And Mrs. Edward Wigg, Schleswig – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\264 Ada Baker, Whiting – For celebrating her 90<sup>th</sup> birthday.
- 2001\265 Arlene Elwell, Denison – For celebrating her 80<sup>th</sup> birthday.
- 2001\266 Leona Pautsch, Charter Oak – For celebrating her 95<sup>th</sup> birthday.
- 2001\267 Mary Bersee, Schaller – For celebrating her 80<sup>th</sup> birthday.
- 2001\268 Carl Sproul, Lake View – For celebrating his 86<sup>th</sup> birthday.
- 2001\269 Esther and Harry Endrulat, Holstein – For celebrating their 50<sup>th</sup> wedding anniversary.

- 2001\270 Dorothy and Warren Bohnenkamp, Lake View – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2001\271 Dorothy and Gerald Hines, Sac City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\272 Virgie and Gaylord Lund, Battle Creek – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\273 Ruth and Marvin Mooney, Nemaha – For celebrating their 72<sup>nd</sup> wedding anniversary.
- 2001\274 Polly Madden, Indianola – For celebrating her 90<sup>th</sup> birthday.
- 2001\275 Violet Hildreth, Indianola – For celebrating her 94<sup>th</sup> birthday.
- 2001\276 Dorothy and Donald Kading, Indianola – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\277 Will Carter, Cedar Falls – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\278 Eleanor and Rex Engebretson, Thornton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\279 Ruth and Merle Pannhoff, Ventura – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\280 Shirley and Howard Reed, Thornton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\281 Leora Nye, Clear Lake – For celebrating her 89<sup>th</sup> birthday.
- 2001\282 Mervin Teig, Mason City – For celebrating his 85<sup>th</sup> birthday.
- 2001\283 Phil Bieber, Ventura – For celebrating his 80<sup>th</sup> birthday.
- 2001\284 Minnie Pearl Burdock, What Cheer – For celebrating her 96<sup>th</sup> birthday.
- 2001\285 Grace Norenberg, Keota – For celebrating her 90<sup>th</sup> birthday.
- 2001\286 Mr. and Mrs. Marvin Kirby, Delta – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\287 Mrs. Valburgia Streigle, Delta – For celebrating her 90<sup>th</sup> birthday.
- 2001\288 Barbara and Dennison Tabor, Baldwin – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\289 Mary and Gerald Beck, Bellevue – For celebrating their 50<sup>th</sup> wedding anniversary.



- 2001\290 Edythe Hart, Shenandoah – For celebrating her 90<sup>th</sup> birthday.
- 2001\291 Mr. and Mrs. Rodger Long, New Market – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\292 Rhonda Millhollin, Corning – For being commissioned by the State of Iowa to create pottery Oak Leaf Bowls.
- 2001\293 Brian Bartlett, Keokuk – For receiving the All-State Award for Excellence in Academics and Football.
- 2001\294 Cathryn Kringlen, Oelwein – For celebrating her 80<sup>th</sup> birthday.
- 2001\295 Marge and Luke Kuennen, Oelwein – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\296 Anna Straw, Independence – For celebrating her 92<sup>nd</sup> birthday.
- 2001\297 Alberta Sherrets, Independence – For celebrating her 80<sup>th</sup> birthday.
- 2001\298 Clara Mae "Susie" Pooch, Waterloo – For celebrating her 80<sup>th</sup> birthday.
- 2001\299 Mr. and Mrs. Ralph Gipper, Fairbank – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2001\300 Bernita and Herb Hoeger, Maynard – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\301 Helen McFerrin, Modale – For celebrating her 90<sup>th</sup> birthday.
- 2001\302 Norma and Donald Taylor, Woodbine – For celebrating their 50<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 181

Appropriations: Heaton, Chair; Alons and Smith.

##### House File 225

State Government: Brauns, Chair; Chiodo and Van Engelenhoven.

##### House File 227

State Government: Brauns, Chair; Falck and Gipp.

##### House File 231

Appropriations: Horbach, Chair; Bell and Brunkhorst.

## House File 236

Appropriations: Alons, Chair; Brunkhorst and Mertz.

## RESOLUTION FILED

**HCR 9**, by committee on agriculture, a concurrent resolution to request that the Congress of the United States maintain its commitment to clean air and the ethanol industry, by maintaining the oxygenate requirement in the federal Clean Air Act that promotes the use of ethanol in reformulated gasoline, and urging the United States Environmental Protection Agency to resist California's attempt to waive the oxygenate requirement in that state.

Placed on the **calendar**.

## AMENDMENTS FILED

H-1047	H.R.	11	Carroll of Poweshiek
H-1049	H.F.	178	Boddicker of Cedar Tremmel of Wapello

On motion by Rants of Woodbury the House adjourned at 2:05 p.m., until 8:45 a.m., Tuesday, February 13, 2001.

# JOURNAL OF THE HOUSE

Thirty-seventh Calendar Day - Twenty-fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 13, 2001

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

Prayer was offered by Reverend Joseph A. Lambert, pastor of Our Savior's Lutheran and Stratford Lutheran Churches, Stanhope.

The Journal of Monday, February 12, 2001 was approved.

## PETITION FILED

The following petition was received and placed on file:

By Wise of Lee from eight hundred citizens opposing the high differential in natural gas rates from community to community, and requesting the intervention by state government.

## INTRODUCTION OF BILLS

**House File 240**, by Teig, a bill for an act relating to the local sales and services tax and its repeal and change in use of the tax revenues, repealing the authority to impose a local vehicle tax, and including an effective date.

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

**House File 241**, by Mascher, a bill for an act relating to the confidentiality of certain domestic abuse records.

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

**House File 242**, by Mascher, Lensing, Myers, and Foege, a bill for an act designating lake Macbride as a protected water area.

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

**House File 243**, by Carroll, a bill for an act relating to obscene stickers, decals, and emblems and making penalties applicable.

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

**House File 244**, by committee on judiciary, a bill for an act establishing domestic abuse assault penalties for such assaults committed in the presence or proximity of a child.

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

**House File 245**, by committee on judiciary, a bill for an act relating to the verification of a uniform citation and complaint issued by a law enforcement agency.

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

**House File 246**, by Hoversten, a bill for an act relating to the allowable price charged federal Medicare recipients by pharmacies participating in the medical assistance program, and providing for a repeal.

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

**House File 247**, by Richardson and Dolecheck, a bill for an act relating to wastewater systems, establishing a fund, and appropriating moneys from the fund.

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

**House File 248**, by O'Brien, a bill for an act eliminating investment counseling as a taxable service under the sales and use taxes.

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

**House File 249**, by Frevert, a bill for an act relating to manure management practices by providing for its application in proximity to certain designated areas involving surface water or subsurface water, and making penalties applicable.

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

**House File 250**, by Reynolds, Stevens, Warnstadt, Mertz, Quirk, Kuhn, Hatch, Smith, Dotzler, Frevert, Seng, Lensing, Cohoon, Atteberry, Greimann, Larkin, D. Taylor, Fallon, Bell, May, O'Brien, and T. Taylor, 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 251**, by Fallon, a bill for an act creating the state strategic development council and providing an effective date.

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

**House File 252**, by Fallon, a bill for an act relating to the waiver of late fees or penalties on certain utility bills, and providing an effective date.

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

**House File 253**, by Rayhons, a bill for an act relating to a requirement that the state department of transportation purchase noncorrosive deicers for use by the department.

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

### ADOPTION OF HOUSE RESOLUTION 13

Warnstadt of Woodbury called up for consideration **House Resolution 13**, a resolution recognizing Task Force Alpha of the Iowa Army National Guard for its dedication and outstanding performance of duty, and moved its adoption.

The motion prevailed and the resolution was adopted.

## ADOPTION OF HOUSE RESOLUTION 11

Carroll of Poweshiek called up for consideration the following  
**House Resolution 11**, as follows:

## 1                   HOUSE RESOLUTION 11

## 2       BY COMMITTEE ON ADMINISTRATION AND RULES

3 A Resolution relating to permanent rules of the House  
4 for the seventy-ninth general assembly.

5 *Be It Resolved By The House Of Representatives,*  
6 That the permanent rules of the House for the ~~seventy-~~  
7 ~~eighth~~ seventy-ninth 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 ~~4A~~ 2. A member shall not use a telephonic or  
14 electronic device to audibly transmit or receive  
15 communications while recognized by the presiding  
16 officer to speak in debate.  
17 ~~2~~ 3. The speaker or other presiding officer may  
18 have the chamber cleared of any person acting in  
19 violation of this rule.

20 Rule 5  
21 Rules of Parliamentary Practice  
22 The rules of parliamentary practice in Mason's  
23 Manual of Legislative Procedure shall govern the house  
24 in all cases where they are not inconsistent with the  
25 standing rules of the house or the joint rules of the  
26 senate and house.

27 Rule 5A  
28 House Budget  
29 The speaker of the house shall annually prepare a  
30 proposed budget for the house of representatives for

## Page 4

1 the payment of expenses, salaries, per diems, and  
2 other items. The proposed budget shall be submitted  
3 on the fourteenth day of each legislative session to  
4 the house committee in charge of administration, which  
5 shall approve a proposed budget in house resolution  
6 form within thirty days of receiving the proposed  
7 budget from the speaker. The house shall adopt a  
8 budget within thirty days of the introduction of the  
9 house resolution.

10

## Rule 6

11

## The Speaker Pro Tempore

12

13 The house shall, at its pleasure, elect a speaker  
14 pro tempore. When the speaker shall for any cause be  
15 absent, the speaker pro tempore shall preside, except  
16 when the chair is filled by appointment by either the  
17 speaker or the speaker pro tempore. If a vacancy  
18 occurs in the office of speaker, the speaker pro  
19 tempore shall assume the duties and responsibilities  
20 of the speaker until such time as the house shall  
21 elect a new speaker. The speaker or the speaker pro  
22 tempore shall have the right to name any member to  
23 perform the duties of speaker, but such substitution  
24 shall not extend beyond the adjournment. The acts of  
25 the speaker pro tempore shall have the same validity  
26 as those of the speaker. In the absence of both the  
27 speaker and the speaker pro tempore, the house shall  
28 name a speaker who shall preside over it and perform  
29 all the duties of the speaker with the exception of  
30 signing bills, until such time as the speaker or  
31 speaker pro tempore shall be present, and the person's

## Page 5

1 acts shall have the same force and validity as those  
2 of the regularly elected speaker.

3

## Rule 7

4

## Amendment and Suspension of Rules

5

6 A motion to change or rescind a standing rule or  
7 order of the house requires one day's notice. A  
8 motion to suspend a rule, or to table or take from the  
9 table a matter, requires an affirmative vote of a  
10 constitutional majority. Postponing or changing the  
11 order of business requires an affirmative vote of a  
12 constitutional majority.

12

## Rule 8

13

## Violation of House Rules

14

15 The speaker shall, or any member may, call to order  
16 a member who transgresses the rules of the house.  
17 With leave of the house, the member called to order  
18 may be permitted to explain. If the case requires it,



18 the member shall be subject to censure of the house.

19 Rule 9

20 Referral of Rule Violations

21 The speaker shall, upon complaint of a member, or  
22 upon the speaker's own motion, refer any alleged  
23 violation of house or joint rules by house members,  
24 employees or staff to the house ethics committee upon  
25 an initial finding that an investigation is warranted.

26 The ethics committee shall investigate such  
27 allegations and report them back to the house with a  
28 recommendation.

29 Rule 10

30 Recognition and Decorum in Debate

## Page 6

1 A member who wishes to speak in debate or deliver  
2 any matter to the house shall be appropriately  
3 attired, with male members wearing coat or tie, shall  
4 raise the microphone and, after recognition by the  
5 chair, shall respectfully address the presiding  
6 officer by saying "Mr. or Madam Speaker", shall  
7 confine all remarks to the question under debate, and  
8 shall avoid personalities.

9 Rule 11

10 Limit on Debate

11 No member shall speak more than once on the same  
12 question, without leave of the speaker, nor more than  
13 twice until every member choosing to speak has spoken,  
14 except as provided in Rule 81. A member shall be  
15 limited to ten minutes debate on a bill being  
16 considered prior to its last reading, but may be  
17 granted an extension of time by consent of the house.

18 Rule 12

19 Decorum During Debate

20 No member shall leave the house while the speaker  
21 is putting a question. No one shall pass between the  
22 speaker and a member who is speaking or two members  
23 who have been recognized by the speaker.

24 Rule 13

25 Stating the Question

26 When a motion is made, it shall be stated by the  
27 speaker. A motion made in writing shall be passed to  
28 the desk before it is debated.

29 Rule 14

30 Putting the Question

## Page 7

1 Questions shall be distinctly put in this form:

2 "All those in favor of (the question) shall say

3 'aye';" and after the affirmative voice is expressed,

4 "All those opposed to (the question) shall say 'no'."  
5 If the speaker is in doubt or a member of the house  
6 requests, a nonrecord roll call vote shall be taken.

7 DIVISION II - EMPLOYEES OF THE HOUSE

8 Rule 15

9 Chief Clerk of the House

10 The chief clerk of the house shall serve as  
11 parliamentary and chief administrative officer of  
12 the house under the direction of the speaker of the  
13 house. The chief clerk shall supervise the chief  
14 clerk's office; be responsible for the custody and  
15 safekeeping of all bills, resolutions, and amendments  
16 filed, except when they are in the custody of a  
17 committee; have charge of the daily journal; have  
18 control of all rooms assigned for the use of the  
19 house; attest to the accuracy and correctness of text  
20 and action on bills and resolutions; process the  
21 handling of amendments when filed and during the floor  
22 consideration of bills; insert adopted amendments into  
23 bills before transmittal to the senate and prior to  
24 final enrollment; supervise legislative printing and  
25 the distribution of printed material; and perform all  
26 other duties pertaining to the office of the chief  
27 clerk.

28 Rule 16

29 Reserved

30 Rule 17

Page 8

1 Sergeant-At-Arms

2 The sergeant-at-arms shall execute all orders of  
3 the house and the presiding officer; perform all  
4 assigned duties related to the policing and good order  
5 of the house; supervise the entrance and exit of all  
6 persons to and from the chamber; promptly execute all  
7 messages, etc.; provide that the chamber is properly  
8 ventilated and open for the use of the members; and  
9 perform all other services pertaining to the office of  
10 sergeant-at-arms.

11 Rule 18

12 Secretaries

13 All secretaries of the house shall be under the  
14 general direction of the speaker and the chief clerk.  
15 Secretaries shall be on duty at the house from 8:30  
16 a.m. to 4:30 p.m., except when excused by the member  
17 to whom the secretary is assigned. Secretaries shall  
18 perform such additional duties as may be assigned to  
19 them by the chief clerk.

20 Rule 19

21 Extra Compensation of Employees

22 No employee shall receive any extra compensation,

23 except as provided by the house, or tips for services  
24 performed while on duty. Any violation of this rule  
25 shall be grounds for removal.

26 DIVISION III - VISITORS AND LOBBYISTS

27 Rule 20

28 Admission to the House; Lobbying

29 The chamber of the house shall include the  
30 vestibule, restrooms, cloak room, lounge, visitors'

Page 9

1 galleries, and floor of the house.

2 The floor of the house shall consist of that area  
3 between the press box, speaker's station, and the  
4 south wall behind the last row of desks occupied by  
5 representatives, excluding the visitors' galleries.  
6 During a legislative day while the house is in  
7 session, and one-half hour before the house convenes  
8 and one-half hour after the house recesses or  
9 adjourns, no person shall be admitted to the floor of  
10 the house except:

11 1. Members of the general assembly and authorized  
12 house employees in the performance of their duties.

13 2. Former members of the general assembly who are  
14 not registered lobbyists.

15 3. A general assembly member's family.

16 4. Representatives of the press, radio, and  
17 television who shall go directly to and from the press  
18 box.

19 5. Legislative interns approved by the chief clerk  
20 who shall go directly to and from the seat of their  
21 assigned representative or to be seated in the  
22 perimeter seating area.

23 6. Chair, co-chair, and the executive secretary of  
24 a political party having members serving in the  
25 general assembly.

26 7. Personnel of the Code editor's office,  
27 legislative service bureau, legislative fiscal bureau,  
28 citizens' aide/ombudsman's office, computer support  
29 bureau and administrative rules review committee  
30 staff.

Page 10

1 8. The governor's executive assistants and  
2 administrative assistants, members of the state  
3 executive council, the lieutenant governor, the  
4 attorney general, and the administrative rules  
5 coordinator, all of whom shall be confined to the  
6 perimeter area.

7 The current status of former members of the general  
8 assembly shall govern their access to the floor under

9 these rules.

10 No other persons shall be allowed on the house  
11 floor without permission of the presiding officer of  
12 the house.

13 No person admitted to the floor of the house,  
14 except members of the general assembly, shall, while  
15 the house is in session, lobby or attempt to exercise  
16 any influence with any member for or against any  
17 matter then pending or that may thereafter be  
18 considered by the house.

19 Notwithstanding the provisions of this rule  
20 regarding admission to the floor of the house, a  
21 registered lobbyist shall not be admitted to the floor  
22 of the house on any day when the house is in session  
23 or committees are scheduled to meet from one-half hour  
24 before the house convenes or 8:45 a.m., whichever is  
25 earlier, until one-half hour after the house adjourns  
26 or until 4:30 p.m., whichever is later. A registered  
27 lobbyist or other person may be admitted to the house  
28 when the house is not in session to gain access to a  
29 committee room.

30 Each lobbyist shall be given a copy of this rule

## Page 11

1 when the lobbyist registers.

2 Each member, employee of the house, and registered  
3 lobbyist shall report violations of this rule  
4 immediately to the sergeant-at-arms.

5 Any person for cause may be summarily dismissed  
6 from the chamber of the house, by action of the house,  
7 and shall forfeit that person's right to admission  
8 thereafter.

9 Rule 20A

10 Legislative Interns

11 Only one legislative intern per member of the house  
12 is allowed on the floor of the house at any one time.

13 Rule 21

14 Distribution of Literature

15 No person except a member or employee of the house  
16 of representatives shall generally distribute or cause  
17 to be distributed any pamphlets, material, or other  
18 printed literature to the members' desks in the house.  
19 An employee of the house shall generally distribute or  
20 cause to be distributed such literature only on behalf  
21 of the employee's office or staff.

22 All copies of pamphlets, material, or printed  
23 literature distributed by a member or employee of the  
24 house of representatives shall bear the name of the  
25 member or employee's office or staff.

26 Other distributions of pamphlets, material, or  
27 other printed literature shall bear their source of

28 origin and be distributed through the legislative post  
29 office by completing a form containing a member's or  
30 the chief clerk's authorization, with the

## Page 12

1 authorization form attached to one copy of the  
2 distribution. The copy with the attached  
3 authorization form shall be retained for a reasonable  
4 time period by the legislative post office.

### Rule 22

#### Distribution of Materials

##### Printed by the State

8 A member of the house shall not distribute maps,  
9 books, and pamphlets such as, but not limited to, How  
10 a Bill Becomes Law, which have been printed by the  
11 state of Iowa and upon which the name of the member of  
12 the house has been affixed unless the member has  
13 purchased the materials or unless the member has  
14 affixed the words "Paid for by the citizens of Iowa  
15 and distributed by representative (member's name)."

## DIVISION IV - FORMS AND PROCEDURES

### FOR BILLS AND OTHER DOCUMENTS

### Rule 23

#### Documents Signed by the Speaker

20 All acts and joint resolutions shall be signed by  
21 the speaker, and all writs, warrants, and subpoenas  
22 issued by order of the house, shall be signed by the  
23 speaker and attested by the chief clerk. The speaker  
24 shall cause certificates of recognition or condolence  
25 to be issued by the house which shall be signed by the  
26 speaker and the chief clerk.

### Rule 24

#### Presentation of Petitions

29 All petitions, memorials and other papers addressed  
30 to the house shall be signed by the member and filed

## Page 13

1 with the chief clerk or the chief clerk's staff.

### Rule 25

#### Consideration of Resolutions

4 Action on a resolution, except a memorial  
5 resolution, or a proposition requesting information  
6 from a state official shall not be taken until one day  
7 after the resolution has been placed on the members'  
8 desks. After the resolution is adopted, the chief  
9 clerk shall transmit certified copies and have the  
10 resolution printed in the bound journal. A resolution  
11 may be printed in the daily journal upon the approval  
12 of the speaker after consultation with the minority  
13 leader.

14

## Rule 26

15

## Unanimous Consent Calendar

16

The speaker may, upon the request of three members, place on a unanimous consent calendar any house resolution or concurrent resolution which does not contain an appropriation and which has been laid over under Rule 25.

21

22

23

24

25

26

27

28

29

30

If such resolution is placed on the unanimous consent calendar, it may be removed only upon a written request submitted to the speaker by a member of the house.

If not removed after five legislative days, the chief clerk shall call up the resolution and without debate the speaker shall pronounce that it has passed by unanimous consent.

If the resolution is removed from the unanimous consent calendar, the speaker may again lay the

## Page 14

1 resolution over under Rule 25, place it on a different  
2 calendar, or refer the resolution to any of the  
3 standing committees of the house.

4

## Rule 27

5

## Forms of Bills and Joint Resolutions

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

Every house bill shall be introduced by one or more members or by any standing or specially authorized committee of the house, the administrative rules review committee or interim study committee. All bills and joint resolutions introduced shall be prepared by the legislative service bureau with title, enacting clause, text and explanation as directed by the chief clerk of the house. One copy of each bill shall be presented in a bill cover with the number of copies of the bill and the title as directed by the chief clerk.

## Rule 28

## Joint and Nullification Resolutions

Joint resolutions shall be framed and treated as bills.

A "nullification resolution" is a joint resolution which nullifies all of an administrative rule, or a severable item of an administrative rule adopted pursuant to chapter 17A of the Code. A nullification resolution shall not amend an administrative rule by adding language or by inserting new language in lieu of existing language.

A nullification resolution may be introduced by an individual, a standing committee or the administrative rules review committee, and may be referred to a

## Page 15

1 standing committee. A nullification resolution is  
2 debatable, but cannot be amended on the floor of the  
3 house.

## Rule 29

## Time of Introduction of Bills

6 No bill or joint resolution under individual  
7 sponsorship, other than a nullification resolution,  
8 shall be read for the first time after 4:30 p.m. on  
9 Friday of the 6th week of the first regular session of  
10 the general assembly unless a written request for  
11 drafting the bill has been filed with the legislative  
12 service bureau before that time.

13 After adjournment of the first regular session,  
14 bills may be prefiled at any time before the convening  
15 of the second regular session. No bill or joint  
16 resolution under individual sponsorship, other than a  
17 nullification resolution, shall be read for the first  
18 time after 4:30 p.m. on Friday of the 2nd week of the  
19 second regular session of the general assembly unless  
20 a written request for drafting the bill has been filed  
21 with the legislative service bureau before that time.

22 However, bills or joint resolutions sponsored by  
23 standing committees or the administrative rules review  
24 committee, co-sponsored by the majority and minority  
25 floor leaders, or companion bills sponsored by the  
26 house majority leader and the senate majority leader  
27 may be drafted and introduced at any time permissible  
28 under Joint Rule 20. House, concurrent, and  
29 nullification resolutions may be introduced at any  
30 time.

## Page 16

## Rule 30

## Introduction and Reading of Bills

3 All bills and resolutions to be introduced in the  
4 house shall be typed in proper form and filed with the  
5 chief clerk no later than 4:30 p.m. on the legislative  
6 day preceding its introduction.

7 Every bill shall receive two readings but no bill  
8 shall receive its first and last readings on the same  
9 day.

10 A "reading of a bill" as required by these rules  
11 shall consist of a reading of the title and enacting  
12 clause unless otherwise demanded by a house member.

## Rule 31

## First Reading, Commitment, and Amendment

15 31.1. A bill is introduced into the house by an  
16 initial or "first reading of the bill".

17 31.2. When the house is in session the first

18 reading shall consist of a "reading" as provided in  
19 Rule 30.

20 31.3. Upon a first reading of the bill, the  
21 speaker shall state that it is ready for commitment or  
22 amendment; and the speaker shall commit it to the  
23 standing or select committee, or to a committee of the  
24 whole house. If to a committee of the whole house,  
25 the house shall determine on what day.

26 31.4. On a day when the house is not in session,  
27 the speaker shall cause a statement, which shall  
28 consist of the title, enacting clause, bill number and  
29 committee to which the bill is referred to be  
30 published in the house journal. This publication

### Page 17

1 shall constitute a first reading and commitment and  
2 shall contain the notation "read and committed under  
3 Rule 31.4".

4 31.5. All amendments offered to bills on file or  
5 on the regular calendar shall be accompanied by such  
6 copies as the chief clerk shall direct.

7 31.6. Such amendments shall give the number of the  
8 bill sought to amend and the chief clerk shall  
9 designate each such amendment thus: Amendment to  
10 House File \_\_\_\_\_, or Senate File \_\_\_\_\_, by  
11 \_\_\_\_\_.

12 31.7. A bill reported out by committee shall go to  
13 the speaker who shall direct that the bill be placed  
14 on the regular calendar unless it covers subject  
15 matter more properly within the jurisdiction of some  
16 other standing committee, in which case the speaker  
17 shall refer the bill to the proper standing committee.  
18 In order to expedite important business and set a  
19 definite time for the bill's consideration, the  
20 speaker may direct the bill to be placed on the  
21 special order calendar.

22 31.8. No amendment to the rules of the house, to  
23 any resolution or bill, except technical amendments  
24 and amendments to bills substituted for by senate  
25 files containing substantially identical title,  
26 language, subject matter, purpose and intrasectional  
27 arrangement, shall be considered by the membership of  
28 the house without a copy of the amendment having been  
29 filed with the chief clerk by 4:00 p.m., or within one-  
30 half hour of adjournment, whichever is later, on the

### Page 18

1 day preceding floor debate on the amendment. If the  
2 house adjourns prior to 2:00 p.m., on Friday, the final  
3 deadline is two hours after adjournment. However,



4 committee amendments filed pursuant to the submission  
5 of the committee report may be accepted after this  
6 deadline. This provision shall not apply to any  
7 proposal debated on the floor of the house after the  
8 thirteenth week of the first session and the eleventh  
9 week of the second session. No amendment or amendment  
10 to an amendment to a bill, rule of the house, or  
11 resolution shall be considered by the membership of  
12 the house without a copy of the amendment being on the  
13 desks of the entire membership of the house prior to  
14 consideration.

#### 15 Rule 32

16 Commitment of Appropriation and Revenue Bills

17 All bills to appropriate money shall be referred to  
18 the appropriations committee, and all bills pertaining  
19 to the levy, assessment, or collection of taxes shall  
20 be referred to the committee on ways and means.

#### 21 Rule 33

##### 22 Regular Calendar

23 Bills, nullification resolutions, and joint  
24 resolutions reported out for passage, or amendment and  
25 passage, or without recommendation, by a committee,  
26 shall be arranged on a regular calendar by the chief  
27 clerk each day at 4:30 p.m. in the order of the file  
28 number of the bills and following the preceding  
29 legislative day's regular calendar. Priority shall be  
30 given to house over senate file numbers and to joint

#### Page 19

1 resolutions over bills in the arrangement of the  
2 regular calendar.

#### 3 Rule 34

4 Debate and Special Order Calendars

5 The majority floor leadership shall cause to be  
6 prepared and distributed to the members at the opening  
7 of each session day when floor action is scheduled, a  
8 daily debate calendar consisting of bills,  
9 nullification resolutions, and joint resolutions from  
10 the regular calendar setting forth the number and  
11 title of bills, nullification resolutions, and joint  
12 resolutions for the next session day that floor action  
13 is scheduled.

14 The majority floor leadership shall cause to be  
15 prepared and distributed to the members at the opening  
16 of each session day when floor action is scheduled, a  
17 special order calendar setting forth the number and  
18 title of bills, nullification resolutions, and joint  
19 resolutions and the date upon which debate is  
20 scheduled to begin on each of them, which can be no  
21 sooner than five session days from the first date of  
22 publication on the regular calendar.

23 This rule does not apply to bills which have passed  
24 both houses in different forms, reconsiderations, or  
25 veto reconsiderations.

26 Rule 35

27 Noncontroversial Calendar

28 The majority floor leadership may cause to be  
29 prepared a noncontroversial calendar consisting of  
30 bills and joint resolutions from the regular calendar.

Page 20

1 The noncontroversial calendar shall appear under  
2 separate heading on the regular calendar.

3 Notwithstanding Rule 34, a bill or joint resolution  
4 on the noncontroversial calendar may be called up for  
5 debate at any time by the majority leader beginning  
6 the third legislative day after it appears on the  
7 noncontroversial calendar. A bill or joint resolution  
8 shall be stricken from the noncontroversial calendar  
9 if a written objection to the bill or joint resolution  
10 is filed with the chief clerk prior to the time the  
11 bill or joint resolution is called up by the majority  
12 leader.

13 Debate on a bill or joint resolution from the  
14 noncontroversial calendar shall be limited to ten  
15 minutes. If debate exceeds ten minutes, the bill or  
16 joint resolution shall be stricken from the  
17 noncontroversial calendar.

18 Rule 36

19 Consideration of Committee Amendments

20 After a bill has been referred and reported back,  
21 it shall be considered on its first reading after the  
22 amendments of the committee have been read.

23 Rule 37

24 Amendments to Special Order Bills

25 All amendments to bills on the special order  
26 calendar shall be filed at least three session days  
27 prior to the date set for debate. Amendments to an  
28 amendment shall be filed at least two session days  
29 prior to the date set for debate. However, corrective  
30 amendments and amendments sponsored by either the

Page 21

1 majority floor leader or the minority floor leader may  
2 be filed at any time. Rule 31.8 shall not apply to  
3 these amendments.

4 A corrective amendment is an amendment which does  
5 not substantively change the amendment or the bill.

6 Rule 38

7 Irrelevant Amendments

8 No motion or proposition on a subject different

9 from that under consideration shall be admitted under  
10 color of an amendment.

11 Rule 39

12 Consideration of Bills

13 Bills, including committee bills, and nullification  
14 resolutions, reported out for passage, for indefinite  
15 postponement, for amendment and passage, or without  
16 recommendation by the committee, shall not be acted  
17 upon until after the second legislative day following  
18 the day the report was printed in the journal.

19 Prior to noon or adjournment, whichever is later,  
20 on the last legislative day of the week, the majority  
21 leader shall prepare a list of bills reported out of  
22 committee that week which have not yet appeared on the  
23 regular calendar.

24 The reports of the committees shall not be read  
25 while the house is in session except as herein  
26 provided. The reports shall be printed in the journal  
27 immediately after they are filed with the chief clerk.  
28 Reports recommending bills for passage, for amendment  
29 and passage, or without recommendation shall stand  
30 approved unless written objections are filed during

Page 22

1 the first legislative day following their printing in  
2 the journal. If objections are filed, they shall be  
3 disposed of as soon as possible. Reports recommending  
4 indefinite postponement shall be governed by Rule 44.

5 Upon an affirmative vote of at least a  
6 constitutional majority of the members, a report may  
7 be read before it is printed in the journal and while  
8 the house is in session, and acted upon at once.

9 Rule 40

10 Consideration of Bills Upon Last Reading

11 No amendment, unless by way of correcting an error  
12 or omission, shall be received to any bill on its last  
13 reading, and no debate shall be allowed on it.

14 Rule 41

15 Printing of Bills and Joint Resolutions

16 Bills and joint resolutions shall be printed in  
17 form as provided by law and by rule. Each house may  
18 direct the printing of an additional number of its own  
19 bills.

20 Legalizing bills of a local or private nature shall  
21 be printed in bill form and placed in the files of the  
22 members, the same as other bills, in the order of  
23 their introduction. The cost of printing shall be  
24 deposited with the treasurer of state in advance at a  
25 rate to be fixed, and the newspaper publication of the  
26 bill shall be without cost to the state. No  
27 legalizing act may be introduced until all provisions

28 of law have been complied with.

29 Rule 42

30 Certification of Bills

Page 23

1 The chief clerk shall certify the passage of each  
2 bill and note the date of its passage.

3 Rule 43

4 Rereferral

5 A bill may be rereferred at any time before its  
6 passage and after the report of its referral to  
7 committee.

8 Rule 44

9 Effect of Indefinite Postponement

10 When a question is indefinitely postponed, it shall  
11 not be acted upon again during that session. Any bill  
12 which receives a committee recommendation of  
13 indefinite postponement shall be disposed of within  
14 three legislative days after the printed journal  
15 containing the report has been placed upon the desks  
16 of the members of the house, or the committee  
17 recommendation will be considered adopted.

18 Rule 45

19 Status of Bills Following

20 First Regular Session

21 Except for those bills which have been adopted by  
22 both houses in different forms, all bills which have  
23 not been withdrawn, defeated or indefinitely  
24 postponed, shall be rereferred to committee upon  
25 adjournment of the first regular session. Within  
26 seven days after the first committee meeting following  
27 convening of the second regular session, the committee  
28 chair shall submit the bill to the full committee for  
29 action or the chair shall reassign the bill to a  
30 subcommittee.

Page 24

1 DIVISION V - COMMITTEE PROCEDURES

2 Rule 46

3 Appointment of Committees

4 All committees shall be appointed by the speaker,  
5 unless otherwise especially directed by the house.

6 Rule 47

7 Order on Question of Commitment

8 When a resolution is offered or a motion made to  
9 refer any subject, and different committees are  
10 proposed, the question shall be taken in the following  
11 order: The committee of the whole house; a standing  
12 committee; a select committee.

13 Rule 48

## 14 Study Bills

15 A study bill is any matter which a member of the  
16 house wishes to have considered by a standing  
17 committee, other than appropriations, and which has  
18 not been included in a previously introduced bill.

19 Upon taking possession of a study bill, the committee  
20 chair shall notify the speaker and then submit fifteen  
21 copies of the bill to the legal counsel's office for  
22 numbering.

23 A study bill shall bear the name of the member who  
24 wishes to have the bill considered. A study bill  
25 submitted by a state agency or board for consideration  
26 shall bear the name of the state agency or board. A  
27 committee chair may submit a study bill in the name of  
28 that committee.

29 Final committee action on a study bill shall not be  
30 taken until one day following the notation of the

**Page 25**

1 study bill assignment in the house journal.

2 A study bill not prepared by the legislative  
3 service bureau may be submitted to a standing  
4 committee, but shall not be considered by the full  
5 committee unless reviewed and typed in proper form by  
6 the legislative service bureau.

## 7 Rule 49

## 8 Committee Meetings

9 No committee, except a conference committee or the  
10 administrative rules review committee, shall meet  
11 while the house is in session without special leave.

## 12 Rule 50

## 13 Smoking Prohibited

14 Smoking shall not be permitted in the house or in  
15 any area of the capitol building controlled by the  
16 house or controlled jointly by the house and senate.

## 17 Rule 50A

## 18 Nondegradable Polystyrene Cups

19 The use of nondegradable polystyrene cups shall not  
20 be permitted on the floor of the house, at the  
21 speaker's station, or in the press boxes.

## 22 Rule 51

## 23 Assignments to Subcommittee

24 The chair of the committee shall report to the  
25 house the bill number of each bill assigned to  
26 subcommittee and the names of the subcommittee  
27 members. The report shall be printed in the journal.

28 All bills, prior to consideration by the committee,  
29 shall be referred by the chair to a subcommittee,  
30 unless acted upon by a committee of the whole.

## Page 26

1 The chair may assign bills to subcommittees without  
2 a meeting of the committee, but the membership of the  
3 subcommittee so appointed shall be reported at the  
4 next meeting of the committee.

## 5 Rule 52

## 6 Open Meetings

7 Standing committee meetings shall be open, and  
8 voting by secret ballot is prohibited. The committee  
9 on administration and rules may close its meetings to  
10 evaluate the professional competency of an individual  
11 whose appointment, hiring, performance, or discharge  
12 is being considered when necessary to prevent needless  
13 and irreparable injury to that individual's reputation  
14 on the request of the affected individual.

## 15 Rule 53

## 16 Quorum and Vote Requirements

17 The committee roll shall be taken at the convening  
18 of each meeting to determine the presence of a quorum.  
19 A majority of the committee membership shall  
20 constitute a quorum.

21 An affirmative vote of a majority of the committee  
22 membership is required to report a bill out of  
23 committee or to suspend a committee rule.

24 A motion to reconsider may be made only by a  
25 committee member who voted on the prevailing side of  
26 the question sought to be reconsidered. A motion to  
27 reconsider may only be made provided the bill is still  
28 in possession of the committee.

29 If a member, who is in the committee room when a  
30 question to report a bill out of committee is put, has

## Page 27

1 not asked to be excused prior to commencing to take  
2 the vote on the question, the member shall vote aye or  
3 nay unless the committee has excused the member for  
4 special reasons. However, a member may pass on the  
5 first taking of the roll call on the question but  
6 shall vote aye or nay when the member's name is called  
7 for a second time.

## 8 Rule 54

9 Committee Attendance Record and Report  
10 of Committee Form

11 1. A committee attendance record shall be filed  
12 with the chief clerk no later than 10:00 a.m. or two  
13 hours after the house convenes, whichever is later, of  
14 the legislative day immediately following the day of  
15 the committee meeting. The committee attendance  
16 record is a public record and may be published in the  
17 journal. The committee attendance record shall

18 include the following information:

- 19 a. The time the meeting convened.
- 20 b. The members present at the meeting.
- 21 c. The time the meeting adjourned.
- 22 d. A list of bills receiving final committee  
23 disposition.
- 24 2. A report of committee form shall be filed with  
25 the chief clerk no later than 10:00 a.m. or two hours  
26 after the house convenes, whichever is later, of the  
27 legislative day immediately following the day of the  
28 committee meeting for each study bill, numbered bill  
29 or resolution receiving final committee disposition.
- 30 The report of committee form is a public record and a

## Page 28

- 1 report of committee action shall be printed in the  
2 journal. The report of committee form shall include  
3 the following information:
- 4 a. The committee action taken.
- 5 b. The committee amendment number, if any.
- 6 c. The roll call vote of the committee on final  
7 disposition.
- 8 d. The minority recommendation, if any.
- 9 3. Upon final adjournment of the first session and  
10 final adjournment of the second session of the general  
11 assembly, the chair of each committee shall have  
12 placed the committee's book of record containing  
13 minutes, roll calls, rules, etc., with the chief clerk  
14 for access of any interested person.

### Rule 55

#### Minority Recommendation

- 17 The minority of the members of a committee may  
18 present its recommendations on the final disposition  
19 of a bill to the house by attaching its recommendation  
20 to the committee report and the same shall be printed  
21 in the journal with the committee report.

### Rule 56

#### Committee Amendment.

- 24 Whenever a committee amendment is proposed which  
25 would amend another committee amendment, the amendment  
26 shall be drafted in the form of a substitute amendment  
27 and shall be considered as such.

### Rule 57

#### Committee Notice and Agenda

- 30 Each committee shall prepare and publish a notice

## Page 29

- 1 and agenda of each committee meeting at least one  
2 legislative day prior to the meeting.
- 3 The notice shall contain the committee name, the

4 date, time, and location of the meeting.

5 The agenda shall contain the matters to be  
6 discussed, including a list of bills, joint  
7 resolutions, nullification resolutions, and study  
8 bills by number. The agenda should contain the names  
9 of individuals who are scheduled to appear before the  
10 committee and the organization which they represent.

11 A bill, joint resolution, nullification resolution,  
12 or study bill shall not be reported out of committee  
13 if the bill was not included in the published notice  
14 and agenda unless this rule is suspended by a majority  
15 of the total membership of the committee.

16 A committee chair may call a meeting without  
17 providing the required notice and agenda upon leave of  
18 the house if a notice is placed on the desks of  
19 committee members and on the bulletin board.

20 Rule 58

21 Clearing of Committee Room

22 The chair of a committee may clear the committee  
23 room in case of any disturbance or disorderly conduct.

24 Rule 58A

25 Use of Telephonic or Electronic Devices  
26 in Committee Rooms Restricted

27 1. In order to prevent the disruption of committee  
28 deliberations, a person shall not do any of the  
29 following in any committee room while a standing  
30 committee is in session:

## Page 30

1 a. Allow any audible signal to be continued to be  
2 transmitted to or from a telephonic or electronic  
3 device under the person's control.

4 b. Use a telephonic or electronic device to  
5 audibly transmit or receive communications.

6 2. The chair or acting chair of a standing  
7 committee may clear the committee room of any person  
8 acting in violation of this rule.

9 Rule 59

10 Committee Amendments

11 All amendments to a bill or resolution adopted in  
12 committee shall be incorporated in a single committee  
13 amendment or incorporated in a new committee bill.

14 Rule 60

15 Withdrawal of Bills

16 or Nullification Resolutions  
17 From Committee

18 A bill or nullification resolution which has been  
19 in committee for eighteen legislative days following  
20 notation of such referral in the journal may be  
21 withdrawn from the committee and placed on the  
22 calendar by an affirmative vote of not less than



23 fifty-one members of the house.

24 Rule 61

25 Committee Public Hearings

26 The chair of a committee may call a public hearing  
27 for the purpose of receiving public comment on any  
28 matter within the purview of the committee.

29 The chair shall call a public hearing upon the  
30 written request of committee members according to

## Page 31

1 committee rules, but no more than one-third of the  
2 committee members shall be required.

3 A public hearing shall not be called or requested  
4 after final action on the bill has been taken by the  
5 committee. However, a public hearing called or  
6 requested before final action has been taken by the  
7 committee may be held after final action on the bill  
8 has been taken by the committee.

9 The chair shall designate a time and place for a  
10 public hearing and provide public notice at least five  
11 days prior to a public hearing.

12 A bill for which a public hearing has been called  
13 can be voted to the calendar but cannot be debated  
14 until after the public hearing has been held.

15 However, public hearings which have been requested  
16 during or after the 9th week of the first session and  
17 during or after the 7th week of the second session  
18 must be held within four legislative days of the date  
19 of the request.

20 Rule 62

21 Limitation on Filing of Claims

22 A claim or claim bill, the subject matter of which  
23 has been considered or filed for consideration in the  
24 house or any of its committees, in two or more prior  
25 sessions of the general assembly, shall not be  
26 considered by any committee or by the house unless it  
27 has been specifically referred to this session by a  
28 prior general assembly. The committee on  
29 appropriations is authorized to set a definite date  
30 after which it will not receive claims or claim bills

## Page 32

1 for consideration.

2 DIVISION VI - COMMITTEE OF THE WHOLE

3 Rule 63

4 Organization of Committee of the Whole

5 In forming the committee of the whole house, the  
6 speaker shall appoint a member to preside in committee  
7 and then leave the chair.

8 Rule 64

## 9 Rules in Committee of the Whole

10 The rules of the house shall be observed in  
11 committee of the whole house, so far as they are  
12 applicable.

## 13 Rule 65

## 14 Bills in Committee of the Whole

15 Bills committed to the committee of the whole house  
16 shall first be read in their entirety by the chief  
17 clerk or chair and then read again or debated by  
18 section, leaving the preamble to be considered last.  
19 After report, the bill shall again be subject to  
20 debate and amendment before a vote is had on its last  
21 reading and passage.

## 22 Rule 66

## 23 Amendments by Committee of the Whole

24 All amendments made to a report committed to a  
25 committee of the whole house shall be noted and  
26 reported as in the case of bills.

## 27 DIVISION VII - MOTIONS

## 28 Rule 67

## 29 Order and Precedence of Motions

30 The following order and precedence of motions shall

**Page 33**

1 govern when a question is under debate:

2 11. Adjourn.

3 10. Recess.

4 9. Questions of privilege.

5 8. Lay on the table.

6 7. Previous question.

7 6. Postpone definitely or to a certain time.

8 5. Refer or commit.

9 4. Defer.

10 3. Amend an amendment.

11 2. Amend.

12 1. Postpone indefinitely.

13 These motions are listed in descending order of  
14 precedence.

15 A motion to postpone definitely or to a certain time, to  
16 refer or commit, or to postpone indefinitely a particular  
17 question shall not be considered more than once on the same day.

18 Adoption of a motion to strike the enacting words is equivalent  
19 to rejection of the question.

## 20 Rule 68

## 21 Order of Consideration of Amendments

22 Amendments shall be considered by earliest position  
23 in the bill. Amendments to the same place in the bill  
24 shall be considered by the lowest amendment number.

25 An amendment which inserts language after a line and  
26 an amendment which inserts language before the  
27 succeeding line shall be considered amendments to the

28 same place in the bill.

29 However, an amendment to strike the enacting clause

30 shall always be considered first. An amendment filed

#### Page 34

1 by a committee shall have the next highest order of  
2 priority, followed by an amendment to strike  
3 everything after the enacting clause and insert new  
4 language. An amendment to strike language or to  
5 strike and insert new language, except an amendment to  
6 strike everything after the enacting clause and insert  
7 new language, shall not be considered before  
8 amendments to perfect all or part of the same portion  
9 of the bill.

10

#### Rule 69

11 Motions Not Debatable

12 The motions to lay on the table, to adjourn, to  
13 adjourn to a time certain, for the previous question,  
14 to defer, to rerefer, and appeals of a ruling of the  
15 presiding officer shall be decided without debate.

16

#### Rule 70

17 Motion to Adjourn

18 A motion to adjourn shall always be in order,  
19 except when a member is speaking or the house is  
20 voting.

21

#### Rule 71

22 Withdrawal of Motions

23 After a motion is stated by the speaker, or read by  
24 the chief clerk, it shall be deemed to be in  
25 possession of the house, but may be withdrawn by leave  
26 of the house.

27

#### Rule 72

28 Referral and Rereferral

29 Motions and reports may be referred and rereferred  
30 at the pleasure of the house.

#### Page 35

1

#### Rule 73

2

#### Reconsideration

3 1. A motion to reconsider may be made only by a  
4 member who voted on the prevailing side of the  
5 question sought to be reconsidered.

6 2. A motion to reconsider may be made not later  
7 than adjournment on the day following the day of the  
8 action sought to be reconsidered. Where the floor  
9 manager voted on the prevailing side, the floor  
10 manager has the prior right to make the motion, until  
11 adjournment on the day of the action sought to be  
12 reconsidered. A motion to reconsider a nullification  
13 resolution shall be acted upon not later than

14 adjournment on the legislative day following the day  
15 of the action sought to be reconsidered.  
16 3. A motion to reconsider made following the  
17 ninety-seventh calendar day of the first regular  
18 session, or the eighty-seventh calendar day of the  
19 second regular session, may be taken up when made. A  
20 motion made at any other time may be taken up prior to  
21 the third day succeeding the day of the action sought  
22 to be reconsidered only if called up by the mover, and  
23 after the second day succeeding the day of the action  
24 sought to be reconsidered if called up by any member.  
25 4. The making of a motion to reconsider takes  
26 precedence over all other questions.  
27 5. No motion to reconsider passage, adoption or  
28 failure of any bill, nullification resolution or joint  
29 resolution shall prevail unless it obtains a  
30 constitutional majority. When passage, adoption or

### Page 36

1 failure is reconsidered, questions on amendments may  
2 also be reconsidered and shall be disposed of  
3 immediately.  
4 6. A motion that the motion to reconsider be laid  
5 on the table is in order. The effect of laying the  
6 motion to reconsider on the table is to cause the bill  
7 or joint resolution to proceed on its regular course  
8 immediately.  
9 7. In the event that a motion to reconsider is  
10 pending at the end of the first session or any  
11 extraordinary session of any general assembly, or the  
12 general assembly adjourns sine die, and the motion to  
13 reconsider has not been voted upon by the house, the  
14 motion shall be determined to have failed.

### DIVISION VIII - VOTING

#### Rule 74

#### Manner of Voting

18 Members present may cast their votes, either by  
19 operating the voting mechanism located at their  
20 assigned desk or by signaling the speaker from the  
21 floor of the house or from the south visitors' gallery  
22 if they are unable to vote at their assigned desk.  
23 The speaker shall enter the votes of members signaling  
24 their votes. Upon direction of the speaker or upon  
25 request of two members during the taking of the vote  
26 of the house on any question, only those members at  
27 their desks and voting shall be counted. Members who  
28 are not present shall not cast their votes except:  
29 1. Members who have not voted may record their  
30 votes on any record roll call vote except quorum calls

**Page 37**

1 within ten minutes after the vote has been announced,  
2 providing the vote does not change the outcome of the  
3 vote on that question. A member may request  
4 announcement of the names of members so recorded after  
5 the ten-minute period.

6 2. Members meeting in a conference committee or in  
7 administrative rules review committee at the time a  
8 vote is taken on a question may have their vote  
9 recorded within thirty minutes or adjournment,  
10 whichever is first of that same legislative day,  
11 providing the vote does not change the outcome of the  
12 vote on that question.

**Rule 75****Duty of Voting**

15 Except as limited in Rule 74, every member who is  
16 in the house when a question is put shall vote unless  
17 the house has excused that member for special reasons;  
18 however, such member must have asked to be excused  
19 prior to commencing to take the vote on the main  
20 question.

**Rule 76****Limitation on Right to Vote**

22 No member shall vote on any question in which that  
23 person is financially interested.

**Rule 77****Call of the House**

26 Upon written request of five members, the presiding  
27 officer shall compel attendance of absent and  
28 unexcused members for the consideration of specified  
29 bills or resolutions.

**Page 38**

1 A call of the house shall specify the propositions  
2 to which it is to apply, and must be put into effect  
3 before roll call is taken on the proposition. The  
4 request may be filed at any time before final action  
5 upon the propositions with the chief clerk, who shall  
6 notify the house immediately.

**Rule 78****Method of Calling the House**

8 Upon a call of the house, the names of the members  
9 shall be called by the chief clerk and the absentees  
10 noted, after which the names of the absentees shall  
11 again be called. The sergeant-at-arms shall be  
12 directed by the speaker to compel the attendance of  
13 absent members, unless they are previously excused.  
14 Any member occupying the member's seat during a call  
15 of the house shall be counted by the speaker and that  
16 person's name entered in the journal as being present

18 for the purpose of making a quorum.

19 Rule 79

20 Method of Calling the Roll

21 The electrical voting machine shall be used for a  
22 call of the house, a quorum call or a roll call vote  
23 on any question. If the electrical voting machine is  
24 not in operating order when it is necessary to take a  
25 record roll call vote, the presiding officer shall  
26 order the vote to be taken by calling the roll in  
27 alphabetical order, except the name of the presiding  
28 officer shall be called last.

29 During the casting of the vote with the voting  
30 machine, the individual votes and the vote totals

### Page 39

1 shall be shown on the display boards. Before the  
2 voting machine is closed, the presiding officer shall  
3 inquire of the house, "Have you all voted?"

4 Rule 80

5 Quorum and Record Roll Call Votes

6 A majority of the members shall constitute a  
7 quorum.

8 A record roll call vote shall be ordered upon  
9 request of any two members. The names of the members  
10 requesting the record roll call shall be entered in  
11 the journal.

12 Rule 81

13 Previous Question

14 When a member moves for a previous question, that  
15 member shall state whether the motion will apply to  
16 the main question, to all the amendments, or to  
17 particular amendments. The motion requires an  
18 affirmative vote of at least a constitutional majority  
19 of the members. If the motion for a previous question  
20 is not adopted, the house shall proceed in the same  
21 manner as before the motion was made.

22 If the motion is adopted, all debate must end and  
23 the house will vote upon the question except:

24 1. If the motion applies to the main question, the  
25 member in charge of the measure will have ten minutes  
26 to speak for the purpose of closing discussion before  
27 the vote on the measure is taken.

28 2. If the motion applies to an amendment, the  
29 member proposing the amendment will have five minutes  
30 to speak for the purpose of closing discussion before

### Page 40

1 the vote on the amendment is taken.

2 3. If a member has filed a written request with  
3 the chief clerk of the house indicating the member's

4 desire to speak on a particular question. The request  
5 must be filed before the motion is made by the movant.  
6 The request allows a member to speak on a particular  
7 question before the closing discussion by the member  
8 who is in charge of the measure or who is proposing  
9 the amendment.

10 Rule 82

11 Division of the Question

12 Any member may call for a division of the question,  
13 which shall be divided if it comprehends questions so  
14 distinct that one being taken away, the remainder may  
15 stand separately for discussion by the house. A  
16 motion to strike out being lost shall not preclude  
17 either an amendment or a motion to strike out and  
18 insert. A motion to strike out and insert shall be  
19 deemed indivisible.

Carroll of Poweshiek offered the following amendment H-1047  
filed by him and moved its adoption:

H-1047

1 Amend House Resolution 11 as follows:  
2 1. Page 18, line 8, by striking the word  
3 "thirteenth" and inserting the following: "thirteenth  
4 fourteenth".  
5 2. Page 18, line 8, by striking the word  
6 "eleventh" and inserting the following: "eleventh  
7 twelfth".

Amendment H-1047 was adopted.

Carroll of Poweshiek offered the following amendment H-1039  
filed by him and moved its adoption:

H-1039

1 Amend House Resolution 11 as follows:  
2 1. By striking page 22, line 29, through page 23,  
3 line 2, and inserting the following:  
4 "Rule 42  
5 Certification and Engrossment of Bills  
6 The chief clerk shall certify the passage of each  
7 bill and note the date of its passage.  
8 In engrossing a bill, the chief clerk shall correct  
9 all obvious typographical, spelling, or other clerical  
10 errors and change section subunit numbers and letters  
11 and internal references as required to conform the  
12 original bill to any amendments which have been  
13 adopted. The chief clerk shall report all such

14 corrections or changes in the journal. The engrossed  
15 bill shall be placed in the bill file with the  
16 original bill and amendments."

Amendment H-1039 was adopted.

On motion by Carroll of Poweshiek the resolution, as amended, was adopted.

### EXPLANATION OF VOTE

I was necessarily absent from the House chamber on February 8, 2001. Had I been present, I would have voted "aye" on Senate File 63.

GARMAN of Story

### BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 12, 2001, he approved and transmitted to the Secretary of State the following bill:

House File 191, an act providing for the establishment of the state percent of growth for purposes of the state school foundation program and providing an applicability date.

### CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

2001\303 Elsie Williams, Stratford – For celebrating her 95<sup>th</sup> birthday.

2001\304 Maria Klaasen, Pomeroy – For celebrating her 80<sup>th</sup> birthday.

2001\305 Elizabeth Bohn, Pomeroy – For celebrating her 100<sup>th</sup> birthday.

2001\306 Harold Humm, Lake City – For celebrating his 90<sup>th</sup> birthday.

2001\307 Josephine Blunk, Mooreland – For celebrating her 90<sup>th</sup> birthday.

2001\308 Grace Beschorner, Lohrville – For celebrating her 80<sup>th</sup> birthday.



- 2001\309 Beulah and Harold Humm, Lake City – For celebrating their 64<sup>th</sup> wedding anniversary.
- 2001\310 Marie and Herbert O'Brien, Manson – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\311 Patricia and Philip Bangert, Pomeroy – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\312 Peggy and Lyle Barkley, Gowrie – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\313 Betty and Charlie Manguson, Dayton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\314 Paul Anderson, Vinton – For celebrating his 80<sup>th</sup> birthday.
- 2001\315 Art Green, Fontanelle – For celebrating his 87<sup>th</sup> birthday.
- 2001\316 Joan and William Gilpin, Iowa City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\317 Louis Reynolds, Davenport – For celebrating his 80<sup>th</sup> birthday.
- 2001\318 Ruth McCool, Guthrie Center – For celebrating her 80<sup>th</sup> birthday.
- 2001\319 LaVonne Pohl, Panora – For celebrating her 85<sup>th</sup> birthday.
- 2001\320 Pauline Lupardus, Guthrie Center – For celebrating her 90<sup>th</sup> birthday.
- 2001\321 Heidi Koester, Waterloo – For Outstanding Community Service.
- 2001\322 Catherine Withrow, LeMars – For Outstanding Community Service.
- 2001\323 Hugh McCall – For celebrating his 80<sup>th</sup> birthday.
- 2001\324 Frances and Gus Gross, Fontanelle – For celebrating their 50<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 60 Reassigned

Human Resources: Boddicker, Chair; De Boef and Kreiman.

##### House File 116 Reassigned

Human Resources: Boddicker, Chair; De Boef and Kreiman.

##### House File 140

Local Government: Sievers, Chair; Eddie and Petersen.

**House File 162**

Commerce and Regulation: Raecker, Chair; Kettering and Schrader.

**House File 175**

Commerce and Regulation: Jenkins, Chair; Hoffman and Quirk.

**House File 176**

Local Government: Weidman, Chair; Arnold and Huser.

**House File 197**

Local Government: Dix, Chair; Eddie, Huser, Richardson and Van Engelenhoven.

**House File 203**

Local Government: Weidman, Chair; Sievers and Warnstadt.

**House File 205**

Labor and Industrial Relations: Millage, Chair; Horbach and T. Taylor.

**House File 206**

Commerce and Regulation: Raecker, Chair; Kettering and Schrader.

**House File 207**

Environmental Protection: Drake, Chair; De Boef and Lensing.

**House File 215**

Local Government: Eddie, Chair; D. Taylor and Van Engelenhoven.

**House File 219**

Environmental Protection: Brunkhorst, Chair; Foege and Huseman.

**House File 220**

Commerce and Regulation: Bradley, Chair; Johnson and Seng.

**House File 221**

Labor and Industrial Relations: Millage, Chair; Dotzler and Horbach.

**House File 226**

Labor and Industrial Relations: Sukup, Chair; Boddicker and Dotzler.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 112**

Commerce and Regulation: Dix, Chair; Bradley and Falck.

**House Study Bill 113**

Commerce and Regulation: Bradley, Chair; Dix and Schrader.

**House Study Bill 114**

Commerce and Regulation: Hoffman, Chair; Kettering and D. Taylor.

**House Study Bill 115**

Commerce and Regulation: Jacobs, Chair; Chiodo and Jenkins.

**House Study Bill 116**

Commerce and Regulation: Hoffman, Chair; D. Taylor and Van Fossen.

**House Study Bill 126**

Natural Resources: Baudler, Chair; Bukta and Weidman.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 144 Economic Development**

Relating to the designation of model communities in projects, pilot projects, or similar initiatives undertaken by the governor or the executive branch and providing effective and applicability dates.

**H.S.B. 145 Economic Development**

Providing for the establishment of an advanced telecommunications services community assistance fund.

**H.S.B. 146 Economic Development**

Relating to standards of and participation in the title guaranty program.

**H.S.B. 147 Transportation**

Relating to transportation, including provisions on road projects, vehicle sales, movement, and reports, and mailing of notices, and providing a penalty and an effective date.

**H.S.B. 148 Commerce and Regulation**

Relating to the Iowa individual health benefit reinsurance association and the Iowa comprehensive health insurance association, by changing the board of directors, membership, assessment, and premium tax offset related to the associations.

**H.S.B. 149 Commerce and Regulation**

Relating to price regulation for local exchange carriers, by changing certain definitions related to price regulation, permitting certain rate increases, requiring certain network infrastructure investments, and making related changes.

**H.S.B. 150 Commerce and Regulation**

Relating to creditor discrimination against consumers in consumer credit transactions due to the exercise of legal rights directly affecting the consumer's creditworthiness.

**H.S.B. 151 Commerce and Regulation**

Relating to allocation and payment of expenses arising from performance of duties by the Iowa utilities board and the consumer advocate, and providing an effective date.

**H.S.B. 152 Commerce and Regulation**

Relating to the licensure of persons acting as insurance producers, providing an effective date, and applying penalties.

**H.S.B. 153 Commerce and Regulation**

Relating to electric power generation and transmission, by addressing the criteria for construction of an electric generating facility; waivers;

approval of power purchase contracts; management of regulated emissions from facilities fueled by coal; providing for the development of a state electric energy policy; and making certain other changes related to electric transmission.

### 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.

MARGARET A. THOMSON  
Chief Clerk of the House

### COMMITTEE ON APPROPRIATIONS

**Committee Bill** (Formerly House Study Bill 143), restricting the expenditure of moneys from the general fund of the state for out-of-state travel by members and employees of the general assembly and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 12, 2001.

### COMMITTEE ON COMMERCE AND REGULATION

**Committee Bill** (Formerly House Study Bill 15), permitting cooperative associations to deal with nonmembers, to use fictitious names, and to issue memberships without charge; to permit electric cooperatives to have multiple classes of members; and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 13, 2001.

**Committee Bill** (Formerly House Study Bill 50), relating to balloon payments on consumer loans secured by a certificate of title in a motor vehicle.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2001.

**Committee Bill** (Formerly House Study Bill 71), adding document preparation and modification to the list of acts defining the activities of a real estate broker.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 13, 2001.

## COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House Study Bill 65), relating to felonious misconduct by a public officer or employee and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2001.

**Committee Bill** (Formerly House Study Bill 81), establishing the interstate compact for adult criminal offender supervision and providing a contingent effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 13, 2001.

**Committee Bill** (Formerly House Study Bill 86), striking certain filing requirements related to campus crime statistics and sexual abuse policies.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2001.

## COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly House Study Bill 88), relating to the duties and office of the secretary of state in commissioning notarial officers.

Fiscal Note is not required.

Recommended **Do Pass** February 12, 2001.

## RESOLUTIONS FILED

**HCR 10**, by committee on appropriations, a concurrent resolution restricting the expenditure of moneys from the general fund of the state for out-of-state travel by members and employees of the general assembly and providing an effective date.

Placed on the **appropriations calendar**.

**HCR 11**, by Houser, a concurrent resolution requesting the legislative council to authorize a study committee to recommend objective criteria for use in identifying the need for developing new or expanded county jail facilities.

Laid over under **Rule 25**.

## AMENDMENT FILED

H-1050          H.F.          228          Barry of Harrison  
   Kreiman of Davis

On motion by Rants of Woodbury the House adjourned at 9:09 a.m., until 8:45 a.m., Wednesday, February 14, 2001.

# JOURNAL OF THE HOUSE

Thirty-eighth Calendar Day - Twenty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, February 14, 2001

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

Prayer was offered by Reverend Gary F. Smith, pastor of the First Church of the Nazarene, Oskaloosa.

The Journal of Tuesday, February 13, 2001 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Garman of Story, until her arrival, on request of Rants of Woodbury; Boddicker of Cedar, until his arrival, on request of Tyrrell of Iowa; Kreiman of Davis, until his arrival, on request of Myers of Johnson.

## INTRODUCTION OF BILLS

**House File 254**, by Baudler, a bill for an act requiring certain criminal defendants to submit a physical specimen for DNA profiling.

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

**House File 255**, by Bradley, a bill for an act relating to moneys in the solid waste account of the groundwater protection fund.

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

**House File 256**, by Grundberg, a bill for an act relating to health care facility regulation, including information to be included in a notice of a deficiency and including the collaboration of the department of inspections and appeals and the state fire marshal in promulgating rules.

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



**House File 257**, by Kreiman, a bill for an act providing for labeling requirements for genetically modified seeds and making penalties applicable.

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

**House File 258**, by Kreiman, a bill for an act relating to a criminal defendant on bail submitting a physical specimen for the performance of a drug test as a condition of release.

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

**House File 259**, by committee on state government, a bill for an act relating to the duties and office of the secretary of state in commissioning notarial officers.

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

**House File 260**, by Hansen, a bill for an act relating to the property tax levy for community college facilities and providing for the Act's applicability.

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

**House File 261**, by Heaton, a bill for an act eliminating the reemployment earnings limitation under the Iowa public employees' retirement system for a retired member reemployed as a substitute teacher.

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

**House File 262**, by Heaton, a bill for an act relating to the use of generally accepted accounting principles by nursing facilities.

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

**House File 263**, by Quirk, a bill for an act providing internet access through the Iowa communications network for rural communities meeting specified criteria.

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

**House File 264**, by Gipp, Alons, Johnson, Kettering, Barry, Hoffman, Dolecheck, Drake, De Boef, and Rekow, a bill for an act

relating to the distribution of tax revenues from the local option sales and services tax for school infrastructure purposes collected in a county and including an effective and applicability date provision.

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

**House File 265**, by Drake, 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 266**, by Boggess, a bill for an act relating to the disclosure of ownership of a funeral or cremation establishment.

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

### 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 13, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 66, a bill for an act relating to state general fund expenditure limitation requirements for transmission of the state budget by the governor and passage of the state budget by the general assembly.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGE CONSIDERED

**Senate File 66**, by committee on appropriations, a bill for an act relating to state general fund expenditure limitation requirements for transmission of the state budget by the governor and passage of the state budget by the general assembly.

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

## SPECIAL PRESENTATION

Jenkins of Black Hawk introduced to the House a delegation of legislators from Saskatchewan Canada including: Milt Wakefield, Daryl Wiberg, and the Assistant to the Speaker, Margaret Kleisinger as well as Lindy Kasperski, a member of the Government Caucus. They were here to learn about the Iowa legislature.

The House rose and expressed its welcome.

## HOUSE FILE 104 WITHDRAWN

Shey of Linn asked and received unanimous consent to withdraw House File 104 from further consideration by the House.

## CONSIDERATION OF BILLS

## Regular Calendar

**House File 222**, a bill for an act permitting banks in Iowa to establish additional bank offices, and containing effective dates, was taken up for consideration.

Shey 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. 222)

The ayes were, 95:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Finch
Foege	Ford	Frevert	Gipp
Greimann	Grundberg	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf

Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Warnstadt	Weidman	Winckler
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, 1:

Fallon

Absent or not voting, 4:

Boddicker                      Garman                      Van Engelenhoven    Van Fossen

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

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 222** be immediately messaged to the Senate.

**House File 194**, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability provisions, was taken up for consideration.

Raecker of Polk offered the following amendment H-1041 filed by the committee on judiciary and moved its adoption:

H-1041

- 1 Amend House File 194, as follows:
- 2 1. Page 11, by inserting after line 8, the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 147.80, subsection 13, Code
- 5 2001, is amended to read as follows:
- 6 13. License to practice nursing issued upon the
- 7 basis of an examination given by the board of ~~nurse~~
- 8 ~~examiners~~ nursing, license to practice nursing based
- 9 on an endorsement from another state, territory or
- 10 foreign country, renewal of a license to practice
- 11 nursing."
- 12 2. Page 21, by inserting after line 15, the

- 13 following:  
 14 "Sec. \_\_. Section 714.19, subsection 2, Code  
 15 2001, is amended to read as follows:  
 16 2. Schools of nursing accredited by the board of  
 17 ~~nurse examiners~~ nursing or an equivalent public board  
 18 of another state or foreign country."  
 19 3. By numbering, renumbering, and changing  
 20 internal references as necessary.

The committee amendment H-1041 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. 194)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Gipp	Greimann	Grundberg	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Warnstadt
Weidman	Winckler	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Boddicker

Garman

Van Fossen

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

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 194** be immediately messaged to the Senate.

On motion by Rants of Woodbury, the House was recessed at 9:16 a.m., until 1:00 p.m.

### AFTERNOON SESSION

The House reconvened at 1:00 p.m., Speaker pro tempore Sukup in the chair.

### QUORUM CALL

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

### INTRODUCTION OF BILLS

**House File 267**, by committee on environmental protection, a bill for an act renaming the waste management assistance division of the department of natural resources.

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

**House File 268**, by committee on transportation, a bill for an act relating to speed limits for vehicular traffic on interstate and fully controlled-access, divided, multilaned highways.

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

**House File 269**, by committee on commerce and regulation, a bill for an act relating to balloon payments on consumer loans secured by a certificate of title in a motor vehicle.

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

**House File 270**, by committee on judiciary, a bill for an act striking certain filing requirements related to campus crime statistics and sexual abuse policies.

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

**House File 271**, by committee on commerce and regulation, a bill for an act adding specified document preparation and modification to the list of acts defining the activities of a real estate broker.

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

**House File 272**, by committee on judiciary, a bill for an act relating to felonious misconduct by a public officer or employee and providing a penalty.

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

### CONSIDERATION OF BILLS Regular Calendar

**House Joint Resolution 5**, a joint resolution to nullify an administrative rule of the department of revenue and finance relating to the collection of a fee to recover direct costs in the administration of a local option sales and services tax and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Metcalf of Polk 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?" (H.J.R. 5)

The ayes were, 80:

Alons	Arnold	Atteberry	Barry
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Bukta
Carroll	Chiodo	Cphoon	Connors
Cormack	De Boef	Dix	Dotzler

Drake	Eddie	Eichhorn	Elgin
Fallon	Finch	Ford	Gipp
Greimann	Grundberg	Hahn	Hansen
Hatch	Heaton	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	O'Brien	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Roberts	Seng
Shey	Shoultz	Sievers	Smith
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Sukup, Presiding

The nays were, 18:

Baudler	Bell	Dolecheck	Falck
Foege	Frevert	Hoffman	Kettering
Klemme	Murphy	Myers	Osterhaus
Richardson	Scherrman	Schrader	Stevens
Taylor, D.	Van Engelenhoven		

Absent or not voting, 2:

Garman                      Siegrist, Spkr.

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House Joint Resolution 5** be immediately messaged to the Senate.

**House File 178**, a bill for an act applying child in need of assistance and child abuse provisions to a child whose parent or guardian or the person responsible for the child's care has manufactured or possessed a dangerous substance in a child's presence, was taken up for consideration.

Boddicker of Cedar offered the following amendment H-1049 filed by him and Tremmel of Wapello and moved its adoption:



H-1049

- 1 Amend House File 178 as follows:
- 2 1. Page 1, by striking lines 3 through 5 and
- 3 inserting the following:
- 4 "NEW PARAGRAPH. p. Whose parent, guardian, or
- 5 custodian does any of the following: unlawfully
- 6 manufactures a dangerous substance in the presence of
- 7 a child, knowingly allows such manufacture by another
- 8 person in the presence of a child, or in the presence
- 9 of a child possesses a product".
- 10 2. Page 1, line 14, by striking the words "or the
- 11 home's premises" and inserting the following: ", on
- 12 the premises, or in a motor vehicle located on the
- 13 premises".
- 14 3. Page 1, by striking lines 25 through 31 and
- 15 inserting the following:
- 16 "(c) a chemical or combination of chemicals that
- 17 poses a reasonable risk of causing an explosion, fire,
- 18 or other danger to the life or health of persons who
- 19 are in the vicinity while the chemical or combination
- 20 of chemicals is used or is intended to be used in any
- 21 of the following:
- 22 (i) The process of manufacturing an illegal or
- 23 controlled substance.
- 24 (ii) As a precursor in the manufacturing of an
- 25 illegal or controlled substance.
- 26 (iii) As an intermediary in the manufacturing of
- 27 an illegal or controlled substance."

Amendment H-1049 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. 178)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Frevert	Gipp
Greimann	Grundberg	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach

Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Sievers
Smith	Stevens	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Sukup, Presiding

The nays were, 1:

Ford

Absent or not voting, 3:

Dix

Garman

Siegrist, Spkr.

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

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 178** 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.

MARGARET A. THOMSON  
Chief Clerk of the House

2001\325 Megan Wettach, Mt. Pleasant – For receiving a 2001 Prudential Spirit of Community Award.

2001\326 Juanita and Kenneth Bushman, Iowa City – For celebrating their 50<sup>th</sup> wedding anniversary.

2001\327 Bonnie and Ted Walker, Boone – For celebrating their 50<sup>th</sup> wedding anniversary.

2001\328 Katherine and Ervin Crouse, Boone – For celebrating their 68<sup>th</sup> wedding anniversary.

2001\329 Lois Matre-Hanson, Estherville – For celebrating her 80th birthday.

2001\330 Greg Kollasch, Spirit Lake – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

2001\331 Lillian and Neil Williams, Cedar Falls – For Outstanding Christian Lay Work in Developing Countries as a teacher and a medical missionary.

### **SUBCOMMITTEE ASSIGNMENTS**

#### **House File 66**

Local Government: Van Engelenhoven, Chair; Arnold and Reynolds.

#### **House File 195**

Transportation: Garman, Chair; Eddie and Warnstadt.

#### **House File 235**

Transportation: Klemme, Chair; Bukta and Van Engelenhoven.

#### **House File 246**

Human Resources: Hoversten, Chair; Reynolds and Roberts.

### **HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**

#### **House Study Bill 130**

Transportation: Heaton, Chair; Bukta and Garman.

#### **House Study Bill 144**

Economic Development: Cormack, Chair; O'Brien and Roberts.

#### **House Study Bill 145**

Economic Development: Hoversten, Chair; Boggess and Seng.

#### **House Study Bill 146**

Economic Development: Van Fossen, Chair; Hatch and Hoversten.

#### **House Study Bill 147**

Transportation: Huser, Chair; Arnold, Brauns, Eddie and May.

**House Study Bill 148**

Commerce and Regulation: Shey, Chair; Chiodo and Hoffman.

**House Study Bill 149**

Commerce and Regulation: Dix, Chair; Falck, Hoffman, Metcalf and Petersen.

**House Study Bill 150**

Commerce and Regulation: Jacobs, Chair; Raecker and Wise.

**House Study Bill 151**

Commerce and Regulation: Metcalf, Chair; Raecker and Wise.

**House Study Bill 152**

Commerce and Regulation: Hoffman, Chair; Jacobs and Petersen.

**House Study Bill 153**

Commerce and Regulation: Jenkins, Chair; Bradley, Chiodo, Hansen, Metcalf, D. Taylor and Wise.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 154 Human Resources**

Providing for a legal risk waiver in interstate adoptions.

**H.S.B. 155 Local Government**

Relating to the administrative procedures of certain county officers by authorizing the issuance of checks, providing for the cancellation of warrants and checks, the disposal of tax lists, and the receipt of electronic payments, specifying tax sale costs and the mailing address for changes of titles and deeds, providing for other properly related matters, and providing an effective date.

**H.S.B. 156 Local Government**

Providing for the collection, deposit, and appropriation of moneys to counties derived from fees for filing statements under the uniform commercial code.

## H.S.B. 157 Education

Relating to certain school finance 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.

MARGARET A. THOMSON  
Chief Clerk of the House

### COMMITTEE ON ENVIRONMENTAL PROTECTION

**Committee Bill** (Formerly House Study Bill 43), renaming the waste management assistance division of the department of natural resources.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2001.

### COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House File 79), limiting the liability of rural water districts and associations in connection with the provision of water for fire protection.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 13, 2001.

### COMMITTEE ON NATURAL RESOURCES

**House File 95**, 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.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2001.

Pursuant to Rule 31.7, House File 95 was referred to the committee on ways and means.

### COMMITTEE ON TRANSPORTATION

**Committee Bill** (Formerly House File 115), relating to speed limits for vehicular traffic on interstate and fully controlled-access, divided, multilaned highways.

Fiscal Note is required.

Recommended **Do Pass** February 13, 2001.

### RESOLUTION FILED

**HCR 12**, by Greimann, a concurrent resolution supporting the lifting of nonmilitary sanctions against Iraq by the United States government.

Laid over under **Rule 25**.

On motion by Rants of Woodbury the House adjourned at 2:17 p.m., until 8:45 a.m., Thursday, February 15, 2001.

# JOURNAL OF THE HOUSE

Thirty-ninth Calendar Day - Twenty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, February 15, 2001

The House met pursuant to adjournment at 8:51 a.m., Speaker pro tempore Sukup in the chair.

Prayer was offered by Reverend Kenneth N. Kent, pastor of the First United Methodist Church, Fairfield.

The Journal of Wednesday, February 14, 2001 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sievers of Scott, until his arrival, on request of Van Fossen of Scott.

## INTRODUCTION OF BILLS

**House File 273**, by Carroll, Fallon, Hoffman, Huser, Boddicker, Reynolds, Raecker, Richardson, Grundberg, Kuhn, and Witt, a bill for an act relating to state and local land management and planning, and providing effective dates.

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

**House File 274**, by Hatch, Kreiman, Reynolds, and Ford, a bill for an act appropriating supplemental funding for the low-income energy assistance program for the fiscal year beginning July 1, 2000, and providing an effective date.

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

**House File 275**, 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 276**, by Wise, Foege, and Mascher, a bill for an act making an appropriation and establishing a teacher compensation reform and student achievement savings account fund.

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

**House File 277**, by Wise, a bill for an act relating to a moratorium on disconnection of electric and gas utility services during certain months, and making certain technical changes.

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

**House File 278**, by May, a bill for an act repealing the requirement to fly a flag or pennant on an all-terrain vehicle or snowmobile when operating on a public road or street.

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

**House File 279**, by Carroll, a bill for an act relating to collection of the E911 surcharge.

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

**House File 280**, by Carroll, a bill for an act relating to jurisdictional changes to small claims court cases.

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

**House File 281**, by Rayhons, a bill for an act increasing the scheduled fine for violations of certain rules of the road relating to school buses.

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

**House File 282**, by Mascher, a bill for an act relating to the tobacco use prevention and control initiative.

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



**House File 283**, by Rayhons, a bill for an act providing that certain members of state boards, committees, commissions, or councils are eligible to receive a daily expense allowance.

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

**House File 284**, 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 **transportation**.

**House File 285**, by Huser, Dotzler, Bukta, Murphy, Winckler, Lensing, Witt, D. Taylor, Kreiman, Greimann, Jochum, Larkin, Kuhn, Myers, Quirk, Connors, Mascher, Richardson, and T. Taylor, a bill for an act relating to consumer privacy.

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

**House File 286**, by committee on commerce and regulation, a bill for an act permitting cooperative associations to deal with nonmembers, to use fictitious names, and to issue memberships without charge; to permit electric cooperatives to have multiple classes of members; and providing an effective date.

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

**House File 287**, by committee on judiciary, a bill for an act establishing the interstate compact for adult criminal offender supervision and providing a contingent effective date.

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

**House File 288**, by Barry and Hoffman, a bill for an act relating to the size of drainage or levee districts having election districts.

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

**House File 289**, by Boddicker, a bill for an act relating to custody and visitation, including the required posting of a cash bond to assure compliance with an order.

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

**House File 290**, by Brunkhorst, a bill for an act abolishing the communications review committee.

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

**House File 291**, by Cormack, a bill for an act relating to the commencement of driver's license revocations for certain drug offenses.

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

### 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 14, 2001, passed the following bill in which the concurrence of the House is asked:

House File 222, a bill for an act permitting banks in Iowa to establish additional bank offices, and containing effective dates.

Also: That the Senate has on February 14, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 62, a bill for an act relating to the processing and distribution of honey in residences.

Also: That the Senate has on February 14, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 83, a bill for an act relating to the verification of a uniform citation and complaint issued by a law enforcement agency.

Also: That the Senate has on February 14, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 98, a bill for an act concerning unemployment compensation by relieving unemployment compensation charges for employees who become unemployed due to a presidentially declared disaster.

Also: That the Senate has on February 14, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 146, a bill for an act relating to the tobacco master settlement agreement and providing an effective date.

Also: That the Senate has on February 14, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 2, a concurrent resolution to approve and confirm the appointment of the Citizens' Aide.

MICHAEL E. MARSHALL, Secretary

### GOVERNOR'S VETO MESSAGE

A copy of the following communication was received and placed on file:

February 14, 2001

Brent Siegrist  
Speaker of the House  
State Capitol Building  
L O C A L

Dear Speaker Siegrist:

**House File 103**, an Act relating to information included in written promotional materials distributed by the Department of Economic Development.

I am unable to approve House File 103 and hereby transmit it to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

I am profoundly disappointed that the legislature has chosen to invest valuable state resources to draft, debate, and pass this bill. The people of Iowa continue to wait for the Iowa Legislature to begin addressing the issues important to Iowa's families.

One Republican lawmaker referred to this bill as part of their "political agenda." Now that this political issue has been put aside, it is time for the members of the Legislature to now focus their attention on the important issues of teacher compensation/student achievement, reducing abuse, and supporting efforts to raise the incomes of all Iowans.

The legislation would require that all written materials used by the Iowa Department of Economic Development to recruit businesses highlight Iowa as a "Right-to-Work" state. Many people feel the "Right-to-Work" language is synonymous with a 'cheap wage' sign on the state. This is why I felt this legislation needed to be coupled with an increase in Iowa's minimum wage.

I am disappointed that Republican lawmakers have refused to pass legislation that will raise the minimum wage for the more than 100,000 Iowans who work for \$5.15 an hour. The bipartisan Governor's Strategic Planning Council recognized and recommended that we work together to increase wages and incomes of all Iowans – including raising Iowa's minimum wage.

This inaction by Republican lawmakers is especially curious and disappointing since they passed legislation this week that raises the wages of their high school student pages from minimum wage to \$7.17 an hour. Being a page in the legislature provides high school students with an educational opportunity to learn about government first hand. While pages deserve a raise in wages, I believe all people who earn the minimum wage deserve a raise. I am profoundly disappointed that Republican lawmakers are ignoring my proposal for increasing the state's minimum wage from \$5.15 an hour to \$6.15 an hour over the next two years.

I am disappointed the Legislature appears to be unwilling to set a living wage threshold for employers that obtain financial assistance from the State. This initiative would require that employers receiving economic development assistance from the state must pay a "living wage" to their workers. A "living wage" would support a family of four with only one full-time worker above the federal poverty level. In Iowa, the "living wage" today is \$8.20 per hour – an annual wage of \$17,056.

For Iowa to grow and expand economically, Iowa must set itself apart from other states. We need to promote the quality of life Iowa has to offer. We need to promote the hard working, conscientious people that employers can hire. We need to promote Iowa's excellent educational system and Iowa's worker training opportunities. This is what makes Iowa special. This is why Iowa is a smart place for business.

With the disposition of this bill, the Lieutenant Governor and I are hopeful that Republican lawmakers will stop their focus on partisan issues and turn their attention to serious matter of meeting the needs of Iowa's families. With an increasingly tight state budget, it is time to start working together in a bipartisan manner to improve learning opportunities for children by recruiting, retaining, and respecting quality teachers. We also need to focus on protecting our most vulnerable Iowans from abuse, and supporting efforts to raise the incomes of all Iowans.

For the above reasons, I hereby respectfully disapprove House File 103.

Sincerely,  
Thomas J. Vilsack  
Governor

## CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

2001\332 Alex Jurrens, Onawa – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

2001\333 Kendall Stanislov, Blencoe – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

2001\334 Garrick Warren, Onawa – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

#### **SUBCOMMITTEE ASSIGNMENTS**

##### **House File 143**

Local Government: Houser, Chair; Fallon, Richardson, Sievers and Van Engelenhoven.

##### **House File 247**

Environmental Protection: Huseman, Chair; De Boef and Schrader.

##### **House File 250**

Economic Development: Cormack, Chair; Hoversten and Stevens.

##### **House File 255**

Environmental Protection: Bradley, Chair; Gipp and Shoultz.

##### **House File 256**

State Government: Cormack, Chair; Garman and T. Taylor.

##### **House File 262**

Human Resources: De Boef, Chair; Barry and Smith.

##### **House File 274**

Appropriations: Millage, Chair; Brunkhorst and Hatch.

##### **House File 290**

State Government: Garman, Chair; Falck and Gipp.

##### **Senate File 66**

Appropriations: Millage, Chair; Brunkhorst and Hatch.

#### **HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**

##### **House Study Bill 154**

Human Resources: Carroll, Chair; Foege and Roberts.

**House Study Bill 155**

Local Government: Van Engelenhoven, Chair; Reynolds and Weidman.

**House Study Bill 156**

Local Government: Van Engelenhoven, Chair; Arnold and Reynolds.

**House Study Bill 157**

Education: Brunkhorst, Chair; Carroll and Mascher.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 158 Commerce and Regulation**

Relating to telecommunications, to establish standards for the continued provision of interconnection by incumbent local exchange carriers to competitors subsequent to a grant of authority by the federal communications commission for the incumbent local exchange carrier to enter the interLATA long distance market; providing for the imposition of civil penalties by the Iowa utilities board for the failure of an incumbent local exchange carrier to meet the standards; and providing a private cause of action against an incumbent local exchange carrier failing to meet the standards, including recovery of actual and punitive damages.

**H.S.B. 159 Local Government**

Relating to the development of land by amending provisions relating to subdivision plats and plats of survey and relating to annexation and other boundary adjustments, and providing for the Act's 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.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House Study Bill 117), relating to the duties of the board of directors of a school district prior to a regular school election.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 14, 2001.

**Committee Bill** (Formerly House Study Bill 118), relating to contracts and compensation that benefit a member of the board of directors of a school district.

Fiscal Note is not required.

Recommended **Do Pass** February 14, 2001.

## COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House Study Bill 28), relating to child support enforcement, including disclosure of certain juvenile court records to the child support recovery unit, waiting periods for administrative review and adjustment of orders, and federal tax and nontax setoff payments for accrued support, and providing effective dates.

Fiscal Note is not required.

Recommended **Do Pass** February 15, 2001.

## COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly House Study Bill 75), relating to the financial operations and transactions of the information technology department.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 14, 2001.

## AMENDMENT FILED

H-1051      H.F.      268      Larkin of Lee

On motion by Rants of Woodbury the House adjourned at 9:07 a.m., until 1:00 p.m., Monday, February 19, 2001.

# JOURNAL OF THE HOUSE

Forty-third Calendar Day - Twenty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, February 19, 2001

The House met pursuant to adjournment at 1:09 p.m., Barry of Harrison in the chair.

Prayer was offered by Bridget Prins, Governor of the Iowa American Legion Auxiliary Girls State from Sibley-Ocheyedan High School.

The Journal of Thursday, February 15, 2001 was approved.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Linn-Mar SODA Group (Students O.K. Without Drugs and Alcohol) and TRY (Teens Reaching Youth) from Linn-Mar High School, Marion.

## INTRODUCTION OF BILLS

**House Joint Resolution 6**, by Jochum, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors.

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

**House Joint Resolution 7**, by Hansen, a joint resolution designating the black squirrel as the official state animal of Iowa.

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

**House File 292**, by committee on state government, a bill for an act relating to the financial operations and transactions of the information technology department.

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



**House File 293**, by committee on education, a bill for an act relating to the duties of the board of directors of a school district prior to a regular school election.

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

**House File 294**, by committee on education, a bill for an act relating to contracts and compensation that benefit a member of the board of directors of a school district.

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

**House File 295**, by Foege and Houser, a bill for an act authorizing an area education agency to serve as fiscal agent for a community empowerment area board and providing an effective date.

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

**House File 296**, by Tremmel, Smith, Mertz, Witt, Ford, Dotzler, Murphy, Warnstadt, Larkin, Greimann, Foege, Mascher, Lensing, Shoultz, Osterhaus, Kuhn, and Seng, a bill for an act relating to a prescription drug program and making an appropriation.

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

**House File 297**, by Stevens, a bill for an act relating to the authority of a city to regulate the application of fertilizers and soil conditioners on residential property.

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

**House File 298**, by Fallon, a bill for an act relating to benefits provided to reinstated state employees and providing an effective date and for retroactive applicability.

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

**House File 299**, by Houser, a bill for an act relating to the administration of county government by providing for the issuance of certain lease or lease-purchase contracts, the recording of certain property transfers, an increase in the real estate transfer fee, the

imposition of a real estate contract fee, changing the date for reporting agricultural land tax credits, and by striking a real estate record notification requirement regarding name changes on marriage licenses.

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

**House File 300**, by Scherrman, a bill for an act concerning membership within the protection occupation classification of the Iowa public employees' retirement system by certain department of corrections employees.

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

**House File 301**, by committee on local government, a bill for an act establishing a rural fire protection program and limiting the liability of rural water districts and associations in connection with the provision of water for fire protection.

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

**House File 302**, by Boddicker, a bill for an act relating to the award of joint physical care of a child.

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

**House File 303**, by Sukup, a bill for an act providing for a partial deduction under the individual income tax for the capital gain from the sale or exchange of capital stock of a corporation which was acquired by an individual on account of employment with the corporation or while employed by the corporation and including an effective and retroactive applicability date provision.

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

**House File 304**, by Jacobs, a bill for an act relating to elections and voter qualifications and voter registration and concerning election misconduct and criminal penalties, voter registration deadlines and voter registration by mail, written summaries of proposed constitutional amendments or of certain other public measures, election polling hours, receiving, handling, and delivering

absentee ballots, and the election of directors of local school districts, area education agencies, and merged areas, and including effective date and applicability date provisions.

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

**House File 305**, by Ford, a bill for an act directing the state board of education to adopt rules providing criteria and a procedure for recognizing performance excellence that results from the implementation of outstanding comprehensive school improvement plans submitted by school districts.

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

**House File 306**, by Ford, Dotzler, and Reynolds, a bill for an act relating to and making an appropriation for the childhood lead poisoning prevention program.

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

**House File 307**, by Ford, Dotzler, and Reynolds, a bill for an act relating to the adoption of model lead hazard remediation rules.

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

**House File 308**, by Heaton, Hansen, Cormack, Weidman, Van Engelenhoven, Brauns, Teig, Arnold, Eichhorn, Finch, Manternach, Dix, Klemme, Jenkins, Brunkhorst, Alons, Houser, Van Fossen, Rants, Horbach, Hoversten, Barry, Sievers, Siegrist, Tyrrell, Eddie, Gipp, Shey, Boddicker, Grundberg, Johnson, Metcalf, Boggess, Kettering, Broers, Dolecheck, Drake, Rayhons, Hoffman, Baudler, Rekow, Raecker, Larson, Hahn, Roberts, Huseman, Bradley, Elgin, Jacobs, Boal, Carroll, Sukup, and Tymeson, a bill for an act relating to the addition of an optional category to be covered under the medical assistance program.

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

**House File 309**, by Frevert and Mertz, a bill for an act to legalize participation in an instructional support program by the West Bend-

Mallard Community School District and providing an effective and retroactive applicability date.

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

**House File 310**, by committee on human resources, a bill for an act relating to child support enforcement, including disclosure of certain juvenile court records to the child support recovery unit, waiting periods for administrative review and adjustment of orders, and federal tax and nontax setoff payments for accrued support, and providing effective dates.

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

**House File 311**, by Dix, a bill for an act relating to security interests in farm products, providing for fees and their expenditure, and providing for the Act's applicability.

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

**House File 312**, by Richardson, a bill for an act establishing a community development program to aid certain neighborhoods and communities and providing tax credits for income tax, franchise tax, and premiums tax for businesses contributing to community development projects and including effective and applicability date provisions.

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

**House File 313**, by Mascher, a bill for an act relating to teacher or educator shortage forgivable loan programs, to the work-study employment of students who are eligible for the programs, and making an appropriation.

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

**House File 314**, by Kreiman, a bill for an act providing incentives for the installation, replacement, or conversion of motor vehicle fuel storage tanks used to store and dispense super ethanol and providing funding.

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

**House File 315**, by Kreiman, a bill for an act relating to the public use requirements for newly established forest reservations.

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

**House File 316**, 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 **state 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 February 15, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 94, a bill for an act creating a new criminal offense of escape from custody by a sexually violent predator civilly committed to confinement and providing a penalty.

Also: That the Senate has on February 15, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 144, a bill for an act requiring contracts for the construction or maintenance of highways to include certain provisions for the restoration of areas in which fill dirt or other materials are to be removed.

Also: That the Senate has on February 15, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 4, a concurrent resolution requesting that the President of the United States, the Chief of Engineers and Commander of the United States Corps of Engineers, and the United States Congress take action necessary to provide a spring navigation target flow on the Missouri River that is consistent with the needs of landowners and the region's economy.

Also: That the Senate has on February 15, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 9, a concurrent resolution urging third-party coverage for cancer screening.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGES CONSIDERED

**Senate File 62**, by committee on agriculture, a bill for an act relating to the processing and distribution of honey in residences.

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

**Senate File 83**, by committee on judiciary, a bill for an act relating to the verification of a uniform citation and complaint issued by a law enforcement agency.

Read first time and **passed on file**.

**Senate File 94**, by committee on judiciary, a bill for an act creating a new criminal offense of escape from custody by a sexually violent predator civilly committed to confinement and providing a penalty.

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

**Senate File 98**, by committee on business and labor relations, a bill for an act concerning unemployment compensation by relieving unemployment compensation charges for employees who become unemployed due to a presidentially declared disaster.

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

**Senate File 144**, by committee on transportation, a bill for an act requiring contracts for the construction or maintenance of highways to include certain provisions for the restoration of areas in which fill dirt or other materials are to be removed.

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

**Senate File 146**, by committee on judiciary, a bill for an act relating to the tobacco master settlement agreement and providing an effective date.

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

### HOUSE FILE 289 REREFERRED

The Speaker announced that House File 289, previously referred to committee on **human resources** was rereferred to committee on **judiciary**.

### BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 16, 2001, he approved and transmitted to the Secretary of State the following bill:

Senate File 63, an act relating to child endangerment violations and injuries to a child or minor and providing penalties.

### EXPLANATION OF VOTE

I was necessarily absent from the House chamber on February 14, 2001. Had I been present, I would have voted "aye" on House Joint Resolution 5 and House Files 178, 194 and 222.

GARMAN of Story

### PROOF OF PUBLICATION (House File 309)

Published copy of House File 309 and verified proof of publication of said bill in the Emmetsburg Reporter, a weekly newspaper of general circulation, printed and published in Palo Alto County, Iowa on February 6, 2001, was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

### COMMUNICATIONS RECEIVED

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

**DEPARTMENT FOR THE BLIND**

The 2000 Annual Report, pursuant to Chapter 216B.7, Code of Iowa.

**MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA**

The Annual Report, pursuant to Chapter 411.5, Code of Iowa.

**SUBCOMMITTEE ASSIGNMENT****House File 253**

Transportation: Rayhons, Chair; Manternach and Quirk.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 160 Human Resources**

Relating to appeals of orders and decrees entered by the juvenile court.

**H.S.B. 161 Ways and Means**

Relating to a limitation on property taxes for cities and counties.

**H.S.B. 162 Judiciary**

Creating the criminal offense of bestiality and providing a penalty.

**H.S.B. 163 Judiciary**

Relating to child support and custody provisions based upon the relocation of a party to the custody order.

**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.

MARGARET A. THOMSON  
Chief Clerk of the House



## COMMITTEE ON COMMERCE AND REGULATION

**Committee Bill** (Formerly House Study Bill 115), relating to regulation of multiple employer welfare arrangements by the commissioner of insurance, repealing the future repeal date for such regulation, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 15, 2001.

## COMMITTEE ON ECONOMIC DEVELOPMENT

**Committee Bill** (Formerly House File 105), relating to the boundaries of an enterprise zone under the enterprise zone program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 2001.

**Committee Bill** (Formerly House File 119), relating to the enterprise zone program by creating an eligible development business portion of the program, amending the incentives and assistance provisions available under the enterprise zone program, and providing a retroactive applicability date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 2001.

## COMMITTEE ON TRANSPORTATION

**Committee Bill** (Formerly House Study Bill 48), relating to the allocation of special fees collected from the sale of Iowa heritage license plates.

Fiscal Note is required.

Recommended **Do Pass** February 15, 2001.

**Committee Bill** (Formerly House Study Bill 98), requesting the legislative council to establish a road use tax fund formula interim study committee.

Fiscal note is required.

Recommended **Amend and Do Pass** February 15, 2001.

**Committee Bill** (Formerly House Study Bill 147), relating to transportation, including provisions on road projects, vehicle sales, movement, and reports, and mailing of notices, and providing a penalty and an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 2001.

## RESOLUTIONS FILED

**HCR 13**, by Siegrist and Myers, a concurrent resolution relating to a biennial memorial session.

Laid over under **Rule 25**.

**HCR 14**, by Rants and Myers, a concurrent resolution relating to Pioneer Lawmakers.

Laid over under **Rule 25**.

**SCR 2**, by committee on rules and administration, a concurrent resolution to approve and confirm the appointment of the Citizens' Aide.

Referred to committee on **administration and rules**.

**SCR 4**, by committee on agriculture, a concurrent resolution requesting that the President of the United States, the Chief of Engineers and Commander of the United States Corps of Engineers, and the United States Congress take action necessary to provide a spring navigation target flow on the Missouri River that is consistent with the needs of landowners and the region's economy.

Laid over under **Rule 25**.

**SCR 9**, by Johnson, Jensen, Gaskill, Tinsman, Lundby, Redwine, Boettger, Iverson, Gronstal, Bolkcom, Connolly, Hammond, Dvorsky, and Harper, a concurrent resolution urging third-party coverage for cancer screening.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-1052	H.F.	268	Baudler of Adair
H-1053	H.F.	268	Baudler of Adair
H-1054	H.F.	268	Baudler of Adair
H-1055	H.F.	81	Richardson of Warren
H-1056	H.F.	81	Richardson of Warren

On motion by Jacobs of Polk the House adjourned at 1:29 p.m., until 8:45 a.m., Tuesday, February 20, 2001.

# JOURNAL OF THE HOUSE

Forty-fourth Calendar Day - Twenty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 20, 2001

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

Prayer was offered by Reverend Doug Helton, pastor of Calvary Baptist Church, St. Charles.

The Journal of Monday, February 19, 2001 was approved.

## INTRODUCTION OF BILLS

**House Joint Resolution 8**, by Drake, 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 317**, by Quirk, a bill for an act relating to the disregard of certain countable income in determining the amount of spenddown under the medically needy program.

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

**House File 318**, by T. Taylor and Lensing, a bill for an act prohibiting state agencies from knowingly purchasing products manufactured by certain businesses.

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

**House File 319**, by Osterhaus and Hatch, a bill for an act relating to the provision of health insurance coverage to children.

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

**House File 320**, by Boddicker, a bill for an act relating to the criminal offense of disarming a peace officer.

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

**House File 321**, by Dotzler, a bill for an act relating to the registration of hunting lease outfitters and providing a penalty.

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

**House File 322**, by Scherrman, a bill for an act making a standing appropriation to the school budget review committee for transportation assistance aid to certain school districts.

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

**House File 323**, by Dotzler, a bill for an act relating to required wage levels for certain programs administered by the department of economic development.

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

**House File 324**, by committee on transportation, a bill for an act relating to transportation, including provisions on road projects, vehicle sales, movement, and reports, and mailing of notices, and providing a penalty and an effective date.

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

**House File 325**, by committee on commerce and regulation, a bill for an act relating to regulation of multiple employer welfare arrangements by the commissioner of insurance, repealing the future repeal date for such regulation, and providing an effective date.

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

**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 20<sup>th</sup> day of February, 2001: House File 222.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

### COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

#### DEPARTMENT FOR THE BLIND

A report concerning the plastic and recycled content products and the soy-based inks regularly purchased by the department, pursuant to Chapter 216B.3(12)(d), 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\335 Maurice and Leah Keeler, Weldon – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2001\336 Joan and Robert McCann, Osceola – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\337 Frank and Helen Reynolds, Osceola – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2001\338 Keith and Freda Randol, Osceola – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\339 Barb and Jim McCormick, Chariton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\340 LeRoy and Arlene Johnston, Murray – For celebrating their 67<sup>th</sup> wedding anniversary.

- 2001\341 Duane and Phyllis Murphy, Mason City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\342 Elaine and Richard Hueneker, Bellevue – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\343 Mary Ann and John Weets, Maquoketa – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\344 Mary and Marce Wolterman, Mapleton – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\345 Arlene and Arlo Jahn, Denison – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\346 Betty and Don Maasen, Westside – For celebrating their 59<sup>th</sup> wedding anniversary.
- 2001\347 Sylvia Heilman, Ida Grove – For celebrating her 80<sup>th</sup> birthday.
- 2001\348 Virgil Olerich, Lake View – For celebrating his 81<sup>st</sup> birthday.
- 2001\349 Ed Witte, Schaller – For celebrating his 85<sup>th</sup> birthday.
- 2001\350 Rozella Lillie, Correctionville – For celebrating her 90<sup>th</sup> birthday.
- 2001\351 Mabel Sanderman, Schaller – For celebrating her 90<sup>th</sup> birthday.
- 2001\352 Eleanor Galbreath, Lake View – For celebrating her 93<sup>rd</sup> birthday.
- 2001\353 Marion and Reinhold Bode, Schaller – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\354 Irma and Paul Redenius, Ida Grove – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\355 Delores and John Scherner, Holstein – For celebrating their 50<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 278

Transportation: May, Chair; Garman and Heaton.

##### House File 281

Transportation: Rayhons, Chair; Cohoon and Van Engelenhoven.

##### House File 282

Human Resources: Brunkhorst, Chair; Barry and Foege.

**House File 291**

Transportation: Klemme, Chair; Larkin and Rekow.

**House File 296**

Appropriations: Heaton, Chair; Barry and Seng.

**House File 304**

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and Reynolds.

**House File 306**

Appropriations: Millage, Chair; Brunkhorst and Smith.

**House File 308**

Human Resources: Tymeson, Chair; Atteberry and Grundberg.

**House File 314**

Environmental Protection: Gipp, Chair; Drake and Witt.

**House File 318**

Labor and Industrial Relations: Millage, Chair; Raecker and Smith.

**House File 322**

Appropriations: Millage, Chair; Brunkhorst and Murphy.

**Senate File 98**

Labor and Industrial Relations: Dolecheck, Chair; Hansen and Winckler.

**Senate File 146**

Appropriations: Heaton, Chair; Alons and Falck.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 159**

Local Government: Houser, Chair; Fallon, Richardson, Sievers and Van Engelenhoven.

**House Study Bill 160**

Human Resources: Boddicker, Chair; Kreiman and Larson.



**House Study Bill 161**

Ways and Means: Van Fossen, Chair; Kuhn, Richardson, Shey and Sukup.

**House Study Bill 162**

Judiciary: Eichhorn, Chair; Boddicker and Tremmel.

**House Study Bill 163**

Judiciary: Boddicker, Chair; Eichhorn and Kreiman.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 164 Ways and Means**

Exempting property owned and operated by an Indian housing authority from property tax and including an effective date.

**H.S.B. 165 Appropriations**

Making an appropriation and establishing a teacher compensation reform and student achievement savings account fund.

**H.S.B. 166 Human Resources**

Requiring the department of human services to establish a statewide central intake unit for receiving reports of child abuse.

**H.S.B. 167 Human Resources**

Providing for the transfer of custody and termination of parental rights for certain newborn infants whose parent voluntarily surrenders physical custody at certain health facilities and providing for immunity from prosecution for child abandonment crimes for such parent, and providing an effective date.

**H.S.B. 168 Judiciary**

Relating to the department of corrections by providing for liability of counties for the cost of confinement for sexually violent predators in a department of corrections or department of human services facility, for the use of deadly force by correctional or peace officers, for submission of presentence investigation reports to the department,

for establishing a training fund in the department, for transcription and recording of testimony for certain investigations conducted by the department of corrections, for purchases by a department or agency from Iowa state industries, and for payment of costs related to confinement of certain offenders in county jails.

### **H.S.B. 169 Judiciary**

Relating to the assessment of a law enforcement initiative surcharge on certain criminal offenses.

### **H.S.B. 170 Judiciary**

Concerning training and enhancement of investigation and prosecution teams related to child abuse, and making an appropriation.

### **H.S.B. 171 Judiciary**

Creating a private cause of action for certain consumer fraud violations.

## **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.

**MARGARET A. THOMSON**  
Chief Clerk of the House

## **COMMITTEE ON COMMERCE AND REGULATION**

**Committee Bill** (Formerly House Study Bill 49), relating to the healthy and well kids in Iowa program.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2001.

## **COMMITTEE ON EDUCATION**

**Committee Bill** (Formerly House File 5), relating to the amount of classroom instruction offered in an approved driver education course as programmed by the department of education.

Fiscal Note is not required.

Recommended **Do Pass** February 19, 2001.

**Committee Bill** (Formerly House File 135), relating to the school year beginning date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 19, 2001.

**Committee Bill** (Formerly House Study Bill 45), relating to the administration and care of the Iowa battle flag collection.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 19, 2001.

#### COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House Study Bill 59), relating to the pronouncement of death by a licensed practical nurse or a registered nurse.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 2001.

**Committee Bill** (Formerly House Study Bill 105), relating to the mediation process in civil rights cases.

Fiscal Note is not required.

Recommended **Do Pass** February 15, 2001.

**Committee Bill** (Formerly House Study Bill 136), creating new criminal offenses related to the drug 3,4-methylenedioxymethamphetamine.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 20, 2001.

**Committee Bill** (Formerly House Study Bill 138), relating to the criminal offenses of enticing a minor away and sexual exploitation of a minor and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 2001.

#### COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

**Committee Bill** (Formerly House Study Bill 5), relating to administrative and corrective changes to the workers' compensation law.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2001.

#### COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House Study Bill 91), relating to duties of the county sheriff by increasing the fees and expenses collected by the county sheriff for various services and the release of a garnishment.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2001.

#### RESOLUTION FILED

**HCR 15**, by committee on transportation, a concurrent resolution requesting the legislative council to establish a road use tax fund formula interim study committee.

Placed on the **calendar**.

#### AMENDMENTS FILED

H-1057	H.F.	81	Alons of Sioux
H-1058	H.F.	268	Warnstadt of Woodbury

On motion by Rants of Woodbury the House adjourned at 8:59 a.m., until 8:45 a.m., Wednesday, February 21, 2001.

# JOURNAL OF THE HOUSE

Forty-fifth Calendar Day - Thirtieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, February 21, 2001

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

The Lord's Prayer was sung by John Feller, House Doorman, Des Moines.

The Journal of Tuesday, February 20, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 326**, by committee on judiciary, a bill for an act relating to the mediation process in civil rights cases.

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

**House File 327**, by committee on judiciary, a bill for an act relating to the criminal offenses of enticing a minor away and sexual exploitation of a minor and providing a penalty.

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

**House File 328**, by Jochum, a bill for an act providing for the assignment of pension benefits from state-administered retirement systems for the payment of health insurance coverage premiums.

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

**House File 329**, by Jochum, a bill for an act creating an energy conservation program, tax credits, and an energy conservation program revolving fund.

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

**House File 330**, by Jenkins, a bill for an act establishing a continuous improvement program for community colleges.

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

**House File 331**, by Baudler, a bill for an act relating to the testing of individuals and the release of the results of tests for communicable and infectious diseases and for the human immunodeficiency virus.

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

**House File 332**, by Kreiman, a bill for an act relating to certain means-tested programs by requiring exclusion of the cost of motor vehicle financial liability coverage in considering an individual's initial and ongoing eligibility for the program.

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

**House File 333**, by Falck, a bill for an act providing for the establishment of an advanced telecommunications services community assistance fund.

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

**House File 334**, by Kreiman, a bill for an act requiring the department of general services to conduct a study on state vehicle headlight use.

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

**House File 335**, by Boddicker, a bill for an act establishing a choose life motor vehicle registration plate and appropriating fees from such plates for adoption-related services.

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

**House File 336**, by Richardson, a bill for an act relating to the imposition and distribution of revenues from a local sales and services tax for school infrastructure purposes and including an effective date.

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

**House File 337**, by Arnold, a bill for an act relating to the daily catch and possession limits for crappies and subjecting violators to an existing penalty.

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

**House File 338**, by Baudler, a bill for an act relating to child in need of assistance requirements involving physical and mental examinations involving medically relevant tests.

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

**House File 339**, by Schrader, 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 340**, by Schrader, a bill for an act relating to the duty of care of third-party payors, liability for breach of the duty, and certain other prohibitions and exclusions.

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

**House File 341**, by Boddicker, Mertz, Hoversten, De Boef, Johnson, Tyrrell, Boal, Manternach, Rekow, Baudler, Alons, Rayhons, Heaton, Dix, O'Brien, Broers, Roberts, Dolecheck, Klemme, Gipp, Brauns, Barry, Cormack, Sukup, Brunkhorst, Rants, Shey, Sievers, Quirk, Eichhorn, Carroll, Raecker, Finch, Teig, Hoffman, Millage, Larson, Garman, Van Fossen, Chiodo, Eddie, Van Engelenhoven, Tremmel, Seng, Drake, Horbach, and Osterhaus, a bill for an act relating to informed consent to an abortion and providing a criminal penalty, and providing an effective date.

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

**House File 342**, by Hatch, a bill for an act extending the statute of limitations period for filing a criminal charge of incest.

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

**House File 343**, by Schrader, a bill for an act relating to casual sales for purposes of the sales and use tax exemption and including an effective date.

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

**House File 344**, by Foege, Smith, Falck, Greimann, Osterhaus, Myers, Kreiman, Mascher, Jochum, Huser, and Bukta, a bill for an act establishing a child protection center grant program.

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

**House File 345**, by Warnstadt, a bill for an act relating to lighting equipment for funeral procession escort vehicles.

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

**House File 346**, by Warnstadt, a bill for an act relating to eligibility for ex-prisoner of war special motor vehicle registration plates.

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

**House File 347**, by Richardson, a bill for an act relating to the disposition of unclaimed deer venison processed by a meat and poultry processing establishment.

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

**House File 348**, by Murphy and Warnstadt, a bill for an act providing for the use of national guard special motor vehicle registration plate fees for national guard educational assistance and making an appropriation.

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



**House File 349**, by committee on economic development, a bill for an act relating to the enterprise zone program by creating an eligible development business portion of the program, amending the incentives and assistance provisions available under the enterprise zone program, and providing a retroactive applicability date.

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

**House File 350**, by committee on economic development, a bill for an act relating to the enterprise zone program.

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

**House File 351**, by committee on transportation, a bill for an act relating to the allocation of special fees collected from the sale of Iowa heritage license plates.

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

**House File 352**, by committee on education, a bill for an act relating to the administration and care of the Iowa battle flag collection.

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

**House File 353**, by committee on education, a bill for an act relating to the amount of classroom instruction offered in an approved driver education course as programmed by the department of education.

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

**House File 354**, by committee on judiciary, a bill for an act relating to the pronouncement of death by a physician assistant, a licensed practical nurse, or a registered nurse.

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

**House File 355**, by committee on education, a bill for an act relating to the school year beginning date.

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 February 20, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 186, a bill for an act providing for a tax levy for the county hospital fund in certain counties and providing an effective date.

MICHAEL E. MARSHALL, Secretary

## ADOPTION OF HOUSE CONCURRENT RESOLUTION 9

Klemme of Plymouth called up for consideration **House Concurrent Resolution 9**, a concurrent resolution to request that the Congress of the United States maintain its commitment to clean air and the ethanol industry, by maintaining the oxygenate requirement in the federal Clean Air Act that promotes the use of ethanol in reformulated gasoline, and urging the United States Environmental Protection Agency to resist California's attempt to waive the oxygenate requirement in that state, and moved its adoption.

The motion prevailed and the resolution was adopted.

## CONSIDERATION OF BILLS

## Regular Calendar

**House File 218**, a bill for an act relating to the appointment of an acting or a temporary county attorney, 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?" (H.F. 218)

The ayes were, 96:

Alons  
Baudler  
Bogges

Arnold  
Bell  
Bradley

Atteberry  
Boal  
Brauns

Barry  
Boddicker  
Broers

Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hansen	Hatch	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Mr. Speaker
			Siegrist

The nays were, none.

Absent or not voting, 4:

Foege	Ford	Heaton	Jochum
-------	------	--------	--------

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

**House File 192**, a bill for an act authorizing certain criminal history and abuse record and registry access to the department of inspections and appeals for purposes of data verification and record checks of applicants for employment with the department, 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. 192)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker

Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hansen	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Mr. Speaker
			Siegrist

The nays were, none.

Absent or not voting, 4:

Foege	Ford	Hatch	Heaton
-------	------	-------	--------

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 192, 218 and House Concurrent Resolution 9.**

On motion by Rants of Woodbury, the House was recessed at 9:25 a.m., until 1:00 p.m.

### AFTERNOON SESSION

The House reconvened at 1:07 p.m., Speaker Siegrist in the chair.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Brauns of Muscatine on request of Brunkhorst of Bremer.

## CONSIDERATION OF BILLS

### Regular Calendar

House File 228, a bill for an act relating to the duties of the department of public safety, was taken up for consideration.

Barry of Harrison offered the following amendment H-1050 filed by her and Kreiman of Davis and moved its adoption:

H-1050

- 1 Amend House File 228 as follows:
- 2 1. Page 3, by inserting after line 10 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 135C.33, subsection 4, Code
- 5 2001, is amended to read as follows:
- 6 4. A person shall not be employed in a facility
- 7 licensed under this chapter unless an evaluation has
- 8 been performed by the department of human services.
- 9 If the department of human services determines from
- 10 the evaluation that the person has committed a crime
- 11 or has a record of founded child or dependent adult
- 12 abuse which warrants prohibition of employment, the
- 13 person shall not be employed in a facility licensed
- 14 under this chapter."
- 15 2. By renumbering as necessary.

Amendment H-1050 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. 228)

The ayes were, 98:

Alons  
Baudler  
Bogges

Arnold  
Bell  
Bradley

Atteberry  
Boal  
Broers

Barry  
Boddicker  
Brunkhorst

Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, none.

Absent or not voting, 2:

Brauns                      Heaton

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

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 228** be immediately messaged to the Senate.

**House File 230**, a bill for an act amending the strategic planning duties of the Iowa economic development board, was taken up for consideration.

Roberts of Carroll 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. 230)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cornack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, 1:

Fallon

Absent or not voting, 1:

Brauns

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

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 230** be immediately messaged to the Senate.

**House File 267**, a bill for an act renaming the waste management assistance division of the department of natural resources, was taken up for consideration.

Elgin 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. 267)

The ayes were, 99:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cphoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, none.

Absent or not voting, 1:

Brauns

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

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 267** be immediately messaged to the Senate.



## EXPLANATION OF VOTE

I was necessarily absent from the House chamber on February 21, 2001. Had I been present, I would have voted "aye" on House Files 192, 218 and 228.

HEATON of Henry

## BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 21, 2001, he approved and transmitted to the Secretary of State the following bill:

House File 222, an act permitting banks in Iowa to establish additional bank offices, and containing effective dates.

## PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Several ninth grade students from Montezuma High School, Montezuma, accompanied by Sheldon Groote. By Carroll of Poweshiek.

Four students from Johnston School District, Johnston, accompanied by Andy Fehn, Carol Moe and Ann Wiley. By Raecker of Polk.

Six students from Urbandale Community Schools, Urbandale, accompanied by Jeanne Van Genden and Paul Miller. By Raecker and Metcalf of Polk.

## CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\357 Edna Walrod, DeWitt – For celebrating her 100<sup>th</sup> birthday.
- 2001\358 Margaret Ferguson, DeWitt – For celebrating her 95<sup>th</sup> birthday.
- 2001\359 Georgia and Dean Peterson, Huxley – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\360 Thetis Bees, Grinnell – For celebrating her 90<sup>th</sup> birthday.
- 2001\361 Mykel Erickson, Maynard – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\362 Marian and Everett Nelson, Independence – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\363 Helen and Edward Woods, Anamosa – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\364 Donna and Herbert Rehmke, Oxford – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\365 Irene and Arlo Brady, Oxford – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\366 Velda and Wilfred Schatz, Monticello – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\367 Ruth and Bob Otten, Cedar Rapids – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\368 Joe Jilovec, Mt. Vernon – For celebrating his 85<sup>th</sup> birthday.
- 2001\369 Rose E. Svec, Cedar Rapids – For celebrating her 90<sup>th</sup> birthday.
- 2001\370 Millard Benedickt, Logan – For celebrating his 90<sup>th</sup> birthday.
- 2001\371 Hattie Bell Thompson, Gladbrook – For celebrating her 102<sup>nd</sup> birthday.
- 2001\372 Eric Becker, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\373 Eric Beckman, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\374 Shaun Gilligan, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\375 Tom Hein, Jr., Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\376 Nick Koppes, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

2001\377 Zach Mauss, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

2001\378 Jeff Miller, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

2001\379 Clint Peacock, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

#### **SUBCOMMITTEE ASSIGNMENTS**

##### **House Joint Resolution 8**

State Government: Gipp, Chair; Garman and Jochum.

##### **House File 52 Reassigned**

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and Reynolds.

##### **House File 317**

Human Resources: Grundberg, Chair; Boal and Reynolds.

##### **House File 331**

Human Resources: Carroll, Chair; Hoversten and Murphy.

##### **House File 338**

Human Resources: Boddicker, Chair; Hoversten and Reynolds.

##### **House File 341**

Human Resources: Hoversten, Chair; Barry, Boddicker, Kreiman and Reynolds.

##### **House File 344**

Human Resources: Hoversten, Chair; Boddicker and Foege.

##### **Senate File 62**

Agriculture: Alons, Chair; Frevert and Rekow.

#### **HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**

##### **House Study Bill 164**

Ways and Means: Hoversten, Chair; Larkin and Sievers.

##### **House Study Bill 165**

Appropriations: Dolecheck, Chair; Brunkhorst, Jacobs, Mascher and Wise.

**House Study Bill 168**

Judiciary: Shey, Chair; Baudler and Kreiman.

**House Study Bill 169**

Judiciary: Shey, Chair; Baudler and Kreiman.

**House Study Bill 170**

Judiciary: Millage, Chair; Kettering and Shoultz.

**House Study Bill 171**

Judiciary: Eichhorn, Chair; Kettering and Kreiman.

**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.

**MARGARET A. THOMSON**  
Chief Clerk of the House

**COMMITTEE ON HUMAN RESOURCES**

**House File 116**, a bill for an act relating to information to be included in termination of pregnancy reporting.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2001.

**COMMITTEE ON NATURAL RESOURCES**

**Committee Bill** (Formerly House Study Bill 126), nullifying an amendment to an administrative rule of the department of natural resources eliminating the unprotected nongame status of reptiles and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2001.

**RESOLUTIONS FILED**

**HCR 16**, by Hansen, Heaton, Jochum and Murphy, a concurrent resolution requesting that the Governor annually designate the month of March as Colorectal Cancer Awareness Month.

Laid over under **Rule 25.**

**HR 15**, by Jenkins, Shoultz and Dotzler, a resolution designating the Grout Museum of History and Science as the official repository of artifacts related to the Sullivan Brothers.

Laid over under **Rule 25.**

**HR 16**, by Metcalf and Raecker, a resolution honoring Theresa J. Uchytel.

Laid over under **Rule 25.**

#### AMENDMENTS FILED

H-1059	H.F.	116	Committee on Human Resources
H-1060	H.F.	259	Kreiman of Davis
H-1061	H.F.	229	Larson of Linn
			Kreiman of Davis
			Tremmel of Wapello
H-1062	H.F.	268	Weidman of Cass
H-1063	H.F.	324	Reynolds of Van Buren
H-1064	H.F.	324	Tremmel of Wapello
H-1065	H.F.	324	Huser of Polk
H-1066	H.F.	324	Murphy of Dubuque
H-1067	H.F.	349	Jenkins of Black Hawk
H-1068	H.F.	324	Hatch of Polk
H-1069	H.F.	324	Hatch of Polk
H-1070	H.F.	324	Hatch of Polk
H-1071	H.F.	324	Hatch of Polk
H-1072	H.F.	324	Hatch of Polk

On motion by Rants of Woodbury the House adjourned at 1:42 p.m., until 8:45 a.m., Thursday, February 22, 2001.

# JOURNAL OF THE HOUSE

Forty-sixth Calendar Day - Thirty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, February 22, 2001

The House met pursuant to adjournment at 8:46 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Steve Huston, pastor of the First Presbyterian Church, Davenport.

The Journal of Wednesday, February 21, 2001 was approved.

## INTRODUCTION OF BILLS

**House Joint Resolution 9**, by committee on natural resources, a joint resolution nullifying an amendment to an administrative rule of the department of natural resources eliminating the unprotected nongame status of reptiles and providing an effective date.

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

**House File 356**, by committee on labor and industrial relations, a bill for an act relating to administrative and corrective changes to the workers' compensation law.

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

**House File 357**, by Bradley, a bill for an act relating to the maximum frame and body heights for motor vehicles and providing a penalty.

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

**House File 358**, by Grundberg, a bill for an act relating to breeding records required to be maintained by commercial breeders and dealers.

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

**House File 359**, by Jacobs, a bill for an act relating to the funding and provision of media services and education services, and containing an applicability provision.

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

**House File 360**, by Grundberg, a bill for an act relating to the crime of forgery and entry into the United States.

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

**House File 361**, by Jenkins, a bill for an act relating to the imposition of a fish keeping license fee and subjecting violators to an existing penalty and providing effective and applicability dates.

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

**House File 362**, by Foege and Houser, a bill for an act relating to the reimbursement of administrative costs of an area education agency for services provided by the agency under part C of the federal Individuals With Disabilities Education Act.

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

**House File 363**, by Myers, a bill for an act permitting the purchase of service credit under the Iowa public employees' retirement system for full-time private sector employment.

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

**House File 364**, by Wise, Bukta, Cohoon, Larkin, and Bell, a bill for an act appropriating additional state funds to replace losses in revenue by certain cities due to the exemption from property taxation of industrial machinery, computers, and equipment.

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

**House File 365**, by Heaton, a bill for an act relating to the extension of the tobacco settlement authority Act, and providing an effective date.

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

**House File 366**, by Heaton and Hoversten, a bill for an act relating to child foster care regulatory requirements and providing an effective date.

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

**House File 367**, by Dotzler, Hatch, Stevens, T. Taylor, Mertz, Lensing, Reynolds, Witt, Bukta, Falck, Mascher, Foege, Greimann, Richardson, Atteberry, Quirk, Petersen, Shoultz, Fallon, D. Taylor, Scherrman, Smith, Seng, Osterhaus, Kreiman, Jochum, Ford, Warnstadt, and Connors, a bill for an act creating a housing trust fund, a housing trust fund board, allowing the formation of local housing trusts, and providing for planning of a state housing agency.

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

**House File 368**, by Dotzler, a bill for an act relating to rescissions of driver's license revocations and suspensions for operating while intoxicated and other motor vehicle offenses.

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

**House File 369**, by Fallon, a bill for an act relating to the establishment of remedies related to the dispensing of incorrect or inappropriate prescription drugs.

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

**House File 370**, by committee on judiciary, a bill for an act creating new criminal offenses related to the drug 3,4-methylenedioxymethamphetamine.

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

**House File 371**, by committee on local government, a bill for an act relating to duties of the county sheriff by increasing the fees and expenses collected by the county sheriff for various services and the release of a garnishment.



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

**House File 372**, by Teig, a bill for an act providing for the reversion of dividends and distributions by certain cooperative associations.

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

**House File 373**, by Cohoon, a bill for an act providing for an increase in the amount of instructional support funding, and making an appropriation.

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

**House File 374**, by Falck, a bill for an act relating to the recycling property exemption from property tax and including an applicability date.

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

**House File 375**, by Cohoon, 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**.

**House File 376**, by Tyrrell, a bill for an act requiring all state-owned vehicles to burn hydrogen in conjunction with motor vehicle fuel.

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

**House File 377**, by Teig, a bill for an act providing for agricultural liens.

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

**House File 378**, by Heaton, a bill for an act establishing a school district transportation levy.

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

**House File 379**, by Witt, a bill for an act relating to the use by certain state employees of accrued sick leave for the adoption of a child.

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

**House File 380**, by Witt, a bill for an act relating to environmental protection, by providing for a risk-based analysis of operations, providing for financial incentives, and making penalties applicable.

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

**House File 381**, by Greimann and Reynolds, a bill for an act relating to the confidentiality of complaints, investigations, and information before the Iowa ethics and campaign disclosure board, and providing penalties.

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

#### SENATE MESSAGE CONSIDERED

**Senate File 186**, by committee on ways and means, a bill for an act providing for a tax levy for the county hospital fund in certain counties and providing an effective date.

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

#### EXPLANATION OF VOTE

I was necessarily absent from the House chamber on February 21, 2001. Had I been present, I would have voted "aye" on House Files 228, 230 and 267.

BRAUNS of Muscatine

#### COMMUNICATION RECEIVED

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

## DEPARTMENT OF PUBLIC SAFETY

The 2000 Annual Report, pursuant to Chapter 80, 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\380 Alvina and Carl Beringer, Farley – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\381 Irene Edgeton, Grinnell – For celebrating her 80<sup>th</sup> birthday.
- 2001\382 Eva Bell Jones, Grinnell – For celebrating her 80<sup>th</sup> birthday.
- 2001\383 Marcella and Maynard Saylor, Brooklyn – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\384 Fern and Francis Cline, Brooklyn – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\385 Jerry Bates, Deep River – For celebrating his 80<sup>th</sup> birthday.
- 2001\386 Marcella and Ernst Sebolt, Vinton – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\387 Mildred Lane, Stuart – For celebrating her 89<sup>th</sup> birthday.
- 2001\388 Beulah and Bud Schultz, Greenfield – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2001\389 Carma and Herb Bela, Slater – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\390 Nina and James Wemer, Sigourney – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2001\391 Dorothy and Menno Helmuth, Kalona – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\392 Betty and Herb Nicholls, Wellman – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\393 Tom Kilburg, Dubuque – For being inducted into the Iowa Wrestling Coaches and Officials Association Hall of Fame.

- 2001\394 John Deery Sr., Cedar Falls – For earning Distinguished Business and Community Service Recognition from Time Magazine.
- 2001\395 Donna Jean and Keith Krewson, Richland – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\396 Kiel Huston, Ankeny – For winning the Boys State Title in the 200-Yard Medley and the 100-Yard Breast Stroke.
- 2001\397 Ruth Thacker, Indianola – For celebrating her 86<sup>th</sup> birthday.
- 2001\398 Dorothea Woods, Indianola – For celebrating her 86<sup>th</sup> birthday.
- 2001\399 Alice Chamberlain, Indianola – For celebrating her 85<sup>th</sup> birthday.
- 2001\400 Merritt Baily, Maxwell – For celebrating her 80<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 273

Local Government: Houser, Chair; Carroll, Fallon, Kuhn and Sievers.

##### House File 295

Local Government: Houser, Chair; Brauns and Reynolds.

##### House File 309

Education: Sievers, Chair; Eddie and Stevens.

##### House File 337

Natural Resources: Weidman, Chair; Baudler and Bell.

##### House File 359

Education: Tymeson, Chair; Foege and Hansen.

##### House File 362

Education: Foege, Chair; Grundberg and Tymeson.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENT

##### H.S.B. 172 Judiciary

Relating to the qualifications and duties of the clerk of court.

## 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.

**MARGARET A. THOMSON**  
Chief Clerk of the House

### COMMITTEE ON APPROPRIATIONS

**Committee Bill**, relating to state budgetary matters by providing for reductions and supplementation of appropriations made for the fiscal year beginning July 1, 2000, and transferring, crediting, and appropriating certain moneys, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2001.

**Committee Bill** (Formerly House Study Bill 165), making an appropriation and establishing a teacher compensation reform and student achievement savings account fund.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2001.

### COMMITTEE ON COMMERCE AND REGULATION

**Committee Bill** (Formerly House Study Bill 113), relating to the regulation of real estate appraisers.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2001.

**Committee Bill** (Formerly House Study Bill 114), relating to charitable gift annuities, by providing for notice and filing requirements and providing for penalties.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2001.

**Committee Bill** (Formerly House Study Bill 151), relating to allocation and payment of expenses arising from performance of duties by the Iowa utilities board and the consumer advocate, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2001.

#### COMMITTEE ON ECONOMIC DEVELOPMENT

**Committee Bill** (Formerly House Study Bill 97), relating to the elimination of programs and duties of the department of economic development.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2001.

**Committee Bill** (Formerly House Study Bill 144), relating to the designation of model communities in projects, pilot projects, or similar initiatives undertaken by the governor or the executive branch and providing effective and applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2001.

#### COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House File 74), relating to suspension of a practitioner by the board of directors of a school district.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2001.

#### COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House Study Bill 137), eliminating filing and service fees for plaintiffs seeking relief from domestic abuse.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2001.

#### COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly House Study Bill 18), relating to the office of secretary of state and the conduct of elections and voter registration in the state and providing effective and applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2001.

## RESOLUTION FILED

**HCR 17**, by Jacobs and Mascher, a concurrent resolution designating March 2001 as Iowa Women's History Month.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-1073	H.F.	324	T. Taylor of Linn
H-1074	H.F.	294	Boal of Polk
H-1075	H.F.	354	Grundberg of Polk
H-1076	H.F.	349	Jenkins of Black Hawk
H-1077	H.F.	349	Jenkins of Black Hawk

On motion by Rants of Woodbury the House adjourned at 8:56 a.m., until 9:00 a.m., Friday, February 23, 2001.

# JOURNAL OF THE HOUSE

Forty-seventh Calendar Day - Thirty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, February 23, 2001

The House met pursuant to adjournment at 9:00 a.m., Myers of Johnson in the chair.

Prayer was offered by the Honorable Bob Brunkhorst, state representative from Bremer County.

The Journal of Thursday, February 22, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 382**, by committee on commerce and regulation, a bill for an act relating to the healthy and well kids in Iowa program.

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

**House File 383**, by committee on economic development, a bill for an act relating to the designation of model communities in projects, pilot projects, or similar initiatives undertaken by the governor or the executive branch.

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

**House File 384**, by committee on economic development, a bill for an act relating to the elimination of programs and duties of the department of economic development.

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

**House File 385**, by Rayhons, a bill for an act relating to the legal age for purchasing and possessing cigarettes and tobacco products.

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



**House File 386**, by Jacobs, a bill for an act relating to consideration of the proposed uniform computer information transactions Act.

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

**House File 387**, by Hoffman, Kettering, Sukup, Raecker, Sievers, Heaton, Klemme, Drake, Huseman, Dolecheck, Johnson, Barry, Tyrrell, Alons, Jenkins, Weidman, Van Engelenhoven, Hahn, Horbach, Boddicker, Hoversten, Hansen, Manternach, Eddie, Boggess, Tymeson, Boal, Rekow, Roberts, Broers, Rayhons, De Boef, Metcalf, Baudler, Finch, Van Fossen, Elgin, Gipp, Carroll, Dix, Jacobs, Grundberg, Brunkhorst, Bradley, Teig, Brauns, Arnold, and Mertz, a bill for an act limiting damages for noneconomic losses arising out of the personal injury or death of a resident of a health care facility.

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

**House File 388**, by Hoffman, Kettering, Raecker, Sukup, Sievers, Heaton, Klemme, Drake, Huseman, Dolecheck, Johnson, Barry, Tyrrell, Alons, Jenkins, Weidman, Hahn, Horbach, Hoversten, Eichhorn, Hansen, Manternach, Eddie, Boggess, Tymeson, Boal, Rekow, Roberts, Broers, Rayhons, De Boef, Metcalf, Baudler, Finch, Van Fossen, Elgin, Gipp, Carroll, Dix, Jacobs, Bradley, Brunkhorst, Shey, Teig, Brauns, Arnold, and Van Engelenhoven, a bill for an act relating to an individual income tax credit for the purchase of nursing home care insurance and including a retroactive applicability date provision.

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

**House File 389**, by committee on education, a bill for an act relating to the duties of the board of directors of a school district, including those related to the suspension of a practitioner by the board of directors of a school district.

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

**House File 390**, by Shoultz, Dotzler, Greimann, Myers, Winckler, Scherrman, T. Taylor, Witt, Jochum, Fallon, Chiodo, and Mascher, a bill for an act relating to collecting and disseminating information concerning motor vehicle stops.

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

**House File 391**, by Alons, Stevens, Eddie, Frevert, Quirk, and Bukta, a bill for an act authorizing motor fuel tax revenues derived from fuel used in all-terrain vehicles and snowmobiles to be used for all-terrain vehicle and snowmobile trails and programs.

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

**House File 392**, by Kreiman, a bill for an act relating to a waiver from the education standards for the implementation of a community service program.

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

**House File 393**, by Foege, a bill for an act providing for termination of parental rights of a child whose parent has committed certain crimes against the other parent of the child.

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

**House File 394**, by Connors, a bill for an act relating to counseling for runaway children.

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

**House File 395**, 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 **local government**.

**House File 396**, by Mascher, a bill for an act establishing a perpetual protected game bird status for the mourning dove and subjecting violators to criminal and civil penalties.

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

**House File 397**, by Schrader, a bill for an act relating to the eligibility of a person who has had a school driver's license revoked to receive an instruction permit.

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

**House File 398**, by Frevert, a bill for an act providing for the early closing of polling places in certain precincts.

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

**House File 399**, by committee on appropriations, a bill for an act relating to state budgetary matters by providing for reductions and supplementation of appropriations made for the fiscal year beginning July 1, 2000, and transferring, crediting, and appropriating certain moneys, 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 February 22, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 99, a bill for an act relating to the billing and accounting of charges for the state resource centers and mental health institutes administered by the department of human services.

Also: That the Senate has on February 22, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 102, a bill for an act relating to charitable gift annuities, by providing for notice and filing requirements and providing for penalties.

Also: That the Senate has on February 22, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 141, a bill for an act relating to the allocation of program job credits to program costs under the accelerated career education program and providing effective and retroactive applicability dates.

Also: That the Senate has on February 22, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 203, a bill for an act extending the regular program district cost guarantee for school districts, and providing an effective date.

Also: That the Senate has on February 22, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 258, a bill for an act relating to the extension of the tobacco settlement authority Act, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

## COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

### DEPARTMENT OF COMMERCE Insurance Division

The Annual Report on External Review of Health Care Decisions, pursuant to Chapter 514J, Code of Iowa.

## SUBCOMMITTEE ASSIGNMENTS

### House Joint Resolution 6

Judiciary: Kettering, Chair; Barry and Jochum.

### House File 241

Judiciary: Broers, Chair; Jochum and Shey.

### House File 243

Judiciary: Kettering, Chair; Grundberg and Shoultz.

### House File 254

Judiciary: Baudler, Chair; Broers and Tremmel.

### House File 258

Judiciary: Baudler, Chair; Broers and Kreiman.

### House File 280

Judiciary: Eichhorn, Chair; Kreiman and Millage.

**House File 284**

Transportation: Garman, Chair; Rekow and Scherrman.

**House File 289**

Judiciary: Boddicker, Chair; Eichhorn and Kreiman.

**House File 302**

Judiciary: Boddicker, Chair; Eichhorn and Kreiman.

**House File 320**

Judiciary: Broers, Chair; Bell and Boddicker.

**House File 335**

Transportation: Eddie, Chair; Arnold and Warnstadt.

**House File 342**

Judiciary: Raecker, Chair; Broers and Kreiman.

**House File 345**

Transportation: Weidman, Chair; Klemme and Osterhaus.

**House File 346**

Transportation: Eddie, Chair; Garman and Warnstadt.

**House File 360**

Judiciary: Shey, Chair; Eichhorn and Kreiman.

**Senate File 94**

Judiciary: Sukup, Chair; Baudler and Kreiman.

**Senate File 144**

Transportation: Garman, Chair; Johnson and Warnstadt.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT****House Study Bill 172**

Judiciary: Eichhorn, Chair; Millage and Tremmel.

## AMENDMENT FILED

H-1078          H.F.          327          Tremmel of Wapello

On motion by Brunkhorst of Bremer the House adjourned at 9:09 a.m., until 1:00 p.m., Monday, February 26, 2001.

# JOURNAL OF THE HOUSE

Fiftieth Calendar Day - Thirty-third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, February 26, 2001

The House met pursuant to adjournment at 1:00 p.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Wayne Bahr, pastor of the Church of Christ, Mondamin.

The Journal of Friday, February 23, 2001 was approved.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Luc and Noah Schneck. They were the guests of the Honorable Speaker pro tempore Sukup of Franklin County.

## INTRODUCTION OF BILLS

**House File 400**, by committee on commerce and regulation, a bill for an act relating to the regulation of real estate appraisers.

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

**House File 401**, by committee on commerce and regulation, a bill for an act relating to charitable gift annuities, by providing for notice and filing requirements and providing for penalties.

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

**House File 402**, by committee on judiciary, a bill for an act eliminating filing and service fees for plaintiffs seeking relief from domestic abuse.

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

**House File 403**, 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 providing effective and applicability dates.

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

**House File 404**, by Bradley, Eddie, and Shey, a bill for an act relating to a bona fide retirement under the Iowa public employees' retirement system and by eliminating the reemployment earnings limitation for teachers.

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

**House File 405**, by Bradley, a bill for an act requiring the director of the department of general services to approve certain contracts for purchases by state agencies.

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

**House File 406**, by Hoffman, Kettering, Raecker, Sukup, Sievers, Heaton, Klemme, Drake, Huseman, Johnson, Barry, Tyrrell, Alons, Jenkins, Weidman, Van Engelenhoven, Hahn, Horbach, Boddicker, Hoversten, Hansen, Manternach, Eddie, Boggess, Tymeson, Boal, Rekow, Roberts, Broers, Rayhons, De Boef, Metcalf, Baudler, Finch, Van Fossen, Elgin, Gipp, Carroll, Jacobs, Grundberg, Millage, Brunkhorst, Bradley, Garman, Shey, Teig, Siegrist, Brauns, Arnold, Dolecheck, Mertz, Tremmel, Dotzler, O'Brien, and Kuhn, a bill for an act providing for the transfer of custody and termination of parental rights for certain newborn infants whose parent voluntarily surrenders physical custody at certain health facilities and providing for immunity from prosecution for child abandonment crimes for such parent, and providing an effective date.

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

**House File 407**, by Huser and T. Taylor, a bill for an act requiring a minimum number of persons on a train crew and providing a penalty.

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



**House File 408**, by Hatch, a bill for an act relating to the state property rehabilitation tax credit and including an applicability date provision.

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

**House File 409**, by committee on natural resources, a bill for an act relating to membership in an interstate wildlife violators compact by the department of natural resources.

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

### SENATE MESSAGES CONSIDERED

**Senate File 99**, by committee on human resources, a bill for an act relating to the billing and accounting of charges for the state resource centers and mental health institutes administered by the department of human services.

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

**Senate File 102**, by committee on commerce, a bill for an act relating to charitable gift annuities, by providing for notice and filing requirements and providing for penalties

Read first time and **passed on file**.

**Senate File 141**, by committee on ways and means, a bill for an act relating to the allocation of program job credits to program costs under the accelerated career education program and providing effective and retroactive applicability dates.

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

**Senate File 203**, by committee on education, a bill for an act extending the regular program district cost guarantee for school districts, and providing an effective date.

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

**Senate File 258**, by committee on judiciary, a bill for an act relating to the extension of the tobacco settlement authority Act, and providing an effective date.

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

### CERTIFICATES OF RECOGNITION

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

**MARGARET A. THOMSON**  
Chief Clerk of the House

- 2001\401 Rev. James Supple, Ames – For celebrating his 89<sup>th</sup> birthday.
- 2001\402 Glen Presnall, Colo – For celebrating his 80<sup>th</sup> birthday.
- 2001\403 Mr. and Mrs. Albert C. Miller, Kalona – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\404 Evelyn and Victor Deutsch, Brighton – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\405 Ferel Mitchell, Milford – For celebrating his 77<sup>th</sup> birthday.
- 2001\406 Sarah Bennett, Bryan Hart, Max Miller, Tylia Varlek, Coach Barry Mashek and Asst. Coach Tim Garner, Ankeny High School – For winning 1<sup>st</sup> Place in the Scholastic Bowl.
- 2001\407 Caitlyn Levetzow, Davenport – For winning 3<sup>rd</sup> Place in the "Write Women Back Into History" essay contest.
- 2001\408 Gene Paris, Chariton – For celebrating her 106<sup>th</sup> birthday.
- 2001\409 Brendan Devine-Meyer, Decorah – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\410 Marie and Clarence Bauer, Oelwein – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\411 Francis Youngblut, Oran – For celebrating his 80<sup>th</sup> birthday.
- 2001\412 Ruby and Dwaine Brewington, Aurora – For celebrating their 50<sup>th</sup> wedding anniversary.

**SUBCOMMITTEE ASSIGNMENTS****House File 279**

Local Government: Carroll, Chair; Petersen and Weidman.

**House File 311**

Agriculture: Johnson, Chair; Kreiman and Teig.

**House File 358**

Agriculture: Rayhons, Chair; Boggess and Fallon.

**House File 372**

Agriculture: Teig, Chair; Manternach and May.

**House File 377**

Agriculture: Teig, Chair; Alons and Kreiman.

**House File 395**

Local Government: Houser, Chair; D. Taylor and Van Engelenhoven.

**Senate File 186**

Ways and Means: Shey, Chair; Boal, Eichhorn, Fallon and Huser.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENT****H.S.B. 173 Local Government**

Relating to real property located in an urban renewal area.

**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.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON APPROPRIATIONS

**Senate File 66**, a bill for an act relating to state general fund expenditure limitation requirements for transmission of the state budget by the governor and passage of the state budget by the general assembly.

Fiscal Note is not required.

Recommended **Do Pass** February 26, 2001.

## COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly House Study Bill 29), relating to membership in an interstate wildlife violators compact by the department of natural resources.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2001.

## COMMITTEE ON STATE GOVERNMENT

**House File 77**, a bill for an act relating to presidential electors' compensation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1079** February 21, 2001.

## COMMITTEE ON TRANSPORTATION

**House File 101**, a bill for an act requiring motor vehicle operators to take certain precautions when passing certain stationary vehicles and providing a penalty.

Fiscal Note is not required.

Committee Action: **Indefinitely Postponed** February 22, 2001.

## COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House Study Bill 127), updating the Iowa Code references to the Internal Revenue Code, increasing the minimum filing income requirement for dependents, lowering the threshold amount for making estimated payments for corporations and financial institutions, increasing the estimated tax payment standard for assessing a penalty for corporations and financial institutions, and providing retroactive applicability dates and an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2001.

## RESOLUTION FILED

**HR 17**, by Barry, Frevert, Boggess, Bukta, Mertz, Reynolds, Grundberg, Metcalf, Boal, De Boef, Tymeson, Petersen, Roberts, Atteberry, Alons, Jacobs, Garman, Winckler, Hoffman, Horbach, Mascher, Hoversten, Hansen, Smith, Scherrman, Rants, Weidman, Dotzler, Greimann, Jenkins, and Sievers, a resolution designating March 6, 2001, as Breast Cancer Awareness and Lymphedema D-Day.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-1079	H.F.	77	Committee on State Government
H-1080	H.F.	355	Dolecheck of Ringgold
H-1081	H.C.R.	15	Brauns of Muscatine
H-1082	H.F.	355	Dolecheck of Ringgold

On motion by Jacobs of Polk the House adjourned at 1:12 p.m., until 8:45 a.m., Tuesday, February 27, 2001.

# JOURNAL OF THE HOUSE

Fifty-first Calendar Day - Thirty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 27, 2001

The House met pursuant to adjournment at 8:48 a.m., Carroll of Poweshiek in the chair.

Prayer was offered by Reverend David Loy, pastor of the Community of Christ Church, Hiawatha.

The Journal of Monday, February 26, 2001 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Shey of Linn, until his arrival, on request of Rants of Woodbury; Teig of Hamilton, until his arrival, on request of Arnold of Lucas; Huser of Polk, until her arrival, on request of Warnstadt of Woodbury.

## INTRODUCTION OF BILLS

**House File 410**, by Tyrrell, a bill for an act requiring as part of the budget process the disclosure by each state agency of fees, charges, or other remuneration received from another state agency.

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

**House File 411**, by Heaton, a bill for an act repealing the ban on persons or spouses of persons who receive direct or indirect compensation from or who have certain privileges in a county public hospital, from serving as a trustee for that county public hospital.

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

**House File 412**, by Klemme and Kettering, 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 referred to committee on **natural resources**.

**House File 413**, by committee on appropriations, a bill for an act making an appropriation and establishing a teacher compensation reform and student achievement savings account fund.

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

**House File 414**, by Jenkins, Rants, and Gipp, a bill for an act relating to highway improvement assistance from the revitalize Iowa's sound economy fund for brownfield sites.

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

**House File 415**, by Horbach, a bill for an act relating to reallocating personnel by the commissioner of public safety.

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

**House File 416**, by committee on ways and means, a bill for an act updating the Iowa Code references to the Internal Revenue Code, increasing the minimum filing income requirement for dependents, lowering the threshold amount for making estimated payments for corporations and financial institutions, increasing the estimated tax payment standard for assessing a penalty for corporations and financial institutions, and providing retroactive applicability dates and an effective date.

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

## CONSIDERATION OF BILLS

### Regular Calendar

**House File 293**, a bill for an act relating to the duties of the board of directors of a school district prior to a regular school election, was taken up for consideration.

Finch 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?" (H.F. 293)

The ayes were, 93:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boguess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Eddie	Elgin
Falck	Fallon	Finch	Foege
Ford	Frevert	Garman	Gipp
Greimann	Grundberg	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Siegrist, Spkr.	Smith	Stevens
Taylor, D.	Taylor, T.	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Carroll,			
Presiding			

The nays were, 1:

Drake

Absent or not voting, 6:

Eichhorn	Huser	Myers	Sievers
Sukup	Teig		

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

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 293** be immediately messaged to the Senate.

**House File 352**, a bill for an act relating to the administration and care of the Iowa battle flag collection, was taken up for consideration.



Broers 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. 352)

The ayes were, 95:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Chiodo	Cphoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Elgin	Falck	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Siegrist, Spkr.	Sievers
Smith	Stevens	Taylor, D.	Taylor, T.
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Carroll,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Eichhorn	Huser	Myers	Sukup
Teig			

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

**House File 326**, a bill for an act relating to the mediation process in civil rights cases, 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. 326)

The ayes were, 89:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Elgin	Falck	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hansen	Hatch	Heaton	Horbach
Houser	Hoversten	Huseman	Jacobs
Jenkins	Jochum	Johnson	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
O'Brien	Osterhaus	Petersen	Quirk
Rants	Rekow	Reynolds	Richardson
Roberts	Scherrman	Seng	Shoultz
Siegrist, Spkr.	Sievers	Smith	Stevens
Taylor, D.	Taylor, T.	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Carroll,			
Presiding			

The nays were, none.

Absent or not voting, 11:

Eichhorn	Hoffman	Huser	Kettering
Myers	Raecker	Rayhons	Schrader
Shey	Sukup	Teig	

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

### IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 326 and 352.**

On motion by Jacobs of Polk, the House was recessed at 9:22 a.m., until 3:00 p.m.

### AFTERNOON SESSION

The House reconvened at 3:01 p.m., Hansen of Pottawattamie in the chair.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sievers of Scott, until his arrival, on request of Rants of Woodbury.

### QUORUM CALL

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

Speaker Siegrist in the chair at 3:03 p.m.

### INTRODUCTION OF BILLS

**House File 417**, by Mascher, a bill for an act directing the department of education to perform a review of the educational standards for physical education.

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

**House File 418**, by Reynolds, Ford, Dotzler, Foegel, Kreiman, Hatch, Mertz, Greimann, Stevens, Smith, Larkin, Petersen, Grundberg, Boddicker, Atteberry, O'Brien, Myers, Kuhn, Murphy, Connors, Falck, Osterhaus, Jochum, and Quirk, a bill for an act relating to a requirement that children receive a blood test for lead by age six or prior to enrollment in an elementary school.

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

**House File 419**, by Mascher, Cohoon, Larkin, Bukta, Greimann, Murphy, Kuhn, Jochum, Quirk, and Wise, a bill for an act extending

the community college vocational-technical technology improvement program, and making an appropriation.

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

**House File 420**, by Mascher, a bill for an act establishing an early elementary foreign language pilot program, and making an appropriation.

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

**House File 421**, by Fallon, a bill for an act relating to a pilot project for establishing an Iowa main street project in a neighborhood commercial district.

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

**House File 422**, by Mascher, Greimann, and Murphy, a bill for an act relating to sales and possession of pistols and revolvers, by requiring a gun-locking device to be provided and related information to be posted in connection with the retail sale of a pistol or revolver.

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

**House File 423**, by Smith, Osterhaus, T. Taylor, Hatch, Larkin, Bell, Cohoon, Mascher, Reynolds, Lensing, Scherrman, Bukta, Petersen, Ford, Winckler, Stevens, Dotzler, Kuhn, Frevert, Seng, Connors, O'Brien, Mertz, May, Falck, Chiodo, Atteberry, and Foege, a bill for an act relating to healthy and safe families and communities in Iowa by providing for prevention of and response to acts of abuse, providing mental health and substance abuse treatment coverage benefits, modifying the elements of assault and applying penalties, and making appropriations.

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

**House File 424**, by Hoversten, a bill for an act relating to the sales and use tax exemption for fees charged for participation in any athletic sports.

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

**House File 425**, by T. Taylor, D. Taylor, Connors, Dotzler, and Hatch, a bill for an act relating to a limitation on mandatory overtime.

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

**House File 426**, by T. Taylor, Smith, May, Schrader, Bukta, Warnstadt, Myers, Huser, O'Brien, Larkin, Hatch, and Dotzler, 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 427**, by Murphy, a bill for an act requiring a person who commits the offense of criminal transmission of human immunodeficiency virus to register as a sex offender.

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

**House File 428**, by T. Taylor, a bill for an act providing for the use of an alternate base period to determine the eligibility of certain individuals for unemployment compensation.

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

**House File 429**, by T. Taylor, Connors, O'Brien, Mertz, Dotzler and Hatch, a bill for an act relating to replacement employee product identification and providing a penalty.

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

**House File 430**, by T. Taylor, Smith, May, Schrader, Bukta, Warnstadt, Myers, Huser, O'Brien, Larkin, Hatch, and Dotzler, a bill for an act requiring railroads to post close-clearance warning devices and providing a penalty.

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

**House File 431**, by T. Taylor, Dotzler, Larkin, Cohoon, Mascher, D. Taylor, Bukta, Scherrman, Lensing, Chiodo, Petersen, Myers, Winckler, Kuhn, Stevens, Connors, Quirk, May, Hatch, Shoultz, Greimann, Jochum, and Reynolds, a bill for an act relating to the state minimum hourly wage rate and the hourly wage paid by businesses applying for or receiving state financial assistance.

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

**House File 432**, by Bradley and Brauns, a bill for an act to appropriate additional state funds to replace losses in revenue by certain cities due to the exemption from property taxation of industrial machinery, computers, and equipment.

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

**House File 433**, by committee on agriculture, a bill for an act providing for taxes relating to the sale of ethanol blended gasoline, making penalties applicable, and providing for the Act's applicability.

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

**House File 434**, by committee on transportation, a bill for an act increasing the scheduled fine for violations of certain rules of the road relating to school buses.

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

**House File 435**, by committee on commerce and regulation, a bill for an act relating to allocation and payment of expenses arising from performance of duties by the Iowa utilities board and the consumer advocate, providing for a report by the Iowa utilities board, and providing an effective date.

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

## ADOPTION OF HOUSE RESOLUTION 15

Jenkins of Black Hawk called up for consideration **House Resolution 15**, a resolution designating the Grout Museum of History and Science as the official repository of artifacts related to the Sullivan Brothers, and moved its adoption.

The motion prevailed and the resolution was adopted.

## CONSIDERATION OF BILLS

## Regular Calendar

**House File 287**, a bill for an act establishing the interstate compact for adult criminal offender supervision and providing a contingent effective date, 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. 287)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Grundberg	Hahn	Hansen	Hatch
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Smith	Stevens
Taylor, D.	Taylor, T.	Teig	Tremmel

Tymeson  
Warnstadt  
Witt

Tyrrell  
Weidman  
Mr. Speaker  
Siegrist

Van Engelenhoven  
Winckler  
Van Fossen  
Wise

The nays were, none.

Absent or not voting, 2:

Sievers

Sukup

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

**House File 286**, a bill for an act permitting cooperative associations to deal with nonmembers, to use fictitious names, and to issue memberships without charge; to permit electric cooperatives to have multiple classes of members; and providing an effective date, was taken up for consideration.

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. 286)

The ayes were, 99:

Alons  
Baudler  
Bogges  
Brunkhorst  
Cohoon  
Dix  
Eddie  
Fallon  
Frevert  
Grundberg  
Heaton  
Hoversten  
Jenkins  
Klemme  
Larson  
May  
Murphy  
Petersen  
Rayhons  
Roberts

Arnold  
Bell  
Bradley  
Bukta  
Connors  
Dolecheck  
Eichhorn  
Finch  
Garman  
Hahn  
Hoffman  
Huseman  
Jochum  
Kreiman  
Lensing  
Mertz  
Myers  
Quirk  
Rekow  
Scherrman

Atteberry  
Boal  
Brauns  
Carroll  
Cormack  
Dotzler  
Elgin  
Foege  
Gipp  
Hansen  
Horbach  
Huser  
Johnson  
Kuhn  
Manternach  
Metcalf  
O'Brien  
Raecker  
Reynolds  
Schrader

Barry  
Boddicker  
Broers  
Chiodo  
De Boef  
Drake  
Falck  
Ford  
Greimann  
Hatch  
Houser  
Jacobs  
Kettering  
Larkin  
Mascher  
Millage  
Osterhaus  
Rants  
Richardson  
Seng



Shey	Shoultz	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, none.

Absent or not voting, 1:

Sievers

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 286 and 287.**

**House File 270**, a bill for an act striking certain filing requirements related to campus crime statistics and sexual abuse policies, was taken up for consideration.

Gipp of Winneshiek in the chair at 3:34 p.m.

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. 270)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Greimann	Grundberg	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman

Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Siegrist, Spkr.	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Gipp, Presiding		

The nays were, none.

Absent or not voting, 2:

Drake

Sievers

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

**House File 355**, a bill for an act relating to the school year beginning date, was taken up for consideration.

Dolecheck of Ringgold asked and received unanimous consent that amendment H-1080 be deferred.

Dolecheck of Ringgold offered the following amendment H-1082 filed by him and moved its adoption:

H-1082

- 1 Amend House File 355 as follows:
- 2 1. Page 1, line 24, by striking the words "the
- 3 third Monday in August" and inserting the following:
- 4 "fourteen days prior to Labor Day".

Amendment H-1082 was adopted.

Dolecheck of Ringgold offered the following amendment H-1080, previously deferred, filed by him and moved its adoption:

## H-1080

- 1 Amend House File 355 as follows:
- 2 1. Page 1, line 11, by striking the figure "4"
- 3 and inserting the following: "3".
- 4 2. Page 1, line 15, by striking the word and
- 5 figures ", 3, and 4" and inserting the following:
- 6 "and 3".
- 7 3. Page 2, line 7, by inserting after the word
- 8 "session." the following: "The department may approve
- 9 a request for an innovative school year in which
- 10 classes commence prior to the earliest starting date
- 11 established in subsection 1."
- 12 4. Page 2, by striking lines 24 through 31 and
- 13 inserting the following:
- 14 "Sec. \_\_\_\_ Section 279.10, subsection 4, Code
- 15 2001, is amended by striking the subsection."
- 16 5. By renumbering as necessary.

Amendment H-1080 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. 355)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cphoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Greimann	Grundberg	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Siegrist, Spkr.	Sievers
Smith	Stevens	Sukup	Taylor, D.

Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Gipp, Presiding			

The nays were, 2:

Boal	Huser
------	-------

Absent or not voting, 1:

Larson

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

**House File 259**, a bill for an act relating to the duties and office of the secretary of state in commissioning notarial officers, was taken up for consideration.

Kreiman of Davis asked and received unanimous consent to withdraw amendment H-1060 filed by him on February 21, 2001.

Eichhorn 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. 259)

The ayes were, 99:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy

Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Siegrist, Spkr.	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Gipp,	
		Presiding	

The nays were, 1:

Tremmel

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 MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 259, 270 and 355.**

### SPONSOR ADDED (House Resolution 17)

Murphy of Dubuque requested to be added as a sponsor of House Resolution 17.

### EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Tuesday, February 27, 2001. Had I been present, I would have voted "aye" on House File 270.

DRAKE of Pottawattamie

I was necessarily absent from the House chamber on Tuesday, February 27, 2001. Had I been present, I would have voted "aye" on House File 326.

## HOFFMAN of Crawford

I was necessarily absent from the House chamber on Tuesday, February 27, 2001. Had I been present, I would have voted "aye" on House File 326.

## KETTERING of Sac

I was necessarily absent from the House chamber on Tuesday, February 27, 2001. Had I been present, I would have voted "aye" on House File 326.

## RAECKER of Polk

I was necessarily absent from the House chamber on Tuesday, February 27, 2001. Had I been present, I would have voted "aye" on House File 326.

## SHEY of Linn

I was necessarily absent from the House chamber on Tuesday, February 27, 2001. Had I been present, I would have voted "aye" on House Files 270, 286, 287, and 293.

## SIEVERS of Scott

I was necessarily absent from the House chamber on Tuesday, February 27, 2001. Had I been present, I would have voted "aye" on House Files 293, 326 and 352.

## TEIG of Hamilton

## COMMUNICATIONS RECEIVED

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

## DEPARTMENT OF ECONOMIC DEVELOPMENT

The Annual Report relating to progress toward the goals and objectives of the Targeted Small Business Program and the Financial Assistance Program, pursuant to Chapter 19B.7, Code of Iowa.

## DEPARTMENT OF NATURAL RESOURCES

The Fiscal Year 2000 Building Energy Management Annual Report, pursuant to Chapter 455A.4, 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\413 Lucile Campbell, Clinton – For celebrating her 90<sup>th</sup> birthday.
- 2001\414 Sylvia and Leo Nervig, Kelley – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\415 Roberta Oxenford, Waterloo – For celebrating her 100<sup>th</sup> birthday.
- 2001\416 Alex Grunder, Wilton – For winning the 135 lb. class of the Class 1-A Division of the State Wrestling Tournament.
- 2001\417 Dustin Bliven, Columbus Junction – For winning the 145 lb. class of the Class 1-A Division of the State Wrestling Tournament.
- 2001\418 Coach Duane Twait and Team, Emmetsburg – For being the Class 2A State Football Champions.
- 2001\419 Coach Bob Kenny and Team, Emmetsburg-Armstrong Ringstead – For being the Class 2A State Wrestling Champions.

## SUBCOMMITTEE ASSIGNMENTS

**House File 323**

Economic Development: Teig, Chair; Lensing and Van Fossen.

**House File 329**

Environmental Protection: Kettering, Chair; Brunkhorst and Witt.

**House File 330**

Economic Development: Jenkins, Chair; Atteberry and Elgin.

**House File 357**

Transportation: Heaton, Chair; Johnson and Scherrman.

**House File 365**

Appropriations: Heaton, Chair; Alons and Seng.

**House File 366**

Human Resources: Hoversten, Chair; Carroll and Reynolds.

**House File 367**

Economic Development: Teig, Chair; Dotzler, Hoffman, Hoversten and Stevens.

**House File 368**

Transportation: Garman, Chair; Larkin and Rekow.

**House File 369**

Human Resources: Grundberg, Chair; Hoversten and Murphy.

**House File 385**

Human Resources: Barry, Chair; Broers and Reynolds.

**House File 390**

Judiciary: Baudler, Chair; Shey and Shoultz.

**House File 393**

Judiciary: Boddicker, Chair; Broers and Kreiman.

**House File 394**

Judiciary: Boddicker, Chair; Broers and Ford.

**House File 410**

Appropriations: Brunkhorst, Chair; Falck and Raecker.

**Senate File 99**

Human Resources: Carroll, Chair; Atteberry and Grundberg.

**Senate File 141**

Economic Development: Hoffman, Chair; Jenkins and O'Brien.

**Senate File 258**

Judiciary: Broers, Chair; Chiodo and Kettering.



**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT****House Study Bill 173**

Local Government: Houser, Chair; Fallon, Richardson, Sievers and Van Engelenhoven.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 174 Natural Resources**

To nullify administrative rules of the department of natural resources requiring a harvest report of wild turkeys by resident and nonresident hunters, and providing an effective date.

**H.S.B. 175 Ways and Means**

Regarding certain changes relating to the utility replacement tax, and providing for the Act's applicability.

**H.S.B. 176 Economic Development**

Establishing a housing trust fund and providing for the transfer of certain moneys to the fund.

**H.S.B. 177 State Government**

Relating to the standard for investment of retirement funds by municipal utilities.

**H.S.B. 178 Environmental Protection**

Relating to the application of certain air quality requirements to indoor emission units or air contaminant sources.

**H.S.B. 179 Human Resources**

Relating to cigarettes and tobacco products, including permits for retailers of cigarettes, appropriating fees, providing penalties, and providing effective dates.

**H.S.B. 180 Human Resources**

Relating to certain programs and public health issues under the purview of the Iowa department of public health, and providing a penalty.

**H.S.B. 181 Commerce and Regulation**

Relating to title insurance for property or insurance of a certain value, and making related changes.

**H.S.B. 182 Judiciary**

Establishing the Iowa electronic recording system, establishing fees, and providing for the Act's applicability.

**H.S.B. 183 Judiciary**

Adding the offense of criminal transmission of human immunodeficiency virus to the list of criminal offenses that require registration under the sex offender registry and providing an effective date.

**H.S.B. 184 Labor and Industrial Relations**

To nullify an administrative rule of the department of workforce development relating to an individual's disqualification from receipt of unemployment compensation due to a refusal to accept or apply for work and providing an effective date.

**H.S.B. 185 Local Government**

Relating to analyzing the confinement and detention needs of jails, and other local or regional confinement facilities, and obtaining approval prior to construction or expansion of such jails and facilities 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.

MARGARET A. THOMSON  
Chief Clerk of the House

### COMMITTEE ON AGRICULTURE

**Committee Bill** (Formerly House Study Bill 121), providing an income tax credit relating to sales of certain ethanol blended gasoline, making penalties applicable, and providing an applicability date.

Fiscal Note is required.

Recommended **Amend and Do Pass** February 26, 2001.

### COMMITTEE ON COMMERCE AND REGULATION

**Committee Bill** (Formerly House Study Bill 152), relating to the licensure of persons acting as insurance producers, providing an effective date, and applying penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2001.

### COMMITTEE ON EDUCATION

**House File 309**, a bill for an act to legalize participation in an instructional support program by the West Bend-Mallard Community School District and providing an effective and retroactive applicability date.

Fiscal Note is not required.

Recommended **Do Pass** February 26, 2001.

### COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House File 262), relating to the use of generally accepted accounting principles by nursing facilities.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2001.

**Committee Bill** (Formerly House Study Bill 123), relating to children's program and juvenile court provisions involving the department of human services in regard to

the foster home insurance fund, psychiatric medical institutions for children, group child care providers, juvenile delinquency and child in need of assistance dispositions, and termination of parental rights.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2001.

**Committee Bill** (Formerly House Study Bill 160), relating to appeals of orders and decrees entered by the juvenile court.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2001.

#### COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House File 342), extending the statute of limitations period for filing a criminal charge of incest.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2001.

**Committee Bill** (Formerly House Study Bill 104), creating a new criminal offense of escape from custody by a sexually violent predator civilly committed to confinement and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2001.

#### COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House File 295), authorizing an area education agency to serve as fiscal agent for a community empowerment area board and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2001.

#### COMMITTEE ON STATE GOVERNMENT

**House File 154**, a bill for an act concerning paid time off for certain peace officer members of the department of public safety injured in the course of duty.

Fiscal Note is not required.

Recommended **Do Pass** February 26, 2001.

**Committee Bill** (Formerly House Study Bill 90), regulating the practice of accounting, establishing fees, providing penalties, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 26, 2001.

#### COMMITTEE ON TRANSPORTATION

**Committee Bill** (Formerly House File 281), increasing the scheduled fine for violations of certain rules of the road relating to school buses.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2001.

#### RESOLUTIONS FILED

**HCR 18**, by T. Taylor, Dotzler, Mertz, Foege, Smith, D. Taylor, Larkin, Cohoon, Bell, Warnstadt, Reynolds, Ford, Connors, Hatch, Seng, O'Brien, Frevert, May, Kreiman, Kuhn, Scherrman, Osterhaus, Quirk, Murphy, Falck, Chiodo, Jochum, Myers, Shoultz, Mascher, Bukta, Tyrrell, Brauns, Rayhons, Heaton, Weidman, Horbach, Siegrist, Boddicker, Larson, and Tymeson, a concurrent resolution urging the Congress of the United States to support the Railroad Retirement and Survivors' Improvement Act.

Laid over under **Rule 25**.

**HR 18**, by Larson, Jacobs and Metcalf, a resolution honoring the Association of Junior Leagues.

Laid over under **Rule 25**.

#### AMENDMENTS FILED

H-1083	H.F.	349	Jenkins of Black Hawk
H-1084	H.F.	229	Larson of Linn
			Kreiman of Davis
			Tremmel of Wapello
H-1085	H.F.	324	Reynolds of Van Buren
H-1086	H.F.	399	Murphy of Dubuque
H-1087	H.F.	399	Osterhaus of Jackson
H-1088	H.F.	399	O'Brien of Boone
H-1089	H.F.	399	O'Brien of Boone
H-1090	H.F.	399	Dotzler of Black Hawk

H-1091	H.F.	399	Dotzler of Black Hawk
H-1092	H.F.	399	Smith of Marshall
H-1093	H.F.	399	Chiodo of Polk T. Taylor of Linn O'Brien of Boone Connors of Polk
H-1094	H.F.	399	Scherrman of Dubuque Richardson of Warren
H-1095	H.F.	399	Witt of Black Hawk
H-1096	H.F.	399	Bell of Jasper
H-1097	H.F.	399	T. Taylor of Linn Chiodo of Polk O'Brien of Boone Connors of Polk
H-1098	H.F.	399	Foege of Linn
H-1099	H.F.	399	Murphy of Dubuque
H-1100	H.F.	399	Dotzler of Black Hawk
H-1101	H.F.	399	Mascher of Johnson
H-1102	H.F.	399	Stevens of Dickinson
H-1103	H.F.	399	Ford of Polk
H-1104	H.F.	399	Ford of Polk
H-1105	H.F.	399	Ford of Polk
H-1106	H.F.	399	Ford of Polk
H-1107	H.F.	399	Kuhn of Floyd
H-1108	H.F.	399	Wise of Lee
H-1109	H.F.	403	Boal of Polk Huser of Polk
H-1110	H.F.	403	Huser of Polk
H-1111	H.F.	325	Jacobs of Polk

On motion by Rants of Woodbury the House adjourned at 4:09 p.m., until 8:45 a.m., Wednesday, February 28, 2001.

# JOURNAL OF THE HOUSE

Fifty-second Calendar Day - Thirty-fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, February 28, 2001

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

Prayer was offered by Reverend David Ruhe, pastor of Plymouth Congregational Church, Des Moines.

The Journal of Tuesday, February 27, 2001 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Teig of Hamilton, until his arrival, on request of Arnold of Lucas.

## INTRODUCTION OF BILLS

**House Joint Resolution 10**, by Larkin, a joint resolution to designate the channel catfish as the official state fish for the state of Iowa.

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

**House File 436**, by committee on judiciary, a bill for an act creating a new criminal offense of escape from custody by a sexually violent predator civilly committed to confinement and providing a penalty.

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

**House File 437**, by Larkin, Winckler, Richardson, and Stevens, 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 438**, by Bradley and Brauns, a bill for an act providing an additional emergency levy amount for certain cities to replace losses in revenue due to the exemption from property taxation of industrial machinery, computers, and equipment.

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

**House File 439**, by Rants and Hoversten, a bill for an act relating to the assessment for property tax purposes of certain affordable housing for low-income individuals and families.

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

**House File 440**, by Kreiman, a bill for an act relating to the property tax assessment limitation for agricultural property.

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

**House File 441**, by Jacobs, Dotzler, Grundberg, Metcalf, Jenkins, Reynolds, Hatch, Van Fossen, and Huser, a bill for an act relating to the limitation on the amount of property rehabilitation tax credits that may be approved for a fiscal year and including an applicability date provision.

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

**House File 442**, by Bukta, Foege, and T. Taylor, a bill for an act requiring the state department of transportation to conduct a study regarding expansion of United States highway 30.

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

**House File 443**, by Larkin, Mascher, Bell, Bukta, Scherrman, Lensing, Hatch, T. Taylor, Shoultz, Greimann, Stevens, Kuhn, Frevert, Connors, Mertz, Quirk, and Dotzler, a bill for an act relating to campaign finance law, including electronic filing of disclosure reports by certain candidates, requiring certain supplemental reports, providing for disclosures in relation to certain political telephone communications, requiring disclosure of certain information in conjunction with certain contributions, providing an effective date, and applying a penalty.



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

**House File 444**, by Kreiman, a bill for an act relating to the contents of certain child abuse assessment reports.

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

**House File 445**, by Falck and Foege, a bill for an act prohibiting the director of revenue and finance from charging a fee for administering local option sales and services taxes and including an effective date.

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

**House File 446**, by Bell, a bill for an act relating to service of a nontestimonial identification order by a law enforcement officer.

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

**House File 447**, by Richardson, a bill for an act relating to criminal offenses that require an offender to submit to DNA profiling.

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

**House File 448**, by Teig, a bill for an act exempting from sales and use taxes the purchase of coins, currency, and bullion.

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

**House File 449**, by Boal, a bill for an act allowing an individual income tax credit for contributions made to certain school tuition organizations and including a retroactive applicability date.

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 February 28, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 352, a bill for an act relating to the administration and care of the Iowa battle flag collection.

Also: That the Senate has on February 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 104, a bill for an act relating to a study of the Iowa communications network as a school district instructional tool for students enrolled in kindergarten through grade twelve.

Also: That the Senate has on February 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 114, a bill for an act relating to the composition of the medical assistance advisory council.

Also: That the Senate has on February 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 185, a bill for an act relating to the definition of factory-built structures, the relocation of factory-built structures, the certification of installers of manufactured homes, and providing a fee, an appropriation, and a civil penalty.

Also: That the Senate has on February 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 211, a bill for an act relating to the powers and duties of the department of agriculture and land stewardship.

Also: That the Senate has on February 27, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 11, a concurrent resolution requesting that the United States Congress create a standard nationwide time for poll closings in general and congressional elections.

MICHAEL E. MARSHALL, Secretary

## CONSIDERATION OF BILLS

### Regular Calendar

**House File 229**, a bill for an act relating to judicial district departments of correctional services by providing for a judgment lien for supervision fees and for the establishment of a reserve peace officer force, was taken up for consideration.

Kreiman of Davis asked and received unanimous consent to withdraw amendment H-1061 filed by Larson of Linn, et al., on February 21, 2001.

Kreiman of Davis offered the following amendment H-1084 filed by Larson of Linn, et al., and moved its adoption:

H-1084

1 Amend House File 229 as follows:

2 1. By striking page 3, line 27, through page 4,  
3 line 1, and inserting the following:

4 "Sec.\_\_\_\_. Section 905.14, Code 2001, is amended  
5 by adding the following new subsection:

6 NEW SUBSECTION. 4. Upon the discharge of a person  
7 from probation or parole any unpaid fees shall become  
8 part of the person's restitution plan. The district  
9 department may petition the court, pursuant to section  
10 910.7, to modify the plan of restitution.

11 Sec.\_\_\_\_. Section 910.1, subsection 4, Code 2001,  
12 is amended to read as follows:

13 4. "Restitution" means payment of pecuniary  
14 damages to a victim in an amount and in the manner  
15 provided by the offender's plan of restitution.  
16 "Restitution" also includes fines, penalties, and  
17 surcharges, the contribution of funds to a local  
18 anticrime organization which provided assistance to  
19 law enforcement in an offender's case, the payment of  
20 crime victim compensation program reimbursements,  
21 payment of restitution to public agencies pursuant to  
22 section 321J.2, subsection 9, paragraph "b", payment  
23 of unpaid fees pursuant to section 905.14, subsection  
24 4, court costs including correctional fees approved  
25 pursuant to section 356.7, court-appointed attorney's  
26 attorney fees, or the expense of a public defender,  
27 and the performance of a public service by an offender  
28 in an amount set by the court when the offender cannot  
29 reasonably pay all or part of the court costs  
30 including correctional fees approved pursuant to  
31 section 356.7, court-appointed attorney's attorney  
32 fees, or the expense of a public defender.

33 Sec.\_\_\_\_. Section 910.2, unnumbered paragraph 1,  
34 Code 2001, is amended to read as follows:

35 In all criminal cases in which there is a plea of  
36 guilty, verdict of guilty, or special verdict upon  
37 which a judgment of conviction is rendered, the  
38 sentencing court shall order that restitution be made  
39 by each offender to the victims of the offender's  
40 criminal activities, to the clerk of court for fines,  
41 penalties, surcharges, and, to the extent that the  
42 offender is reasonably able to pay, for crime victim  
43 assistance reimbursement, restitution to public  
44 agencies pursuant to section 321J.2, subsection 9,  
45 paragraph "b", unpaid fees pursuant to section 905.14,  
46 subsection 4, court costs including correctional fees

47 approved pursuant to section 356.7, court-appointed  
48 attorney's fees ordered pursuant to section 815.9  
49 including the expense of a public defender when  
50 applicable, or contribution to a local anticrime

**Page 2**

1 organization. However, victims shall be paid in full  
2 before fines, penalties, and surcharges, crime victim  
3 compensation program reimbursement, public agencies,  
4 unpaid fees pursuant to section 905.14, subsection 4,  
5 court costs including correctional fees approved  
6 pursuant to section 356.7, court-appointed attorney's  
7 fees, the expenses of a public defender, or  
8 contributions to a local anticrime organization are  
9 paid. In structuring a plan of restitution, the court  
10 shall provide for payments in the following order of  
11 priority: victim, after modification of the plan  
12 under section 910.7 unpaid fees incurred pursuant to  
13 section 905.14, subsection 4, fines, penalties, and  
14 surcharges, crime victim compensation program  
15 reimbursement, public agencies, court costs including  
16 correctional fees approved pursuant to section 356.7,  
17 court-appointed attorney's fees, or the expense of a  
18 public defender, and contribution to a local anticrime  
19 organization.

20 Sec.\_\_\_\_. Section 910.3, Code 2001, is amended to  
21 read as follows:

22 **910.3 DETERMINATION OF AMOUNT OF RESTITUTION.**

23 The county attorney shall prepare a statement of  
24 pecuniary damages to victims of the defendant and, if  
25 applicable, any award by the crime victim compensation  
26 program and expenses incurred by public agencies  
27 pursuant to section 321J.2, subsection 9, paragraph  
28 "b", and shall provide the statement to the  
29 presentence investigator or submit the statement to  
30 the court at the time of sentencing. The clerk of  
31 court shall prepare a statement of court-appointed  
32 attorney's attorney fees, the expense of a public  
33 defender, and court costs including correctional fees  
34 claimed by a sheriff pursuant to section 356.7, which  
35 shall be provided to the presentence investigator or  
36 submitted to the court at the time of sentencing. If  
37 these statements are provided to the presentence  
38 investigator, they shall become a part of the  
39 presentence report. If pecuniary damage amounts are  
40 not available at the time of sentencing, the county  
41 attorney shall provide a statement of pecuniary  
42 damages incurred up to that time to the clerk of  
43 court. The statement shall be provided no later than  
44 thirty days after sentencing. If a defendant believes  
45 no person suffered pecuniary damages, the defendant

46 shall so state. If the defendant has any mental or  
47 physical impairment which would limit or prohibit the  
48 performance of a public service, the defendant shall  
49 so state. The court may order a mental or physical  
50 examination, or both, of the defendant to determine a

Page 3

1 proper course of action. At the time of sentencing or  
2 at a later date to be determined by the court, the  
3 court shall set out the amount of restitution  
4 including the amount of public service to be performed  
5 as restitution and the persons to whom restitution  
6 must be paid. If the full amount of restitution  
7 cannot be determined at the time of sentencing, the  
8 court shall issue a temporary order determining a  
9 reasonable amount for restitution identified up to  
10 that time. At a later date as determined by the  
11 court, the court shall issue a permanent, supplemental  
12 order, setting the full amount of restitution. The  
13 court shall enter further supplemental orders, if  
14 necessary. These court orders shall be known as the  
15 plan of restitution.

16 Sec. \_\_. Section 910.7, Code 2001, is amended to  
17 read as follows:

18 910.7 PETITION FOR HEARING.

19 1. At any time during the period of probation,  
20 parole, or incarceration, the offender or the office  
21 or individual who prepared the offender's restitution  
22 plan may petition the court on any matter related to  
23 the plan of restitution or restitution plan of payment  
24 and the court shall grant a hearing if on the face of  
25 the petition it appears that a hearing is warranted,  
26 except as provided in subsection 2. The court, at any  
27 time prior to the expiration of the offender's  
28 sentence, may modify the plan of restitution or the  
29 restitution plan of payment, or both, and may extend  
30 the period of time for the completion of restitution.

31 2. A petition to modify the plan of restitution  
32 for unpaid fees under section 905.14, subsection 4,  
33 shall be without hearing unless the offender, after  
34 being notified, objects to the amount of unpaid fees.

35 Sec. \_\_. Section 910.9, unnumbered paragraph 3,  
36 Code 2001, is amended to read as follows:

37 Fines, penalties, and surcharges, crime victim  
38 compensation program reimbursement, public agency  
39 restitution, unpaid fees incurred pursuant to section  
40 905.14, subsection 4, court costs including  
41 correctional fees claimed by a sheriff pursuant to  
42 section 356.7, court-appointed attorney's attorney  
43 fees, and expenses for public defenders, shall not be  
44 withheld by the clerk of court until all victims have

45 been paid in full. Payments to victims shall be made  
 46 by the clerk of court at least quarterly. Payments by  
 47 a clerk of court shall be made no later than the last  
 48 business day of the quarter, but may be made more  
 49 often at the discretion of the clerk of court. The  
 50 clerk of court receiving final payment from an

#### Page 4

1 offender shall notify all victims that full  
 2 restitution has been made. Each office or individual  
 3 charged with supervising an offender who is required  
 4 to perform community service as full or partial  
 5 restitution shall keep records to assure compliance  
 6 with the portions of the plan of restitution and  
 7 restitution plan of payment relating to community  
 8 service and, when the offender has complied fully with  
 9 the community service requirement, notify the  
 10 sentencing court."  
 11 2. Title page, line 2, by striking the word  
 12 "judgment" and inserting the following:  
 13 "restitution".

Amendment H-1084 was adopted.

Shey 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. 229)

The ayes were, 99:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Grundberg	Hahn	Hansen	Hatch
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen

Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, none.

Absent or not voting, 1:

Heaton

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

**House File 272**, a bill for an act relating to felonious misconduct by a public officer or employee and providing a penalty, 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?" (H.F. 272)

The ayes were, 100:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Grundberg	Hahn	Hansen	Hatch
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants

Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Mr. Speaker
			Siegrist

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.

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 229** be immediately messaged to the Senate.

On motion by Rants of Woodbury, the House was recessed at 9:27 a.m., until 1:00 p.m.

### AFTERNOON SESSION

The House reconvened at 1:00 p.m., Speaker pro tempore Sukup in the chair.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Barry of Harrison, Hansen of Pottawattamie, Larson of Linn and Siegrist of Pottawattamie, until their arrival, on request of Rants of Woodbury.

### 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.



## INTRODUCTION OF BILLS

**House File 450**, by committee on human resources, a bill for an act relating to the use of generally accepted accounting principles by health care facilities and providing an effective date.

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

**House File 451**, by committee on state government, a bill for an act regulating the practice of accounting, establishing fees, providing penalties, and providing an effective date.

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

**House File 452**, by committee on human resources, a bill for an act relating to appeals of orders and decrees entered by the juvenile court.

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

**House File 453**, by committee on natural resources, a bill for an act relating to the registration and titling of all-terrain vehicles and snowmobiles, and subjecting violators to a penalty.

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

**House File 454**, by Hatch and Dotzler, a bill for an act relating to the title insurance guaranty program.

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 February 28, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 267, a bill for an act renaming the waste management assistance division of the department of natural resources.

Also: That the Senate has on February 28, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 106, 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.

Also: That the Senate has on February 28, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 222, a bill for an act relating to the statute of limitations in civil actions arising out of the unsafe or defective condition of an improvement to real property.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGES CONSIDERED

**Senate File 104**, by committee on education, a bill for an act relating to a study of the Iowa communications network as a school district instructional tool for students enrolled in kindergarten through grade twelve.

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

**Senate File 114**, by committee on human resources, a bill for an act relating to the composition of the medical assistance advisory council.

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

**Senate File 185**, by committee on ways and means, a bill for an act relating to the definition of factory-built structures, the relocation of factory-built structures, the certification of installers of manufactured homes, and providing a fee, an appropriation, and a civil penalty.

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

**Senate File 211**, by committee on agriculture, a bill for an act relating to the powers and duties of the department of agriculture and land stewardship.

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

## CONSIDERATION OF BILLS

## Regular Calendar

**House File 354**, a bill for an act relating to the pronouncement of death by a physician assistant, a licensed practical nurse, or a registered nurse, was taken up for consideration.

Grundberg of Polk offered the following amendment H-1075 filed by her and moved its adoption:

H-1075

- 1 Amend House File 354 as follows:
- 2 1. Page 1, line 15, by inserting after the word
- 3 "hospice" the following: "program or".
- 4 2. Page 2, line 12 by striking the word
- 5 "physician," and inserting the following:
- 6 "physician;".
- 7 3. Page 2, by striking line 14 and inserting the
- 8 following: "chapter 148C, or a registered nurse or a
- 9 licensed practical nurse".

Amendment H-1075 was adopted.

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. 354)

The ayes were, 96:

Alons	Arnold	Atteberry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader

Seng	Shey	Shoultz	Sievers
Smith	Stevens	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Sukup, Presiding

The nays were, none.

Absent or not voting, 4:

Barry	Hansen	Larson	Siegrist, Spkr.
-------	--------	--------	-----------------

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

**House File 349**, a bill for an act relating to the enterprise zone program by creating an eligible development business portion of the program, amending the incentives and assistance provisions available under the enterprise zone program, and providing a retroactive applicability date, was taken up for consideration.

Jenkins of Black Hawk asked and received unanimous consent to withdraw amendment H-1067 filed by him on February 21, 2001.

Jenkins of Black Hawk offered amendment H-1076 filed by him as follows:

H-1076

- 1 Amend House File 349 as follows:
- 2 1. Page 1, by inserting after line 27 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 15E.193B, subsection 2, Code
- 5 2001, is amended to read as follows:
- 6 2. An eligible housing business under this section
- 7 includes a housing developer, housing contractor, or
- 8 nonprofit organization that builds or rehabilitates a
- 9 minimum of four single-family homes with a value,
- 10 after completion of the building or rehabilitation,
- 11 not exceeding one hundred twenty thousand dollars for
- 12 each home located in that part of a city or county in
- 13 which there is a designated enterprise zone or one
- 14 multiple dwelling unit building containing three or
- 15 more individual dwelling units with a total value per
- 16 unit, after completion of the building or
- 17 rehabilitation, not exceeding one hundred twenty
- 18 thousand dollars located in that part of a city or

19 county in which there is a designated enterprise zone.  
20 Sec. \_\_\_\_ Section 15E.193B, subsection 6,  
21 paragraph a, Code 2001, is amended to read as follows:

22 a. An eligible housing business may claim a tax  
23 credit up to a maximum of ten percent of the new  
24 investment which is directly related to the building  
25 or rehabilitating of a minimum of four single-family  
26 homes located in that part of a city or county in  
27 which there is a designated enterprise zone or one  
28 multiple dwelling unit building containing three or  
29 more individual dwelling units located in that part of  
30 a city or county in which there is a designated  
31 enterprise zone. The new investment that may be used  
32 to compute the tax credit shall not exceed the new  
33 investment used for the first one hundred forty  
34 thousand dollars of value for each single-family home  
35 or for each unit of a multiple dwelling unit building  
36 containing three or more units. The tax credit may be  
37 used to reduce the tax liability imposed under chapter  
38 422, division II, III, or V. Any credit in excess of  
39 the tax liability for the tax year may be credited to  
40 the tax liability for the following seven years or  
41 until depleted, whichever occurs earlier. If the  
42 business is a partnership, S corporation, limited  
43 liability company, or estate or trust electing to have  
44 the income taxed directly to the individual, an  
45 individual may claim the tax credit allowed. The  
46 amount claimed by the individual shall be based upon  
47 the pro rata share of the individual's earnings of the  
48 partnership, S corporation, limited liability company,  
49 or estate or trust."

50 2. Page 5, by inserting after line 28 the

## Page 2

1 following:

2 "Sec. \_\_\_\_ Section 15E.194, subsection 4, Code  
3 2001, is amended to read as follows:  
4 4. A city of any size or any county may designate  
5 an enterprise zone at any time prior to July 1, 2010,  
6 when a business closure occurs involving the loss of  
7 full-time employees, not including retail employees,  
8 at one place of business totaling at least one  
9 thousand employees or four percent or more of the  
10 county's resident labor force based on the most recent  
11 annual resident labor force statistics from the  
12 department of workforce development, whichever is  
13 lower. The enterprise zone may be established on the  
14 property of the place of business that has closed and  
15 the enterprise zone may include an area up to an  
16 additional ~~one-mile~~ five miles adjacent to the  
17 property. The area meeting the requirements for

- 18 enterprise zone eligibility under this subsection  
19 shall not be included for the purpose of determining  
20 the area limitation pursuant to section 15E.192,  
21 subsection 4. The area included in an enterprise zone  
22 designated under this subsection on or after June 1,  
23 2000, may be amended to change the boundaries of the  
24 enterprise zone. Such an amendment must be approved  
25 by the department within three years of the date the  
26 enterprise zone was certified."  
27 3. Title page, by striking lines 1 through 4 and  
28 inserting the following: "An Act relating to the  
29 enterprise zone program and providing a retroactive".  
30 4. By renumbering as necessary.

Jenkins of Black Hawk offered the following amendment H-1077,  
to amendment H-1076, filed by him and moved its adoption:

H-1077

- 1 Amend the amendment, H-1076, to House File 349, as  
2 follows:  
3 1. Page 1, by inserting after line 1 the  
4 following:  
5 "\_\_\_\_. Page 1, line 11, by inserting after the  
6 word "company," the following: "cooperative organized  
7 under chapter 501 and filing as a partnership for  
8 federal tax purposes."  
9 \_\_\_\_\_. Page 1, line 16, by inserting after the word  
10 "company," the following: "cooperative organized  
11 under chapter 501 and filing as a partnership for  
12 federal tax purposes."  
13 2. Page 1, line 43, by inserting after the word  
14 "company," the following: "cooperative organized  
15 under chapter 501 and filing as a partnership for  
16 federal tax purposes."  
17 3. Page 1, line 48, by inserting after the word  
18 "company," the following: "cooperative organized  
19 under chapter 501 and filing as a partnership for  
20 federal tax purposes."  
21 4. Page 1, by inserting after line 49 the  
22 following:  
23 "\_\_\_\_. Page 4, line 4, by inserting after the word  
24 "company," the following: "cooperative organized  
25 under chapter 501 and filing as a partnership for  
26 federal tax purposes."  
27 \_\_\_\_\_. Page 4, line 9, by inserting after the word  
28 "company," the following: "cooperative organized  
29 under chapter 501 and filing as a partnership for  
30 federal tax purposes."  
31 5. By renumbering as necessary.

Amendment H-1077 was adopted.

On motion by Jenkins of Black Hawk amendment H-1076, as amended, was adopted.

Jenkins of Black Hawk offered the following amendment H-1083 filed by him and moved its adoption:

H-1083

- 1 Amend House File 349 as follows:
- 2 1. Page 3, line 35, by inserting after the words
- 3 "or V" the following: "or chapter 432".

Amendment H-1083 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. 349)

The ayes were, 95:

Alons	Arnold	Atteberry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevort
Garman	Gipp	Greimann	Grundberg
Hahn	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler

Wise

Witt

Sukup,  
Presiding

The nays were, none.

Absent or not voting, 5:

Barry  
Siegrist, Spkr.

Hansen

Larson

Myers

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, 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 349 and 354.**

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Myers of Johnson for the remainder of the day and for Thursday, March 1, 2001, on request of Warnstadt of Woodbury.

**House File 325**, a bill for an act relating to regulation of multiple employer welfare arrangements by the commissioner of insurance, repealing the future repeal date for such regulation, and providing an effective date, was taken up for consideration.

Jacobs of Polk offered the following amendment H-1111 filed by her and moved its adoption:

H-1111

- 1 Amend House File 325 as follows:
- 2 1. Page 1, line 26, by striking the word "which"
- 3 and inserting the following: "~~which~~ that".
- 4 2. Page 2, by inserting after line 2 the
- 5 following:
- 6 "d. A multiple employer welfare arrangement
- 7 registered with the commissioner of insurance shall
- 8 file with the commissioner of insurance on or before
- 9 March 1 of each year a copy of the report required to
- 10 be filed with the United States department of labor
- 11 pursuant to 29 C.F.R. §0 2520.101-2.



12 e. A multiple employer welfare arrangement  
13 registered with the commissioner of insurance shall  
14 file with the commissioner of insurance on or before  
15 March 1 of each year an annual report containing all  
16 of the following information regarding the multiple  
17 employer welfare arrangement:  
18 (1) The number of participants.  
19 (2) The amount of premium collected.  
20 (3) Those special health and accident coverages  
21 under chapter 514C provided by the multiple welfare  
22 arrangement.  
23 f. The reports filed by the multiple employer  
24 welfare arrangements pursuant to paragraph "e" shall  
25 be compiled by the insurance division and filed  
26 annually with the general assembly by March 30. The  
27 compilation shall include the following information:  
28 (1) A computation of the amount of premium tax  
29 that would have been paid by the multiple employer  
30 welfare arrangements if the arrangements had been  
31 insurance companies.  
32 (2) A computation of the amount that would have  
33 been assessed by the Iowa individual health benefit  
34 reinsurance association to the multiple employer  
35 welfare arrangements if the arrangements had been  
36 members of the Iowa individual health benefit  
37 reinsurance association.  
38 Sec. \_\_. INTERIM STUDY. The legislative council  
39 is requested to authorize an interim study committee  
40 to review the current status of the health insurance  
41 market in Iowa with regard to multiple employer  
42 welfare arrangements presently registered with the  
43 commissioner of insurance, and whether or not  
44 additional multiple employer welfare arrangements  
45 should be permitted to operate in Iowa. The study  
46 shall include a review of the regulatory oversight of  
47 all health insurance products sold in Iowa, and report  
48 on the conditions of the health insurance market in  
49 Iowa. The study committee shall be composed of  
50 representatives of the general assembly, the insurance

## Page 2

1 division, the insurance industry, the business  
2 community, and such other interests as the legislative  
3 council deems appropriate. Appointments to the  
4 committee shall be made no later than June 15, 2001.  
5 Staffing for the committee shall be provided by the  
6 legislative service bureau. The study committee shall  
7 submit a report of findings and recommendations,  
8 including proposed legislation, if any, to the general  
9 assembly on or before November 15, 2001."  
10 3. Page 2, by inserting after line 7 the

- 11 following:  
 12 "Sec.\_\_\_\_. Section 507A.4, subsection 10,  
 13 paragraphs e and f, as enacted in this Act, are  
 14 amended by striking the paragraphs effective July 1,  
 15 2002."  
 16 4. By renumbering as necessary.

Amendment H-1111 was adopted.

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. 325)

The ayes were, 95:

Alons	Arnold	Atteberry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cphoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Sukup,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Barry	Hansen	Larson	Myers
Siegrist, Spkr.			

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

**House File 245**, a bill for an act relating to the verification of a uniform citation and complaint issued by a law enforcement agency, was taken up for consideration.

### SENATE FILE 83 SUBSTITUTED FOR HOUSE FILE 245

Baudler of Adair asked and received unanimous consent to substitute Senate File 83 for House File 245.

**Senate File 83**, a bill for an act relating to the verification of a uniform citation and complaint issued by a law enforcement agency, 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. 83)

The ayes were, 95:

Alons	Arnold	Atteberry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevrt
Garman	Gipp	Greimann	Grundberg
Hahn	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemmie	Kreiman
Kuhn	Larkin	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven

Van Fossen  
Wise

Warnstadt  
Witt

Weidman  
Sukup,  
Presiding

Winckler

The nays were, none.

Absent or not voting, 5:

Barry  
Siegrist, Spkr.

Hansen

Larson

Myers

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

**House File 294**, a bill for an act relating to contracts and compensation that benefit a member of the board of directors of a school district, was taken up for consideration.

Boal of Polk offered the following amendment H-1074 filed by her and moved its adoption:

H-1074

- 1 Amend House File 294 as follows:
- 2 1. Page 1, by striking lines 6 through 8 and
- 3 inserting the following: "subdistrict.
- 4 Notwithstanding any contrary provision of the Code, a
- 5 member of the board of directors of a school district
- 6 shall not receive compensation directly from the
- 7 school board unless the compensation is for part-time
- 8 or temporary employment and does not exceed the
- 9 limitation set forth in section 279.7A."
- 10 2. Page 1, by striking lines 19 and 20 and
- 11 inserting the following: "the purchase of goods or
- 12 services which benefit a director, or to compensation
- 13 for part-time or temporary employment which benefits a
- 14 director, if the benefit".

Amendment H-1074 was adopted.

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?" (H.F. 294)

The ayes were, 94:

Alons	Arnold	Atteberry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hatch	Heaton	Hoffman
Horbach	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Sievers	Smith	Stevens
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Sukup,		
	Presiding		

The nays were, none.

Absent or not voting, 6:

Barry	Hansen	Houser	Larson
Myers	Siegrist, Spkr.		

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

### HOUSE FILE 245 WITHDRAWN

Baudler of Adair asked and received unanimous consent to withdraw House File 245 from further consideration by the House.

### IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 294, 325 and Senate File 83.**

## SPECIAL PRESENTATION

Bukta of Clinton introduced to the House the Honorable La Metta Wynn, Mayor of Clinton, Iowa.

The House rose and expressed its welcome.

## HOUSE FILE 288 REREFERRED

The Speaker announced that House File 288, previously referred to committee on **local government** was rereferred to committee on **agriculture**.

MOTION TO RECONSIDER  
(House File 272)

I move to reconsider the vote by which House File 272 passed the House on February 28, 2001.

TREMMELE of Wapello

## PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Six Family, Career and Community Leaders of America high school students from Gilbert High School, Gilbert, accompanied by Karlene Wonderlich. By Garman of Story.

Six Family, Career and Community Leaders of America members from Glenwood High School, Glenwood, accompanied by Mrs. Janis Moore. By Houser of Pottawattamie.

## SUBCOMMITTEE ASSIGNMENTS

## House File 141

State Government: Larkin, Chair; Elgin and Gipp.

## House File 288

Agriculture: Mertz, Chair; Manternach and Rekow.

**House File 386**

Commerce and Regulation: Jacobs, Chair; Falck and Jenkins.

**House File 396**

Natural Resources: Weidman, Chair; Baudler and May.

**House File 411**

Local Government: Sievers, Chair; Arnold and Connors.

**House File 423**

Appropriations: Heaton, Chair; Barry and T. Taylor.

**House File 425**

Labor and Industrial Relations: Boddicker, Chair; Barry and Murphy.

**House File 428**

Labor and Industrial Relations: Hansen, Chair; Dolecheck and T. Taylor.

**House File 429**

Labor and Industrial Relations: Sukup, Chair; Dotzler and Millage.

**House File 431**

Labor and Industrial Relations: Millage, Chair; Ford and Horbach.

**House File 432**

Appropriations: Jacobs, Chair; Barry and Bell.

**Senate Concurrent Resolution 2**

Administration and Rules: Carroll, Chair; Dix and Jochum.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 176**

Economic Development: Teig, Chair; Dotzler, Hoffman, Hoversten and Stevens.

**House Study Bill 177**

State Government: Brauns, Chair; Connors and Elgin.

**House Study Bill 178**

Environmental Protection: Bradley, Chair; Gipp and Hatch.

**House Study Bill 181**

Commerce and Regulation: Metcalf, Chair; Chiodo and Hansen.

**House Study Bill 184**

Labor and Industrial Relations: Metcalf, Chair; Hansen and T. Taylor.

**House Study Bill 185**

Local Government: Weidman, Chair; Arnold, Connors, Eddie and Reynolds.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 186 Agriculture**

Providing for an income tax credit for making capital investments in certain value-added agricultural businesses and including effective and retroactive applicability date provisions.

**H.S.B. 187 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, sales and use, franchise, hotel and motel, environmental protection charge on petroleum diminution, property, cigarette and tobacco products, and inheritance taxes, local option taxes, and including effective and retroactive applicability date provisions.

**H.S.B. 188 State Government**

Providing title restrictions relating to the practice of physical therapy, and providing a penalty.

**H.S.B. 189 Natural Resources**

Relating to the taking of fish and game by increasing fees for nonresident hunting, fishing, fur harvesting, and related licenses, providing for additional licenses and fees, and providing effective and applicability dates.



## **H.S.B. 190 Education**

Relating to the responsibilities and duties of the department of education and the commission of libraries, including the renaming of the regional library system, the appointment of trustees for the unified library service district, development of a biennial unified plan of service and service delivery in consultation with unified library service districts and area education agency media centers, and distribution of moneys allocated for purposes of the enrich Iowa program.

## **H.S.B. 191 Environmental Protection**

Prohibiting the land disposal of and requiring recycling or reuse of white goods.

### **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.

MARGARET A. THOMSON  
Chief Clerk of the House

### **COMMITTEE ON AGRICULTURE**

**Senate File 62**, a bill for an act relating to the processing and distribution of honey in residences.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2001.

**Committee Bill** (Formerly House File 163), relating to agricultural production, by prohibiting acts relating to facilities or operations, making penalties applicable, and providing penalties and civil liability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2001.

**Committee Bill** (Formerly House Study Bill 124), requiring agricultural equipment suppliers to repurchase certain items upon termination of an agricultural equipment dealership agreement.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2001.

#### COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House File 362), relating to the reimbursement of administrative costs of an area education agency for services provided by the agency under part C of the federal Individuals With Disabilities Education Act.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2001.

#### COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly House Study Bill 120), relating to the registration and titling of all-terrain vehicles and snowmobiles, and subjecting violators to a penalty.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2001.

#### COMMITTEE ON STATE GOVERNMENT

**House File 225**, a bill for an act providing for the reorganization of districts for the election of Iowa state fair board directors, and providing for an election.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2001.

**House File 256**, a bill for an act relating to health care facility regulation, including information to be included in a notice of a deficiency and including the collaboration of the department of inspections and appeals and the state fire marshal in promulgating rules.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1116** February 28, 2001.

**Committee Bill** (Formerly House Study Bill 129), providing for the protection of proprietary rights and collection of fees and revenue for software, network designs, and technology applications of the Iowa communications network.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2001.

## RESOLUTIONS FILED

**HCR 19**, by Sievers, Van Fossen, Shey, Dix, Barry, Hoversten, Hansen, Boal, Raecker, Roberts, Tymeson, Teig, Eichhorn, Rants, Bradley, Horbach, Broers, Hoffman, Boddicker, Millage, Baudler, Weidman, Van Engelenhoven, Drake, Eddie, Johnson, Garman, De Boef, Heaton, Brauns, Finch, Elgin, Manternach, Arnold, Rekow, Huseman, Dolecheck, Alons, Kettering, Larson, Boggess, Metcalf, Gipp, Grundberg, Carroll, Brunkhorst, Jenkins, Sukup, Klemme, Houser, Rayhons, Siegrist, Hahn, Tyrrell, and Jacobs, a concurrent resolution requesting the congressional delegation of the state of Iowa support President Bush's tax relief proposal.

Laid over under **Rule 25**.

**HR 19**, by Carroll, a resolution declaring March 6, 2001, Marriage Day.

Laid over under **Rule 25**.

**SCR 11**, by committee on state government, a concurrent resolution requesting that the United States Congress create a standard nationwide time for poll closings in general and congressional elections.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-1112	H.F.	399	Kreiman of Davis
H-1113	H.F.	352	Senate Amendment
H-1114	H.F.	399	Shoultz of Black Hawk
H-1115	H.F.	403	Reynolds of Van Buren
H-1116	H.F.	256	Committee on State Government
H-1117	S.F.	66	Murphy of Dubuque
H-1118	S.F.	66	Murphy of Dubuque
H-1119	S.F.	66	Murphy of Dubuque
H-1120	S.F.	66	Murphy of Dubuque
H-1121	S.F.	66	Witt of Black Hawk
H-1122	S.F.	66	Kreiman of Davis
H-1123	S.F.	66	Schrader of Marion
H-1124	S.F.	66	Quirk of Chickasaw

H-1125	S.F.	66	Atteberry of Delaware
H-1126	S.F.	66	Shoultz of Black Hawk
H-1127	S.F.	66	Greimann of Story
H-1128	S.F.	66	Hatch of Polk
H-1129	S.F.	66	Kuhn of Floyd
H-1130	S.F.	66	Wise of Lee
H-1131	S.F.	66	Dotzler of Black Hawk
H-1132	S.F.	66	Dotzler of Black Hawk
H-1133	S.F.	66	Wise of Lee
H-1134	S.F.	66	Wise of Lee
H-1135	S.F.	66	Ford of Polk

On motion by Rants of Woodbury the House adjourned at 2:25 p.m., until 8:45 a.m., Thursday, March 1, 2001.

# JOURNAL OF THE HOUSE

Fifty-third Calendar Day - Thirty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 1, 2001

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

Prayer was offered by Reverend Nathan Frazee, pastor of Heritage United Methodist Church, Waverly.

The Journal of Wednesday, February 28, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 455**, by Murphy, Mertz, Ford, Dotzler, Hatch, Larkin, Greimann, Foege, Cohoon, Mascher, and Lensing, a bill for an act relating to the use of the school lunch and breakfast program information to identify and assist in the enrollment of children in the medical assistance and healthy and well kids in Iowa programs.

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

**House File 456**, by committee on human resources, a bill for an act relating to children's program and juvenile court provisions involving the department of human services in regard to the foster home insurance fund, group child care providers, juvenile delinquency and child in need of assistance dispositions, and termination of parental rights.

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

**House File 457**, by committee on local government, a bill for an act authorizing an area education agency to serve as fiscal agent for a community empowerment area board and providing an effective date.

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

**House File 458**, by committee on judiciary, a bill for an act extending the statute of limitations period for filing a criminal charge of incest.

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

**House File 459**, by Reynolds, a bill for an act relating to the issuance of deer hunting licenses to nonresident owners of agricultural land in this state.

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

**House File 460**, by Murphy, a bill for an act relating to a time trade of work hours to allow a fire fighter to become an officer in a chartered statewide organization or local association for fire department personnel and providing an effective date.

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

**House File 461**, by Murphy, a bill for an act relating to the appointment and compensation of the administrator of the state racing and gaming commission.

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

**House File 462**, by committee on education, a bill for an act relating to the reimbursement of administrative costs of an area education agency for services provided by the agency under part C of the federal Individuals With Disabilities Education Act, and providing an effective date.

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

#### SENATE MESSAGES CONSIDERED

**Senate File 106**, 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.

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

**Senate File 222**, by committee on judiciary, a bill for an act relating to the statute of limitations in civil actions arising out of the unsafe or defective condition of an improvement to real property.

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

### SPECIAL PRESENTATION

Witt of Black Hawk introduced to the House, Peace Corps volunteers. He presented a certificate to the volunteers for their service.

The House rose and expressed its welcome.

### RULE 57 SUSPENDED

Rants of Woodbury asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda for a meeting of the committee on judiciary upon recess to discuss Senate File 258.

On motion by Rants of Woodbury, the House was recessed at 9:07 a.m., until 11:30 a.m.

### LATE MORNING SESSION

The House reconvened at 11:31 a.m., Speaker Siegrist in the chair.

### INTRODUCTION OF BILLS

**House File 463**, by Warnstadt, a bill for an act establishing a teacher scarcity loan reduction program and teacher scarcity loan reduction fund, and making an appropriation.

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

**House File 464**, by Bradley, a bill for an act relating to inmate telephone rebate funds and creating a commission to approve fund disbursements.

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

**House File 465**, by Hatch, Jochum, Myers, Witt, Frevert, Smith, Bukta, Seng, Dotzler, Atteberry, Greimann, and Petersen, a bill for an act endorsing the concept of multiple language skills in the state of Iowa.

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

**House File 466**, by Shoultz, a bill for an act requiring a signed receipt for removal of a dead body and the personal effects of the deceased.

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

**House File 467**, by Mertz, a bill for an act relating to open burn notifications and providing a penalty.

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

**House File 468**, by Roberts, a bill for an act relating to assessment of unimproved property in platted lots for purposes of property taxation and providing an applicability date.

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

**House File 469**, by committee on agriculture, a bill for an act requiring agricultural equipment suppliers to repurchase certain items upon termination of an agricultural equipment dealership agreement.

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

**House File 470**, by committee on state government, a bill for an act providing for the protection of proprietary rights and collection of fees for software, network designs, and technology applications of the Iowa communications network.

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



## 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.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON JUDICIARY

**Senate File 258**, a bill for an act relating to the extension of the tobacco settlement authority Act, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2001.

## RULES SUSPENDED

Rants of Woodbury asked and received unanimous consent to suspend the rules for the immediate consideration of Senate File 258.

CONSIDERATION OF BILL  
Regular Calendar

**Senate File 258**, a bill for an act relating to the extension of the tobacco settlement authority Act, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Broers 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. 258)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie

Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Bogges	Ford	Myers
--------	------	-------

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

### SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Siegrist 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-ninth General Assembly were presented to the following Pages by Speaker Siegrist, Majority Leader Rants of Woodbury and Minority Whip Huser of Polk:

Jessica Krogmeier  
Austin Lapierre  
Sophia Magill

Melinda Padley  
Jennie Van Velzen  
Travis Van Zetten

## 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. Jacobs of Polk and Mascher of Johnson presented the following winners of the contest:

### Sixth and Seventh Grade Category

First Place — Carla Schaffer, Parkview Middle School, Ankeny.

Second Place — Melissa Dunlap, Colo-Nesco Middle School, Zearing.

Third Place — Caitlyn Levetzow, Wood Intermediate School, Davenport.

### Eight and Ninth Grade Category

First Place — Katie Bartlett, Central Academy, Des Moines.

Second Place — Molly Gallentine, BCLUW High School, Conrad.

Third Place — Erin Wonder, Indianola Middle School, Indianola.

### Best Essays on Women in Science and Engineering Sixth and Seventh Grade Category

First Place — Valerie Brophy, Prairie Middle School, Cedar Rapids.

Second Place — Emily A. Nagle, Jefferson Junior High School, Dubuque.

### Eighth and Ninth Grade Category

First Place — Kathleen M. Vonderhaar, Marquette Junior/Senior High School, West Point.

Second Place — Daniela Vigliotti, Lourdes Catholic School, Bettendorf.

Edith Rose Murphy Sackett Award for the  
Best Essay on a Woman Volunteer

First Place — Iman El Khatib, Jefferson Junior High School,  
Dubuque.

ADOPTION OF HOUSE CONCURRENT RESOLUTION 17

Jacobs of Polk called up for consideration **House Concurrent Resolution 17**, a concurrent resolution designating March 2001 as Iowa Women's History Month, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Concurrent Resolution 17** and **Senate File 258**.

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 1<sup>st</sup> day of March, 2001: House File 267.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Eighty high school government students from Vinton-Shellsburg, accompanied by teachers and parents. By Horbach of Tama.

Parents and students from Weber Elementary School, Iowa City.  
By Lensing, Mascher and Myers of Johnson.

### CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\420 Evelyn and Robert Sharp, Denison – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2001\421 Ann and Maynard Swenson, Soldier – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\422 Odessa Jones, Onawa -- For celebrating her 90th birthday.
- 2001\423 Donnie Deardorff, Yale – For celebrating his 80<sup>th</sup> birthday.
- 2001\424 Francis Martin, Winterset – For celebrating her 90<sup>th</sup> birthday.
- 2001\425 Dorothy and Melvin Van Der Pol, Oskaloosa – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\426 Grace Strickler, Kalona – For celebrating her 90<sup>th</sup> birthday.
- 2001\427 Timothy Kalvig, Fort Dodge – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\428 Ellen and Murel McCreary, Toledo – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\429 Emma and Leo Rolfes, Dysart – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\430 Hilma Hogen, Mason City – For celebrating her 105<sup>th</sup> birthday.
- 2001\431 Paul Espinosa, Mason City – For celebrating his 80<sup>th</sup> birthday.
- 2001\432 Harley Alitz, Mason City – For celebrating his 80<sup>th</sup> birthday.
- 2001\433 Molly Fredricks, Mason City – For celebrating her 80<sup>th</sup> birthday.
- 2001\434 Vivian and Dale Hanson, Callendar – For celebrating their 50<sup>th</sup> wedding anniversary.

- 2001\435 Bertha and William Willhoite, Dayton – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\436 Elvina and Warren Schmadeke, Callendar – For celebrating their 58<sup>th</sup> wedding anniversary.
- 2001\437 George Van Wyngarden, Manson – For celebrating his 99<sup>th</sup> birthday.
- 2001\438 Edwin Rasmussen, Callendar – For celebrating his 85<sup>th</sup> birthday.
- 2001\439 Dan Shea, Marcus – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\440 Eva Allen, Winterset – For celebrating her 85<sup>th</sup> birthday.
- 2001\441 Edith Munger, Newton – For celebrating her 100<sup>th</sup> birthday.
- 2001\442 Frank Diamond, Anthon – For celebrating his 80<sup>th</sup> birthday.
- 2001\443 Adeline Mohrhauser, Danbury – For celebrating her 89<sup>th</sup> birthday.
- 2001\444 Melva Schultz, Battle Creek – For celebrating her 80<sup>th</sup> birthday.
- 2001\445 Jean and G.C. Boysen, Ida Grove – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\446 Carla Schaffer, Ankeny – For receiving 1<sup>st</sup> place in the 6-7<sup>th</sup> grade category in the "Write Women Back Into History" Essay Contest.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 186**

Education: Wise, Chair; Finch and Roberts.

##### **House File 299**

Local Government: Sievers, Chair; Huser and Van Engelenhoven.

##### **House File 336**

Local Government: Dix, Chair; Eddie, Huser, Richardson and Van Engelenhoven.

##### **House File 378**

Education: Boal, Chair; Cohoon and Eddie.

##### **House File 380**

Environmental Protection: Sievers, Chair; Drake and Witt.

**House File 414**

Transportation: Johnson, Chair; Manternach and Warnstadt.

**House File 415**

Judiciary: Baudler, Chair; Bell and Kettering.

**House File 444**

Human Resources: Kreiman, Chair; Boddicker and Hoversten.

**Senate File 104**

Education: Brunkhorst, Chair; Tymeson and Winckler.

**Senate File 114**

Human Resources: Hoversten, Chair; Boal and Murphy.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 175**

Ways and Means: Hoffman, Chair; Hansen and Shoultz.

**House Study Bill 182**

Judiciary: Eichhorn, Chair; Kreiman and Millage.

**House Study Bill 183**

Judiciary: Shey, Chair; Baudler and Jochum.

**House Study Bill 186**

Agriculture: Teig, Chair; Klemme and Kuhn.

**House Study Bill 187**

Ways and Means: Sukup, Chair; Eichhorn, Huser, Shey and Winckler.

**House Study Bill 188**

State Government: Metcalf, Chair; Brauns and Falck.

**House Study Bill 191**

Environmental Protection: Bradley, Chair; Kettering and Shoultz.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 192 Judiciary**

Relating to the release of certain personal information by the state department of transportation.

### **H.S.B. 193 Education**

Relating to establishing the state percent of growth for a school budget year, and providing an applicability date.

### **H.S.B. 194 Local Government**

Relating to the approval of city zoning ordinances and regulations extending beyond the corporate limits of a city and providing an applicability date.

### **H.S.B. 195 Local Government**

Relating to a referendum on city zoning ordinances or regulations affecting areas outside the boundaries of a city.

## 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.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON HUMAN RESOURCES

**House File 341**, a bill for an act relating to informed consent to an abortion and providing a criminal penalty, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2001.



## AMENDMENTS FILED

H-1136	S.F.	66	Smith of Marshall
H-1137	S.F.	66	Osterhaus of Jackson
H-1138	S.F.	66	Mascher of Johnson
H-1139	H.F.	310	Boddicker of Cedar Kreiman of Davis
H-1140	S.F.	66	Chiodo of Polk
H-1141	H.F.	399	Murphy of Dubuque
H-1142	S.F.	66	Bell of Jasper
H-1143	S.F.	66	Lensing of Johnson
H-1144	H.F.	370	Connors of Polk
H-1145	H.F.	271	Kettering of Sac Falck of Fayette
H-1146	S.F.	66	Petersen of Polk
H-1147	H.F.	399	Wise of Lee
H-1148	H.F.	272	Tremmel of Wapello Grundberg of Polk
H-1149	S.F.	66	Foege of Linn
H-1150	S.F.	66	Foege of Linn
H-1151	H.F.	453	Cormack of Webster
H-1152	S.F.	66	Hatch of Polk
H-1153	S.F.	66	Murphy of Dubuque
H-1154	H.F.	324	Tremmel of Wapello Huser of Polk

On motion by Rants of Woodbury the House adjourned at 11:54 a.m., until 9:00 a.m., Friday, March 2, 2001.

# JOURNAL OF THE HOUSE

Fifty-fourth Calendar Day - Thirty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, March 2, 2001

The House met pursuant to adjournment at 9:07 a.m., Grundberg of Polk in the chair.

The Journal of Thursday, March 1, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 471**, by Bradley, a bill for an act relating to the review of subdivision plats by a local board of health or a county sanitarian.

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

**House File 472**, by Dotzler, a bill for an act creating the criminal offense of sexual exploitation by a law enforcement officer and providing a penalty.

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

**House File 473**, by Ford, a bill for an act requiring protective headgear for juvenile bicyclists, creating a bicycle safety fund, and providing for a helmet rental fee and a penalty.

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

**House File 474**, by Jenkins, a bill for an act relating to an Iowa new economy council.

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

**House File 475**, by Tremmel, a bill for an act relating to the jurisdiction of district associate judges in a felony eluding or attempting to elude a law enforcement vehicle offense.

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

**House File 476**, by Ford, Kreiman, and Shoultz, a bill for an act relating to the process for restoring for certain persons the right to register to vote and to vote and providing an applicability date.

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

**House File 477**, by Mascher, a bill for an act making an appropriation to the department of cultural affairs for purposes of advanced placement and honors programs and providing for related matters.

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

**House File 478**, by Van Fossen, a bill for an act eliminating the certificate of need program for health facilities.

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

**House File 479**, by Mascher, a bill for an act making an appropriation to the department of education for purposes of advanced placement and honors programs and providing for related matters.

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

**House File 480**, by Mascher, a bill for an act providing for the establishment of a wireless computer classroom pilot project, and making an appropriation.

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

**House File 481**, by Grundberg, a bill for an act relating to the establishment of city precincts and providing an effective date.

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

**House File 482**, by Ford, a bill for an act relating to the requirement of mediation when a custody arrangement is disputed.

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

**House File 483**, by Tremmel, a bill for an act relating to the authentication of out-of-state judicial records.

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

**House File 484**, by Connors, Larkin, Bukta, Greimann, Jochum, May, Bell, Kreiman, Hatch, T. Taylor, Mertz, Smith, Kuhn, Dotzler, Mascher, Foege, Witt, Falck, Quirk, Lensing, Winckler, and Murphy, a bill for an act defining assault to include certain acts which are intended to place another in fear of imminent physical contact.

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

**House File 485**, by Mertz and Dolecheck, a bill for an act relating to farm deer and providing for an effective date.

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

**House File 486**, by Tremmel, a bill for an act relating to the imposition of a fine for a criminal offense classified as an aggravated misdemeanor.

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

**House File 487**, by Petersen, a bill for an act relating to notice of rate increases for health insurance coverage.

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

**House File 488**, by Petersen, a bill for an act relating to minimum mammography examination coverage health insurance benefits.

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

**House File 489**, by Atteberry, Witt, Ford, Dotzler, Hatch, Larkin, Mascher, Lensing, and Osterhaus, a bill for an act prohibiting an indemnification clause in a contract between a health care provider and a managed care health plan, and providing that such a clause is void.

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

**House File 490**, by Petersen and Rayhons, a bill for an act relating to cigarette and tobacco laws including enforcement provisions.

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

**House File 491**, by Atteberry, Witt, Ford, Dotzler, Murphy, Hatch, Warnstadt, Greimann, Foege, Cohoon, Mascher, Lensing, and Osterhaus, a bill for an act relating to third-party payors of health care coverage costs for mental illness and substance abuse treatment services.

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

**House File 492**, by Petersen, a bill for an act relating to cigarette retail permit fees.

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

**House File 493**, by Grundberg and Boal, a bill for an act relating to notification to property owners prior to removal of solid waste and litter from a property.

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

**House File 494**, by Mertz, a bill for an act authorizing the use of investigational, experimental, new, or unconventional medical treatment.

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

**House File 495**, by Foege, a bill for an act relating to the tuition and fees charged by regents institutions, community colleges, and Iowa private colleges and universities to certain persons who were placed in foster care or another out-of-home placement.

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

**House File 496**, by Grundberg, a bill for an act relating to requirements for securing children transported in certain motor vehicles and providing a penalty.

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

**House File 497**, by Van Fossen, a bill for an act exempting certain residences from rental housing inspections by a city.

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

**House File 498**, by Van Engelenhoven, a bill for an act changing the budget certification date applicable to school districts, and providing an applicability provision.

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

**House File 499**, by Murphy, Scherrman, Jochum, and Osterhaus, a bill for an act relating to bingo games and games using pull-tab tickets conducted by qualified organizations.

Read first time and referred to committee on **state 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 1, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 192, a bill for an act authorizing certain criminal history and abuse record and registry access to the department of inspections and appeals for purposes of data verification and record checks of applicants for employment with the department.

Also: That the Senate has on March 1, 2001, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 17, a concurrent resolution designating March 2001 as Iowa Women's History Month.

Also: That the Senate has on March 1, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 125, a bill for an act relating to membership in an interstate wildlife violators compact by the department of natural resources.

Also: That the Senate has on March 1, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 276, a bill for an act relating to the licensure of persons acting as insurance producers, providing an effective date, and applying penalties.

Also: That the Senate has on March 1, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 279, a bill for an act relating to allocation and payment of expenses arising from performance of duties by the Iowa utilities board and the consumer advocate, providing for a report by the Iowa utilities board, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

## BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 1, 2001, he approved and transmitted to the Secretary of State the following bill:

Senate File 258, an act relating to the extension of the tobacco settlement authority Act, and providing an effective date.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

### House Study Bill 192

Judiciary: Baudler, Chair; Jochum and Kettering.

## 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.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON JUDICIARY

Committee Bill (Formerly House Study Bill 172), relating to the qualifications and duties of the clerk of court.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2001.

### AMENDMENTS FILED

H-1155	H.F.	403	Boal of Polk Huser of Polk
H-1156	H.F.	416	Jochum of Dubuque
H-1157	H.F.	324	Huser of Polk

On motion by Brunkhorst of Bremer the House adjourned at 9:15 a.m., until 10:00 a.m., Monday, March 5, 2001.



# JOURNAL OF THE HOUSE

Fifty-seventh Calendar Day - Thirty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, March 5, 2001

The House met pursuant to adjournment at 10:03 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Ouderkirk, pastor of St. Bridget's Catholic Church, Postville. He was the guest of Representative Rekow of Allamakee County.

The Journal of Friday, March 2, 2001 was approved.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by students from SE Polk Junior High School and a poem "Our Flag" written by the students was read. They were accompanied by their teacher, Mrs. Martinson. They were the guests of the Honorable Geri Huser, state representative from Polk County.

## INTRODUCTION OF BILLS

**House File 500**, by committee on commerce and regulation, a bill for an act relating to the licensure of persons acting as insurance producers, providing an effective date, and applying penalties.

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

**House File 501**, by Horbach, a bill for an act providing magistrates who are not licensed to practice law in Iowa with the authority to review applications for involuntary hospitalization and applications for involuntary commitment or treatment of chronic substance abusers and making conforming changes.

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

## SENATE MESSAGES CONSIDERED

**Senate File 125**, by committee on natural resources and environment, a bill for an act relating to membership in an interstate wildlife violators compact by the department of natural resources.

Read first time and **passed on file**.

**Senate File 276**, by committee on commerce, a bill for an act relating to the licensure of persons acting as insurance producers, providing an effective date, and applying penalties.

Read first time and **passed on file**.

On motion by Jacobs of Polk, the House was recessed at 10:10 a.m., until 11:15 a.m.

## LATE MORNING SESSION

The House reconvened at 11:22 a.m., Speaker Siegrist in the chair.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Drake of Pottawattamie on request of Rants of Woodbury.

## CONSIDERATION OF BILL

### Regular Calendar

**House File 324**, a bill for an act relating to transportation, including provisions on road projects, vehicle sales, movement, and reports, and mailing of notices, and providing a penalty and an effective date, was taken up for consideration.

The House stood at ease at 11:30 a.m., until the fall of the gavel.

The House resumed session at 12:52 p.m., Speaker pro tempore Sukup in the chair.

## QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-one members present, thirty-nine absent.

The House resumed consideration of House File 324.

Hatch of Polk asked and received unanimous consent to withdraw amendments H-1071 and H-1072 filed by him on February 21, 2001.

Hatch of Polk offered amendment H-1068 filed by him as follows:

H-1068

- 1 Amend House File 324 as follows:
- 2 1. Page 1, by inserting after line 16 the
- 3 following:
- 4 "Sec. NEW SECTION. 307.50 LOCAL COSTS OF
- 5 HIGHWAY PROJECT BIDDING – APPROPRIATION.
- 6 There is appropriated to the department annually
- 7 from the general fund of the state an amount
- 8 sufficient to cover city and county expenses
- 9 associated with the competitive bidding requirements
- 10 in section 314.1, subsection 2. The department shall
- 11 disburse funds to counties and cities to reimburse the
- 12 counties and cities for the costs associated with
- 13 compliance with the requirements. The department
- 14 shall adopt rules for the administration of this
- 15 section."
- 16 2. Title page, line 3, by striking the word
- 17 "penalty" and inserting the following: "penalty, an
- 18 appropriation,".
- 19 3. By renumbering and correcting internal
- 20 references as necessary.

## QUORUM CALL

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

On motion by Hatch of Polk amendment H-1068 lost.

Hatch of Polk offered the following amendment H-1070 filed by him and moved its adoption:

H-1070

- 1 Amend House File 324 as follows:
- 2 1. Page 1, by inserting after line 16 the
- 3 following:
- 4 "Sec. \_\_\_\_ **NEW SECTION. 307.50 LOCAL COSTS OF**
- 5 **HIGHWAY PROJECT BIDDING – ADMINISTRATION OF FUNDS.**
- 6 The department shall expend funds appropriated from
- 7 the road use tax fund pursuant to section 312.2,
- 8 subsection 19, to reimburse counties and cities for
- 9 costs associated with compliance with the competitive
- 10 bidding requirements of section 314.1, subsection 2.
- 11 The department shall disburse the funds to counties
- 12 and cities in a manner set out by rule of the
- 13 department."
- 14 2. Page 1, by inserting after line 25 the
- 15 following:
- 16 "Sec. \_\_\_\_ Section 312.2, Code 2001, is amended by
- 17 adding the following new subsection:
- 18 **NEW SUBSECTION. 19.** The treasurer of state,
- 19 before making the allotments provided for in this
- 20 section, shall credit annually from the road use tax
- 21 fund to the state department of transportation an
- 22 amount sufficient to reimburse counties and cities for
- 23 costs associated with compliance with the competitive
- 24 bidding requirements of section 314.1, subsection 2."
- 25 3. Title page, line 3, by striking the word
- 26 "penalty" and inserting the following: "penalty, an
- 27 appropriation,".
- 28 4. By renumbering and correcting internal
- 29 references as necessary.

A non-record roll call was requested.

The ayes were 28, nays 52.

Amendment H-1070 lost.

Huser of Polk offered amendment H-1157 filed by her and Brauns of Muscatine as follows:

H-1157

- 1 Amend House File 324 as follows:
- 2 1. Page 1, by inserting after line 25 the
- 3 following:
- 4 "Sec. \_\_\_\_ **NEW SECTION. 309.40a EMERGENCY**
- 5 **HIGHWAY AND BRIDGE PROJECTS.**
- 6 Notwithstanding section 309.40, a county may
- 7 contract for the emergency repair, restoration, or

8 reconstruction of a highway or bridge under the  
9 county's jurisdiction without advertising for bids if  
10 all of the following conditions are met:  
11 1. The emergency was caused by an unforeseen event  
12 causing the failure of a highway, bridge, or other  
13 highway structure so that the highway is  
14 unserviceable, or where immediate action is necessary  
15 to prevent further damage or loss.  
16 2. The county solicits written bids from three or  
17 more contractors engaged in the type of work needed.  
18 3. The necessary work can be done for less than  
19 one hundred thousand dollars.  
20 4. If possible, the county notifies the  
21 appropriate Iowa highway contractors' associations of  
22 the proposed work.

23 Sec. \_\_. Section 309.93, Code 2001, is amended by  
24 adding the following new subsection:  
25 NEW SUBSECTION. 7. A detailed cost accounting of  
26 all instances in the previous fiscal year of the use  
27 of day labor or public or private contracts for  
28 construction, reconstruction, improvement, or repair  
29 or maintenance projects on either the farm-to-market  
30 or secondary road system, in the manner prescribed by  
31 rule of the department under section 314.1A. The  
32 statement shall also include the costs of purchasing,  
33 leasing, or renting construction or maintenance  
34 equipment and an accounting of the use of such  
35 equipment for construction, reconstruction,  
36 improvement, or repair or maintenance projects on  
37 either the farm-to-market or secondary road system  
38 during the previous fiscal year.

39 Sec. \_\_. Section 312.14, Code 2001, is amended to  
40 read as follows:

41 312.14 CITIES TO SUBMIT REPORT.

42 Cities in the state which receive allotments of  
43 funds from road use tax funds shall prepare and  
44 deliver on or before September 30 each year to the  
45 department an annual report showing all street  
46 receipts and expenditures for the city for the  
47 previous fiscal year. The report shall include a  
48 detailed cost accounting of all instances of the use  
49 of day labor or public or private contracts for  
50 construction, reconstruction, improvement, or repair

Page 2

1 or maintenance projects on the municipal street system  
2 during the previous fiscal year, in the manner  
3 prescribed by rule of the department under section  
4 314.1A. The report shall also include the costs of  
5 purchasing, leasing, or renting construction or  
6 maintenance equipment and an accounting of the use of

7 such equipment for construction, reconstruction,  
8 improvement, or repair or maintenance projects on the  
9 municipal street system during the previous fiscal  
10 year."

11 2. Page 2, line 19, by striking the words  
12 "repair, or maintenance" and inserting the following:  
13 "or repair or maintenance".

14 3. Page 3, line 2, by striking the words  
15 "improvement, or repair" and inserting the following:  
16 "or improvement".

17 4. Page 3, line 5, by inserting after the word  
18 "bid" the following: ", except such public  
19 improvements that involve emergency work pursuant to  
20 section 309.40A, 313.10, 384.95, or 384.103,  
21 subsection 2. However, a public improvement that has  
22 an estimated total cost to a city in excess of fifty  
23 thousand dollars, and that involves the construction,  
24 reconstruction, or improvement of a highway, bridge,  
25 or culvert that is under the jurisdiction of a city  
26 with a population of more than fifty thousand, shall  
27 be advertised and let for bid".

28 5. Page 3, by striking lines 13 through 15 and  
29 inserting the following: "reject any or all bids, or  
30 may let by private contract or build by day labor, at  
31 a cost not in excess of the lowest bid received. If  
32 the agency rejects all bids due to cost, prior to  
33 using day labor or executing a private contract, the  
34 agency shall contact the lowest bidder in an attempt  
35 to negotiate a lower price than the bid received from  
36 that bidder. If the agency's attempts to negotiate a  
37 lower price with the lowest bidder are not successful,  
38 the agency may contact other bidders to negotiate a  
39 lower price than the lowest bid received. If there  
40 were no other bidders the agency may contact a  
41 contractor who did not submit a bid to negotiate a  
42 lower price than the lowest bid received. If a  
43 private contract cannot be negotiated with a  
44 contractor who did not submit a bid, the agency may  
45 proceed to build the project with day labor at a cost  
46 not to exceed the lowest bid or quote received.  
47 PARAGRAPH DIVIDED. Upon the completion of any  
48 contract or project on".

49 6. Page 3, line 20, by inserting after the word  
50 "specifications." the following: "Upon completion of

### Page 3

1 a contract or project on the municipal street system,  
2 the city public works department or city engineer  
3 shall file with the city clerk a statement showing the  
4 total cost of the contract or project with a  
5 certificate that the work has been done in accordance

6 with the plans and specifications."

7 7. Page 3, by inserting after line 22 the  
8 following:

9 "Sec. NEW SECTION. 314.1a DETAILED COST  
10 ACCOUNTINGS BY CITIES AND COUNTIES – RULES.

11 The department shall adopt rules prescribing the  
12 manner by which cities and counties shall provide a  
13 detailed cost accounting under section 309.93 or  
14 312.14, of all instances of the use of day labor or  
15 public or private contracts for construction,  
16 reconstruction, improvement, or repair or maintenance  
17 projects on highways within their jurisdiction. The  
18 rules shall include definitions concerning types of  
19 projects and uniform requirements and definitions that  
20 cities and counties shall use in determining costs for  
21 such projects. The department shall establish an  
22 advisory committee composed of representatives of  
23 public sector agencies, private sector contractor  
24 organizations, and certified public employee  
25 collective bargaining organizations to make  
26 recommendations for such rules."

27 8. Page 4, by inserting after line 16 the  
28 following:

29 "Sec. DEPARTMENT REVIEW OF CERTAIN HIGHWAY  
30 PROJECT PROCEDURES AND EQUIPMENT USE.

31 1. The state department of transportation, in  
32 conjunction with the advisory committee established  
33 pursuant to section 314.1A, shall review applicable  
34 competitive bidding threshold requirements for  
35 highway, bridge, and culvert projects and may make  
36 recommendations to the general assembly by December  
37 31, 2002, regarding any proposed changes.

38 2. The department shall review the highway and  
39 street construction and maintenance equipment purchase  
40 policies and the use of such equipment by all entities  
41 receiving road use tax fund moneys. The department  
42 shall report its findings, and any recommendations  
43 regarding potential efficiencies and cost savings in  
44 the purchase and use of such equipment, to the general  
45 assembly by December 31, 2002. The department shall  
46 consult with public and private entities in reviewing  
47 the purchasing policies and use of equipment and in  
48 formulating the department's recommendations.

49 Sec. EFFECTIVE DATE. The following  
50 provisions of this Act take effect July 1, 2002:

Page 4

- 1 1. The provision enacting section 309.93,  
2 subsection 7.
- 3 2. The provision amending section 312.14.
- 4 3. The provision enacting section 314.1,

- 5 subsection 2.
- 6 4. The provision amending section 314.1,
- 7 unnumbered paragraph 2, and redesignating that
- 8 unnumbered paragraph as section 314.1, subsection 3."
- 9 9. By numbering, renumbering, and correcting
- 10 internal references as necessary.

Huser of Polk offered the following amendment H-1163, to amendment H-1157, filed by her and Brauns of Muscatine from the floor and moved its adoption:

H-1163

- 1 Amend the amendment, H-1157, to House File 324 as
- 2 follows:
- 3 1. Page 1, lines 28 and 29, by striking the words
- 4 "improvement, or repair or maintenance" and inserting
- 5 the following: "or improvement".
- 6 2. Page 1, line 50, through page 2, line 1, by
- 7 striking the words "improvement, or repair or
- 8 maintenance" and inserting the following: "or
- 9 improvement".
- 10 3. Page 3, line 16, by striking the words
- 11 "improvement, or repair or maintenance" and inserting
- 12 the following: "or improvement".

Amendment H-1163 was adopted.

Hatch of Polk offered the following amendment H-1165, to amendment H-1157, filed by him from the floor and moved its adoption:

H-1165

- 1 Amend the amendment, H-1157, to House File 324 as
- 2 follows:
- 3 1. Page 2, by striking lines 17 through 27.
- 4 2. By renumbering, redesignating, and correcting
- 5 internal references as necessary.

Roll call was requested by Hatch of Polk and Rants of Woodbury.

On the question "Shall amendment H-1165, to amendment H-1157 be adopted?" (H.F. 324)

The ayes were, 35:

Bukta

Connors

Cormack

Dotzler



Falck	Fallon	Foege	Ford
Frevort	Greimann	Hatch	Jochum
Kreiman	Larkin	Lensing	Mascher
Mertz	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Winckler	Witt	

The nays were, 57:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Carroll	Chiodo	Cphoon
De Boef	Dix	Eddie	Eichhorn
Elgin	Finch	Garman	Grundberg
Hahn	Heaton	Hoffman	Horbach
Hoversten	Huseman	Huser	Jacobs
Jenkins	Johnson	Kettering	Klemme
Kuhn	Larson	Manternach	May
Metcalf	Millage	Raecker	Rants
Rayhons	Rekow	Richardson	Roberts
Shey	Siegrist, Spkr.	Sievers	Teig
Tymeson	Van Engelenhoven	Van Fossen	Weidman
Sukup,			
Presiding			

Absent or not voting, 8:

Dolecheck	Drake	Gipp	Hansen
Houser	Reynolds	Tyrrrell	Wise

Amendment H-1165 lost.

Brauns of Muscatine offered the following amendment H-1160, to amendment H-1157, filed by him from the floor and moved its adoption:

H-1160

- 1 Amend the amendment, H-1157, to House File 324 as
- 2 follows:
- 3 1. Page 2, by inserting after line 27 the
- 4 following:
- 5 " \_\_\_\_ Page 3, line 7, by striking the words
- 6 "repair, or" and inserting the following: "or repair
- 7 or".
- 8 2. By renumbering, redesignating, and correcting
- 9 internal references as necessary.

Amendment H-1160 was adopted.

T. Taylor of Linn offered the following amendment H-1159, to amendment H-1157, filed by him from the floor and moved its adoption:

H-1159

- 1 Amend the amendment, H-1157, to House File 324 as
- 2 follows:
- 3 1. Page 2, line 46, by inserting after the word
- 4 "received," the following: "If, as a result of any
- 5 outsourcing or privatization under this paragraph, a
- 6 city or county position is eliminated, the city or
- 7 county shall offer the affected employee other
- 8 employment with the city or county. City or county
- 9 employees placed in such other employment, as well as
- 10 those electing to be laid off, shall be eligible for
- 11 recall to the position classification held at the time
- 12 of outsourcing or privatization."

Roll call was requested by Hatch of Polk and T. Taylor of Linn.

On the question "Shall amendment H-1159, to amendment H-1157 be adopted?" (H.F. 324)

The ayes were, 38:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Hatch	Huser	Jochum	Kreiman
Kuhn	Larkin	Lensing	Mascher
May	Mertz	Myers	O'Brien
Osterhaus	Petersen	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, T.	Tremmel	Warnstadt
Winckler	Witt		

The nays were, 51:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Eddie
Eichhorn	Elgin	Finch	Garman
Grundberg	Hahn	Heaton	Hoffman
Horbach	Hoversten	Huseman	Jacobs
Jenkins	Johnson	Kettering	Klemme

Larson	Manternach	Metcalf	Millage
Quirk	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Siegrist, Spkr.
Sievers	Teig	Tymeson	Van Engelenhoven
Van Fossen	Weidman	Sukup, Presiding	

Absent or not voting, 11:

Dolecheck	Drake	Gipp	Greimann
Hansen	Houser	Murphy	Reynolds
Taylor, D.	Tyrrell	Wise	

Amendment H-1159 lost.

On motion by Huser of Polk amendment H-1157, as amended, was adopted.

Hatch of Polk offered the following amendment H-1069 filed by him and moved its adoption:

H-1069

- 1 Amend House File 324 as follows:
- 2 1. By striking page 2, line 13, through page 3,
- 3 line 22.
- 4 2. By renumbering, redesignating, and correcting
- 5 internal references as necessary.

A non-record roll call was requested.

The ayes were 33, nays 48.

Amendment H-1069 lost.

Rants of Woodbury asked and received unanimous consent that House File 324 be deferred and that the bill retain its place on the calendar.

On motion by Rants of Woodbury, the House was recessed at 2:17 p.m., until 5:00 p.m.

## EVENING SESSION

The House reconvened at 5:03 p.m., Speaker pro tempore Sukup in the chair.

## QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-four members present, sixteen absent.

CONSIDERATION OF BILL  
Regular Calendar

The House resumed consideration of **House File 324**, a bill for an act relating to transportation, including provisions on road projects, vehicle sales, movement, and reports, and mailing of notices, and providing a penalty and an effective date, previously deferred.

Murphy of Dubuque offered the following amendment H-1066 filed by him and moved its adoption:

H-1066

- 1 Amend House File 324 as follows:
- 2 1. By striking page 3, line 23, through page 4,
- 3 line 1.
- 4 2. By renumbering, redesignating, and correcting
- 5 internal references as necessary.

Roll call was requested by Murphy of Dubuque and Carroll of Poweshiek.

On the question "Shall amendment H-1066 be adopted?" (H.F. 324)

The ayes were, 45:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Cormack	Dotzler
Falck	Fallon	Foege	Ford
Frevort	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Manternach	Mascher	May
Mertz	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Richardson
Scherrman	Schrader	Seng	Shoultz
Smith	Stevens	Taylor, D.	Taylor, T.
Tremmel	Warnstadt	Winckler	Wise
Witt			

The nays were, 51:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Garman	Grundberg	Hahn	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Jacobs	Jenkins	Johnson
Kettering	Klemme	Larson	Metcalf
Millage	Raecker	Rayhons	Rekow
Roberts	Shey	Siegrist, Spkr.	Sievers
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Sukup, Presiding	

Absent or not voting, 4:

Gipp	Hansen	Rants	Reynolds
------	--------	-------	----------

Amendment H-1066 lost.

Huser of Polk offered the following amendment H-1065 filed by her and moved its adoption:

H-1065

- 1 Amend House File 324 as follows:
- 2 1. Page 3, line 31, by striking the words "unless
- 3 the contract" and inserting the following: "except
- 4 that such an official or employee may bid on a
- 5 contract that".

Amendment H-1065 was adopted.

Tremmel of Wapello asked and received unanimous consent to withdraw amendment H-1064 filed by him on February 21, 2001.

Tremmel of Wapello offered amendment H-1154 filed by him and Huser of Polk as follows:

H-1154

- 1 Amend House File 324 as follows:
- 2 1. Page 15, line 26, by inserting after the word
- 3 "service," the following: "The department shall adopt
- 4 rules regarding the giving of notice by first class
- 5 mail, the updating of addresses in department records,

6 and the development of affidavits verifying the  
7 mailing of notices under this chapter and chapter  
8 321J. a person's refusal to accept or a claim of  
9 failure to receive a notice of revocation, suspension,  
10 or bar mailed by first class mail to the person's last  
11 known address shall not be a defense to a charge of  
12 driving while suspended, revoked, denied, or barred."

13 2. Page 16, by inserting after line 18 the  
14 following:

15 "Sec. \_\_\_\_ **NEW SECTION. 321.211a APPEAL OF**  
16 **EXTENDED SUSPENSION OR REVOCATION.**

17 Notwithstanding any provision of law to the  
18 contrary, if a person was not served with notice of a  
19 suspension or revocation under section 321.16, or  
20 section 321J.9, subsection 4, or section 321J.12,  
21 subsection 3, the person may appeal to the department  
22 an extension of the period of suspension or revocation  
23 based upon a conviction under section 321.218 or  
24 321J.21. At the hearing on the appeal, the sole issue  
25 shall be whether the department failed to send notice  
26 of the underlying suspension or revocation to the  
27 person at the address contained in the department's  
28 records. If the department determines it failed to  
29 send such notice, the department shall rescind the  
30 extended suspension or revocation resulting from the  
31 conviction and send notice of the department's  
32 determination to the court that rendered the  
33 conviction. Upon receipt of the notice, the court  
34 shall enter an order exonerating the person of the  
35 conviction, and ordering that the record of the  
36 conviction be expunged by the clerk of the district  
37 court."

38 3. By renumbering as necessary.

Kreiman of Davis asked and received unanimous consent to withdraw amendment H-1166, to amendment H-1154, filed by him from the floor.

Shoultz of Black Hawk asked and received unanimous consent to withdraw amendment H-1169, to amendment H-1154, filed by him from the floor.

On motion by Tremmel of Wapello amendment H-1154 was adopted.

Atteberry of Delaware asked and received unanimous consent to withdraw amendment H-1063 filed by Reynolds of Van Buren on February 21, 2001.

Atteberry of Delaware offered amendment H-1085 filed by Reynolds of Van Buren as follows:

H-1085

1 Amend House File 324 as follows:

2 1. Page 16, line 2, by inserting after the word  
3 "address," the following: "The application provided  
4 by the department shall include a statement for the  
5 applicant to sign that acknowledges the applicant's  
6 knowledge of the requirement to notify the department  
7 of a mailing address change."

8 2. Page 16, by inserting after line 2 the  
9 following:

10 "Sec. \_\_\_\_ Section 321.196, unnumbered paragraph  
11 1, Code 2001, is amended to read as follows:

12 Except as otherwise provided, a driver's license,  
13 other than an instruction permit, chauffeur's  
14 instruction permit, or commercial driver's instruction  
15 permit issued under section 321.180, expires, at the  
16 option of the applicant, two or four years from the  
17 licensee's birthday anniversary occurring in the year  
18 of issuance if the licensee is between the ages of  
19 seventeen years eleven months and seventy years on the  
20 date of issuance of the license. If the licensee is  
21 under the age of seventeen years eleven months or age  
22 seventy or over, the license is effective for a period  
23 of two years from the licensee's birthday anniversary  
24 occurring in the year of issuance. Except as required  
25 in section 321.188, and except for a motorcycle  
26 instruction permit issued in accordance with section  
27 321.180 or 321.180B, a driver's license is renewable  
28 without written examination or penalty within a period  
29 of sixty days after its expiration date and without a  
30 driving test within a period of one year after its  
31 expiration date. a person shall not be considered to  
32 be driving with an invalid license during a period of  
33 sixty days following the license expiration date.  
34 However, for a license renewed within the sixty-day  
35 period, the date of issuance shall be considered to be  
36 the previous birthday anniversary on which it expired.  
37 Applicants whose licenses are restricted due to vision  
38 or other physical deficiencies may be required to  
39 renew their licenses every two years. For the  
40 purposes of this section, the birthday anniversary of  
41 a person born on February 29 shall be deemed to occur  
42 on March 1. The department in its discretion may  
43 authorize the renewal of a valid driver's license  
44 other than a commercial driver's license upon  
45 application without an examination provided that the  
46 applicant satisfactorily passes a vision test as

47 prescribed by the department, files a vision report in  
48 accordance with section 321.186a which shows that the  
49 applicant's visual acuity level meets or exceeds those  
50 required by the department, or is eligible for renewal

Page 2

1 by mail pursuant to rules adopted by the department.  
2 The department may assess an applicant a fee of no  
3 more than two dollars for administration and mailing  
4 expenses for providing for renewal of the applicant's  
5 driver's license by mail. An application for renewal  
6 of a driver's license shall include a statement for  
7 the applicant to sign that acknowledges the  
8 applicant's knowledge of the requirement to notify the  
9 department of a mailing address change under section  
10 321.182, subsection 1."  
11 3. By renumbering, redesignating, and correcting  
12 internal references as necessary.

Kreiman of Davis offered the following amendment H-1168, to amendment H-1085, filed by him from the floor and moved its adoption:

H-1168

1 Amend the amendment, H-1085, to House File 324 as  
2 follows:  
3 1. Page 1, line 7, by inserting after the word  
4 "change." the following: "The penalty under section  
5 321.482 shall not apply to a licensee's failure to  
6 notify the department of such an address change."  
7 2. Page 2, by inserting after line 10 the  
8 following:  
9 "\_\_\_\_. By striking page 17, line 33, through page  
10 18, line 5."  
11 3. By renumbering, redesignating, and correcting  
12 internal references as necessary.

Amendment H-1168 was adopted.

On motion by Atteberry of Delaware amendment H-1085, as amended, was adopted.

T. Taylor of Linn offered amendment H-1073 filed by him as follows:



H-1073

1 Amend House File 324 as follows:

2 1. Page 18, by inserting after line 23 the  
3 following:

4 "DIVISION \_\_\_\_  
5 RAILROADS

6 Sec. \_\_\_\_ NEW SECTION. 327F.8 CLOSE-CLEARANCE  
7 WARNING DEVICES.

8 1. A railroad company shall place a warning device  
9 at a location where the close-clearance between a  
10 railway owned by the railroad company and a building,  
11 machinery, trees, brush, or other object is such that  
12 the building, machinery, trees, brush, or other object  
13 physically impedes a person who is lawfully riding the  
14 side of the train in the course of the person's duties  
15 in service to the railroad company from clearing the  
16 building, machinery, trees, brush, or other object.

17 2. The warning device shall be placed in a  
18 location which provides adequate notice to a person  
19 riding the side of a train so that the person may  
20 prepare for the close-clearance.

21 3. Placement of a warning device pursuant to this  
22 section does not relieve a railroad company from any  
23 duties required under chapter 317 or section 327F.27.

24 4. A violation of this section is punishable as a  
25 schedule "one" penalty under section 327C.5.

26 Sec. \_\_\_\_ NEW SECTION. 327F.21 RAILROAD TRAIN  
27 CREWS.

28 1. As used in this section, unless the context  
29 otherwise requires:

30 a. "Cab" means the crew compartment of the engine  
31 of a railroad train or locomotive.

32 b. "Department" means the state department of  
33 transportation.

34 c. "Director" means the director of transportation  
35 or the director's designee.

36 d. "Qualified railroad locomotive engineer" means  
37 a person who has successfully completed a railroad  
38 carrier's training program for a train service  
39 engineer, locomotive servicing engineer, or student  
40 engineer and passed an examination on railroad  
41 operation rules.

42 e. "Qualified railroad trainperson" means a person  
43 who has successfully completed a railroad carrier's  
44 training program and passed an examination on railroad  
45 operation rules.

46 2. Any person operating or controlling a railroad  
47 in this state shall not allow the operation of any  
48 railroad train or locomotive in this state unless the  
49 railroad train or locomotive has a crew of at least  
50 two individuals. One of the individuals shall be a

## Page 2

1 qualified railroad locomotive engineer. The other  
2 individual shall be either a qualified railroad  
3 locomotive engineer or a qualified railroad  
4 trainperson. The qualified railroad locomotive  
5 engineer shall be present in the cab and operate the  
6 control locomotive at all times that the railroad  
7 train or locomotive is in motion. The other crew  
8 member shall be present in the cab at all times the  
9 railroad train or locomotive is in motion, but may  
10 dismount the railroad train or locomotive when  
11 necessary to perform switching activities and other  
12 job-related duties. However, this subsection shall  
13 not apply to the extent that it is contrary to or  
14 inconsistent with a regulation or order of the federal  
15 railroad administration.

16 3. The director may, pursuant to rules adopted by  
17 the department, grant an exception to the requirements  
18 of subsection 2 if the director determines that the  
19 exception will not endanger the life or property of  
20 any person.

21 4. A person who violates this section is, upon  
22 conviction for a first offense, subject to a schedule  
23 "one" penalty as provided under section 327C.5. A  
24 person who violates this section is, upon conviction  
25 for a second offense committed within three years of  
26 the first offense, subject to a schedule "two" penalty  
27 as provided under section 327C.5. a person who  
28 violates this section is, upon conviction for a third  
29 or subsequent offense committed within three years of  
30 the first offense, subject to a schedule "three"  
31 penalty as provided under section 327C.5.

32 Sec. NEW SECTION. 327F.32 RAILROAD  
33 ACCIDENTS – EMPLOYEE LEAVE AND TRAUMA COUNSELING.

34 1. A railroad company shall make trauma counseling  
35 available to an employee of the railroad company  
36 involved in an accident on a railway or right of way  
37 under the control of the company if the accident  
38 results in the death of or serious bodily injury to a  
39 person. The counseling shall be made available to the  
40 employee within forty-eight hours of the accident.

41 2. An employee involved in an accident described  
42 in subsection 1 shall be given leave from duty with  
43 compensation and applicable benefits for a minimum of  
44 three days following the accident. If the railroad  
45 company makes an affirmative showing that the accident  
46 was due to the negligence or willful act of an  
47 employee involved in an accident described in  
48 subsection 1, the leave provided to the employee who  
49 acted negligently or willfully may be provided without  
50 compensation and benefits.

## Page 3

- 1 3. An engineer returning to duty following leave  
2 provided pursuant to subsection 2 shall, upon request,  
3 be assigned an assistant engineer or other qualified  
4 person to accompany the engineer for such time as may  
5 be necessary to guarantee the public safety or until a  
6 qualified medical practitioner determines that the  
7 engineer does not suffer from a posttraumatic stress  
8 disorder.  
9 4. The director shall adopt rules for  
10 administration and enforcement of this section."  
11 2. Title page, line 2, by striking the words "and  
12 mailing" and inserting the following: "mailing".  
13 3. Title page, line 3, by striking the words  
14 "providing a penalty" and inserting the following:  
15 "railroads, and providing penalties".  
16 4. By renumbering as necessary.

Brauns of Muscatine rose on a point of order that amendment H-1073 was not germane.

The Speaker ruled the point well taken and amendment H-1073 not germane.

T. Taylor of Linn asked for unanimous consent to suspend the rules to consider amendment H-1073.

Objection was raised.

T. Taylor of Linn moved to suspend the rules to consider amendment H-1073.

A non-record roll call was requested.

The ayes were 40, nays 50.

The motion to suspend the rules lost.

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?" (H.F. 324)

The ayes were, 65:

Alons	Arnold	Barry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Carroll	Chiodo	Cohoon	De Boef
Dix	Dolecheck	Drake	Eddie
Eichhorn	Elgin	Finch	Garman
Grundberg	Hahn	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Johnson
Klemme	Kuhn	Larson	Manternach
May	Metcalf	Millage	Myers
O'Brien	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Richardson
Roberts	Siegrist, Spkr.	Sievers	Stevens
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Wise
Sukup, Presiding			

The nays were, 32:

Atteberry	Bukta	Connors	Cormack
Dotzler	Falck	Fallon	Foege
Ford	Frevert	Greimann	Hatch
Jochum	Kettering	Kreiman	Larkin
Lensing	Mascher	Mertz	Murphy
Osterhaus	Scherrman	Schrader	Seng
Shey	Shoultz	Smith	Taylor, D.
Taylor, T.	Tremmel	Winckler	Witt

Absent or not voting, 3:

Gipp	Hansen	Reynolds
------	--------	----------

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

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 324** be immediately messaged to the Senate.

### SPONSORS ADDED (House File 308)

Murphy of Dubuque requested to be added as a sponsor of House File 308.

(Amendment H-1157 to House File 324)

Brauns of Muscatine requested to be added as a sponsor of amendment H-1157 to House File 324.

**BILLS SIGNED BY THE GOVERNOR**

A communication was received from the Governor announcing that on March 2, 2001, he approved and transmitted to the Secretary of State the following bill:

Senate File 83, an act relating to the verification of a uniform citation and complaint issued by a law enforcement agency.

Also: That on March 5, 2001, he approved and transmitted to the Secretary of State the following bill:

House File 267, an act renaming the waste management assistance division of the department of natural resources.

**COMMUNICATION RECEIVED**

The following communication was received and filed in the office of the Chief Clerk:

**DEPARTMENT OF EDUCATION**

A report on early intervention class size survey results, pursuant to Chapter 256D.3, 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.

**MARGARET A. THOMSON**  
Chief Clerk of the House

2001\447 Dorothy Jean Reilly, Ames – For celebrating her 80<sup>th</sup> birthday.

2001\448 Orville Riessen, Charter Oak – For celebrating his 80<sup>th</sup> birthday.

2001\449 LuVerne Kohnkamp, Charter Oak – For celebrating her 80<sup>th</sup> birthday.

2001\450 Marcella Kuehl, Mapleton – For celebrating her 80<sup>th</sup> birthday.

- 2001\451 Margie and Ray Pithan, Ute – For celebrating their 66<sup>th</sup> wedding anniversary.
- 2001\452 Virginia and Jack King, Denison – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\453 Amy Joe and Don Lander, Sloan – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\454 Rose Stimson, Clarinda – For celebrating her 90<sup>th</sup> birthday.
- 2001\455 May Handy, Shenandoah – For celebrating her 102<sup>nd</sup> birthday.
- 2001\456 Nelda and Bob Johansen, Chariton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\457 Hazel and Dwaine Clanin, Russell – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\458 Kenneth Long, Lake View – For celebrating his 80<sup>th</sup> birthday.
- 2001\459 Ruth Boney, Lake View – For celebrating her 83<sup>rd</sup> birthday.
- 2001\460 Margaret Hendrichsen, Early – For celebrating her 83<sup>rd</sup> birthday.
- 2001\461 Eleanor Bahr, Wall Lake – For celebrating her 90<sup>th</sup> birthday.
- 2001\462 Lenore Hendrich, Wall Lake – For celebrating her 90<sup>th</sup> birthday.
- 2001\463 Alice and Melvin Boysen, Danbury – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\464 Gloria and Ray Ellerbusch, Cushing – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\465 Dorothy and Clarence Davis, Anthon – For celebrating their 75<sup>th</sup> wedding anniversary.
- 2001\466 Viola and Russell Weimerskirch, Maquoketa – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\467 Arlene and Harold Keil, Bellevue – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\468 Edna Marie and Harold Gisel, Delmar – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\469 Helen and Marvin Brady, Maquoketa – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\470 Raeona and Ed Hudrlik, Maquoketa – For celebrating their 50<sup>th</sup> wedding anniversary.

2001\471 Clyde Kelly, Clinton – For celebrating his 100<sup>th</sup> birthday.

2001\472 Sharon Roling, Clinton – For being named Outstanding Young Religious Leader by the Clinton Jaycees.

2001\473 Carla Hilgenberg, Camanche – For being named Outstanding Young Educator by the Clinton Jaycees.

2001\474 Alma and Henry Beachy, Katona – For celebrating their 60<sup>th</sup> wedding anniversary.

2001\475 Viola M. Segebart, Denison – For celebrating her 83<sup>rd</sup> birthday.

#### **SUBCOMMITTEE ASSIGNMENTS**

##### **House File 347**

Natural Resources: Rekow, Chair; Drake and Richardson.

##### **House File 477**

Appropriations: Dolecheck, Chair; Barry and Mascher.

##### **House File 479**

Appropriations: Dolecheck, Chair; Barry and Mascher.

#### **HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**

##### **House Study Bill 174**

Natural Resources: Arnold, Chair; O'Brien and Weidman.

##### **House Study Bill 189**

Natural Resources: Arnold, Chair; O'Brien and Weidman.

##### **House Study Bill 194**

Local Government: Houser, Chair; Fallon, Richardson, Sievers and Van Engelenhoven.

##### **House Study Bill 195**

Local Government: Houser, Chair; Fallon, Richardson, Sievers and Van Engelenhoven.

#### **HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**

##### **H.S.B. 196 Economic Development**

Relating to cluster groups under the new jobs and income program.

**H.S.B. 197 Economic Development**

Relating to private activity bond allocations.

**H.S.B. 198 Appropriations**

Repealing the linked investments for tomorrow Act.

**H.S.B. 199 Local Government**

Relating to urban renewal and urban revitalization and providing for the Act's 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.

MARGARET A. THOMSON  
Chief Clerk of the House

**COMMITTEE ON HUMAN RESOURCES**

**Committee Bill** (Formerly House File 308), relating to the addition of an optional category to be covered under the medical assistance program.

Fiscal Note is required.

Recommended **Do Pass** March 5, 2001.

**COMMITTEE ON JUDICIARY**

**Committee Bill** (Formerly House File 280), relating to jurisdictional changes to small claims court cases.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2001.

**Committee Bill** (Formerly House Study Bill 135), relating to the imposition of an additional sentence of mandatory parole or work release for persons convicted of certain criminal offenses.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 5, 2001.



## COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House File 4), relating to the limitation on property taxes for cities and counties and providing for the Act's applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2001.

## RESOLUTION FILED

**HCR 20**, by Warnstadt, 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.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-1158	H.F.	116	Grundberg of Polk
H-1161	H.F.	116	Grundberg of Polk
H-1162	H.F.	116	Boddicker of Cedar
H-1164	H.F.	403	Warnstadt of Woodbury
H-1167	H.F.	116	Metcalf of Polk
			Petersen of Polk
H-1170	H.F.	456	Kreiman of Davis
H-1171	H.F.	451	Tremmel of Wapello
H-1172	H.F.	116	Foege of Linn
H-1173	H.F.	116	Lensing of Johnson
H-1174	H.F.	341	Winckler of Scott
H-1175	H.F.	341	Winckler of Scott
H-1176	H.F.	341	Lensing of Johnson
H-1177	H.F.	341	Mascher of Johnson
H-1178	H.F.	341	Mascher of Johnson
H-1179	H.F.	116	Mascher of Johnson
H-1180	H.F.	341	Petersen of Polk
H-1181	H.F.	341	Metcalf of Polk
H-1182	H.F.	341	Wise of Lee
H-1183	H.F.	341	Foege of Linn
H-1184	H.F.	341	Smith of Marshall
H-1185	H.F.	341	Smith of Marshall

H-1186	H.F.	341	Mascher of Johnson
H-1187	H.F.	341	Atteberry of Delaware Grundberg of Polk
H-1188	H.F.	341	Petersen of Polk
H-1189	H.F.	341	Metcalf of Polk
H-1190	H.F.	341	Metcalf of Polk
H-1191	H.F.	341	Atteberry of Delaware
H-1192	H.F.	341	Mascher of Johnson
H-1193	H.F.	341	Hatch of Polk Foege of Linn
H-1194	H.F.	341	Petersen of Polk
H-1195	H.F.	341	Atteberry of Delaware
H-1196	H.F.	341	Dotzler of Black Hawk
H-1197	H.F.	341	Mascher of Johnson
H-1198	H.F.	341	Hatch of Polk
H-1199	H.F.	456	Heaton of Henry Johnson of Osceola
			Foege of Linn
			Houser of Pottawattamie
			Grundberg of Polk
			Brunkhorst of Bremer
			Hoversten of Woodbury
			Arnold of Lucas
H-1200	H.F.	341	Mascher of Johnson

On motion by Rants of Woodbury the House adjourned at 6:02 p.m., until 8:45 a.m., Tuesday, March 6, 2001.

# JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day - Thirty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, March 6, 2001

The House met pursuant to adjournment at 8:47 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Dennis St. Lawrence, pastor of Grace Baptist Church, Chariton. He was the guest of Representative Arnold of Lucas.

The Journal of Monday, March 5, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 502**, by committee on agriculture, a bill for an act relating to agricultural production, by prohibiting acts relating to facilities or operations, making penalties applicable, and providing penalties and civil liability.

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

**House File 503**, by Boddicker, a bill for an act relating to the issuance of deer depredation permits to landowners and providing a penalty.

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

**House File 504**, by Arnold, a bill for an act providing for access to Iowa communications network services by political subdivisions of the state.

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

**House File 505**, by Brauns, a bill for an act providing for a line of duty death benefit for reserve peace officers.

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

**House File 506**, by Warnstadt, a bill for an act prohibiting the publication of false or misleading information in political advertisements, and applying a penalty.

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

**House File 507**, by May, a bill for an act relating to the exercise of city police powers by providing for a law enforcement contract with a county, and providing for a referendum and other properly related matters.

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

**House File 508**, by Warnstadt, a bill for an act transferring the powers and duties of the Missouri river preservation and land use authority to the loess hills development and conservation authority and providing effective dates.

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

**House File 509**, by Sievers, Finch, Teig, Alons, Kuhn, Dolecheck, Carroll, Broers, Grundberg, Sukup, Baudler, De Boef, Barry, Gipp, and Seng, a bill for an act relating to the annual filing for the family farm tax credit, to the notification to the assessor of the change in ownership or the person actively engaged in farming the tract of agricultural land for which the family farm tax credit is allowed, providing a penalty, and including effective and applicability date provisions.

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

**House File 510**, by Hoffman, a bill for an act relating to the delivery of services by certain health care professionals and health facilities and providing definitions.

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

**House File 511**, 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 and exempting certain public improvements from contract bidding procedures.

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

**House File 512**, by Mascher, a bill for an act relating to the establishment of an environmental education task force, providing for related matters, and making an appropriation.

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

**House File 513**, by Mascher, a bill for an act establishing a physician loan reduction program and making an appropriation.

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

**House File 514**, by Warnstadt, a bill for an act relating to advanced research and commercialization projects.

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

**House File 515**, by Shey, a bill for an act relating to the refunding of state sales and use taxes paid by contractors in the performance of construction contracts for a museum paid for through revenue bonds.

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

**House File 516**, by Shey, a bill for an act relating to a petition to the court for a hearing on a criminal defendant's restitution plan.

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

**House File 517**, by committee on human resources, a bill for an act relating to the addition of an optional category to be covered under the medical assistance program.

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

**House File 518**, by committee on judiciary, a bill for an act relating to jurisdictional changes to small claims court cases.

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

**House File 519**, by committee on judiciary, a bill for an act relating to the qualifications and duties of the clerk of court.

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

On motion by Rants of Woodbury, the House was recessed at 8:55 a.m., until 2:00 p.m.

### AFTERNOON SESSION

The House reconvened at 2:05 p.m., Gipp of Winneshiek in the chair.

### INTRODUCTION OF BILLS

**House File 520**, by Alons and Frevert, a bill for an act relating to reciprocal nonresident hunting and fishing fees with the state of South Dakota.

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

**House File 521**, by Arnold, a bill for an act exempting from the local sales and services tax for school infrastructure purposes, sales made at the Iowa state fair and the sale or use of natural gas and electricity at the Iowa state fair.

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

**House File 522**, by Teig, Mertz, Klemme, Huseman, Houser, Rayhons, Eddie, Van Engelenhoven, Arnold, Dix, Hoffman, Boggess, Dolecheck, Alons, Roberts, Eichhorn, Kettering, Frevert, Horbach, Cormack, and Barry, a bill for an act relating to an exemption from sales and use taxes of the cost of agricultural soil sampling and testing.

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

**House File 523**, by Carroll, a bill for an act relating to the funding pools in the property tax relief fund for county mental health and developmental disabilities services expenditures and providing effective and applicability dates.

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

**House File 524**, by Schrader, a bill for an act relating to the distribution of local school infrastructure sales and services tax revenues to contiguous counties and including effective and applicability date provisions.

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

**House File 525**, by committee on judiciary, a bill for an act relating to the imposition of a sentence for an additional term of years for persons convicted of certain criminal offenses.

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

**House File 526**, by Hahn, a bill for an act providing an apprenticeship program for Illinois barbers in lieu of existing Iowa barber licensure requirements.

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

**House File 527**, by Houser, Barry, Hansen, Hoffman, Kettering, Arnold, Grundberg, Heaton, Johnson, Boggess, Weidman, Drake, Van Engelenhoven, Huseman, Brauns, Sievers, Klemme, Dolecheck, Tyrrell, Sukup, Teig, Finch, Osterhaus, Kuhn, Scherrman, Frevert, Murphy, Mertz, and May, a bill for an act relating to the growing and processing of grapes, creating a state commission, establishing a fund for certain tax receipts, and providing an appropriation.

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

**House File 528**, by Ford, a bill for an act prohibiting insurance discrimination on the basis of domestic abuse.

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

**House File 529**, by Ford, a bill for an act relating to the appointment of the director and employees of the county conservation board.

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

**House File 530**, by Petersen, 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 531**, by T. Taylor and Johnson, a bill for an act relating to the establishment of a system of oversight for adult day services.

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

**House File 532**, by Dotzler, a bill for an act relating to wage discrimination in employment by providing for the determination of wage discrimination.

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

**House File 533**, by Jacobs, a bill for an act relating to housing by creating a housing trust fund and a housing trust commission, transferring certain moneys to the fund, and changing the allocation of private activity bonds.

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

**House File 534**, by Eichhorn, a bill for an act abolishing the statutory rule against perpetuities, making related changes, and providing an applicability date.

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

### QUORUM CALL

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



## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Reynolds of Van Buren on request of Myers of Johnson.

## SPECIAL PRESENTATION

Myers of Johnson introduced to the House the Honorable Ron Kinzer former state representative from Scott County.

The House rose and expressed its welcome.

## ADOPTION OF HOUSE RESOLUTION 17

Barry of Harrison called up for consideration **House Resolution 17**, a resolution designating March 6, 2001, as Breast Cancer Awareness and Lymphedema D-Day, and moved its adoption.

The motion prevailed and the resolution was adopted.

## CONSIDERATION OF BILLS

### Regular Calendar

**House File 327**, a bill for an act relating to the criminal offenses of enticing a minor away and sexual exploitation of a minor and providing a penalty, was taken up for consideration.

Tremmel of Wapello offered the following amendment H-1078 filed by him and moved its adoption:

H-1078

- 1 Amend House File 327 as follows:
- 2 1. Page 3, by striking lines 12 through 22, and
- 3 inserting the following: "misdemeanor for a first
- 4 offense and a class "D" felony for a second or
- 5 subsequent offense. For purposes of this subsection,
- 6 an offense is considered a second or subsequent
- 7 offense if, prior to the person's having been
- 8 convicted under this subsection, any of the following
- 9 apply:
- 10 a. The person has a prior conviction or deferred
- 11 judgment under this subsection.
- 12 b. The person has a prior conviction, deferred

- 13 judgment, or the equivalent of a deferred judgment in  
 14 another jurisdiction for an offense substantially  
 15 similar to the offense defined in this subsection.  
 16 The court shall judicially notice the statutes of  
 17 other states that define offenses substantially  
 18 similar to the offense defined in this subsection and  
 19 that therefore can be considered corresponding  
 20 statutes."

Amendment H-1078 was adopted.

Eichhorn 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. 327)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Gipp,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Kettering

Reynolds

Tyrrell

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

Carroll of Poweshiek in the chair at 2:34 p.m.

**House File 310**, a bill for an act relating to child support enforcement, including disclosure of certain juvenile court records to the child support recovery unit, waiting periods for administrative review and adjustment of orders, and federal tax and nontax setoff payments for accrued support, and providing effective dates, was taken up for consideration.

Boddicker of Cedar offered the following amendment H-1139 filed by him and Kreiman of Davis and moved its adoption:

H-1139

- 1 Amend House File 310 as follows:
- 2 1. By striking page 1, line 31 through page 2,
- 3 line 23.
- 4 2. Page 2, line 31, by striking the figure "1."
- 5 3. Page 2, by striking lines 33 and 34.
- 6 4. Title page, by striking lines 3 and 4, and
- 7 inserting the following: "support recovery unit, and
- 8 federal tax and nontax".
- 9 5. By renumbering as necessary.

Amendment H-1139 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. 310)

The ayes were, 98:

Alons

Arnold

Atteberry

Barry

Baudler

Bell

Boal

Boddicker

Boggess

Bradley

Brauns

Broers

Brunkhorst

Bukta

Chiodo

Cphoon

Connors

Cormack

De Boef

Dix

Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Siegrist, Spkr.	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Carroll, Presiding		

The nays were, none.

Absent or not voting, 2:

Reynolds            Tyrrell

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

**House File 77**, a bill for an act relating to presidential electors' compensation, with report of committee recommending amendment and passage, was taken up for consideration.

Gipp of Winneshiek offered amendment H-1079 filed by the committee on state government as follows:

H-1079

- 1 Amend House File 77 as follows:
- 2 1. Page 1, line 6, by striking the word and
- 3 figure "subsection 5" and inserting the following:
- 4 "subsection 1 for members of the general assembly from
- 5 Polk county".

The committee amendment H-1079 was adopted.

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. 77)

The ayes were, 90:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Chiodo	Cphoon	Connors
Cormack	De Boef	Dix	Dolecheck
Dotzler	Drake	Eichhorn	Elgin
Falck	Fallon	Finch	Foege
Ford	Frevert	Gipp	Greimann
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Richardson	Scherrman	Schrader	Seng
Shey	Shoultz	Siegrist, Spkr.	Sievers
Smith	Sukup	Taylor, T.	Teig
Tremmel	Tymeson	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Carroll,		
	Presiding		

The nays were, 8:

Boddicker	Eddie	Garman	Grundberg
Manternach	Roberts	Stevens	Taylor, D.

Absent or not voting, 2:

Reynolds	Tyrrell
----------	---------

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 office of secretary of state and the conduct of elections and voter registration in the

state and providing effective and applicability dates, was taken up for consideration.

Warnstadt of Woodbury asked and received unanimous consent to withdraw amendment H-1164 filed by him on March 5, 2001.

Huser of Polk offered the following amendment H-1110 filed by her and moved its adoption:

H-1110

- 1 Amend House File 403 as follows:
- 2 1. Page 1, by inserting after line 28 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 39.22, subsection 2, unnumbered
- 5 paragraph 1, Code 2001, is amended to read as follows:
- 6 If the county board of supervisors does not have
- 7 the power provided under subsection 1 to fill the
- 8 offices of trustee and clerk within a township by
- 9 appointment, then the offices of township trustee and
- 10 township clerk shall be filled by election. Township
- 11 trustees and the township clerk, in townships which do
- 12 not include a city, shall be elected by the voters of
- 13 the entire township. In townships which include a
- 14 city, the officers shall be elected by the voters of
- 15 the township who reside outside the corporate limits
- 16 of the city, ~~but a township officer may be a resident~~
- 17 ~~of the city.~~"

Amendment H-1110 was adopted.

Jochum of Dubuque offered the following amendment H-1115 filed by Reynolds of Van Buren and moved its adoption:

H-1115

- 1 Amend House File 403 as follows:
- 2 1. Page 35, line 21, by striking the word "shall"
- 3 and inserting the following: "may".

Amendment H-1115 was adopted.

Boal of Polk asked and received unanimous consent to withdraw amendment H-1109 filed by her and Huser of Polk on February 27, 2001.

Boal of Polk offered the following amendment H-1155 filed by her and Huser of Polk and moved its adoption:

H-1155

- 1 Amend House File 403 as follows:
- 2 1. Page 43, by inserting after line 7 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 359.17, Code 2001, is amended
- 5 to read as follows:
- 6 359.17 TRUSTEES – DUTIES – MEETINGS.
- 7 The board of township trustees in each township
- 8 shall consist of three qualified electors registered
- 9 voters of the township. However, in townships with a
- 10 taxable valuation for property tax purposes of two
- 11 hundred fifty million dollars or more, the board of
- 12 township trustees shall consist of five registered
- 13 voters of the township. The trustees shall act as
- 14 fence viewers and shall perform other duties assigned
- 15 them by law. The board of trustees shall meet not
- 16 less than two times a year. At least one of the
- 17 meetings shall be scheduled to meet the requirements
- 18 of section 359.49."
- 19 2. By renumbering as necessary.

Amendment H-1155 was adopted.

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. 403)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Bukta	Chiodo	Cphoon	Connors
De Boef	Dix	Dolecheck	Dotzler
Drake	Eddie	Eichhorn	Elgin
Falck	Fallon	Finch	Foege
Ford	Frevert	Garman	Gipp
Greimann	Grundberg	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach

Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Siegrist, Spkr.	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Carroll, Presiding

The nays were, 1:

Cormack

Absent or not voting, 3:

Brunkhorst      Reynolds      Tyrrell

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 77, 310, 327 and 403.**

**House File 154**, a bill for an act concerning paid time off for certain peace officer members of the department of public safety injured in the course of duty, with report of committee recommending passage, 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. 154)

The ayes were, 96:

Alons	Arnold	Barry	Baudler
Bell	Boal	Boddicker	Bogges
Bradley	Brauns	Broers	Brunkhorst
Bukta	Chiodo	Cohon	Connors
Cormack	De Boef	Dix	Dolecheck



Dotzler	Drake	Eddie	Eichhorn
Elgin	Falck	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Van Engelenhoven	Warnstadt	Weidman
Winckler	Wise	Witt	Carroll, Presiding

The nays were, none.

Absent or not voting, 4:

Atteberry	Reynolds	Tyrrell	Van Fossen
-----------	----------	---------	------------

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 3:09 p.m.

**House File 383**, a bill for an act relating to the designation of model communities in projects, pilot projects, or similar initiatives undertaken by the governor or the executive branch, was taken up for consideration.

Cormack of Webster 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. 383)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers

Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Siegrist, Spkr.	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Dix, Presiding		

The nays were, none.

Absent or not voting, 2:

Reynolds                      Tyrell

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

#### ADOPTION OF HOUSE RESOLUTION 19

Carroll of Poweshiek called up for consideration **House Resolution 19**, a resolution declaring March 6, 2001, Marriage Day, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### MOTION TO RECONSIDER PREVAILED

Tremmel of Wapello called up for consideration the motion to reconsider House File 272, filed on February 28, 2001, and moved to reconsider the vote by which **House File 272**, a bill for an act relating to felonious misconduct by a public officer or employee and

providing a penalty, passed the House and was placed on its last reading on February 28, 2001.

The motion prevailed and the House reconsidered House File 272.

Tremmel of Wapello offered the following amendment H-1148 filed by him and Grundberg of Polk and moved its adoption:

H-1148

- 1 Amend House File 272 as follows:
- 2 1. Page 1, line 5, by inserting after the word
- 3 "writing" the following: "is falsified and that the
- 4 writing".
- 5 2. By renumbering as necessary.

Amendment H-1148 was adopted.

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. 272)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalfe	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoults
Siegrist, Spkr.	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Van Engelenhoven	Van Fossen

Warnstadt  
Witt

Weidman  
Dix,  
Presiding

Winckler

Wise

The nays were, none.

Absent or not voting, 2:

Reynolds

Tyrrell

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 154, 272 and 383.**

**House File 341**, a bill for an act relating to informed consent to an abortion and providing a criminal penalty, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

The House stood at ease at 3:35 p.m., until the fall of the gavel.

The House resumed session at 4:22 p.m., and consideration of House File 341, Speaker Siegrist in the chair.

Mascher of Johnson offered the following amendment H-1186 filed by her and moved its adoption:

H-1186

- 1 Amend House File 341 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. **NEW SECTION. 146A.1 INFORMED CONSENT**
- 5 **- MEDICAL PROCEDURES.**
- 6 1. Written consent shall be obtained prior to the
- 7 performance of any medical or surgical procedure or
- 8 course of procedures related to patient care.
- 9 2. Written consent obtained in accordance with all
- 10 of the following creates a presumption that informed
- 11 consent has been obtained:
- 12 a. Information has been provided in general terms

13 describing the nature and purpose of the procedure or  
14 procedures, together with the known risks, if any, of  
15 death, brain damage, quadriplegia, paraplegia, the  
16 loss or loss of function of any organ or limb, or  
17 disfiguring scars associated with the procedure or  
18 procedures, with the probability of each such risk, if  
19 reasonably determinable.

20 b. The written consent acknowledges that the  
21 information outlined in paragraph "a" has been  
22 provided and that all questions asked by the patient  
23 regarding the procedure or procedures have been  
24 answered satisfactorily.

25 c. The written consent is signed by the patient  
26 upon whom the procedure or procedures are to be  
27 performed, or by the patient's legal representative."

28 2. Title page, lines 1 and 2, by striking the  
29 following: "to an abortion and providing a criminal  
30 penalty, and providing an effective date."

Amendment H-1186 lost.

Mascher of Johnson offered the following amendment H-1192 filed  
by her and moved its adoption:

H-1192

1 Amend House File 341 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

4 "Section 1. NEW SECTION. 146A.1 TITLE.

5 This chapter shall be known and may be cited as the  
6 "Freedom of Choice Act".

7 Sec. 2. NEW SECTION. 146A.2 FREEDOM OF CHOICE.

8 A woman in this state shall have the right to  
9 personal bodily integrity and autonomy and a woman's  
10 reproductive rights shall be protected. State and  
11 local governments shall not restrict the right of a  
12 woman to choose to terminate a pregnancy before fetal  
13 viability or at any time if the termination is  
14 necessary to protect the life or health of the woman."

15 2. Title page, line 1, by striking the words  
16 "informed consent to an abortion and providing" and  
17 inserting the following: "freedom of choice regarding  
18 a termination of pregnancy."

19 3. Title page, by striking line 2.

Amendment H-1192 lost.

Hatch of Polk rose on a point of order regarding the correctional impact of the bill.

The Speaker ruled the point not well taken and that the bill did not require a correctional impact note.

### MOTION TO SUSPEND RULE 31.8 LOST

Grundberg of Polk asked unanimous consent to suspend Rule 31.8, relating to the timely filing of amendments, for the immediate consideration of amendment H-1204 filed by her from the floor as follows:

H-1204

- 1 Amend House File 341 as follows:
- 2 1. By striking page 1, line 3, through page 5,
- 3 line 17, and inserting the following:
- 4 ""Medical Procedure Waiting Period Act".
- 5 Sec. 2. NEW SECTION. 146A.2 MEDICAL PROCEDURES
- 6 - WAITING PERIOD.
- 7 Except in the case of a medical emergency, a
- 8 medical procedure shall not be performed on an
- 9 individual in this state unless the individual
- 10 consents to the procedure at least twenty-four hours
- 11 prior to the performance of the procedure."
- 12 2. Title page, lines 1 and 2, by striking the
- 13 words "an abortion and providing a criminal penalty,
- 14 and providing an effective date" and inserting the
- 15 following: "a medical procedure".

Objection was raised.

Metcalf of Polk offered the following amendment H-1189 filed by her and moved its adoption:

H-1189

- 1 Amend House File 341 as follows:
- 2 1. Page 1, line 18, by inserting after the word
- 3 "abortion" the following: "to avert the endangerment
- 4 of the woman's health or".
- 5 2. Page 4, line 19, by inserting after the word
- 6 "necessary" the following: "to avert the endangerment
- 7 of the woman's health or".

A non-record roll call was requested.

The ayes were 34, nays 52.

Amendment H-1189 lost.

Mascher of Johnson offered the following amendment H-1178 filed by her and moved its adoption:

H-1178

- 1 Amend House File 341 as follows:
- 2 1. Page 1, by striking line 3, and inserting the
- 3 following: "'State Mandated Information and Waiting
- 4 Period for Abortion Act'."
- 5 2. Title page, line 1, by striking the words
- 6 "informed consent to" and inserting the following:
- 7 "state mandated information and a waiting period for".

Amendment H-1178 lost.

Lensing of Johnson offered the following amendment H-1176 filed by her and moved its adoption:

H-1176

- 1 Amend House File 341 as follows:
- 2 1. Page 1, line 31, by inserting after the word
- 3 "emergency," the following: "sexual assault, incest,
- 4 or fetal deformity,".

A non-record roll call was requested.

The ayes were 32, nays 53.

Amendment H-1176 lost.

Winckler of Scott offered the following amendment H-1175 filed by her and moved its adoption:

H-1175

- 1 Amend House File 341 as follows:
- 2 1. Page 1, line 34, by striking the word "shall"
- 3 and inserting the following: "may".
- 4 2. Page 3, line 32, by striking the word
- 5 "required" and inserting the following: "was
- 6 provided".

- 7 3. Page 3, line 33, by striking the words "was  
8 provided" and inserting the following: "upon the  
9 woman's request".  
10 4. Page 4, by striking lines 2 through 4, and  
11 inserting the following: "the certification to the  
12 woman."  
13 5. Page 4, line 34, by striking the word  
14 "required" and inserting the following: "requested by  
15 the woman".

Amendment H-1175 lost.

Dotzler of Black Hawk asked and received unanimous consent to withdraw amendment H-1196 filed by him on March 5, 2001.

Metcalf of Polk offered the following amendment H-1190 filed by her and moved its adoption:

H-1190

- 1 Amend House File 341 as follows:  
2 1. Page 1, line 35, by inserting after the word  
3 "by telephone," the following: "by electronic mail,".

Amendment H-1190 lost.

Mascher of Johnson offered the following amendment H-1200 filed by her and moved its adoption:

H-1200

- 1 Amend House File 341 as follows:  
2 1. Page 2, line 1, by striking the word "twenty-  
3 four hours" and inserting the following: "one hour".  
4 2. Page 2, line 16, by striking the word "twenty-  
5 four hours" and inserting the following: "one hour".  
6 3. Page 4, line 20, by striking the word "twenty-  
7 four-hour" and inserting the following: "one-hour".

Amendment H-1200 lost.

Foege of Linn offered the following amendment H-1183 filed by him and moved its adoption:

H-1183

- 1 Amend House File 341 as follows:



- 2 1. Page 2, line 6, by striking the word
- 3 "putative".
- 4 2. Page 2, line 9, by striking the word
- 5 "putative".

Amendment H-1183 lost.

Metcalf of Polk offered the following amendment H-1181 filed by her and moved its adoption:

H-1181

- 1 Amend House File 341 as follows:
- 2 1. Page 2, by inserting after line 10, the
- 3 following:
- 4 "\_\_\_ Information that medical assistance benefits
- 5 may be available to the woman for an abortion under
- 6 certain circumstances."
- 7 2. By renumbering, redesignating, and correcting
- 8 internal references as necessary.

Amendment H-1181 was adopted.

Petersen of Polk offered the following amendment H-1194 filed by her and moved its adoption:

H-1194

- 1 Amend House File 341 as follows:
- 2 1. Page 2, by inserting after line 10 the
- 3 following:
- 4 "\_\_\_ Information that contraceptives are
- 5 available to the woman and that medical assistance
- 6 benefits may be available to the woman for coverage of
- 7 the costs of contraceptives."
- 8 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 43, nays 37.

Amendment H-1194 was adopted.

Atteberry of Delaware offered the following amendment H-1195 filed by her and moved its adoption:

H-1195

- 1 Amend House File 341 as follows:
- 2 1. Page 2, by inserting after line 10, the
- 3 following:
- 4 "\_\_\_ Information concerning accepted medical
- 5 procedures for postcoital emergency contraception and
- 6 medications approved by the United States food and
- 7 drug administration for use as postcoital emergency
- 8 contraception."
- 9 2. By renumbering, redesignating, and correcting
- 10 internal references as necessary.

Amendment H-1195 lost.

Winckler of Scott offered the following amendment H-1174 filed by her and moved its adoption:

H-1174

- 1 Amend House File 341 as follows:
- 2 1. Page 2, line 11, by striking the word "review"
- 3 and inserting the following: "be offered".
- 4 2. Page 2, line 13, by striking the word "review"
- 5 and inserting the following: "be offered".
- 6 3. Page 3, line 30, by inserting after the word
- 7 "and" the following: "offers".

Amendment H-1174 lost.

Atteberry of Delaware offered the following amendment H-1187 filed by her and Grundberg of Polk and moved its adoption:

H-1187

- 1 Amend House File 341 as follows:
- 2 1. Page 2, line 22, by striking the words "unborn
- 3 child" and inserting the following: "fetus".
- 4 2. Page 3, lines 9 and 10, by striking the words
- 5 "unborn child" and inserting the following: "fetus".
- 6 3. Page 3, line 14, by striking the words "unborn
- 7 child" and inserting the following: "fetus".
- 8 4. Page 3, line 15, by striking the words
- 9 "unborn child" and inserting the following: "fetus".
- 10 5. Page 3, line 17, by striking the words "unborn
- 11 child" and inserting the following: "fetus".
- 12 6. Page 3, line 21, by striking the words "unborn
- 13 child" and inserting the following: "fetus".
- 14 7. Page 3, lines 26 and 27, by striking the words

15 "unborn child" and inserting the following: "fetus".

Amendment H-1187 lost.

Hatch of Polk offered the following amendment H-1198 filed by him and moved its adoption:

H-1198

- 1 Amend House File 341 as follows:
- 2 1. Page 2, line 34, by striking the word "
- 3 orally," and inserting the following: "from a live
- 4 person any relevant information, including but not
- 5 limited to".

Amendment H-1198 was adopted.

Smith of Marshall offered the following amendment H-1184 filed by him and moved its adoption:

H-1184

- 1 Amend House File 341 as follows:
- 2 1. Page 3, line 8, by striking the word
- 3 "probable".
- 4 2. Page 3, line 12, by inserting after the word
- 5 "term" the following: "as accepted and published by
- 6 the American college of obstetricians and
- 7 gynecologists".

Amendment H-1184 lost.

Mascher of Johnson offered the following amendment H-1197 filed by her and moved its adoption:

H-1197

- 1 Amend House File 341 as follows:
- 2 1. Page 3, by striking lines 8 through 18.
- 3 2. By renumbering as necessary.

Amendment H-1197 lost.

Smith of Marshall offered the following amendment H-1185 filed by him and moved its adoption:

H-1185

- 1 Amend House File 341 as follows:
- 2 1. Page 3, lines 24 and 25, by striking the
- 3 words: "the possible detrimental psychological
- 4 effects of abortion,".

Amendment H-1185 lost.

Atteberry of Delaware offered the following amendment H-1191 filed by her and moved its adoption:

H-1191

- 1 Amend House File 341 as follows:
- 2 1. Page 4, by inserting after line 12, the
- 3 following:
- 4 "\_\_\_ The information and materials provided under
- 5 this chapter shall contain the most recent medically
- 6 accepted standards and scientifically accurate
- 7 information published by the American college of
- 8 obstetricians and gynecologists."
- 9 2. By renumbering, redesignating, and correcting
- 10 internal references as necessary.

Amendment H-1191 lost.

Wise of Lee offered amendment H-1182 filed by him as follows:

H-1182

- 1 Amend House File 341 as follows:
- 2 1. By striking page 4, line 24 through page 5,
- 3 line 15, and inserting the following:
- 4 "Sec. \_\_\_. NEW SECTION. 146A.5 REVIEW BY MEDICAL
- 5 EXAMINERS – CONFIDENTIALITY.
- 6 1. A licensed physician subject to the authority
- 7 of the state board of medical examiners who is accused
- 8 of a violation of this chapter is subject to a hearing
- 9 before the board. Any proceeding before the board
- 10 shall be conducted in a manner which protects the
- 11 confidentiality of the woman and all documents
- 12 pertaining to the proceedings shall remain
- 13 confidential and shall be sealed.
- 14 2. The state board of medical examiners may revoke
- 15 the license of a physician who is found in violation
- 16 of this chapter."
- 17 2. Title page, lines 1 and 2, by striking the
- 18 words "and providing a criminal penalty".
- 19 3. By renumbering as necessary.

Warnstadt of Woodbury offered the following amendment H-1208, to amendment H-1182, filed by him from the floor and moved its adoption:

H-1208

- 1 Amend the amendment, H-1182, to House File 341 as
- 2 follows:
- 3 1. Page 1, by inserting after line 16, the
- 4 following:
- 5 "Sec. \_\_\_\_ NEW SECTION. 146A.6 HARASSMENT –
- 6 PROHIBITED – CRIMINAL PENALTY.
- 7 1. A person commits harassment in the second
- 8 degree when the person purposefully contacts a woman
- 9 upon whom an abortion is to be performed, during the
- 10 twenty-four-hour period of delay provided under this
- 11 chapter, for the purpose of influencing the woman's
- 12 decision relating to the performance of an abortion.
- 13 2. For the purposes of this section, "person" does
- 14 not include a person residing with the woman or a
- 15 person related to the woman by consanguinity or
- 16 affinity.
- 17 Sec. \_\_\_\_ Section 708.7, subsection 3, unnumbered
- 18 paragraph 1, Code 2001, is amended to read as follows:
- 19 A person commits harassment in the second degree
- 20 when the person commits harassment involving a threat
- 21 to commit bodily injury, commits harassment pursuant
- 22 to section 146A.6, or commits harassment and has
- 23 previously been convicted of harassment two times
- 24 under this section or any similar statute during the
- 25 preceding ten years."
- 26 2. Page 1, by striking lines 17 and 18.
- 27 3. By renumbering as necessary.

Amendment H-1208 was adopted.

Wise of Lee moved the adoption of amendment H-1182, as amended.

A non-record roll call was requested.

The ayes were 35, nays 54.

Amendment H-1182, as amended, lost.

Hatch of Polk offered the following amendment H-1193 filed by him and Foege of Linn and moved its adoption:

H-1193

1 Amend House File 341 as follows:

2 1. Page 5, by inserting after line 15, the  
3 following:

4 "Sec. NEW SECTION. 146B.1 TITLE.

5 This chapter shall be known and may be cited as the  
6 "Vasectomy Waiting Period Act".

7 Sec. NEW SECTION. 146B.2 VASECTOMY –  
8 MANDATORY WAITING PERIOD.

9 1. Except in the case of a medical emergency, a  
10 vasectomy shall not be performed in this state unless  
11 the man upon whom the vasectomy is to be performed  
12 consents to the vasectomy at least twenty-four hours  
13 prior to the performance of the procedure.

14 2. The referring physician, the physician who will  
15 perform the vasectomy, or an agent of either physician  
16 shall provide information to the man, by telephone, by  
17 audiotape, or in person, at least twenty-four hours  
18 before the vasectomy regarding the method, the  
19 procedures commonly used, the risks commonly  
20 associated with each procedure, the possible  
21 detrimental effects of a vasectomy, and the medical  
22 risks commonly associated with a vasectomy.

23 3. The referring physician, the physician who will  
24 perform the vasectomy, or an agent of either  
25 physician, who provides the required information  
26 pursuant to subsection 2 to the man upon whom the  
27 vasectomy is to be performed, shall obtain and retain  
28 written certification from the man that the  
29 information was provided."

30 2. Title page, line 1, by striking the word  
31 "informed".

32 3. Title page, line 1, by inserting after the  
33 word "abortion" the following: "or a vasectomy".

Dix of Butler in the chair at 6:58 p.m.

Amendment H-1193 lost.

Speaker Siegrist in the chair at 7:09 p.m.

Mascher of Johnson offered the following amendment H-1177 filed  
by her and moved its adoption:

H-1177

1 Amend House File 341 as follows:

2 1. Page 5, line 16, by inserting after the word

- 3 "DATE" the following: "- CONTINGENCY".  
 4 2. Page 5, line 17, by inserting after the figure  
 5 "2001" the following: ", only if the general assembly  
 6 appropriates funding specifically for the purpose of  
 7 providing the written information and acquiring the  
 8 data required under this Act".

A non-record roll call was requested.

The ayes were 27, nays 51.

Amendment H-1177 lost.

Petersen of Polk asked and received unanimous consent to withdraw amendments H-1180 and H-1188 filed by her on March 5, 2001.

Hoversten 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. 341)

The ayes were, 67:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Bukta
Carroll	Chiodo	Cormack	De Boef
Dix	Dolecheck	Drake	Eddie
Eichhorn	Elgin	Finch	Frevert
Garman	Gipp	Hahn	Hansen
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Johnson
Kettering	Klemme	Kuhn	Larson
Manternach	May	Mertz	Millage
Murphy	O'Brien	Osterhaus	Quirk
Raecker	Rants	Rayhons	Rekow
Roberts	Scherrman	Seng	Shey
Sievers	Stevens	Sukup	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Mr. Speaker	
		Siegrist	

The nays were, 31:

Atteberry	Bell	Cohoon	Connors
Dotzler	Falck	Foege	Ford

Greimann	Grundberg	Hatch	Jacobs
Jenkins	Jochum	Kreiman	Larkin
Lensing	Mascher	Metcalf	Myers
Petersen	Richardson	Schrader	Shoultz
Smith	Taylor, D.	Taylor, T.	Warnstadt
Winckler	Wise	Witt	

Absent or not voting, 2:

Fallon                      Reynolds

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to. Placing the following amendments filed from the floor and requiring unanimous consent, out of order:

Amendment H-1201 filed by Boddicker of Cedar.

Amendment H-1205 filed by Grundberg of Polk.

Amendment H-1206 filed by Grundberg of Polk.

Amendment H-1207 filed by Grundberg of Polk.

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 341** be immediately messaged to the Senate.

### 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 6, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 267, a bill for an act relating to state budgetary matters by providing for reductions and supplementation of appropriations made for the fiscal year beginning July 1, 2000, and transferring, crediting, and appropriating certain moneys, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGE CONSIDERED

**Senate File 267**, by committee on appropriations, a bill for an act relating to state budgetary matters by providing for reductions and



supplementation of appropriations made for the fiscal year beginning July 1, 2000, and transferring, crediting, and appropriating certain moneys, and providing an effective date.

Read first time and **passed on file.**

### EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 6, 2001. Had I been present, I would have voted "aye" on House File 327.

KETTERING of Sac

I inadvertently voted "nay" on House File 324. I meant to vote "aye".

SHEY of Linn

### 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 6<sup>th</sup> day of March, 2001: House File 192.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

### CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

2001\476 Brett Buehler, Lake View – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

- 2001\477 Jack DeBourgh, Lake View – For being named Community Operator of the Year.
- 2001\478 Jay Hoskey, South Tama High School – For being named Boy's State Wrestling division 2A Coach of the Year.
- 2001\479 Erma and David Knauss, Logan – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\480 Pearl Plambeck, Persia – For celebrating her 90<sup>th</sup> birthday.
- 2001\481 Loretta and Donald Bertelsen, Missouri Valley – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\482 Pauline Johnson, Missouri Valley – For celebrating her 80<sup>th</sup> birthday.
- 2001\483 Julia Kubik, Traer – For celebrating her 80<sup>th</sup> birthday.
- 2001\484 Virginia and Jim Abernathey, Traer – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\485 Cole Pape, Maquoketa – For being a three time Iowa State Wrestling Champion.
- 2001\486 Father Paul Ouderkirk, Postville – For giving the Prayer of the Day on the 5<sup>th</sup> of March.
- 2001\487 Adam Clemons, Eldora – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\488 Tyler Haskin, Eldora – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\489 Christopher M. Yeager, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\490 Donna and Harley Wallace, Fontanelle – For celebrating their 50<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 387

Judiciary: Kettering, Chair; Kreiman and Sukup.

##### House File 421

Economic Development: Boggess, Chair; Lensing and Metcalf.

##### House File 422

Judiciary: Baudler, Chair; Bell and Eichhorn.

**House File 427**

Judiciary: Shey, Chair; Baudler and Jochum.

**House File 437**

Judiciary: Broers, Chair; Baudler and Tremmel.

**House File 446**

Judiciary: Baudler, Chair; Bell and Broers.

**House File 447**

Judiciary: Baudler, Chair; Chiodo and Kettering.

**House File 464**

Judiciary: Shey, Chair; Jochum and Sukup.

**House File 467**

Environmental Protection: Gipp, Chair; Lensing and Sievers.

**House File 468**

Economic Development: Roberts, Chair; Cohoon and Horbach.

**House File 472**

Judiciary: Kettering, Chair; Barry and Bell.

**House File 474**

Economic Development: Jenkins, Chair; Cormack and Hatch.

**House File 475**

Judiciary: Tremmel, Chair; Eichhorn and Millage.

**House File 481**

State Government: Metcalf, Chair; Larkin and Millage.

**House File 482**

Judiciary: Boddicker, Chair; Barry and Ford.

**House File 483**

Judiciary: Tremmel, Chair; Eichhorn and Millage.

**House File 485**

Agriculture: Mertz, Chair; Huseman and Rayhons.

**House File 486**

Judiciary: Tremmel, Chair; Eichhorn and Millage.

**House File 495**

Education: Tymeson, Chair; Boal and Foege.

**House File 501**

Judiciary: Kreiman, Chair; Shey and Sukup.

**Senate File 211**

Agriculture: De Boef, Chair; Baudler and Fallon.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 196**

Economic Development: Teig, Chair; Dotzler and Manternach.

**House Study Bill 197**

Economic Development: Elgin, Chair; Cormack and Seng.

**House Study Bill 199**

Local Government: Dix, Chair; Sievers and Warnstadt.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 200 Judiciary**

Relating to the grounds for termination of parental rights under the juvenile justice code by requiring the court to give primary consideration to the best interest of the child.

**H.S.B. 201 Education**

Relating to the establishment of a student achievement and teacher quality program.

**H.S.B. 202 Commerce and Regulation**

Creating a school energy conservation program.

**H.S.B. 203 Human Resources**

Relating to licensure requirements for physician assistants and providing an effective date.

**H.S.B. 204 Local Government**

Relating to establishment and duration of urban renewal areas, allowing rebate or abatement of property taxes for certain property located in an urban renewal area, and providing an applicability date.

**H.S.B. 205 Local Government**

Relating to application of the property tax assessment limitation in an urban renewal area and providing an applicability date.

**H.S.B. 206 Local Government**

Relating to approval of city ordinances granting certain utility franchises.

**H.S.B. 207 Local Government**

Relating to Iowa's community empowerment initiative and providing an effective date.

**H.S.B. 208 Administration and Rules**

Relating to an annual budget for the daily operations of the House of Representatives.

**H.S.B. 209 Economic Development**

Relating to the employment security administrative contributions surcharge, and providing an effective date.

**H.S.B. 210 Economic Development**

Relating to unemployment compensation by continuing the employment security administrative contribution surcharge and its fund, and providing an effective date.

**H.S.B. 211 Judiciary**

Relating to the placement of juveniles in detention and to the jurisdiction of the juvenile court.

**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.

MARGARET A. THOMSON  
Chief Clerk of the House

**COMMITTEE ON AGRICULTURE**

**Committee Bill** (Formerly House File 372), providing for the reversion of dividends and distributions by certain cooperative associations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2001.

**Committee Bill** (Formerly House File 377), providing for agricultural liens.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2001.

**COMMITTEE ON COMMERCE AND REGULATION**

**Committee Bill** (Formerly House File 386), relating to consideration of the proposed uniform computer information transactions Act.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2001.

**Committee Bill** (Formerly House Study Bill 148), relating to the Iowa individual health benefit reinsurance association and the Iowa comprehensive health insurance

association, by changing the board of directors, membership, assessment, and premium tax offset related to the associations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2001.

#### COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House Study Bill 157), relating to certain school finance provisions and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2001.

#### COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House File 183), relating to an increase in the amount of the minimum community resource allowance to be retained by the spouse of an institutionalized individual under the medical assistance program.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2001.

#### COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House Study Bill 183), adding the offense of criminal transmission of human immunodeficiency virus to the list of criminal offenses that require registration under the sex offender registry and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2001.

#### COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House File 140), allowing cities to issue general obligation bonds, revenue bonds, or loan agreements to fund the construction and equipping of child care centers and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 5, 2001.

#### AMENDMENTS FILED

H-1202

H.F.

402

Kreiman of Davis  
Broers of Cerro Gordo

H-1203	H.F.	451	Millage of Scott Elgin of Linn
H-1209	H.F.	399	Millage of Scott
H-1210	H.F.	451	Millage of Scott Elgin of Linn Tremmel of Wapello

On motion by Rants of Woodbury the House adjourned at 8:27 p.m., until 8:45 a.m., Wednesday, March 7, 2001.



# JOURNAL OF THE HOUSE

Fifty-ninth Calendar Day - Fortieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 7, 2001

The House met pursuant to adjournment at 8:49 a.m., Speaker Siegrist in the chair.

Prayer was offered by Bishop Dinardo of the Arch Diocese, Sioux City. He was the guest of Representative Hoversten of Woodbury.

The Journal of Tuesday, March 6, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 535**, by committee on local government, a bill for an act allowing cities to issue general obligation bonds, revenue bonds, or loan agreements to fund the construction and equipping of child care centers and providing an effective date.

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

**House File 536**, by Fallon, a bill for an act removing economic development as a purpose for approval of an urban renewal plan and an urban renewal project for an urban renewal area.

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

**House File 537**, by committee on local government, a bill for an act relating to local government fiscal reform.

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

**House File 538**, by Warnstadt, a bill for an act relating to the content of marketing, informational, and educational materials of the lottery board.

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

**House File 539**, by Teig, a bill for an act relating to life science initiatives by providing for an income, franchise, and gross premiums tax credit for making capital investments in a cooperative association or limited liability company organized to operate a renewable fuel production facility or a development facility designed to produce products from agricultural goods and including applicability date provisions.

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

**House File 540**, by Houser, a bill for an act relating to the property tax levy for the maintenance of the office of assessor and other assessment procedures and including effective and applicability date provisions.

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

**House File 541**, by Warnstadt, a bill for an act relating to the required fuel efficiency of newly purchased state and local government vehicles.

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

**House File 542**, by Fallon, a bill for an act legalizing the sale and use of fireworks, providing for exceptions and limitations on sales and use, and providing penalties.

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

**House File 543**, by Hatch, a bill for an act relating to the establishment of a parental involvement program.

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

**House File 544**, by Mascher, a bill for an act relating to income, franchise, and gross premiums tax credits for child care employee benefits provided by businesses to their employees and including an applicability date provision.

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

**House File 545**, by Hoffman, a bill for an act exempting irrigation equipment from sales and use taxes, providing limited refunds, and including effective and retroactive applicability date provisions.

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

**House File 546**, by Hoffman, Klemme, Johnson, Kettering, Drake, Alons, Barry, Eddie, and Baudler, a bill for an act providing that certain employees are not entitled to compensation for time spent traveling to and from the worksite.

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

**House File 547**, by Kuhn, Frevert, Scherrman, Atteberry, Kreiman, Fallon, Schrader, Mertz, and May, a bill for an act providing protections for contract producers of agricultural commodities, providing for the administration and enforcement of its provisions, providing penalties, and including applicability and effective date provisions.

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

**House File 548**, by committee on human resources, a bill for an act relating to an increase in the amount of the minimum community resource allowance to be retained by the spouse of an institutionalized individual under the medical assistance program.

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

### SPECIAL PRESENTATION

Metcalf of Polk introduced to the House Theresa Uchytel, Miss Iowa, from Urbandale. She was accompanied by her parents, Vern and Liz Uchytel and her sister Rose.

The House rose and expressed its welcome.

### ADOPTION OF HOUSE RESOLUTION 16

Metcalf of Polk called up for consideration **House Resolution 16**, a resolution honoring Theresa J. Uchytel, and moved its adoption.

The motion prevailed and the resolution was adopted.

On motion by Rants of Woodbury, the House was recessed at 9:02 a.m., until 4:30 p.m.

### LATE AFTERNOON SESSION

The House reconvened at 4:35 p.m., Speaker Siegrist in the chair.

### INTRODUCTION OF BILLS

**House File 549**, by committee on agriculture, a bill for an act providing for agricultural liens.

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

**House File 550**, by committee on judiciary, a bill for an act adding the offense of criminal transmission of human immunodeficiency virus to the list of criminal offenses that require registration under the sex offender registry and providing an effective date.

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

**House File 551**, by Mertz, a bill for an act relating to the levy of tax assessments for drainage or levee districts.

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

**House File 552**, by Mertz, a bill for an act providing for Iowa communications network services access by political subdivisions of the state.

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

**House File 553**, by Mertz, a bill for an act relating to the establishment and review of state threatened or endangered species lists.

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

**House File 554**, by Mertz, a bill for an act relating to the levy of taxes for special assessments on properties owned by the federal government.

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

**House File 555**, by Weidman, a bill for an act raising the amount of funeral expense payments made to persons qualified for state supplementary assistance and to children participating in the family investment program.

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

**House File 556**, by Mascher, a bill for an act relating to additional work assignments for teachers under phase III of the educational excellence program.

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

**House File 557**, by Bradley, a bill for an act appropriating moneys to support the testing of soil samples and the reporting of results regarding the presence of soybean cyst nematodes.

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

**House File 558**, by Gipp, Connors, and Huser, a bill for an act relating to the consenting of individuals to testing and the release of results of tests for communicable and infectious diseases and for the human immunodeficiency virus.

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

**House File 559**, by Greimann, a bill for an act establishing the at-home infant child care program.

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

**House File 560**, by committee on human resources, a bill for an act relating to child foster care regulatory requirements and providing an effective date.

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 March 7, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 14, a concurrent resolution providing for a reduction in the appropriations from the general fund of the state for the legislative branch for the fiscal year beginning July 1, 2000, and ending June 30, 2001.

MICHAEL E. MARSHALL, Secretary

## SENATE MESSAGE CONSIDERED

**Senate File 279**, by committee on commerce, a bill for an act relating to allocation and payment of expenses arising from performance of duties by the Iowa utilities board and the consumer advocate, providing for a report by the Iowa utilities board, and providing an effective date.

Read first time and **passed on file**.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Reynolds of Van Buren on request of Myers of Johnson.

## QUORUM CALL

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

## CONSIDERATION OF BILLS

Regular Calendar

**House File 271**, a bill for an act adding specified document preparation and modification to the list of acts defining the activities of a real estate broker, was taken up for consideration.

Kettering of Sac offered the following amendment H-1145 filed by him and Falck of Fayette and moved its adoption:

H-1145

- 1 Amend House File 271 as follows:
- 2 1. Page 1, line 5, by striking the words "lease
- 3 agreements" and inserting the following: "residential
- 4 and agricultural rental agreements, real property
- 5 commercial rental agreements of one year or less".

Amendment H-1145 was adopted.

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. 271)

The ayes were, 98:

Alons	Atteberry	Barry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, none.

Absent or not voting, 2:

Arnold

Reynolds

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

**House File 370**, a bill for an act creating new criminal offenses related to the drug 3,4-methylenedioxymethamphetamine, was taken up for consideration.

Connors of Polk asked and received unanimous consent to withdraw amendment H-1144 filed by him on March 1, 2001.

Eichhorn 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. 370)

The ayes were, 96:

Alons	Atteberry	Barry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cphoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Mr. Speaker
			Siegrist



The nays were, 1:

Fallon

Absent or not voting, 3:

Arnold

Grundberg

Reynolds

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 271 and 370.**

**House File 399**, a bill for an act relating to state budgetary matters by providing for reductions and supplementation of appropriations made for the fiscal year beginning July 1, 2000, and transferring, crediting, and appropriating certain moneys, and providing an effective date, was taken up for consideration.

The House stood at ease at 4:58 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 399 at 5:45 p.m., Speaker Siegrist in the chair.

### QUORUM CALL

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

Millage of Scott offered the following amendment H-1209 filed by him and moved its adoption:

H-1209

1 Amend House File 399 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

4 "DIVISION I

5 SUPPLEMENTAL APPROPRIATIONS

6 Section 1. DEPARTMENT OF REVENUE AND FINANCE.

7 There is appropriated from the general fund of the  
8 state to the department of revenue and finance for the  
9 fiscal year beginning July 1, 2000, and ending June  
10 30, 2001, the following amount, or so much thereof as  
11 is necessary, to be used for the purposes designated,  
12 in addition to the appropriations made for those  
13 purposes in 2000 Iowa Acts, chapter 1231, section 28:  
14 For compliance, including salaries, support,  
15 maintenance, and miscellaneous purposes:  
16 ..... \$ 142,236

17 DIVISION II  
18 OTHER FUNDS

19 Sec. \_\_\_\_ ENHANCED COURT COLLECTIONS FUND.  
20 Notwithstanding section 602.1304, subsection 2, for  
21 the fiscal year beginning July 1, 2000, the director  
22 of revenue and finance shall not deposit revenues into  
23 the enhanced court collections fund. On the effective  
24 date of this section, any revenues deposited during  
25 the fiscal year into the enhanced court collections  
26 fund before the effective date of this section shall  
27 be transferred and credited to the general fund of the  
28 state.

29 DIVISION III  
30 APPROPRIATIONS REDUCTIONS

31 Sec. \_\_\_\_ GENERAL REDUCTIONS.  
32 1. Except as otherwise provided in this section,  
33 the amounts appropriated from the general fund of the  
34 state in enactments made for the fiscal year beginning  
35 July 1, 2000, and ending June 30, 2001, and standing  
36 limited and unlimited appropriations from the general  
37 fund of the state for the fiscal year beginning July  
38 1, 2000, and ending June 30, 2001, are reduced by 1.00  
39 percent. For an appropriation that is reduced to a  
40 specific amount in divisions IV through IX of this  
41 Act, the appropriation reduction required pursuant to  
42 this section shall be applied to the final  
43 appropriation amount in divisions IV through IX.  
44 However, an appropriation made from the general fund  
45 of the state for the fiscal year beginning July 1,  
46 2000, shall not be reduced if the appropriation is any  
47 of the following:  
48 a. An appropriation described or specified in  
49 subsection 4.  
50 b. An appropriation made in section 2.12.

Page 2

1 c. An appropriation to the judicial branch.  
2 2. The reduction in appropriations made pursuant  
3 to subsection 1 shall be carried out by the governor  
4 in the manner specified in section 8.31, except as  
5 provided in subsection 4. However, provided that the

6 total amount of the reductions required by this  
7 section remains unchanged, the governor may approve  
8 the exercise of transfer authority under section 8.39  
9 as necessary to prudently adjust the reductions made  
10 to individual appropriations and the report required  
11 under this subsection shall constitute the notice  
12 otherwise required under section 8.39, subsection 3.  
13 Upon implementation of the appropriations reductions  
14 specified in subsection 1, the department of  
15 management shall submit a report to the chairpersons  
16 and ranking members of the appropriations committees  
17 of each chamber of the general assembly specifying how  
18 the reductions were applied and if any transfers were  
19 authorized.

20 3. Moneys which become available as a result of  
21 the appropriations reductions made pursuant to this  
22 section shall be considered to have reverted to the  
23 general fund of the state on the effective date of  
24 this section.

25 4. The appropriations reductions made in  
26 subsection 1 shall not be applied to the  
27 appropriations made from the general fund of the state  
28 for the fiscal year beginning July 1, 2000, for any of  
29 the following:

30 a. To the state board of regents for the state  
31 school for the deaf and the Iowa braille and sight  
32 saving school in 2000 Iowa Acts, chapter 1223, section  
33 11, and other enactments making appropriations from  
34 the general fund of the state for the schools for that  
35 fiscal year.

36 b. To the department of human services in 2000  
37 Iowa Acts, chapter 1228, and other enactments making  
38 appropriations from the general fund of the state to  
39 the department for that fiscal year for the following  
40 purposes: medical assistance, pharmaceutical case  
41 management study, health insurance premium payment  
42 program, children's health insurance program, medical  
43 contracts, and state supplementary assistance.

44 c. To the department of corrections in 2000 Iowa  
45 Acts, chapter 1229, and other enactments making  
46 appropriations from the general fund of the state to  
47 the department for that fiscal year for the following  
48 purposes: for correctional facilities under 2000 Iowa  
49 Acts, chapter 1229, section 4, and for annual payment  
50 relating to the financial arrangement for the

Page 3

1 construction or expansion of prison capacity, under  
2 2000 Iowa Acts, chapter 1229, section 5, subsection 3.  
3 d. To appropriations made from the general fund of  
4 the state for the following purposes: state

5 unemployment compensation in section 96.13, personal  
 6 property tax replacement in section 405A.8, franchise  
 7 tax revenue allocation in section 405A.10, statewide  
 8 fire and police retirement system in section 411.20,  
 9 federal Cash Management and Improvement Act interest  
 10 costs in section 421.31, livestock production credit  
 11 refund in section 422.121, homestead tax credit in  
 12 section 425.1, extraordinary property tax credit and  
 13 reimbursement in section 425.39, agricultural land tax  
 14 credit in section 426.1, military service tax credit  
 15 in section 426A.1A, property tax relief fund in  
 16 section 426B.1, industrial machinery, equipment and  
 17 computers property tax replacement fund in section  
 18 427B.19A, and cigarette and little cigar tax stamps in  
 19 section 453A.8.

20 e. To the commission of veterans affairs in 2000  
 21 Iowa Acts, chapter 1222, section 7, subsection 3, and  
 22 other enactments making appropriations from the  
 23 general fund of the state to the commission for that  
 24 fiscal year for the following purpose: for the Iowa  
 25 veterans home.

26 f. To the treasurer of state for Iowa  
 27 communications network debt service in 2000 Iowa Acts,  
 28 chapter 1226, section 1.

29 g. For the Iowa early intervention block grant  
 30 program in section 256D.5, for instructional support  
 31 and state aid to school corporations in section  
 32 257.16, for child development grants and other  
 33 programs for at-risk children in section 279.51, for  
 34 nonpublic school pupil transportation in section  
 35 285.2, for educational excellence in section 294A.25,  
 36 and for school improvement technology in section  
 37 295.2.

38 h. To the state board of regents for tuition  
 39 replacement in 2000 Iowa Acts, chapter 1223, section  
 40 11, subsection 1, paragraph "b".

#### 41 DIVISION IV

#### 42 ADMINISTRATION AND REGULATION

#### 43 DEPARTMENT OF GENERAL SERVICES

44 Sec. \_\_\_\_ 2000 Iowa Acts, chapter 1231, section 8,  
 45 subsection 3 is amended to read as follows:

#### 46 3. CAPITOL PLANNING COMMISSION

47 For expenses of the members in carrying out their  
 48 duties under chapter 18A:

49 .....	\$	2,000
50 .....		<u>1,284</u>

#### 1 DIVISION V

#### 2 AGRICULTURE AND NATURAL RESOURCES

#### 3 SOIL CONSERVATION DIVISION

4 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1224, section 1,  
5 subsection 4, paragraph a, is amended to read as  
6 follows:

7 a. For salaries, support, maintenance, assistance  
8 to soil conservation districts, and miscellaneous  
9 purposes, and for not more than the following full-  
10 time equivalent positions:

11 ..... \$ 6,985,526  
12 ..... 6,435,526  
13 ..... FTEs 195.11

14 ENVIRONMENT FIRST FUND – AGRICULTURE

15 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1225, section  
16 25, subsections 3 and 4, are amended to read as  
17 follows:

18 3. To initiate a statewide voluntary farm  
19 management demonstration program to demonstrate the  
20 effectiveness and adaptability of emerging practices  
21 in agronomy that protect water resources and provide  
22 other environmental benefits:

23 ..... \$ 850,000  
24 ..... 350,000

25 4. For assisting farm operators in applying for  
26 project grants associated with the statewide voluntary  
27 farm management demonstration program:

28 ..... \$ 50,000  
29 ..... 0

30 Sec.\_\_\_\_. ENVIRONMENT FIRST FUND – SOIL  
31 CONSERVATION DIVISION. There is appropriated from the  
32 environment first fund to the department of  
33 agriculture and land stewardship for the fiscal year  
34 beginning July 1, 2000, and ending June 30, 2001, the  
35 following amount, or so much thereof as is necessary,  
36 to be used for the purpose designated:

37 For the soil conservation division:  
38 ..... \$ 550,000

39 DIVISION VI  
40 ECONOMIC DEVELOPMENT

41 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1230, section 1,  
42 subsection 2, paragraph a, unnumbered paragraphs 1 and  
43 2, are amended to read as follows:

44 Business development operations

45 For salaries, support, maintenance, miscellaneous  
46 purposes, and for not more than the following full-  
47 time equivalent positions:

48 ..... \$ 4,810,534  
49 ..... 4,760,534  
50 ..... FTEs 27.75

1 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1230, section 1,  
2 subsection 3, paragraph a, is amended to read as

3 follows:

4 a. Community assistance

5 For salaries, support, maintenance, miscellaneous  
6 purposes, and for not more than the following full-  
7 time equivalent positions for administration of the  
8 community economic preparedness program, the Iowa  
9 community betterment program, and the city development  
10 board:

11 ..... \$ 855,031

12 ..... 805,031

13 ..... FTEs 10.50

14 Sec. \_\_. 2000 Iowa Acts, chapter 1230, section 1,  
15 subsection 3, paragraph c, unnumbered paragraphs 1 and  
16 2, are amended to read as follows:

17 Community development program

18 For salaries, support, maintenance, miscellaneous  
19 purposes, and for not more than the following full-  
20 time equivalent positions, for rural resource  
21 coordination, rural community leadership, rural  
22 innovations grant program, and the rural enterprise  
23 fund:

24 ..... \$ 958,440

25 ..... 908,440

26 ..... FTEs 7.50

27 Sec. \_\_. 2000 Iowa Acts, chapter 1230, section 1,  
28 subsection 5, unnumbered paragraphs 1 and 2, are  
29 amended to read as follows:

30 Tourism operations and advertising

31 For salaries, support, maintenance, miscellaneous  
32 purposes, and for not more than the following full-  
33 time equivalent positions:

34 ..... \$ 4,940,413

35 ..... 4,890,413

36 ..... FTEs 18.52

37 DEPARTMENT OF WORKFORCE DEVELOPMENT

38 Sec. \_\_. 2000 Iowa Acts, chapter 1230, section  
39 10, subsection 1 is amended to read as follows:

40 1. DIVISION OF LABOR SERVICES

41 For the division of labor services, including  
42 salaries, support, maintenance, miscellaneous  
43 purposes, and for not more than the following full-  
44 time equivalent positions:

45 ..... \$ 3,429,686

46 ..... 3,425,686

47 ..... FTEs 92.00

48 From the contractor registration fees, the division  
49 of labor services shall reimburse the department of  
50 inspections and appeals for all costs associated with

Page 6

1 hearings under chapter 91C, relating to contractor

2 registration.

3 SCHOOL-TO-CAREER PROGRAM

4 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1230, section  
5 34, is amended to read as follows:

6 SEC. 34. In lieu of the appropriation made in  
7 section 15.365, subsection 3, there is appropriated  
8 for the fiscal year beginning July 1, 2000, and ending  
9 June 30, 2001, ~~\$100,000, or so much thereof as is~~  
10 ~~necessary, \$0~~ from the general fund of the state to  
11 the department of economic development to pay refunds  
12 as provided under section 15.365.

13 DIVISION VII

14 HUMAN SERVICES

15 HAWK-I PROGRAM

16 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1228, section  
17 11, unnumbered paragraph 2, is amended to read as  
18 follows:

19 For maintenance of the healthy and well kids in  
20 Iowa (HAWK-I) program pursuant to chapter 514I for  
21 receipt of federal financial participation under Title  
22 XXI of the federal Social Security Act, which creates  
23 the state children's health insurance program:

24 ..... \$ 4,984,508  
25 3,684,508

26 STATE CASES

27 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1228, section  
28 24, subsection 1, unnumbered paragraph 1, is amended  
29 to read as follows:

30 For purchase of local services for persons with  
31 mental illness, mental retardation, and developmental  
32 disabilities where the client has no established  
33 county of legal settlement:

34 ..... \$ 13,308,845  
35 12,608,845

36 MH/MR/DD ALLOWED GROWTH

37 RISK POOL

38 Sec.\_\_\_\_. 1999 Iowa Acts, chapter 208, section 1,  
39 unnumbered paragraphs 2 and 3, and subsection 4, as  
40 amended by 2000 Iowa Acts, chapter 1228, section 38,  
41 are amended to read as follows:

42 For distribution to counties of the county mental  
43 health, mental retardation, and developmental  
44 disabilities allowed growth factor adjustment, in  
45 accordance with section 331.438, subsection 2, and  
46 section 331.439, subsection 3, and chapter 426B:

47 ..... \$ 20,982,446  
48 19,868,987

49 The funding appropriated in this section is the  
50 allowed growth factor adjustment for fiscal year 2000-

## Page 7

1 2001, and is allocated as follows:

2 4. For deposit in the risk pool created in the  
3 property tax relief fund pursuant to section 426B.5,  
4 subsection 3:

5 ..... \$ 1,208,844  
6 95,385

7 DIVISION VIII  
8 JUDICIAL BRANCH

9 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1227, section 2,  
10 is amended to read as follows:

11 SEC. 2. JUDICIAL RETIREMENT FUND. There is  
12 appropriated from the general fund of the state to the  
13 judicial retirement fund for the fiscal year beginning  
14 July 1, 2000, and ending June 30, 2001, the following  
15 amount, or so much thereof as is necessary, to be used  
16 for the purpose designated:

17 For the state's contribution to the judicial  
18 retirement fund established in section 602.9104, in  
19 the amount of ~~23.7~~ 16.6 percent of the basic salaries  
20 of the judges covered under chapter 602, article 9:  
21 ..... \$ 4,499,350  
22 4,077,350

23 JUDICIAL RETIREMENT STATUTORY PROVISION

24 Sec.\_\_\_\_. Section 602.9104, subsection 4,  
25 paragraph b, Code 2001, is amended to read as follows:  
26 b. Effective with the fiscal year commencing July  
27 1, 1994, and for each subsequent fiscal year until the  
28 system attains fully funded status, based upon the  
29 benefits provided for judges through the judicial  
30 retirement system as of July 1, 2001, the state shall  
31 contribute annually to the judicial retirement fund an  
32 amount equal to at least ~~twenty-three and seven-tenths~~  
33 ~~sixteen and six-tenths~~ percent of the basic salary of  
34 all judges covered under this article. Commencing  
35 with the first fiscal year in which the system attains  
36 fully funded status, based upon the benefits provided  
37 for judges through the judicial retirement system as  
38 of July 1, 2001, and for each subsequent fiscal year,  
39 the state shall contribute to the judicial retirement  
40 fund the required contribution rate. The state's  
41 contribution shall be appropriated directly to the  
42 judicial retirement fund.

43 DIVISION IX  
44 TRANSPORTATION

45 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1216, section 1,  
46 subsections 1 and 2, are amended to read as follows:

47 1. For airport engineering studies and improvement  
48 projects as provided in chapter 328:

49 ..... \$ 2,475,000  
50 2,435,000



## Page 8

1 Of the amount appropriated in this subsection,  
2 \$25,000 shall be allocated to the Iowa civil air  
3 patrol.  
4 2. For the rail assistance program and to provide  
5 economic development project funding:  
6 ..... \$ 662,000  
7 ..... 602,000  
8  
9 DIVISION X  
10 EFFECTIVE DATE  
11 Sec. \_\_\_\_ EFFECTIVE DATE. This Act, being deemed  
12 of immediate importance, takes effect upon enactment."  
13 2. By renumbering as necessary.

Amendment H-1209 was adopted.

SENATE FILE 267 SUBSTITUTED FOR HOUSE FILE 399

Millage of Scott asked and received unanimous consent to substitute Senate File 267 for House File 399 placing the following amendments out of order:

Amendment H-1086 filed by Murphy of Dubuque on February 27, 2001.

Amendment H-1087 filed by Osterhaus of Jackson on February 27, 2001.

Amendment H-1088 filed by O'Brien of Boone on February 27, 2001.

Amendment H-1089 filed by O'Brien of Boone on February 27, 2001.

Amendment H-1090 filed by Dotzler of Black Hawk on February 27, 2001.

Amendment H-1091 filed by Dotzler of Black Hawk on February 27, 2001.

Amendment H-1092 filed by Smith of Marshall on February 27, 2001.

Amendment H-1093 filed by Chiodo of Polk et al., on February 27, 2001.

Amendment H-1094 filed by Scherrman of Dubuque and Richardson of Warren on February 27, 2001.

Amendment H-1095 filed by Witt of Black Hawk on February 27, 2001.

Amendment H-1096 filed by Bell of Jasper on February 27, 2001.

Amendment H-1097 filed by T. Taylor of Linn et al., on February 27, 2001.

Amendment H-1098 filed by Foege of Linn on February 27, 2001.

Amendment H-1099 filed by Murphy of Dubuque on February 27, 2001.

Amendment H-1100 filed by Dotzler of Black Hawk on February 27, 2001.

Amendment H-1101 filed by Mascher of Johnson on February 27, 2001.

Amendment H-1102 filed by Stevens of Dickinson on February 27, 2001.

Amendment H-1103 filed by Ford of Polk on February 27, 2001.

Amendment H-1104 filed by Ford of Polk on February 27, 2001.

Amendment H-1105 filed by Ford of Polk on February 27, 2001.

Amendment H-1106 filed by Ford of Polk on February 27, 2001.

Amendment H-1107 filed by Kuhn of Floyd on February 27, 2001.

Amendment H-1108 filed by Wise of Lee on February 27, 2001.

Amendment H-1112 filed by Kreiman of Davis on February 28, 2001.

Amendment H-1114 filed by Shoultz of Black Hawk on February 28, 2001.

Amendment H-1141 filed by Murphy of Dubuque on March 1, 2001.

Amendment H-1147 filed by Wise of Lee on March 1, 2001.

**Senate File 267**, a bill for an act relating to state budgetary matters by providing for reductions and supplementation of appropriations made for the fiscal year beginning July 1, 2000, and transferring, crediting, and appropriating certain moneys, and providing an effective date, was taken up for consideration.

Murphy of Dubuque asked and received unanimous consent that amendment H-1221 be deferred.

Richardson of Warren offered the following amendment H-1212 filed by him from the floor and moved its adoption:

H-1212

- 1 Amend Senate File 267, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by inserting after line 10 the
- 4 following:

5 "\_\_\_\_. To the department of public safety for the  
6 division of criminal investigation and bureau of  
7 identification in 2000 Iowa Acts, chapter 1229,  
8 section 15, subsection 2, and other enactments making  
9 appropriations from the general fund of the state for  
10 the division and the bureau for that fiscal year."

11 2. Page 3, by inserting before line 11 the  
12 following:

13 "\_\_\_\_. To the department of public safety for the  
14 division of narcotics enforcement in 2000 Iowa Acts,  
15 chapter 1229, section 15, subsection 3, and other  
16 enactments making appropriations from the general fund  
17 of the state for the division for that fiscal year."

18 3. Page 3, by inserting after line 18 the  
19 following:

20 "\_\_\_\_. To the department of public safety for the  
21 division of the Iowa state patrol in 2000 Iowa Acts,  
22 chapter 1229, section 15, subsection 6, and other  
23 enactments making appropriations from the general fund  
24 of the state for the division for that fiscal year."

25 4. Page 3, by inserting before line 19 the  
26 following:

27 "\_\_\_\_. To the department of public safety for  
28 general administration, the state fire marshal's  
29 office, the capitol police division, costs associated  
30 with the maintenance of the automated fingerprint  
31 information system, and costs associated with the  
32 training and equipment needs of volunteer firefighters  
33 in 2000 Iowa Acts, chapter 1229, section 15,  
34 subsections 1, 4, 5, 7, and 9, and other enactments  
35 making appropriations from the general fund of the  
36 state for these purposes for that fiscal year."

37 5. By renumbering as necessary.

Roll call was requested by Myers of Johnson and Richardson of Warren.

Rule 75 was invoked.

On the question "Shall amendment H-1212 be adopted?" (S.F. 267)

The ayes were, 45:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Garman	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus

Petersen	Quirk	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Weidman	Winckler	Wise
Witt			

The nays were, 53:

Alons	Barry	Baudler	Boal
Boddicker	Bogges	Bradley	Brauns
Broers	Brunkhorst	Carroll	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Gipp	Grundberg	Hahn	Hansen
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Roberts
Shey	Sievers	Sukup	Teig
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Mr. Speaker			
Siegrist			

Absent or not voting, 2:

Arnold	Reynolds
--------	----------

Amendment H-1212 lost.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Arnold of Lucas, until his arrival, on request of Speaker Siegrist.

Osterhaus of Jackson offered the following amendment H-1213 filed by him from the floor and moved its adoption:

H-1213

- 1 Amend Senate File 267, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, line 7 by inserting after the word
- 4 "purposes:" the following: "child protective services
- 5 in field operations and general administration,".
- 6 2. Page 3, line 8, by inserting after the word
- 7 "study," the following: "costs associated with the
- 8 commitment and treatment of sexually violent

9 predators,".

10 3. Page 3, line 10, by inserting after the word  
 11 "contracts," the following: "family investment  
 12 program, child support recovery, child care  
 13 assistance, juvenile institutions, child and family  
 14 services, community-based programs, family support  
 15 subsidy program, Conner decree, state mental health  
 16 institutes, state resource centers, mental illness  
 17 special services, special needs grants, mental health  
 18 and developmental disabilities community services  
 19 fund, personal assistance, field operations, general  
 20 administration, volunteers,".

Roll call was requested by Myers of Johnson and Falck of Fayette.

On the question "Shall amendment H-1213 be adopted?" (S.F. 267)

The ayes were, 42:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Foege	Ford	Frevert	Greimann
Hatch	Huser	Jochum	Kreiman
Kuhn	Larkin	Lensing	Mascher
May	Mertz	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Richardson	Scherrman	Schrader	Seng
Shoultz	Smith	Stevens	Taylor, D.
Taylor, T.	Tremmel	Warnstadt	Winckler
Wise	Witt		

The nays were, 56:

Alons	Barry	Baudler	Boal
Boddicker	Boggess	Bradley	Brauns
Broers	Brunkhorst	Carroll	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Fallon
Finch	Garman	Gipp	Grundberg
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Sievers
Sukup	Teig	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Mr. Speaker
			Siegrist

Absent or not voting, 2:

Arnold

Reynolds

Amendment H-1213 lost.

Richardson of Warren asked and received unanimous consent to withdraw amendment H-1211 filed by him from the floor.

Larkin of Lee offered the following amendment H-1218 filed by him and Bell of Jasper from the floor and moved its adoption:

H-1218

- 1 Amend Senate File 267, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by inserting after line 18 the
- 4 following:
- 5 " \_\_\_\_\_. To the department of corrections for
- 6 allocation to judicial district departments of
- 7 correctional services in 2000 Iowa Acts, chapter 1229,
- 8 section 7, and other enactments making appropriations
- 9 from the general fund of the state for the judicial
- 10 district departments of corrections for that fiscal
- 11 year."
- 12 2. By renumbering as necessary.

Roll call was requested by Myers of Johnson and Larkin of Lee.

On the question "Shall amendment H-1218 be adopted?" (S.F. 267)

The ayes were, 44:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Cormack	Dotzler
Falck	Fallon	Foege	Ford
Frevert	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Winckler	Wise	Witt

The nays were, 53:

Alons	Barry	Baudler	Boal
Boddicker	Boggess	Bradley	Brauns

Broers	Brunkhorst	Carroll	De Boef
Dix	Dolecheck	Drake	Eddie
Eichhorn	Elgin	Finch	Garman
Gipp	Hahn	Hansen	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Jacobs	Jenkins	Johnson
Kettering	Klemme	Larson	Manternach
Metcalf	Millage	Raecker	Rants
Rayhons	Rekow	Roberts	Shey
Sievers	Sukup	Teig	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Mr. Speaker			
Siegrist			

Absent or not voting, 3:

Arnold	Grundberg	Reynolds
--------	-----------	----------

Amendment H-1218 lost.

Gipp of Winneshiek in the chair at 7:12 p.m.

Wise of Lee offered the following amendment H-1214 filed by him from the floor and moved its adoption:

H-1214

- 1 Amend Senate File 267, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 3, by inserting after line 18 the
- 4 following:
- 5 "\_\_\_\_. To the department of commerce for the
- 6 divisions of administrative services, banking, credit
- 7 union, and utilities in 2000 Iowa Acts, chapter 1231,
- 8 section 3, and other enactments making appropriations
- 9 from the general fund of the state for that fiscal
- 10 year for regulation of such businesses that pay for
- 11 the costs of the regulation."
- 12 2. By renumbering as necessary.

Roll call was requested by Myers of Johnson and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H-1214 be adopted?" (S.F. 267)

The ayes were, 44:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Garman	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Winckler	Wise	Witt

The nays were, 54:

Alons	Barry	Baudler	Boal
Boddicker	Bogges	Bradley	Brauns
Broers	Brunkhorst	Carroll	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Grundberg	Hahn	Hansen	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Jacobs	Jenkins	Johnson
Kettering	Klemme	Larson	Manternach
Metcalf	Millage	Raecker	Rants
Rayhons	Rekow	Roberts	Shey
Siegrist, Spkr.	Sievers	Sukup	Teig
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Gipp, Presiding		

Absent or not voting, 2:

Arnold                      Reynolds

Amendment H-1214 lost.

Shoultz of Black Hawk asked and received unanimous consent that amendment H-1224 be deferred.

Ford of Polk offered the following amendment H-1216 filed by him from the floor and moved its adoption:

H-1216

- 1 Amend Senate File 267, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, by inserting after line 3 the
- 4 following:



- 5 "\_\_\_ To the department for the blind, civil  
6 rights commission, department of elder affairs,  
7 governor's office of drug control policy, Iowa  
8 department of public health, department of human  
9 rights, and commission of veterans affairs, in 2000  
10 Iowa Acts, chapter 1222, and in other enactments  
11 making appropriations from the general fund of the  
12 state for such purposes in that fiscal year."  
13 2. By renumbering as necessary.

Amendment H-1216 lost.

Mascher of Johnson offered amendment H-1223 filed by her, Wise of Lee, Murphy of Dubuque, Stevens of Dickinson, Myers of Johnson, Greimann of Story, Bukta of Clinton, T. Taylor of Linn, Foege of Linn, Lensing of Johnson, Witt of Black Hawk, Shoultz of Black Hawk, Dotzler of Black Hawk and Jochum of Dubuque, from the floor and requested division as follows:

H-1223

- 1 Amend Senate File 267, as amended, passed, and  
2 reprinted by the Senate, as follows:

H-1223A

- 3 1. Page 4, by inserting after line 13 the  
4 following:  
5 "\_\_\_ To the department of education for community  
6 colleges in 2000 Iowa Acts, chapter 1223, section 11,  
7 and in other enactments making appropriations from the  
8 general fund of the state for such purposes in that  
9 fiscal year."

H-1223B

- 10 2. Page 4, by inserting before line 14 the  
11 following:  
12 "\_\_\_ To the state board of regents for board  
13 office, state university of Iowa, Iowa state  
14 university of science and technology, and university  
15 of northern Iowa, in 2000 Iowa Acts, chapter 1223,  
16 sections 1 and 2, and in other enactments making  
17 appropriations from the general fund of the state for  
18 such purposes in that fiscal year."  
19 3. Page 4, by inserting after line 16 the  
20 following:  
21 "\_\_\_ To the college student aid commission and  
22 the department of cultural affairs for community  
23 cultural grants in 2000 Iowa Acts, chapter 1223,

- 24 sections 1 and 2, and to the college student aid  
 25 commission for scholarships and vocational-technical  
 26 tuition grants in section 261.25 and in other  
 27 enactments and codified statutes making appropriations  
 28 from the general fund of the state for such purposes  
 29 in that fiscal year."  
 30 4. Page 4, by inserting before line 17 the  
 31 following:  
 32 "\_\_\_\_. To the college student aid commission for  
 33 Iowa tuition grants in section 261.25 for that fiscal  
 34 year."  
 35 5. By renumbering as necessary.

Mascher of Johnson moved the adoption of amendment H-1223A.

Roll call was requested by Mascher of Johnson and Myers of Johnson.

On the question "Shall amendment H-1223A be adopted?" (S.F. 267)

The ayes were, 45:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Finch	Foege	Ford
Frevert	Greimann	Hatch	Hoffman
Huser	Jochum	Kreiman	Kuhn
Larkin	Lensing	Mascher	May
Mertz	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Richardson
Scherrman	Schrader	Seng	Shoultz
Smith	Stevens	Taylor, D.	Taylor, T.
Tremmel	Warnstadt	Winckler	Wise
Witt			

The nays were, 54:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Garman	Grundberg	Hahn	Hansen
Heaton	Horbach	Houser	Hoversten
Huseman	Jacobs	Jenkins	Johnson
Kettering	Klemme	Larson	Manternach
Metcalf	Millage	Raecker	Rants
Rayhons	Rekow	Roberts	Shey
Siegrist, Spkr.	Sievers	Sukup	Teig

Tymeson  
Weidman

Tyrrell  
Gipp,  
Presiding

Van Engelenhoven Van Fossen

Absent or not voting, 1:

Reynolds

Amendment H-1223A lost.

Mascher of Johnson moved the adoption of amendment H-1223B.

Sukup of Franklin in the chair at 8:32 p.m.

Gipp of Winneshiek in the chair at 8:42 p.m.

Roll call was requested by Myers of Johnson and Mascher of Johnson.

Rule 75 was invoked.

On the question "Shall amendment H-1223B be adopted?" (S.F. 267)

The ayes were, 44:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Finch	Foege	Ford
Frevert	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Winckler	Wise	Witt

The nays were, 55:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Garman	Grundberg	Hahn	Hansen
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Jacobs	Jenkins

Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Roberts
Shey	Siegrist, Spkr.	Sievers	Sukup
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Gipp,	
		Presiding	

Absent or not voting, 1:

Reynolds

Amendment H-1223B lost.

Wise of Lee asked and received unanimous consent to withdraw amendment H-1215 filed by him and Mascher of Johnson from the floor.

Myers of Johnson offered the following amendment H-1222 filed by him, Atteberry of Delaware, Bell of Jasper, Bukta of Clinton, Chiodo of Polk, Cohoon of Des Moines, Connors of Polk, Dotzler of Black Hawk, Falck of Fayette, Foege of Linn, Ford of Polk, Frevert of Palo Alto, Greimann of Story, Huser of Polk, Jochum of Dubuque, Larkin of Lee, Lensing of Johnson, Mascher of Johnson, May of Worth, Mertz of Kossuth, O'Brien of Boone, Osterhaus of Jackson, Petersen of Polk, Richardson of Warren, Scherrman of Dubuque, Schrader of Marion, Seng of Scott, Shoultz of Black Hawk, Smith of Marshall, Stevens of Dickinson, D. Taylor of Linn, T. Taylor of Linn, Tremmel of Wapello, Warnstadt of Woodbury, Winckler of Scott, Wise of Lee and Witt of Black Hawk from the floor and moved its adoption:

H-1222

- 1 Amend Senate File 267, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 4, by inserting before line 17 the
- 4 following:
- 5 " \_\_\_\_\_. To the department of public safety for
- 6 expenditures necessary to ensure that state troopers
- 7 are not furloughed or laid off and so that current
- 8 drug interdiction activities and other safety efforts
- 9 are maintained; for funding used to provide an
- 10 education to students at Iowa's community colleges;
- 11 for funding necessary to maintain home health care for
- 12 elderly Iowans and Iowans with a disability so that
- 13 these Iowans can continue to receive the same level of
- 14 service in their homes and are not forced into nursing

- 15 facilities; for funding to assure that sexually  
 16 violent predators are not released from commitment and  
 17 allowed back into Iowa communities; for funding to  
 18 maintain the current level of child protection workers  
 19 and to ensure that child abuse assessments are not  
 20 needlessly and dangerously delayed; and for community-  
 21 based corrections so that parolees and other criminals  
 22 are not left unsupervised in Iowa neighborhoods."  
 23 2. By renumbering as necessary.

Roll call was requested by Myers of Johnson and Millage of Scott.

Rule 75 was invoked.

On the question "Shall amendment H-1222 be adopted?" (S.F. 267)

The ayes were, 43:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Huser	Jochum
Kreiman	Kuhn	Larkin	Lensing
Mascher	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Richardson	Scherrman	Schrader
Seng	Shoultz	Smith	Stevens
Taylor, D.	Taylor, T.	Tremmel	Warnstadt
Winckler	Wise	Witt	

The nays were, 56:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Finch	Garman	Grundberg	Hahn
Hansen	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Jacobs
Jenkins	Johnson	Kettering	Klemme
Larson	Manternach	Metcalf	Millage
Raecker	Rants	Rayhons	Rekow
Roberts	Shey	Siegrist, Spkr.	Sievers
Sukup	Teig	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Gipp, Presiding

Absent or not voting, 1:

Reynolds

## Amendment H-1222 lost.

Murphy of Dubuque offered the following amendment H-1221 filed by him, Atteberry of Delaware, Bell of Jasper, Bukta of Clinton, Chiodo of Polk, Cohoon of Des Moines, Connors of Polk, Dotzler of Black Hawk, Falck of Fayette, Fallon of Polk, Foege of Linn, Ford of Polk, Frevert of Palo Alto, Greimann of Story, Hatch of Polk, Huser of Polk, Jochum of Dubuque, Kreiman of Davis, Kuhn of Floyd, Larkin of Lee, Lensing of Johnson, Mascher of Johnson, May of Worth, Mertz of Kossuth, Myers of Johnson, O'Brien of Boone, Osterhaus of Jackson, Petersen of Polk, Quirk of Chickasaw, Richardson of Warren, Scherrman of Dubuque, Schrader of Marion, Seng of Scott, Shoultz of Black Hawk, Smith of Marshall, Stevens of Dickinson, D. Taylor of Linn, T. Taylor of Linn, Warnstadt of Woodbury, Winckler of Scott, Wise of Lee and Witt of Black Hawk from the floor, previously deferred, and moved its adoption:

## H-1221

1 Amend Senate File 267, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting  
4 clause and inserting the following:

## 5 "DIVISION I

## 6 SUPPLEMENTAL APPROPRIATIONS

## 7 Section 1. DEPARTMENT OF REVENUE AND FINANCE.

8 There is appropriated from the general fund of the  
9 state to the department of revenue and finance for the  
10 fiscal year beginning July 1, 2000, and ending June  
11 30, 2001, the following amount, or so much thereof as  
12 is necessary, to be used for the purposes designated,  
13 in addition to the appropriations made for those  
14 purposes in 2000 Iowa Acts, chapter 1231, section 28:

15 For compliance, including salaries, support,  
16 maintenance, and miscellaneous purposes:

17 ..... \$ 142,236

## 18 DIVISION II

## 19 ADMINISTRATION AND REGULATION

## 20 AUDITOR OF STATE

21 Sec. \_\_\_\_ 2000 Iowa Acts, chapter 1231, section 1,  
22 unnumbered paragraph 2, is amended to read as follows:

23 For salaries, support, maintenance, miscellaneous  
24 purposes, and for not more than the following full-  
25 time equivalent positions:

26 ..... \$ 1,397,432

27 ..... 1,272,529

28 ..... FTEs 114.26

## 29 DEPARTMENT OF GENERAL SERVICES

30 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1231, section 8,  
31 subsection 3 is amended to read as follows:

32 3. CAPITOL PLANNING COMMISSION

33 For expenses of the members in carrying out their  
34 duties under chapter 18A:

35 ..... \$ 2,000

36 ..... 1,284

37 DIVISION III

38 AGRICULTURE AND NATURAL RESOURCES

39 SOIL CONSERVATION DIVISION

40 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1224, section 1,  
41 subsection 4, paragraph a, is amended to read as  
42 follows:

43 a. For salaries, support, maintenance, assistance  
44 to soil conservation districts, and miscellaneous  
45 purposes, and for not more than the following full-  
46 time equivalent positions:

47 ..... \$ 6,985,526

48 ..... 6,785,526

49 ..... FTEs 195.11

50 ENVIRONMENT FIRST FUND – AGRICULTURE

Page 2

1 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1225, section  
2 25, subsections 3 and 4, are amended to read as  
3 follows:

4 3. To initiate a statewide voluntary farm  
5 management demonstration program to demonstrate the  
6 effectiveness and adaptability of emerging practices  
7 in agronomy that protect water resources and provide  
8 other environmental benefits:

9 ..... \$ 850,000

10 ..... 700,000

11 4. For assisting farm operators in applying for  
12 project grants associated with the statewide voluntary  
13 farm management demonstration program:

14 ..... \$ 50,000

15 ..... 0

16 Sec.\_\_\_\_. ENVIRONMENT FIRST FUND – SOIL  
17 CONSERVATION DIVISION. There is appropriated from the  
18 environment first fund to the department of  
19 agriculture and land stewardship for the fiscal year  
20 beginning July 1, 2000, and ending June 30, 2001, the  
21 following amount, or so much thereof as is necessary,  
22 to be used for the purpose designated:

23 For the soil conservation division:

24 ..... \$ 200,000

25 DIVISION IV

26 ECONOMIC DEVELOPMENT

27 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1230; section 1,  
28 subsection 2, paragraph a, unnumbered paragraphs 1 and

29 2, are amended to read as follows:

30 Business development operations

31 For salaries, support, maintenance, miscellaneous

32 purposes, and for not more than the following full-

33 time equivalent positions:

34 ..... \$ 4,810,534

35 ..... 4,760,534

36 ..... FTEs 27.75

37 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1230, section 1,

38 subsection 3, paragraph a, is amended to read as

39 follows:

40 a. Community assistance

41 For salaries, support, maintenance, miscellaneous

42 purposes, and for not more than the following full-

43 time equivalent positions for administration of the

44 community economic preparedness program, the Iowa

45 community betterment program, and the city development

46 board:

47 ..... \$ 855,031

48 ..... 805,031

49 ..... FTEs 10.50

50 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1230, section 1,

### Page 3

1 subsection 3, paragraph c, unnumbered paragraphs 1 and

2 2, are amended to read as follows:

3 Community development program

4 For salaries, support, maintenance, miscellaneous

5 purposes, and for not more than the following full-

6 time equivalent positions, for rural resource

7 coordination, rural community leadership, rural

8 innovations grant program, and the rural enterprise

9 fund:

10 ..... \$ 958,440

11 ..... 908,440

12 ..... FTEs 7.50

13 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1230, section 1,

14 subsection 5, unnumbered paragraphs 1 and 2, are

15 amended to read as follows:

16 Tourism operations and advertising

17 For salaries, support, maintenance, miscellaneous

18 purposes, and for not more than the following full-

19 time equivalent positions:

20 ..... \$ 4,940,413

21 ..... 4,890,413

22 ..... FTEs 18.52

23 DEPARTMENT OF WORKFORCE DEVELOPMENT

24 Sec.\_\_\_\_. 2000 Iowa Acts, chapter 1230, section

25 10, subsection 1 is amended to read as follows:

26 1. DIVISION OF LABOR SERVICES

27 For the division of labor services, including



28 salaries, support, maintenance, miscellaneous  
29 purposes, and for not more than the following full-  
30 time equivalent positions:  
31 ..... \$ 3,429,686  
32 ..... 3,425,686  
33 ..... FTEs 92.00

34 From the contractor registration fees, the division  
35 of labor services shall reimburse the department of  
36 inspections and appeals for all costs associated with  
37 hearings under chapter 91C, relating to contractor  
38 registration.

39 SCHOOL-TO-CAREER PROGRAM

40 Sec. \_\_. 2000 Iowa Acts, chapter 1230, section  
41 34, is amended to read as follows:  
42 SEC. 34. In lieu of the appropriation made in  
43 section 15.365, subsection 3, there is appropriated  
44 for the fiscal year beginning July 1, 2000, and ending  
45 June 30, 2001, ~~\$100,000, or so much thereof as is~~  
46 ~~necessary, \$0~~ from the general fund of the state to  
47 the department of economic development to pay refunds  
48 as provided under section 15.365.

49 DIVISION V  
50 HUMAN SERVICES

Page 4

1 HAWK-I PROGRAM

2 Sec. \_\_. 2000 Iowa Acts, chapter 1228, section  
3 11, unnumbered paragraph 2, is amended to read as  
4 follows:  
5 For maintenance of the healthy and well kids in  
6 Iowa (HAWK-I) program pursuant to chapter 514I for  
7 receipt of federal financial participation under Title  
8 XXI of the federal Social Security Act, which creates  
9 the state children's health insurance program:  
10 ..... \$ 4,984,508  
11 ..... 3,684,508

12 STATE CASES

13 Sec. \_\_. 2000 Iowa Acts, chapter 1228, section  
14 24, subsection 1, unnumbered paragraph 1, is amended  
15 to read as follows:  
16 For purchase of local services for persons with  
17 mental illness, mental retardation, and developmental  
18 disabilities where the client has no established  
19 county of legal settlement:  
20 ..... \$ 13,308,845  
21 ..... 12,608,845

22 MH/MR/DD ALLOWED GROWTH  
23 RISK POOL

24 Sec. \_\_. 1999 Iowa Acts, chapter 208, section 1,  
25 unnumbered paragraphs 2 and 3, and subsection 4, as  
26 amended by 2000 Iowa Acts, chapter 1228, section 38,

27 are amended to read as follows:

28 For distribution to counties of the county mental  
29 health, mental retardation, and developmental  
30 disabilities allowed growth factor adjustment, in  
31 accordance with section 331.438, subsection 2, and  
32 section 331.439, subsection 3, and chapter 426B:

33 ..... \$ 20,982,446  
34 ..... 19,868,987

35 The funding appropriated in this section is the  
36 allowed growth factor adjustment for fiscal year 2000-  
37 2001, and is allocated as follows:

38 4. For deposit in the risk pool created in the  
39 property tax relief fund pursuant to section 426B.5,  
40 subsection 3:

41 ..... \$ 1,208,844  
42 ..... 95,385

43 DIVISION VI  
44 TRANSPORTATION

45 Sec. \_\_. 2000 Iowa Acts, chapter 1216, section 1,  
46 subsections 1 and 2, are amended to read as follows:

47 1. For airport engineering studies and improvement  
48 projects as provided in chapter 328:

49 ..... \$ 2,475,000  
50 ..... 2,435,000

Page 5

1 Of the amount appropriated in this subsection,  
2 \$25,000 shall be allocated to the Iowa civil air  
3 patrol.

4 2. For the rail assistance program and to provide  
5 economic development project funding:

6 ..... \$ 662,000  
7 ..... 602,000

8 DIVISION VII  
9 UNASSIGNED STANDING APPROPRIATION

10 Sec. \_\_. STANDING APPROPRIATIONS FOR THE GENERAL  
11 ASSEMBLY. The appropriations made from the general  
12 fund of the state in section 2.12, for the fiscal year  
13 beginning July 1, 2000, and ending June 30, 2001, for  
14 the expenses of the general assembly and for  
15 legislative agencies, are reduced by the following  
16 amount:

17 ..... \$ 1,400,000

18 DIVISION VIII  
19 EFFECTIVE DATE

20 Sec. \_\_. EFFECTIVE DATE. This Act, being deemed  
21 of immediate importance, takes effect upon enactment."

22 2. By renumbering as necessary.

Roll call was requested by Myers of Johnson and Warnstadt of Woodbury.

On the question "Shall amendment H-1221 be adopted?" (S.F. 267)

The ayes were, 43:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Huser	Jochum
Kreiman	Kuhn	Larkin	Lensing
Mascher	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Richardson	Scherrman	Schrader
Seng	Shoultz	Smith	Stevens
Taylor, D.	Taylor, T.	Tremmel	Warnstadt
Winckler	Wise	Witt	

The nays were, 55:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Finch	Garman	Hahn	Hansen
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Roberts
Shey	Siegrist, Spkr.	Sievers	Sukup
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Gipp,	
		Presiding	

Absent or not voting, 2:

Grundberg      Reynolds

Amendment H-1221 lost.

Kreiman of Davis asked and received unanimous consent to withdraw amendment H-1217 filed by him from the floor.

Speaker Siegrist in the chair at 9:23 p.m.

Shoultz of Black Hawk offered the following amendment H-1224, previously deferred, filed by him from the floor and moved its adoption:

H-1224

1 Amend Senate File 267, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 3, by inserting after line 33 the  
4 following:

5 " \_\_\_\_\_. To the college student aid commission, the  
6 department of education for the Iowa empowerment fund  
7 and community colleges, and the state board of regents  
8 for the university of Iowa hospitals and clinics  
9 indigent patient program in 2000 Iowa Acts, chapter  
10 1223, section 11, to the college student aid  
11 commission for Iowa tuition grants, scholarships,  
12 vocational-technical tuition grants, and work-study  
13 programs in sections 261.25 and 261.85, and in other  
14 enactments and codified statutes making appropriations  
15 from the general fund of the state for such purposes  
16 in that fiscal year.

17 \_\_\_\_\_. To the Iowa department of public health for  
18 elderly wellness in 2000 Iowa Acts, chapter 1222,  
19 section 5, subsection 6, and to the department of  
20 human rights, in 2000 Iowa Acts, chapter 1222, section  
21 6, and in other enactments and codified statutes  
22 making appropriations from the general fund of the  
23 state for these purposes in that fiscal year.

24 \_\_\_\_\_. To the department of human services for  
25 family investment program, child support recovery,  
26 child care assistance, juvenile institutions, child  
27 and family services, state mental health institutes,  
28 mental illness special services, special needs grants,  
29 field operations, general administration, and  
30 volunteers in 2000 Iowa Acts, chapters 1228, and other  
31 enactments making appropriation for these purposes in  
32 that fiscal year.

33 \_\_\_\_\_. To the department of corrections for the  
34 judicial district departments of correctional  
35 services, office of the public defender of the  
36 department of inspections and appeals, and department  
37 of public safety for the divisions of criminal  
38 investigation, narcotics enforcement, fire marshal,  
39 and Iowa state patrol in 2000 Iowa Acts, chapter 1229,  
40 sections, 7, 10, and 15, and other enactments making  
41 appropriations from the general fund of the state for  
42 these purposes for that fiscal year.

43 \_\_\_\_\_. To the state department of transportation for  
44 purposes of public transit assistance in section  
45 312.2, subsection 14."

46 2. Page 10, by inserting after line 7 the  
 47 following:  
 48 "Sec. 100. 2001 Iowa Acts, House File 1, section  
 49 1, is repealed.  
 50 Sec. \_\_\_\_\_. RETROACTIVE APPLICABILITY. Section 100

## Page 2

1 of this Act, relating to 2001 Iowa Acts, House File 1,  
 2 is retroactively applicable to February 5, 2001."  
 3 3. By renumbering as necessary.

Roll call was requested by Van Fossen of Scott and Millage of Scott.

Rule 75 was invoked.

On the question "Shall amendment H-1224 be adopted?" (S.F. 267).

The ayes were, 1:

Shoultz

The nays were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Grundberg	Hahn	Hansen	Hatch
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen

Warnstadt  
Witt

Weidman  
Mr. Speaker  
Siegrist

Winckler

Wise

Absent or not voting, 1:

Reynolds

Amendment H-1224 lost.

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. 267)

The ayes were, 56:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Fallon	Finch	Gipp	Grundberg
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Sievers
Sukup	Teig	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Mr. Speaker
			Siegrist

The nays were, 43:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Foege	Ford	Frevert	Garman
Greimann	Hatch	Huser	Jochum
Kreiman	Kuhn	Larkin	Lensing
Mascher	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Richardson	Scherrman	Schrader
Seng	Shoultz	Smith	Stevens
Taylor, D.	Taylor, T.	Tremmel	Warnstadt
Winckler	Wise	Witt	

Absent or not voting, 1:

Reynolds

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 March 7, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 230, a bill for an act amending the strategic planning duties of the Iowa economic development board.

Also: That the Senate has on March 7, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 286, a bill for an act permitting cooperative associations to deal with nonmembers, to use fictitious names, and to issue memberships without charge; to permit electric cooperatives to have multiple classes of members; and providing an effective date.

Also: That the Senate has on March 7, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 325, a bill for an act relating to regulation of multiple employer welfare arrangements by the commissioner of insurance, repealing the future repeal date for such regulation, and providing an effective date.

Also: That the Senate has on March 7, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 196, a bill for an act relating to conflicts of interest of public officers and employees, including lobbyist and clients reports, and review of documents related to campaign finance disclosure reports.

MICHAEL E. MARSHALL, Secretary

### HOUSE FILE 435 PLACED ON CALENDAR

The Speaker announced that House File 435, previously referred to committee on **ways and means** is placed on the **calendar**.

MOTION TO RECONSIDER  
(Senate File 267)

I move to reconsider the vote by which Senate File 267 passed the House on March 7, 2001.

MILLAGE of Scott

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 7, 2001. Had I been present, I would have voted "aye" on House Files 271 and 370.

ARNOLD of Lucas

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, 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\491 Sara Moser, Rockford – For winning the 2001 State Spelling Bee Championship.
- 2001\492 Arlene Bohnsack, Marshalltown – For celebrating her 85<sup>th</sup> birthday.
- 2001\493 Betty and Roger Nason, Marshalltown – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2001\494 Irene and Gordon Finders, Marshalltown – For celebrating their 59<sup>th</sup> wedding anniversary.



- 2001\495 Shirley and Everett (Dex) Dexter, Marshalltown – For celebrating their 53<sup>rd</sup> wedding anniversary.
- 2001\496 Dorothy and Everett Perry, Marshalltown – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\497 Florence Neely, Winterset – For celebrating her 93<sup>rd</sup> birthday.
- 2001\498 Forrest Turner, Panora – For celebrating his 80<sup>th</sup> birthday.
- 2001\499 Patsy and Tom Moore, Bayard – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\500 Muryl Jean and Merle Vokt, Anita – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\501 Eleanore Frownfelter Kraft, Bayard – For celebrating her 90<sup>th</sup> birthday.
- 2001\502 Harvest Westside Center, Sioux City – For receiving a Best Practices Certificate in the category of Quality of Life.
- 2001\503 Winifred Hoover, Norwalk – For celebrating her 90<sup>th</sup> birthday.
- 2001\504 Frances Meyer, Indianola – For celebrating her 80<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 52 Reassigned

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and O'Brien.

##### House File 92 Reassigned

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and O'Brien.

##### House File 184

Natural Resources: Hahn, Chair; Greimann and Rayhons.

##### House File 216

Education: Sievers, Chair; Eddie and Lensing.

##### House File 304 Reassigned

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and O'Brien.

##### House File 418

Education: Dolecheck, Chair; Hansen and Petersen.

**House File 466**

Human Resources: Broers, Chair; Brunkhorst and Witt.

**House File 494**

Human Resources: Hoversten, Chair; Broers and Smith.

**House File 497**

Local Government: Sievers, Chair; Hahn and Petersen.

**House File 507**

Local Government: Weidman, Chair; Connors and Van Engelenhoven.

**House File 509**

Local Government: Sievers, Chair; Kuhn and Van Engelenhoven.

**House File 510**

Human Resources: Roberts, Chair; Broers and Witt.

**House File 514**

Appropriations: Brunkhorst, Chair; Drake and Warnstadt.

**House File 520**

Natural Resources: Alons, Chair; Brauns and Frevert.

**House File 523**

Local Government: Carroll, Chair; Petersen, Reynolds, Van Engelenhoven and Weidman.

**House File 527**

Agriculture: Houser, Chair; Boggess and Scherrman.

**House File 530**

Transportation: Weidman, Chair; Huser and Manternach.

**House File 532**

Labor and Industrial Relations: Hansen, Chair; Horbach and D. Taylor.

**House File 533**

Economic Development: Teig, Chair; Dotzler, Hoffman, Hoversten and Stevens.

**House File 539**

Agriculture: Teig, Chair; Klemme and Kuhn.

**House File 546**

Labor and Industrial Relations: Hoffman, Chair; Barry and T. Taylor.

**Senate File 106**

Judiciary: Raecker, Chair; Eichhorn and Tremmel.

**Senate File 222**

Judiciary: Sukup, Chair; Barry and Kreiman.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 20 Reassigned**

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and O'Brien.

**House Study Bill 155 Reassigned**

Local Government: Van Engelenhoven, Chair; Petersen and Weidman.

**House Study Bill 190**

Education: Boal, Chair; Brunkhorst, Greimann, Petersen and Sievers.

**House Study Bill 193**

Education: Grundberg, Chair; Finch and Wise.

**House Study Bill 200**

Judiciary: Boddicker, Chair; Barry and Kreiman.

**House Study Bill 201**

Education: Carroll, Chair; Foege, Grundberg, Hansen, Mascher, Sukup and Wise.

**House Study Bill 202**

Commerce and Regulation: Hoffman, Chair; Bradley and Wise.

**House Study Bill 204**

Local Government: Dix, Chair; Fallon and Sievers.

**House Study Bill 205**

Local Government: Houser, Chair; Richardson and Van Engelenhoven.

**House Study Bill 206**

Local Government: Weidman, Chair; Arnold and Warnstadt.

**House Study Bill 207**

Local Government: Houser, Chair; Reynolds and Weidman.

**House Study Bill 208**

Administration and Rules: Teig, Chair; Jacobs and Jochum.

**House Study Bill 209**

Economic Development: Boggess, Chair; Cormack and Hatch.

**House Study Bill 210**

Economic Development: Boggess, Chair; Cormack and Hatch.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 212 Education**

Providing bonding authority for school districts relating to energy conservation measures.

**H.S.B. 213 Education**

Providing for utilization of the district management levy by school districts for energy conservation measures.

**H.S.B. 214 Education**

Establishing a school energy conservation program.

**H.S.B. 215 Judiciary**

Relating to the criminal offense of and penalty for involuntary manslaughter.

**H.S.B. 216 Education**

Providing statutory revisions relating to the department of education, school districts and area education agencies, and the kindergarten through grade twelve educational program.

**H.S.B. 217 Judiciary**

Relating to mandatory minimum sentences of incarceration for third or subsequent operating while intoxicated violations.

**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.

MARGARET A. THOMSON  
Chief Clerk of the House

**COMMITTEE ON HUMAN RESOURCES**

**Committee Bill** (Formerly House File 366), relating to child foster care regulatory requirements and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2001.

**Committee Bill** (Formerly House Study Bill 154), providing for a legal risk waiver in interstate adoptions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2001.

**COMMITTEE ON LOCAL GOVERNMENT**

**Committee Bill** (Formerly House File 143), relating to the division and development of land by amending provisions relating to subdivision plats and plats of survey and relating to annexation and other boundary adjustments, and providing for the Act's applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2001.

## COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly House Study Bill 174), to nullify administrative rules of the department of natural resources requiring a harvest report of wild turkeys by resident and nonresident hunters, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2001.

**Committee Bill** (Formerly House Study Bill 189), relating to the taking of fish and game by increasing fees for nonresident hunting, fishing, fur harvesting, and related licenses, providing for additional licenses and fees, and providing effective and applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2001.

## COMMITTEE ON TRANSPORTATION

**Committee Bill** (Formerly House File 278), repealing the requirement to fly a flag or pennant on an all-terrain vehicle or snowmobile when operating on a public road or street.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2001.

## RESOLUTIONS FILED

**HR 20**, by Hoffman, a resolution honoring Jacklyn Murray for achieving the 2001 Prudential Spirit of Community Award.

Laid over under **Rule 25**.

**HR 21**, by Richardson and Bell, a resolution honoring Nick Ackerman on his athletic achievements.

Laid over under **Rule 25**.

**SCR 14**, by Iverson, a concurrent resolution providing for a reduction in the appropriations from the general fund of the state for the legislative branch for the fiscal year beginning July 1, 2000, and ending June 30, 2001.

Referred to committee on **appropriations**.

## AMENDMENTS FILED

H-1219	H.F.	301	Klemme of Plymouth
H-1220	H.F.	453	Rayhons of Hancock

On motion by Rants of Woodbury the House adjourned at 10:22 p.m., until 8:45 a.m., Thursday, March 8, 2001.

# JOURNAL OF THE HOUSE

Sixtieth Calendar Day - Forty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 8, 2001

The House met pursuant to adjournment at 8:49 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Gundar Lamberts, pastor of the First Baptist Church of Harlan. He was the guest of Representative Jack Drake of Pottawattamie County.

The Journal of Wednesday, March 7, 2001 was approved.

## INTRODUCTION OF BILLS

**House Joint Resolution 11**, by committee on natural resources, a joint resolution to nullify administrative rules of the department of natural resources requiring a harvest report of wild turkeys by resident and nonresident hunters, and providing an effective date.

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

**House File 561**, by committee on transportation, a bill for an act repealing the requirement to fly a flag or pennant on an all-terrain vehicle or snowmobile when operating on a public road or street.

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

**House File 562**, by Bradley, a bill for an act relating to compensation of peace officers employed by the department of public safety.

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

**House File 563**, by Grundberg, a bill for an act providing for a study by the judicial branch concerning the establishment of mental health courts.

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



**House File 564**, by committee on agriculture, a bill for an act providing for the reversion of dividends and distributions by certain cooperative associations.

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

**House File 565**, by committee on natural resources, a bill for an act relating to the taking of fish and game by increasing fees for nonresident hunting, fishing, fur harvesting, and related licenses, providing for additional licenses and fees, and providing effective and applicability dates.

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

### 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 7, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 165, a bill for an act enacting the Iowa English language reaffirmation Act of 2001.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGE CONSIDERED

**Senate File 196**, by committee on state government, a bill for an act relating to conflicts of interest of public officers and employees, including lobbyist and clients reports, and review of documents related to campaign finance disclosure reports.

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

### SPECIAL PRESENTATION

Richardson of Warren and Bell of Jasper introduced to the House, Nick Ackerman, a record breaking wrestling champion.

The House rose and expressed its welcome.

## ADOPTION OF HOUSE RESOLUTION 21

Richardson of Warren called up for consideration **House Resolution 21**, a resolution honoring Nick Ackerman on his athletic achievements, and moved its adoption.

The motion prevailed and the resolution was adopted.

## CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON

Chief Clerk of the House

2001\505 Osage High School Wrestling Team, Osage – For winning the Class 2-A High School Wrestling Championship and for winning the 2-A Dual Meet Championship of the 2000 Iowa High School State Wrestling Tournament.

2001\506 Trent Goodale, Osage – For winning the 125 lb. class of the Class 2-A Division of the State Wrestling Tournament.

2001\507 Lou Pohle, Osage – For celebrating her 80<sup>th</sup> birthday.

2001\508 Ben Bekel, Muscatine – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

2001\509 Kathleen Schaefer, Waterloo – For celebrating her 80<sup>th</sup> birthday.

2001\510 Orval Goldsworth, Waterloo – For celebrating his 80<sup>th</sup> birthday.

2001\511 Gayle and Walter Hodgson, Waterloo – For celebrating their 50<sup>th</sup> wedding anniversary.

## SUBCOMMITTEE ASSIGNMENTS

### House File 391

Transportation: Weidman, Chair; Quirk and Rekow.

### House File 406

Human Resources: Barry, Chair; Atteberry, Boal, Reynolds and Tymeson.

**House File 438**

Local Government: Brauns, Chair; Fallon and Hahn.

**House File 493**

Local Government: Sievers, Chair; Brauns and D. Taylor.

**House File 501 Reassigned**

Judiciary: Eichhorn, Chair; Kreiman and Raecker.

**House File 534**

Judiciary: Eichhorn, Chair; Kettering and Kreiman.

**House File 540**

Local Government: Van Engelenhoven, Chair; Houser and Kuhn.

**House File 542**

Judiciary: Kettering, Chair; Kreiman and Millage.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 89 Reassigned**

State Government: Gipp, Chair; Garman, Jochum, O'Brien and Van Engelenhoven.

**House Study Bill 101 Reassigned**

Judiciary: Baudler, Chair; Barry and Bell.

**House Study Bill 180**

Human Resources: Boddicker, Chair; Atteberry and Hoversten.

**House Study Bill 207 Reassigned**

Local Government: Houser, Chair; Petersen and Weidman.

**House Study Bill 212**

Education: Sievers, Chair; Roberts and Wise.

**House Study Bill 213**

Education: Sievers, Chair; Roberts and Wise.

**House Study Bill 214**

Education: Sievers, Chair; Roberts and Wise.

**House Study Bill 215**

Judiciary: Tremmel, Chair; Eichhorn and Larson.

**House Study Bill 216**

Education: Grundberg, Chair; Broers and Wise.

**House Study Bill 217**

Judiciary: Barry, Chair; Eichhorn and Tremmel.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 218 Education**

Relating to the reorganization or dissolution of an area education agency.

**H.S.B. 219 State Government**

Relating to government accountability, by providing for strategic planning, performance measurement and reporting, performance audits, performance contracting, return on investment, and oversight, and providing for its implementation.

**COMMITTEE RECOMMENDATIONS**

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation have been received and are on file in the office of the Chief Clerk.

MARGARET A. THOMSON  
Chief Clerk of the House

**COMMITTEE ON AGRICULTURE**

**Committee Bill** (Formerly House File 288), relating to the size of drainage or levee districts having election districts.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2001.

## COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House Study Bill 2.1), including specified foreign exchange pupils in the actual enrollment of a school district, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2001.

**Committee Bill** (Formerly House Study Bill 193), relating to establishing the state percent of growth for a school budget year, and providing an applicability date.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2001.

## COMMITTEE ON ENVIRONMENTAL PROTECTION

**Committee Bill** (Formerly House Study Bill 52), relating to the certification of persons providing water pump services.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2001.

## COMMITTEE ON STATE GOVERNMENT

**House File 141**, a bill for an act relating to the designation of a "Bill of Rights Day".

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2001.

**House File 481**, a bill for an act relating to the establishment of city precincts and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2001.

**Committee Bill** (Formerly House Study Bill 20), relating to the terms "registered voter", "eligible elector", and "qualified voter" for purposes of elections, voter registration, statutory petition requirements, absentee voting by armed forces, and drainage district elections.

Fiscal Note is not required.

Recommended **Do Pass** March 7, 2001.

**Committee Bill** (Formerly House Study Bill 38), relating to the administration and management of the department of personnel and the creation of a revolving fund, and providing for the appropriation and use of the moneys credited to the fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2001.

**Committee Bill** (Formerly House Study Bill 122), providing for the regulation of fire protection systems and personnel, making an appropriation, and providing civil and criminal penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2001.

#### COMMITTEE ON TRANSPORTATION

**House File 414**, a bill for an act relating to highway improvement assistance from the revitalize Iowa's sound economy fund for brownfield sites.

Fiscal Note is not required.

Committee Action: **Indefinitely Postponed** March 8, 2001.

#### RESOLUTION FILED

**HCR 21**, by Chiodo, Jacobs, Raecker, Hansen, and Huser, a concurrent resolution providing for the establishment of a committee by the legislative council to conduct a study of predatory or subprime lending practices.

Laid over under **Rule 25**.

#### AMENDMENT FILED

H-1225          H.F.          550          Baudler of Adair

On motion by Rants of Woodbury the House adjourned at 9:13 a.m., until 9:30 a.m., Friday, March 9, 2001.

# JOURNAL OF THE HOUSE

Sixty-first Calendar Day - Forty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, March 9, 2001

The House met pursuant to adjournment at 9:40 a.m., Heaton of Henry in the chair.

Prayer was offered by the Honorable Mark Kuhn state representative from Floyd County.

The Journal of Thursday, March 8, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 566**, by committee on state government, a bill for an act relating to the terms "registered voter", "eligible elector", and "qualified voter" for purposes of elections, voter registration, statutory petition requirements, absentee voting by armed forces, and drainage district elections.

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

**House File 567**, by committee on human resources, a bill for an act providing for a legal risk waiver in interstate adoptions.

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

**House File 568**, by committee on commerce and regulation, a bill for an act relating to the Iowa individual health benefit reinsurance association and the Iowa comprehensive health insurance association, by changing the board of directors, membership, assessment, and premium tax offset related to the associations.

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

**House File 569**, by committee on commerce and regulation, a bill for an act relating to the proposed uniform computer information transactions Act.

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

**House File 570**, by Greimann, a bill for an act providing for a school district budget adjustment, and providing an effective date.

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

**House File 571**, by Greimann, a bill for an act providing authority to levy for additional funding in school districts with disproportionately high gifted and talented student populations, and providing an effective date.

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

**House File 572**, by Barry, a bill for an act relating to wolves and wolf hybrids by providing for the breeding, sale, and possession of wolves and wolf hybrids and providing for fees and a penalty.

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

**House File 573**, by Drake, a bill for an act relating to the application of sales and services tax receipts by a political subdivision to the payment of principal and interest of certain bonds.

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

**House File 574**, by Richardson, a bill for an act providing for juvenile detention and requiring a physical or mental examination of a child who carries a firearm on school grounds.

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

**House File 575**, by committee on education, a bill for an act relating to establishing the state percent of growth for a school budget year, and providing an applicability date.

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

**House File 576**, by committee on education, a bill for an act relating to certain school finance provisions and providing an effective date.



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

**House File 577**, by committee on commerce and regulation, a bill for an act relating to electric power generation and transmission, by addressing the criteria for construction of an electric generating facility; waivers; approval of power purchase contracts; management of regulated emissions from facilities fueled by coal; providing for the development of a state electric energy policy; providing for joint agreements for acquisition of ownership of a joint facility for electric power generation and transmission, and for the planning, financing, operation, and maintenance of the joint facility; providing for the bonding authority of electric power agencies; and making certain other changes and requirements related to electric generation and transmission.

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 March 8, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 154, a bill for an act concerning paid time off for certain peace officer members of the department of public safety injured in the course of duty.

Also: That the Senate has on March 8, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 81, a bill for an act relating to limitations on the disbursement of economic development financial assistance moneys by state agencies.

Also: That the Senate has on March 8, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 169, a bill for an act limiting the exemption from regulation of certain persons acting as an attorney in fact regarding certain real estate transactions.

Also: That the Senate has on March 8, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 198, a bill for an act relating to family investment program requirements regarding the time period allowed for supported postsecondary education assistance and including an applicability provision.

Also: That the Senate has on March 8, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 278, a bill for an act relating to the taking of fish and game by increasing fees for hunting, fishing, harvesting, and related licenses, providing for additional licenses and fees, for deer management plans, and for other properly related matters, and providing effective and applicability dates.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGE CONSIDERED

**Senate File 165**, by King, Greiner, Bartz, Schuerer, Drake, McKinley, Zieman, Jensen, Behn, McKean, Iverson, Angelo, Veenstra, Redwine, Rehberg, Boettger, Freeman, McLaren, Sexton, Rittmer, Lamberti, Miller, and Johnson, a bill for an act enacting the Iowa English language reaffirmation Act of 2001.

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

### BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 8, 2001, he approved and transmitted to the Secretary of State the following bill:

House File 192, an act authorizing certain criminal history and abuse record and registry access to the department of inspections and appeals for purposes of data verification and record checks of applicants for employment with the department.

### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

#### House Study Bill 218

Education: Tymeson, Chair; Foegen and Hansen.

### 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.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON COMMERCE AND REGULATION

**Committee Bill** (Formerly House Study Bill 153), relating to electric power generation and transmission, by addressing the criteria for construction of an electric generating facility; waivers; approval of power purchase contracts; management of regulated emissions from facilities fueled by coal; providing for the development of a state electric energy policy; and making certain other changes related to electric transmission.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2001.

## AMENDMENT FILED

H-1226	H.F.	519	Jochum of Dubuque Broers of Cerro Gordo
--------	------	-----	--

On motion by Dotzler of Black Hawk the House adjourned at 9:45 a.m., until 1:00 p.m., Monday, March 12, 2001.

# JOURNAL OF THE HOUSE

Sixty-fourth Calendar Day - Forty-third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, March 12, 2001

The House met pursuant to adjournment at 1:07 p.m., Speaker Siegrist in the chair.

Prayer was offered by Bishop Gregory Palmer, Bishop of the United Methodist Church, Des Moines. He was the guest of Representatives Janet Petersen of Polk County and Steve Richardson of Warren County.

The Journal of Friday, March 9, 2001 was approved.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by students from Perkins Elementary School in Des Moines. They were accompanied by their teacher, Jim Guttau. They were the guests of the Honorable Donna Barry, state representative from Harrison County and the Honorable Janet Petersen, state representative from Polk County.

## INTRODUCTION OF BILLS

**House File 578**, by committee on education, a bill for an act including specified foreign exchange pupils in the actual enrollment of a school district, and providing an effective date.

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

**House File 579**, by committee on state government, a bill for an act relating to the administration and management of the department of personnel.

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

**House File 580**, by committee on state government, a bill for an act providing for the regulation of fire protection systems and personnel, making an appropriation, and providing civil and criminal penalties.

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

**House File 581**, by committee on agriculture, a bill for an act relating to the size of drainage or levee districts having election districts and requesting an interim study.

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

#### SENATE MESSAGES CONSIDERED

**Senate File 81**, by Miller, a bill for an act relating to limitations on the disbursement of economic development financial assistance moneys by state agencies.

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

**Senate File 169**, by committee on commerce, a bill for an act limiting the exemption from regulation of certain persons acting as an attorney in fact regarding certain real estate transactions.

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

**Senate File 198**, by committee on human resources, a bill for an act relating to family investment program requirements regarding the time period allowed for supported postsecondary education assistance and including an applicability provision.

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

**Senate File 278**, by committee on natural resources and environment, a bill for an act relating to the taking of fish and game by increasing fees for hunting, fishing, harvesting, and related licenses, providing for additional licenses and fees, for deer management plans, and for other properly related matters, and providing effective and applicability dates.

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

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Eddie of Buena Vista, Hansen of Pottawattamie and Weidman of Cass, until their arrival, on request of Rants of Woodbury.

## SPECIAL PRESENTATION

Jenkins of Black Hawk introduced to the House Jae IL Kim, the Deputy Chairman of Public Relations Committee of the ruling Millennium Democratic Party of Seoul, South Korea.

The House rose and expressed its welcome.

## HOUSE FILE 399 WITHDRAWN

Millage of Scott asked and received unanimous consent to withdraw House File 399 from further consideration by the House.

## MOTION TO RECONSIDER WITHDRAWN (Senate File 267)

Millage of Scott asked and received unanimous consent to withdraw the motion to reconsider **Senate File 267**, a bill for an act relating to state budgetary matters by providing for reductions and supplementation of appropriations made for the fiscal year beginning July 1, 2000, and transferring, crediting, and appropriating certain moneys, and providing an effective date, filed by him on Wednesday, March 7, 2001.

## CONSIDERATION OF BILLS Regular Calendar

**House File 435**, a bill for an act relating to allocation and payment of expenses arising from performance of duties by the Iowa utilities board and the consumer advocate, providing for a report by the Iowa utilities board, and providing an effective date, was taken up for consideration.

## QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-four members present, sixteen absent.

### SENATE FILE 279 SUBSTITUTED FOR HOUSE FILE 435

Metcalf of Polk asked and received unanimous consent to substitute Senate File 279 for House File 435.

**Senate File 279**, a bill for an act relating to allocation and payment of expenses arising from performance of duties by the Iowa utilities board and the consumer advocate, providing for a report by the Iowa utilities board, and providing an effective date, 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?" (S.F. 279)

The ayes were, 94:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cphoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shoultz	Sievers	Smith
Stevens	Taylor, D.	Taylor, T.	Teig

Tremmel  
Van Fossen  
Witt

Tymeson  
Warnstadt  
Mr. Speaker  
Siegrist

Tyrrell  
Winckler

Van Engelenhoven  
Wise

The nays were, none.

Absent or not voting, 6:

Eddie  
Sukup

Hansen  
Weidman

Hatch

Shey

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: **Senate Files 267 and 279.**

### HOUSE FILE 576 REFERRED

The Speaker announced that House File 576, presently placed on the **calendar** was referred to committee on **ways and means.**

### EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 12, 2001. Had I been present, I would have voted "aye" on Senate File 279.

HANSEN of Pottawattamie

I was necessarily absent from the House chamber on March 12, 2001. Had I been present, I would have voted "aye" on Senate File 279.

SHEY of Linn

### 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 12<sup>th</sup> day of March, 2001: House Files 154, 230, 286 and 325.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

### COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

#### IOWA NATIONAL GUARD

The ICN Savings Report for 2000, pursuant to Chapter 29A, 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\512 Robert J. Marsden, Cedar Rapids – For celebrating his 80<sup>th</sup> birthday.
- 2001\513 Helen Whittington, Cedar Rapids – For celebrating her 93<sup>rd</sup> birthday.
- 2001\514 Roberta and George Bare, Cedar Rapids – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\515 Dolores and Loren Parks, Cedar Rapids – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\516 Lyle and Ann Baughman, Cedar Rapids – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\517 Ruth and Daryl Wurster, Springville – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\518 Lila and Sterling Jackson, Cedar Rapids – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\519 Ruth and Bob Otten, Cedar Rapids – For celebrating their 50<sup>th</sup> wedding anniversary.

- 2001\520 Louise Bickel, Cedar Rapids – For celebrating her 86<sup>th</sup> birthday.
- 2001\521 Cedar Rapids Junior RoughRiders, Cedar Rapids – For winning 1<sup>st</sup> Place in three Squirt Tournaments.
- 2001\522 Marge Wagner, Cedar Rapids – For celebrating her 75<sup>th</sup> birthday.
- 2001\523 Martha and James Vanourny, Marion – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\524 Freda and Donald Thomas, Cedar Rapids – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\525 Anker Severinsen, Marion – For celebrating his 95<sup>th</sup> birthday.
- 2001\526 Dean Nauman, Cedar Rapids – For celebrating his 80<sup>th</sup> birthday.
- 2001\527 Joe Jilovec, Mt. Vernon – For celebrating his 85<sup>th</sup> birthday.
- 2001\528 Dorothy Connor, Marion – For celebrating her 80<sup>th</sup> birthday.
- 2001\529 Twyla and Leo Hutchins, Marion – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\530 Helen and Calvin Nading, Cedar Rapids – For celebrating their 56<sup>th</sup> wedding anniversary.
- 2001\531 Jeanne and Ralph V. Hepker, Cedar Rapids – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\532 Leola Williams Nash, Marion – For celebrating her 90<sup>th</sup> birthday.
- 2001\533 Clarence Prueter, Marion – For celebrating his 90<sup>th</sup> birthday.
- 2001\534 Jim Beasley, Cedar Rapids – For celebrating his 90<sup>th</sup> birthday.
- 2001\535 George Bowler, Hiawatha – For celebrating his 80<sup>th</sup> birthday.
- 2001\536 Alice Fletcher, Ida Grove – For celebrating her 80<sup>th</sup> birthday.
- 2001\537 Marion Reaman, Sac City – For celebrating her 80<sup>th</sup> birthday.
- 2001\538 Norma Thompson, Correctionville – For celebrating her 80<sup>th</sup> birthday.
- 2001\539 Bernice Reida, Lake View – For celebrating her 86<sup>th</sup> birthday.
- 2001\540 Marjorie Seymour, Lake View – For celebrating her 90<sup>th</sup> birthday.
- 2001\541 Joyce and Herbert Kay, Holstein – For celebrating their 50<sup>th</sup> wedding anniversary.

- 2001\542 Alice and Fred Schramm, Odebolt – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\543 Preston Girls Basketball Team, Preston – For winning the Class 1-A Iowa State Girls Basketball Championship.
- 2001\544 Verana and Bob Johnson, Andover – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\545 Ellie Peterson, Cedar Falls – For being named Captain of the Class 4-A 2001 Iowa Girls State Basketball Tournament, and being a member of the Class 4-A Des Moines Sunday Register Girls All-State Team.
- 2001\546 Cedar Falls Girls Basketball Team, Cedar Falls – For winning the Class 4-A 2001 Iowa Girls State Basketball Tournament.
- 2001\547 Kim Hansen, Cedar Falls – For being a member of the Class 4-A Des Moines Sunday Register Girls All-State Team.
- 2001\548 Evelyn and Bob Sharp, Denison – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2001\549 Coach Preston Kooima and the Rock Valley Rockets, Rock Valley – For being the Class 2-A Girls Basketball Champions.
- 2001\550 Margaret Duhn, Spirit Lake – For celebrating her 80<sup>th</sup> birthday.
- 2001\551 Mac Beaver, Estherville – For celebrating his 100<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 548

Appropriations: Alons, Chair; Heaton and Smith.

##### House File 580

Appropriations: Jacobs, Chair; Falck and Raecker.

#### Senate Concurrent Resolution 14

Appropriations: Brunkhorst, Chair; Hatch and Raecker.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

##### House Study Bill 219

State Government: Elgin, Chair; Bradley and T. Taylor.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 220 Education**

Relating to the acceptance and administration of trusts by a school corporation board of directors.

### **H.S.B. 221 Agriculture**

Relating to the regulation of grain dealers by providing an exception for limited liability companies that produce renewable fuel.

### **H.S.B. 222 Transportation**

Relating to advertising devices placed along interstate highways.

### **H.S.B. 223 Commerce and Regulation**

Requiring the pledging of collateral in relation to the deposit of uninsured public funds, making related changes, making penalties applicable, and providing for applicability.

### **H.S.B. 224 Ways and Means**

Relating to the licensing and regulation of food establishments and food processing plants, establishing fees, and providing an effective date.

### **H.S.B. 225 Judiciary**

Relating to the licensing and regulation of manufactured or mobile homes and providing coordinating amendments.

### **H.S.B. 226 Judiciary**

Providing for exceptions to municipal tort liability for freestyle or mountain biking.

## 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.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON ENVIRONMENTAL PROTECTION

**Committee Bill** (Formerly House File 247), relating to wastewater systems, establishing a fund, and appropriating moneys from the fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2001.

## COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House File 45), relating to eligibility requirements for certain persons with disabilities under the medical assistance program.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2001.

**Committee Bill** (Formerly House File 331), relating to the testing of individuals and the release of the results of tests for communicable and infectious diseases and for the human immunodeficiency virus.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2001.

**Committee Bill** (Formerly House File 344), establishing a child protection center grant program.

Fiscal Note is required.

Recommended **Do Pass** March 12, 2001.

**Committee Bill** (Formerly House File 406), providing for the transfer of custody and termination of parental rights for certain newborn infants whose parent voluntarily surrenders physical custody at certain health facilities and providing for immunity from prosecution for child abandonment crimes for such parent, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2001.

#### COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House File 446), relating to service of a nontestimonial identification order by a law enforcement officer.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2001.

**Committee Bill** (Formerly House File 483), relating to the authentication of out-of-state judicial records.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2001.

**Committee Bill** (Formerly House File 501), providing magistrates who are not licensed to practice law in Iowa with the authority to review applications for involuntary hospitalization and applications for involuntary commitment or treatment of chronic substance abusers and making conforming changes.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2001.

#### AMENDMENT FILED

H-1227	H.F.	567	Atteberry of Delaware Smith of Marshall
--------	------	-----	--

On motion by Rants of Woodbury the House adjourned at 1:42 p.m., until 8:45 a.m., Tuesday, March 13, 2001.

# JOURNAL OF THE HOUSE

Sixty-fifth Calendar Day - Forty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, March 13, 2001

The House met pursuant to adjournment at 8:49 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Kevin Cameron, pastor of the Catholic Pastoral Center, Des Moines. He was the guest of Representative Ed Fallon of Polk County. Representative Fallon accompanied his guest, Jose Wilson who sang before the House.

The House rose and expressed its appreciation.

The Journal of Monday, March 12, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 582**, by committee on local government, a bill for an act relating to the division and development of land by amending provisions relating to subdivision plats and plats of survey and relating to annexation and other boundary adjustments, and providing for the Act's applicability.

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

**House File 583**, by committee on environmental protection, a bill for an act relating to the certification of persons providing water pump services.

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

**House File 584**, by committee on environmental protection, a bill for an act relating to wastewater systems, establishing a fund, appropriating moneys from the fund, and providing an effective date.

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

**House File 585**, by Heaton, a bill for an act relating to the electronic benefits transfer program of the department of human services.

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

**House File 586**, by Scherrman, a bill for an act relating to the issuance of permits for the display of certain emergency vehicles to motor vehicle dealers not licensed in Iowa and to nonresident motor vehicle manufacturers and distributors.

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

**House File 587**, by committee on judiciary, a bill for an act providing magistrates who are not licensed to practice law in Iowa with the authority to review applications for involuntary hospitalization and applications for involuntary commitment or treatment of chronic substance abusers and making conforming changes.

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

**House File 588**, by committee on judiciary, a bill for an act relating to service of a nontestimonial identification order by a law enforcement officer.

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

**House File 589**, by committee on judiciary, a bill for an act relating to the authentication of out-of-state judicial records.

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

**House File 590**, by committee on human resources, a bill for an act relating to the testing of individuals and the release of the results of tests for communicable and infectious diseases and for the human immunodeficiency virus and making penalties applicable.

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



**House File 591**, by committee on human resources, a bill for an act relating to eligibility requirements for certain persons with disabilities under the medical assistance program.

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

**House File 592**, by Greimann, a bill for an act relating to child care by requiring registration of family child care homes.

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

**House File 593**, by committee on human resources, a bill for an act providing for the transfer of custody and termination of parental rights for certain newborn infants whose parent voluntarily surrenders physical custody at certain health facilities and providing for immunity from prosecution for child abandonment crimes for such parent, establishing confidentiality protections and a penalty, and providing an effective date.

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

**House File 594**, by Hoffman, a bill for an act relating to the display of one motor vehicle registration plate on motor vehicles twenty-five years old or older.

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

**House File 595**, by Hoffman, a bill for an act creating a council of governments fund for economic development, related financial assistance, and making an appropriation.

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

**House File 596**, by Mascher, a bill for an act relating to child workers and child migrant workers and providing penalties.

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

CONSIDERATION OF BILL  
Regular Calendar

**House File 451**, a bill for an act regulating the practice of accounting, establishing fees, providing penalties, and providing an effective date, was taken up for consideration.

Millage of Scott asked and received unanimous consent to withdraw amendment H-1203 filed by him and Elgin of Linn on March 6, 2001.

Millage of Scott offered amendment H-1210 filed by Millage, et al., as follows:

H-1210

1 Amend House File 451 as follows:

2 1. Page 17, line 34, by inserting after the word

3 "following" the following: "occur".

4 2. Page 18, by inserting after line 4 the

5 following:

6 "( ) All nonlicensee owners participate in a  
7 program of learning designed to maintain professional  
8 competency in compliance with rules adopted by the  
9 board which shall include requiring compliance with  
10 requirements imposed by a regulatory authority charged  
11 with regulation of a nonlicensee owner's professional  
12 or occupational license which is relevant to the  
13 firm's services.

14 "( ) All nonlicensee owners comply with all  
15 applicable rules of professional conduct adopted by  
16 the board."

17 3. Page 25, by inserting after line 21 the

18 following:

19 "( ) All nonlicensee owners participate in a  
20 program of learning designed to maintain professional  
21 competency in compliance with rules adopted by the  
22 board which shall include requiring compliance with  
23 requirements imposed by a regulatory authority charged  
24 with regulation of a nonlicensee owner's professional  
25 or occupational license which is relevant to the  
26 firm's services.

27 "( ) All nonlicensee owners comply with all  
28 applicable rules of professional conduct adopted by  
29 the board."

30 4. Page 37, line 15, by inserting after the word

31 "member" the following: "or employee".

32 5. By renumbering as necessary.

Tremmel of Wapello offered the following amendment H-1228, to amendment H-1210, filed by him from the floor and moved its adoption:

H-1228

- 1 Amend the amendment, H-1210, to House File 451 as
- 2 follows:
- 3 1. Page 1, line 16, by inserting after the word
- 4 "board" the following: ", and their own regulatory
- 5 authority".
- 6 2. Page 1, line 29, by inserting after the word
- 7 "board" the following: ", and their own regulatory
- 8 authority".

Amendment H-1228 was adopted.

On motion by Millage of Scott amendment H-1210, as amended, was adopted.

Tremmel of Wapello offered the following amendment H-1171 filed by him and moved its adoption:

H-1171

- 1 Amend House File 451 as follows:
- 2 1. Page 37, by striking lines 13 through 17 and
- 3 inserting the following:
- 4 "d. A person engaged in the practice as a
- 5 certified public accountant or as a licensed public
- 6 accountant, or any member, employee, or nonlicensed
- 7 owner of a firm licensed under this chapter, shall not
- 8 engage either directly or indirectly in the practice
- 9 of law within the entities licensed under this
- 10 chapter."

A non-record roll call was requested.

The ayes were 42, nays 46.

Amendment H-1171 lost.

Elgin 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. 451)

The ayes were, 95:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Bukta	Carroll	Chiodo	Cohon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Ford	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, none.

Absent or not voting, 5:

Brunkhorst	Foege	Huser	Jacobs
Sukup			

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

## IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that House File 451 be immediately messaged to the Senate.

## HOUSE FILE 568 REFERRED

The Speaker announced that House File 568, presently placed on the **calendar** was referred to the committee on **ways and means**.

## EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 13, 2001. Had I been present, I would have voted "aye" on House File 451.

HUSER of Polk

I was necessarily absent from the House chamber on March 13, 2001. Had I been present, I would have voted "aye" on House File 451.

JACOBS of Polk

## CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\552 Irene Brown, Lisbon – For celebrating her 90<sup>th</sup> birthday.
- 2001\553 Dorothy Ellison, Mt. Vernon – For celebrating her 85<sup>th</sup> birthday.
- 2001\554 Mt. Vernon High School Academic Decathlon Team, Mt. Vernon – For winning the State Academic Decathlon.
- 2001\555 Lee Rhoads, Lisbon – For celebrating his 100<sup>th</sup> birthday.
- 2001\556 Jean and Kenneth Ihle, Slaten – For celebrating their 63<sup>rd</sup> wedding anniversary.
- 2001\557 Coach Dicecco and the University of Northern Iowa Womens Basketball Team, Cedar Falls – For being invited to the National Invitational Tournament.
- 2001\558 Verola Olson, Mason City – For celebrating her 90<sup>th</sup> birthday.

- 2001\559 Dorothy Beinke, Mason City – For celebrating her 80<sup>th</sup> birthday.
- 2001\560 Wilma and Laurice Woiwod, Clear Lake – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\561 Margaret Jorgensen, Clinton – For celebrating her 90<sup>th</sup> birthday.
- 2001\562 Lorin Furrow, Marshalltown – For celebrating his 85<sup>th</sup> birthday.
- 2001\563 Rose Thorson, St. Ansgar – For celebrating her 85<sup>th</sup> birthday.
- 2001\564 Micheal Pink, St. Ansgar – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\565 Mr. and Mrs. Lynn Brennenman, Kalona – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\566 Jackie and Kenny Breon, Hedrick – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\567 Mr. and Mrs. Homer Long, Oskaloosa – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\568 Evelyn and Victor Deutsch, Brighton – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\569 Alice Kelley, Independence – For celebrating her 80<sup>th</sup> birthday.
- 2001\570 Frances J. Pint, Independence – For celebrating her 95<sup>th</sup> birthday.
- 2001\571 Matt Langreck, Waucoma – For celebrating his 83<sup>rd</sup> birthday.
- 2001\572 Carl Koehler, Independence – For celebrating his 90<sup>th</sup> birthday.
- 2001\573 Lucille Franck, Independence – For celebrating her 80<sup>th</sup> birthday.
- 2001\574 Leo Ellis, Jamaica – For celebrating his 89<sup>th</sup> birthday.
- 2001\575 Doris and Howard Bergman, Stratford – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\576 Lennice and Floyd Barnum, Callender – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2001\577 Lurlene Anderson, Lake City – For celebrating her 80<sup>th</sup> birthday.
- 2001\578 Margaret (Mardyce) Clark, Lake City – For celebrating her 80<sup>th</sup> birthday.
- 2001\579 Margerie and Keith Doud, Batavia – For celebrating their 60<sup>th</sup> wedding anniversary.

- 2001\580 Agnes and William Steele, Lockridge – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\581 Betty and Evon Wilson, Douds – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\582 Forrest McLain, Montezuma – For celebrating his 90<sup>th</sup> birthday.
- 2001\583 Johanna Eysink, Sully – For celebrating her 99<sup>th</sup> birthday.
- 2001\584 Edna Chyma, Grinnell – For celebrating her 90<sup>th</sup> birthday.
- 2001\585 Margaret and Lawrence Vander Werff, Reasnor – For celebrating their 60<sup>th</sup> wedding anniversary.

#### **SUBCOMMITTEE ASSIGNMENTS**

##### **House File 149**

Commerce and Regulation: Hansen, Chair; Schrader and Shey.

##### **House File 153 Reassigned**

Commerce and Regulation: Hansen, Chair; Johnson and Osterhaus.

##### **House File 182**

Ways and Means: Van Fossen, Chair; Shey and Shoultz.

##### **House File 198**

Commerce and Regulation: Hansen, Chair; Bradley and Chiodo.

##### **House File 252**

Commerce and Regulation: Hansen, Chair; Raecker and Schrader.

##### **House File 277**

Commerce and Regulation: Jenkins, Chair; Hansen and Wise.

##### **House File 285**

Commerce and Regulation: Raecker, Chair; Johnson and Quirk.

##### **House File 315**

Natural Resources: Alons, Chair; Huseman and Scherrman.

##### **House File 319**

Commerce and Regulation: Hansen, Chair; Osterhaus and Shey.

**House File 333**

Commerce and Regulation: Dix, Chair; Falck and Hansen.

**House File 343**

Ways and Means: Huser, Chair; Boal and Sievers.

**House File 351**

Ways and Means: Huser, Chair; Sievers and Tymeson.

**House File 454**

Commerce and Regulation: Metcalf, Chair; Chiodo and Hansen.

**House File 487**

Commerce and Regulation: Hoffman, Chair; Bradley and Petersen.

**House File 488**

Commerce and Regulation: Hansen, Chair; Hoffman and Petersen.

**House File 489**

Commerce and Regulation: Hoffman, Chair; Hansen and Osterhaus.

**House File 491**

Commerce and Regulation: Hansen, Chair; Schrader and Shey.

**House File 516**

Judiciary: Shey, Chair; Kreiman and Millage.

**House File 528**

Commerce and Regulation: Hansen, Chair; Chiodo and Hoffman.

**House File 531**

Human Resources: Brunkhorst, Chair; Reynolds and Tymeson.

**House File 555**

Human Resources: Roberts, Chair; Broers and Foege.



**House File 558**

Human Resources: Carroll, Chair; Hoversten and Murphy.

**House File 559**

Human Resources: De Boef, Chair; Atteberry and Barry.

**House File 584**

Appropriations: Drake, Chair; Barry and Hatch.

**House File 595**

Appropriations: Boggess, Chair; Dix and Warnstadt.

**Senate File 198**

Human Resources: Boal, Chair; Ford and Tymeson.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 203**

Human Resources: Tymeson, Chair; Atteberry and Barry.

**House Study Bill 220**

Education: Wise, Chair; Boal and Grundberg.

**House Study Bill 221**

Agriculture: Teig, Chair; Klemme and Kuhn.

**House Study Bill 222**

Transportation: Van Engelenhoven, Chair; Klemme and Osterhaus.

**House Study Bill 223**

Commerce and Regulation: Johnson, Chair; Kettering and Quirk.

**House Study Bill 225**

Judiciary: Eichhorn, Chair; Mertz and Shey.

**House Study Bill 226**

Judiciary: Kettering, Chair; Kreiman and Sukup.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 227 Agriculture**

Relating to the powers of the Iowa agricultural development authority to provide financing for processing of agricultural products and livestock production operations and to undertake and support agricultural education programs in the state and removing the requirements to file annual reports, to establish a soil conservation loan program and to have its members and the executive director give bond.

### **H.S.B. 228 Agriculture**

Providing for a weed-free certification program for forage or mulch, and establishing fees.

### **H.S.B. 229 Judiciary**

Relating to the amount of contributions to and accumulated increases in the value of certain retirement plans which are exempt from creditors and providing an effective date.

### **H.S.B. 230 Judiciary**

Limiting the liability of the department of education, school boards, school districts, area education agencies, or employees of the department, districts, or agencies.

### **H.S.B. 231 Ways and Means**

Relating to deductions under the individual income tax for dentists providing services and procedures for medical assistance patients and including effective and retroactive applicability date provisions.

### **H.S.B. 232 Ways and Means**

Relating to the tax rate on the adjusted gross receipts from gambling games at certain racetrack enclosures.

**H.S.B. 233 Judiciary**

Relating to the imposition of a conditional discharge or a deferred judgment in a criminal sentence.

**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.

MARGARET A. THOMSON  
Chief Clerk of the House

**COMMITTEE ON AGRICULTURE**

**Committee Bill** (Formerly House File 485), relating to farm deer and providing for an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 13, 2001.

**Committee Bill** (Formerly House File 527), relating to the growing and processing of grapes, creating a state commission, establishing a fund for certain tax receipts, and providing an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 13, 2001.

**COMMITTEE ON COMMERCE AND REGULATION**

**Committee Bill** (Formerly House Study Bill 14), relating to delinquency charges on certain precomputed consumer credit transactions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 12, 2001.

**COMMITTEE ON ECONOMIC DEVELOPMENT**

**House File 468**, a bill for an act relating to assessment of unimproved property in platted lots for purposes of property taxation and providing an applicability date.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2001.

Pursuant to Rule 31.7, House File 468 was referred to the committee on ways and means.

**Committee Bill** (Formerly House File 474), relating to an Iowa new economy council.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 13, 2001.

**Committee Bill** (Formerly House Study Bill 196), relating to cluster groups under the new jobs and income program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2001.

#### COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House Study Bill 190), relating to the responsibilities and duties of the department of education and the commission of libraries, including the renaming of the regional library system, the appointment of trustees for the unified library service district, development of a biennial unified plan of service and service delivery in consultation with unified library service districts and area education agency media centers, and distribution of moneys allocated for purposes of the enrich Iowa program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 12, 2001.

**Committee Bill** (Formerly House Study Bill 216), providing statutory revisions relating to the department of education, school districts and area education agencies, and the kindergarten through grade twelve educational program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 12, 2001.

#### COMMITTEE ON ENVIRONMENTAL PROTECTION

**Committee Bill** (Formerly House Study Bill 119), relating to benefits provided through funds administered by the Iowa comprehensive petroleum underground storage tank fund board.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 13, 2001.

## COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House Study Bill 180), relating to certain programs and public health issues under the purview of the Iowa department of public health, and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 13, 2001.

## COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House Study Bill 101), relating to the appointment and dismissal of a police chief or marshal under a mayor-council form of city government.

Fiscal Note is not required.

Recommended **Do Pass** March 13, 2001.

**Committee Bill** (Formerly House File 258), relating to a criminal defendant on bail submitting a physical specimen for the performance of a drug test as a condition of release.

Fiscal Note is not required.

Recommended **Do Pass** March 13, 2001.

**Committee Bill** (Formerly House File 320), relating to the criminal offense of disarming a peace officer.

Fiscal Note is not required.

Recommended **Do Pass** March 13, 2001.

**Committee Bill** (Formerly House File 475), relating to the jurisdiction of district associate judges in a felony eluding or attempting to elude a law enforcement vehicle offense.

Fiscal Note is not required.

Recommended **Do Pass** March 13, 2001.

**Committee Bill** (Formerly House File 486), relating to the imposition of a fine for a criminal offense classified as an aggravated misdemeanor.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 13, 2001.

## COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House File 197), relating to the distribution of revenues collected from the imposition of the local option school infrastructure sales and services tax by counties and including an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 13, 2001.

## COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly House File 347), relating to the disposition of unclaimed deer venison processed by a meat and poultry processing establishment.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 12, 2001.

## COMMITTEE ON STATE GOVERNMENT

**House File 42**, a bill for an act relating to elections at which certain propositions of cities, counties, and school corporations may be placed on the ballot.

Fiscal Note is not required.

Recommended **Do Pass** March 12, 2001.

**Committee Bill** (Formerly House File 92), relating to mandatory disclosures in certain political telephone communications, and applying a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 13, 2001.

**Committee Bill** (Formerly House Study Bill 89), relating to campaign finance law and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 12, 2001.

## COMMITTEE ON TRANSPORTATION

**Committee Bill** (Formerly House File 414), relating to highway improvement assistance from the revitalize Iowa's sound economy fund for brownfield sites.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 13, 2001.

**RESOLUTION FILED**

**HCR 22**, by Wise, Petersen, Winckler, and Mascher, a concurrent resolution requesting the formation of a committee by the Legislative Council to conduct a comprehensive study of the creation and implementation of regional academies as an alternative governing and taxing structure for school districts.

Laid over under **Rule 25**.

**AMENDMENT FILED**

H-1229      H.F.      525      Tremmel of Wapello

On motion by Rants of Woodbury the House adjourned at 9:34 a.m., until 8:45 a.m., Wednesday, March 14, 2001.

# JOURNAL OF THE HOUSE

Sixty-sixth Calendar Day - Forty-fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 14, 2001

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

Prayer was offered by Reverend Realff Ottesen, pastor of the Shell Rock United Methodist Church, Shell Rock. He was the guest of Representative Bill Dix of Butler County and Representative Bob Brunkhorst of Bremer County.

The Journal of Tuesday, March 13, 2001 was approved.

## PETITION FILED

The following petition was received and placed on file:

By Representative T. Taylor of Linn from one thousand four hundred teachers opposing House Study Bill 201 from the following schools: Cleveland Elementary, Coolidge Elementary, Erskine Elementary, Garfield Elementary, Grant Elementary, Grant Wood Elementary, Harrison Elementary, Hiawatha Elementary, Hoover Elementary, Jackson Elementary, Johnson Elementary, Kenwood Elementary, Madison Elementary, Monroe Elementary, Nixon Elementary, Pierce Elementary, Taylor Elementary, Truman Elementary, Van Buren Elementary, Wright Elementary, Franklin Middle School, Harding Middle School, McKinley Middle School, Roosevelt Middle School, Taft Middle School, Wilson Middle School, Jefferson High School, Kennedy High School, Metro High School, North Cedar Educational Association, Arthur Elementary and the College Community Education Association.

## INTRODUCTION OF BILLS

**House File 597**, by committee on natural resources, a bill for an act relating to the disposition of unclaimed deer venison processed by a meat and poultry processing establishment.



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

**House File 598**, by committee on human resources, a bill for an act establishing a child protection center grant program.

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

**House File 599**, by Warnstadt, a bill for an act relating to marriage including options related to premarital education, marriage license fees, and the time period that must expire prior to a marriage license becoming valid.

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

**House File 600**, by Ford, a bill for an act making an appropriation to the college student aid commission for the Iowa minority academic grants for economic success program.

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

**House File 601**, by Ford, a bill for an act making changes to the elements needed to prove the criminal offenses of lascivious acts with a child and indecent contact with a child.

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

**House File 602**, by Warnstadt, a bill for an act allowing cities and counties to create enterprise zones near modes of transportation.

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

**House File 603**, by Warnstadt, a bill for an act requiring reserve peace officers to reside in the state of Iowa.

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

**House File 604**, by Reynolds and Kreiman, a bill for an act relating to premarital education.

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

**House File 605**, by Reynolds, a bill for an act relating to the practical experience requirement for licensure as a land surveyor.

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

**House File 606**, by Dotzler, a bill for an act limiting the use of individual medical information for sales or marketing purposes.

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

**House File 607**, by Larkin, a bill for an act requiring notice to parents, guardians, or conservators of minors who open deposit accounts.

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

**House File 608**, by committee on commerce and regulation, a bill for an act relating to delinquency charges on certain precomputed consumer credit transactions.

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

**House File 609**, by Chiodo, a bill for an act providing for the department of inspections and appeals to assume responsibility for making inspections of licensed child care centers.

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

**House File 610**, by committee on economic development, a bill for an act relating to cluster groups under the new jobs and income program.

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

**House File 611**, by Ford, a bill for an act requiring the director of human services to convene a task force to address the statewide disparity in the out-of-home placement of children and providing an effective date.

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

**House File 612**, by committee on transportation, a bill for an act relating to highway improvement assistance from the revitalize Iowa's sound economy fund for brownfield sites.

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

**House File 613**, by committee on judiciary, a bill for an act relating to a criminal defendant on bail submitting a physical specimen for the performance of a drug test as a condition of release.

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

**House File 614**, by committee on judiciary, a bill for an act relating to the jurisdiction of district associate judges in a felony eluding or attempting to elude a law enforcement vehicle offense.

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

**House File 615**, by committee on judiciary, a bill for an act relating to the criminal offense of disarming a peace officer.

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

**House File 616**, by Brunkhorst, Jenkins, and Dotzler, a bill for an act relating to the school-to-career program.

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

#### ADOPTION OF HOUSE CONCURRENT RESOLUTION 19

Sievers of Scott called up for consideration **House Concurrent Resolution 19**, a concurrent resolution requesting the congressional delegation of the state of Iowa support President Bush's tax relief proposal, and moved its adoption.

A non-record roll call was requested.

The ayes were 46, nays 38.

The motion prevailed and the resolution was adopted.

## IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House Concurrent Resolution 19** be immediately messaged to the Senate.

## GOVERNOR'S ITEM VETO MESSAGE

A copy of the following communication was received and placed on file:

March 13, 2001

The Honorable Mary Kramer  
President of the Senate  
State Capitol Building  
LOCAL

Dear President Kramer:

I hereby transmit Senate File 267, an act relating to state budgetary matters by providing for reductions and supplementation of appropriations made for the fiscal year beginning July 1, 2000, and transferring, crediting, and appropriating certain moneys, and providing an effective date.

We have some very difficult choices ahead of us as we determine next year's state budget. Rather than create chaos with the state's budget during the last months of this fiscal year, we need to get down to the serious business of focusing on next year's budget. With revenues down, we will need to aggressively address next year's budget in a thoughtful, planned, and bipartisan manner.

Senate File 267 is, therefore, approved on this date with the following exceptions, which I hereby disapprove.

I am unable to approve Division III, Section 3 in its entirety. This provision requires a one percent reduction for most general fund appropriations. Under this Section, education and human services programs would bear the brunt of the cuts. I made it very clear to Republicans that if they chose to move forward with budget cuts, they would assume the responsibility for determining which programs and services should be eliminated. Instead of thoughtfully studying how these cuts would effect Iowans, they chose to make an across the board cut mandating a reduction in services without specifying which services to reduce or eliminate.

I am unable to approve the language contained in Division VII, Sections 17 and 18. These provisions would reduce the state's contribution to the Judicial retirement system during the current fiscal year and future fiscal years. At this time, the judicial retirement system is not actuarially sound. Reducing the contributions to the fund, delays achievement of our long held goal of fully funding the judicial retirement system.

In my continued effort to work in a bipartisan manner, I am approving a number of cuts to the FY 01 budget. The Republican controlled legislature rejected bipartisanship by passing rash and not well thought out cuts that were not agreed to and would have unnecessarily disrupted services to Iowans.

I made it very clear to Republican legislative leaders that if they chose to move forward with budget cuts, they would need to identify which programs and services should be eliminated. Instead of thoughtfully studying how these cuts would affect Iowans, they chose a rash approach that would create chaos in the services on which Iowans rely.

The State of Iowa has experienced a serious decline in revenues, a decline that is unprecedented in twenty years. However, the current fiscal year is not the problem as the state will have adequate resources available to meet the needs of Iowans. This bill would have disrupted services to Iowans.

The decisions of the past limit our flexibility in responding to the FY 02 budget. We will be fiscally responsible and we will deal with the challenge presented to us. In this challenge, we have an opportunity to find efficient and effective ways for delivering services to Iowans.

For the above reasons, I hereby approve Senate File 267 with the exceptions noted above.

Sincerely,  
Thomas J. Vilsack  
Governor

## CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\586 Brent Pettigrew, Eldora – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\587 Kathy Gastro, Sioux City – For receiving the Iowa Board of Realtors Silver Award for 2000, being named Coldwell Banker's Agent of the Year for 2000, and receiving the Coldwell Banker International Diamond Society Award for 2000.
- 2001\588 Coach Keith Massey, the entire Wrestling Coach Staff and the Lewis Central Wrestling Team of Council Bluffs Lewis Central High School – For winning the class 3-A, 2001 State High School Wrestling Championship in record breaking fashion by scoring the most points ever and having the most individual champions ever.

- 2001\589 Coach Keith Massey, the entire Wrestling Coach Staff and the Lewis Central Wrestling Team of Council Bluffs Lewis Central High School – For winning the class 3-A, 2001 State High School Wrestling Dual Team Championship for the 2<sup>nd</sup> year in a row.
- 2001\590 Steve Baier, Griswold High School – For being inducted into the Iowa High School Athletic Association Wrestling Hall of Fame.
- 2001\591 Ben Moss, Council Bluffs Lewis Central High School – For being the 4<sup>th</sup> Place medallist in the Class 3-A, 125lb weight class at the 2001 State High School Wrestling Tournament.
- 2001\592 Thomas Sweeney, Council Bluffs Saint Albert High School – For being the 4<sup>th</sup> Place medallist in the Class 1-A, 130lb weight class at the 2001 State High School Wrestling Tournament.
- 2001\593 Quintin Moreno, Glenwood High School – For being the 3<sup>rd</sup> Place medallist in the Class 2-A, 140lb weight class at the 2001 State High School Wrestling Tournament.
- 2001\594 Jon Clanton, Council Bluffs Lewis Central High School – For being the 5<sup>th</sup> Place medallist in the Class 3-A, 189lb weight class at the 2001 State High School Wrestling Tournament.
- 2001\595 Dan Davilla, Underwood High School – For being the 3<sup>rd</sup> Place medallist in the Class 1-A, 103lb weight class at the 2001 State High School Wrestling Tournament.
- 2001\596 Brad Gregory, Glenwood High School – For being the 3<sup>rd</sup> Place Medallist in the Class 2-A, 112lb weight class at the 2001 State High School Wrestling Tournament.
- 2001\597 Aaron Smith, Council Bluffs Lewis Central High School – For being the 4<sup>th</sup> Place Medallist in the Class 3-A, 152lb weight class at the 2001 State High School Wrestling Tournament.
- 2001\598 Kirk Artist, Glenwood High School – For being the 2001 Iowa High School State Wrestling Champion in the Class 2-A, 145lb weight class.
- 2001\599 Cody Koenig, Underwood High School – For being the 2001 Iowa High School State Wrestling Champion in the Class 1-A, 152lb weight class.
- 2001\600 Gabe Rostermundt, Council Bluffs Lewis Central High School – For being the 2001 Iowa High School State Wrestling Champion in the Class 3-A, 119lb weight class.
- 2001\601 Blake Anderson, Council Bluffs Lewis Central High School – For being the 2001 Iowa High School State Wrestling Champion in the Class 3-A, 160lb weight class.

- 2001\602 Travis Paulson, Council Bluffs Lewis Central High School – For being the 2001 Iowa High School State Wrestling Champion in the Class 3-A, 145lb weight class.
- 2001\603 Chad Davis, Council Bluffs Lewis Central High School – For being the 2001 Iowa High School State Wrestling Champion in the Class 3-A, 130lb weight class.
- 2001\604 Brandon Mason, Council Bluffs Lewis Central High School – For being the 2001 Iowa High School State Wrestling Champion in the Class 3-A, 135lb weight class.
- 2001\605 Trent Paulson, Council Bluffs Lewis Central High School – For being the 2001 Iowa High School State Wrestling Champion in the Class 3-A, 140lb weight class.
- 2001\606 Bonnie and Jack Good, Colfax – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\607 Wilma and Harold Hill, Indianola – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\608 Josephine Roeder, Boone – For celebrating her 90<sup>th</sup> birthday.
- 2001\609 Marvel Enslow, Boone – For celebrating his 90<sup>th</sup> birthday.
- 2001\610 Elton Schultz, Ogden – For celebrating his 89<sup>th</sup> birthday.
- 2001\611 Pat and Don Bennett, Boone – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\612 Mary and Wayne Howard, Indianola – For celebrating their 61<sup>st</sup> wedding anniversary.
- 2001\613 Robert L. Skahill, Dubuque – For receiving the Warren Coleman Award and for his Humanitarian and Community Service.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 526

State Government: Gipp, Chair; Larkin and Metcalf.

##### House File 563

Judiciary: Grundberg, Chair; Kreiman and Shey.

##### House File 596

Labor and Industrial Relations: Millage, Chair; Horbach and Winckler.

**House File 602**

Economic Development: Cormack, Chair; Hoversten and O'Brien.

**House File 616**

Economic Development: Dotzler, Chair; Cormack and Jenkins.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 166**

Human Resources: Hoversten, Chair; Boddicker and Smith.

**House Study Bill 209 Reassigned**

Economic Development: Boggess, Chair; Atteberry and Cormack.

**House Study Bill 210 Reassigned**

Economic Development: Boggess, Chair; Atteberry and Cormack.

**House Study Bill 211**

Judiciary: Raecker, Chair; Ford and Shey.

**House Study Bill 227**

Agriculture: Johnson, Chair; Frevert and Huseman.

**House Study Bill 228**

Agriculture: Alons, Chair; Mertz and Rekow.

**House Study Bill 229**

Judiciary: Millage, Chair; Jochum and Shey.

**House Study Bill 230**

Judiciary: Eichhorn, Chair; Kettering and Kreiman.

**House Study Bill 233**

Judiciary: Tremmel, Chair; Baudler and Shey.



## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 234 Economic Development**

Relating to the employment security administrative contribution surcharges, and providing an effective date.

### **H.S.B. 235 Appropriations**

Establishing a growth rate limit for the state general fund expenditure limitation.

## 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.

MARGARET A. THOMSON  
Chief Clerk of the House

### COMMITTEE ON AGRICULTURE

**Committee Bill** (Formerly House File 539), relating to life science initiatives by providing for an income, franchise, and gross premiums tax credit for making capital investments in a cooperative association or limited liability company organized to operate a renewable fuel production facility or a development facility designed to produce products from agricultural goods and including applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 14, 2001.

**Committee Bill** (Formerly House Study Bill 221), relating to the regulation of grain dealers by providing an exception for limited liability companies that produce renewable fuel.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2001.

**Committee Bill** (Formerly House Study Bill 228), providing for a weed-free certification program for forage or mulch, and establishing fees.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 14, 2001.

## COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House Study Bill 201), relating to the establishment of a student achievement and teacher quality program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 14, 2001.

## COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House File 510), relating to the delivery of services by certain health care professionals and health facilities and providing definitions.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2001.

**Committee Bill** (Formerly House File 531), relating to the establishment of a system of oversight for adult day services.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2001.

**Committee Bill** (Formerly House Study Bill 166), requiring the department of human services to establish a statewide central intake unit for receiving reports of child abuse.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 14, 2001.

## COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

**Committee Bill** (Formerly House File 546), providing that certain employees are not entitled to compensation for time spent traveling to and from the worksite.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 14, 2001.

## COMMITTEE ON NATURAL RESOURCES

**House File 184**, a bill for an act relating to the issuance of an any-sex deer license to a resident who first takes an antlerless deer during a season.

Fiscal Note is required.

Recommended **Do Pass** March 12, 2001.

**Committee Bill** (Formerly House File 337), relating to the daily catch and possession limits for crappies and subjecting violators to an existing penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 13, 2001.

**Committee Bill** (Formerly House File 520), relating to reciprocal nonresident hunting and fishing fees with the state of South Dakota.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 13, 2001.

### RESOLUTION FILED

**HCR 23**, by Shoultz, a concurrent resolution requesting that the governor of the state of Iowa, the department of public health, the state board of nursing, the state board of medical examiners, the state board of dental examiners, and the state board of pharmacy examiners streamline the licensing process for immigrants to the United States.

Laid over under **Rule 25**.

### AMENDMENTS FILED

H-1230	H.F.	389	Bukta of Clinton
H-1231	H.F.	577	Osterhaus of Jackson
H-1232	H.F.	577	Osterhaus of Jackson
H-1233	H.F.	577	Osterhaus of Jackson
H-1234	H.F.	577	Osterhaus of Jackson
H-1235	H.F.	577	Osterhaus of Jackson
H-1236	H.F.	577	Osterhaus of Jackson
H-1237	H.F.	577	Osterhaus of Jackson

On motion by Rants of Woodbury the House adjourned at 9:24 a.m., until 8:45 a.m., Thursday, March 15, 2001.

# JOURNAL OF THE HOUSE

Sixty-seventh Calendar Day - Forty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 15, 2001

The House met pursuant to adjournment at 8:46 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Roger Schlaefer, the retired pastor of Immanuel Lutheran Church, Waukee. He is currently serving as a visiting pastor at First Evangelical Lutheran, Des Moines. He was the guest of Representative Jodi Tymeson of Madison County.

The Journal of Wednesday, March 14, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 617**, by committee on agriculture, a bill for an act relating to farm deer and providing for an effective date.

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

**House File 618**, by committee on natural resources, a bill for an act relating to the daily catch and possession limits for crappies and subjecting violators to an existing penalty.

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

**House File 619**, by committee on agriculture, a bill for an act relating to the growing and processing of grapes, creating a state commission, establishing a fund for certain tax receipts, and providing an appropriation.

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

**House File 620**, by Cohoon, a bill for an act relating to the confidentiality of information contained in records relating to weapons and pistol or revolver permits for special state agents involved in narcotics investigations.

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

**House File 621**, by Rayhons, a bill for an act relating to the operation of all-terrain vehicles on public roads, providing a penalty, and making other penalties applicable.

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

**House File 622**, by Cohoon, a bill for an act including prekindergarten pupils in actual enrollment for purposes of the school finance formula.

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

**House File 623**, by committee on judiciary, a bill for an act relating to the imposition of a fine for criminal offenses classified as aggravated misdemeanors, or class "D" or class "C" felonies.

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

**House File 624**, by committee on judiciary, a bill for an act relating to the appointment and dismissal of a police chief or marshal under a mayor-council form of city government.

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

**House File 625**, by Ford, a bill for an act relating to predatory acts and taking a polygraph examination of a sexual assault victim or witness.

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

**House File 626**, by Tremmel, Ford, Mascher, Shoultz, and Osterhaus, a bill for an act relating to third-party payor liability for health care treatment decisions, and prohibiting certain acts by third-party payors.

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

**House File 627**, by Warnstadt, a bill for an act relating to the proceedings of legislative ethics committees for factually inaccurate statements made by legislators.

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

### MESSAGE FROM THE SENTATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 14, 2001, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 19, a concurrent resolution requesting the congressional delegation of the state of Iowa support President Bush's tax relief proposal.

MICHAEL E. MARSHALL, Secretary

### ST. PATRICK'S DAY OBSERVANCE

Prior to convening the House was entertained by the 2001 Irish Dancers, under the direction of Mary Drew Kolhaas. Members of the group were: Kelsey McCain, Shelby Krause, April Corley, Katelyn Schany, Jenny Noonan, Ashley Opheim, Courtney Gappa, Kayla Bell and Keri Zylstra.

Miss Shamrock, Katie Riley of Emmetsburg, was introduced to the House by the Honorable Marcie Frevert of Palo Alto County.

The House rose and expressed its welcome.

Mertz of Kossuth and Connors of Polk read humorous Irish letters from a mother and son.

Mertz of Kossuth, Connors of Polk, Brunkhorst of Bremer, Fallon of Polk, Garman of Story, O'Brien of Boone, Boddicker of Cedar and Hatch of Polk presented the Irish Flag with the traditional Irish jig. Doorman John Feller sang "Danny Boy" accompanied by Fallon of Polk.

## PRESENTATION OF IRISH DIGNITARY

Frevert of Palo Alto and Jenkins of Black Hawk presented to the House, John Dennehy, T.D., (FF) member of the Irish Parliament from Togher, Cork, Ireland. He was presented with a gift of appreciation for coming to visit Iowa. Mr. Dennehy is the vice-chairman of the Dail's Public Accounts Comm. He is a member and the Government Whip on its Finance and Public Services Committee and a member of the Health Committee. He was accompanied by his wife, Philomena and is the honored guest of the Forty-first Annual St. Patrick's Day Celebration in Emmetsburg.

Frevert of Palo Alto and Jenkins of Black Hawk escorted Mr. Dennehy to the Speaker's station where he addressed the House briefly regarding the political structure of Ireland and its economy and that he enjoyed visiting the schools in Iowa.

The House rose and expressed its welcome.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 14, 2001, he approved and transmitted to the Secretary of State the following bills:

House File 154, an act concerning paid time off for certain peace officer members of the department of public safety injured in the course of duty.

House File 230, an act amending the strategic planning duties of the Iowa economic development board.

House File 286, an act permitting cooperative associations to deal with nonmembers, to use fictitious names, and to issue memberships without charge; to permit electric cooperatives to have multiple classes of members; and providing an effective date.

House File 325, an act relating to regulation of multiple employer welfare arrangements by the commissioner of insurance, repealing the future repeal date for such regulation, and providing an effective date.

Senate File 279, an act relating to allocation and payment of expenses arising from performance of duties by the Iowa utilities board and the consumer advocate, providing for a report by the Iowa utilities board, and providing an effective date.

## CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\614 Gladys and Leroy Devick, Marshalltown – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\615 Louise and John Lacey, Marshalltown – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\616 Wm (Bill) Shuler, Marshalltown – For celebrating his 96<sup>th</sup> birthday.
- 2001\617 Maurine Cooper, Marshalltown – For celebrating her 87<sup>th</sup> birthday.
- 2001\618 Ora McCoy, Marshalltown – For celebrating her 83<sup>rd</sup> birthday.
- 2001\619 Iver L. Gooding, Marshalltown – For celebrating his 83<sup>rd</sup> birthday.
- 2001\620 Jean Vircks, Mashalltown – For celebrating her 80<sup>th</sup> birthday.
- 2001\621 Amanda Kraus, Keokuk – For being named to the 1-A, All-State Tournament Team.
- 2001\622 Jennifer Goetz, Keokuk – For being named Captain of the 1-A, All-State Tournament Team and being named to the Register Girls 1-A, All-State First Team.
- 2001\623 Alberta and Marvin Kennedy, Kelley – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\624 Washington Demons Girls Basketball Team, Washington High School – For winning their 3<sup>rd</sup> straight championship in the Class 3-A division of the Girls State Basketball Tournament.
- 2001\625 Stephanie Rich, Washington – For being named Girls Basketball Player of the Year by the Iowa Newspaper Association.

## SUBCOMMITTEE ASSIGNMENTS

### House File 95

Ways and Means: Teig, Chair; Sievers and D. Taylor.

### House File 174

Ways and Means: Sukup, Chair; Larson and Shoultz.



**House File 196**

Ways and Means: Houser, Chair; Jochum and Teig.

**House File 211**

Ways and Means: Tymeson, Chair; Larson and Winckler.

**House File 223**

Ways and Means: Boal, Chair; Frevert and Shey.

**House File 303**

Ways and Means: Sukup, Chair; Larson and Shoultz.

**House File 433**

Ways and Means: Teig, Chair; Houser and Osterhaus.

**House File 448**

Ways and Means: Teig, Chair; Jochum and Shey.

**House File 449**

Ways and Means: Boal, Chair; Hoversten and Richardson.

**House File 522**

Ways and Means: Teig, Chair; Larkin and Sievers.

**House File 545**

Ways and Means: Hoffman, Chair; Larkin and Teig.

**House File 551**

Ways and Means: Teig, Chair; Larkin and Tymeson.

**House File 565**

Ways and Means: Sievers Chair; Osterhaus and Teig.

**House File 574**

Judiciary: Raecker, Chair; Kettering and Kreiman.

**House File 599**

Human Resources: Kreiman, Chair; Boddicker and Carroll.

**House File 601**

Judiciary: Raecker, Chair; Boddicker and Ford.

**House File 604**

Human Resources: Kreiman, Chair; Boddicker and Carroll.

**House File 609**

Human Resources: Brunkhorst, Chair; Boddicker and Foege.

**House File 620**

Judiciary: Baudler, Chair; Kreiman and Raecker.

**House File 625**

Judiciary: Baudler, Chair; Ford and Raecker.

**Senate File 81**

Economic Development: Hoffman, Chair; Cormack and Lensing.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 224**

Ways and Means: Van Fossen, Chair; Shey and Shoultz.

**House Study Bill 231**

Ways and Means: Boal, Chair; Sievers and Winckler.

**House Study Bill 235**

Appropriations: Alons, Chair; Brunkhorst, Drake, Falck and Mascher.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 236 Education**

Relating to nontraditional practitioner preparation instruction programs, including the licensure of individuals who are participating in or have successfully completed a program.

## **H.S.B. 237 Commerce and Regulation**

Establishing the Iowa title insurance agents Act, providing for the sale of title insurance and for the regulation, licensure, and supervision of title insurance agents, and providing penalties.

## **H.S.B. 238 Judiciary**

Relating to detaining criminal defendants who are mentally incompetent or dangerous.

### **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.

MARGARET A. THOMSON  
Chief Clerk of the House

#### **COMMITTEE ON COMMERCE AND REGULATION**

**Committee Bill** (Formerly House Study Bill 223), requiring the pledging of collateral in relation to the deposit of uninsured public funds, making related changes, making penalties applicable, and providing for applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2001.

#### **COMMITTEE ON ECONOMIC DEVELOPMENT**

**Committee Bill** (Formerly House File 533), relating to housing by creating a housing trust fund and a housing trust commission, transferring certain moneys to the fund, and changing the allocation of private activity bonds.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 14, 2001.

**Committee Bill** (Formerly House File 616), relating to the school-to-career program.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2001.

**Committee Bill** (Formerly House Study Bill 209), relating to the employment security administrative contributions surcharge, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 14, 2001.

#### COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House File 47), authorizing the juvenile court, when specified conditions exist, 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.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2001.

**Committee Bill** (Formerly House File 444), relating to the contents of certain child abuse assessment reports.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2001.

**Committee Bill** (Formerly House File 543), relating to the establishment of a parental involvement program.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2001.

**Committee Bill** (Formerly House File 604), relating to premarital education.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2001.

**Committee Bill** (Formerly House Study Bill 73), relating to compliance with mandatory child and dependent adult abuse reporter training requirements.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2001.

**Committee Bill** (Formerly House Study Bill 203), relating to licensure requirements for physician assistants and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2001.

## COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House File 482), relating to the requirement of mediation when a custody arrangement is disputed.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2001.

**Committee Bill** (Formerly House File 563), providing for a study by the judicial branch concerning the establishment of mental health courts.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 14, 2001.

**Committee Bill** (Formerly House Study Bill 192), relating to the release of certain personal information by the state department of transportation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 14, 2001.

**Committee Bill** (Formerly House Study Bill 217), relating to mandatory minimum sentences of incarceration for third or subsequent operating while intoxicated violations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 14, 2001.

**Committee Bill** (Formerly House Study Bill 225), relating to the licensing and regulation of manufactured or mobile homes and providing coordinating amendments.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2001.

**Committee Bill** (Formerly House Study Bill 229), relating to the amount of contributions to and accumulated increases in the value of certain retirement plans which are exempt from creditors and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2001.

**Committee Bill** (Formerly House Study Bill 233), relating to the imposition of a conditional discharge or a deferred judgment in a criminal sentence.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2001.

## COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House File 299), relating to the administration of county government by providing for the issuance of certain lease or lease-purchase contracts, the recording of certain property transfers, an increase in the real estate transfer fee, the imposition of a real estate contract fee, changing the date for reporting agricultural land tax credits, and by striking a real estate record notification requirement regarding name changes on marriage licenses.

Fiscal Note is not required.

**Recommended Amend and Do Pass** March 14, 2001.

**Committee Bill** (Formerly House File 509), relating to the annual filing for the family farm tax credit, to the notification to the assessor of the change in ownership or the person actively engaged in farming the tract of agricultural land for which the family farm tax credit is allowed, providing a penalty, and including effective and applicability date provisions.

Fiscal Note is not required.

**Recommended Amend and Do Pass** March 14, 2001.

**Committee Bill** (Formerly House Study Bill 10), relating to the powers and duties of the county recorder relating to the recording and keeping of documents.

Fiscal Note is not required.

**Recommended Do Pass** March 14, 2001.

**Committee Bill** (Formerly House Study Bill 155), relating to the administrative procedures of certain county officers by authorizing the issuance of checks, providing for the cancellation of warrants and checks, the disposal of tax lists, and the receipt of electronic payments, specifying tax sale costs and the mailing address for changes of titles and deeds, providing for other properly related matters, and providing an effective date.

Fiscal Note is not required.

**Recommended Amend and Do Pass** March 14, 2001.

## COMMITTEE ON STATE GOVERNMENT

**House File 304**, a bill for an act relating to elections and voter qualifications and voter registration and concerning election misconduct and criminal penalties, voter registration deadlines and voter registration by mail, written summaries of proposed constitutional amendments or of certain other public measures, election polling hours, receiving, handling, and delivering absentee ballots, and the election of directors of local school districts, area education agencies, and merged areas, and including effective date and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1242** March 14, 2001.

**Pursuant to Rule 55, a Minority Report was filed by the following:**

Larkin of Lee, Chiodo of Polk, Connors of Polk, Falck of Fayette, Jochum of Dubuque, O'Brien of Boone, Reynolds of Van Buren, T. Taylor of Linn and Tremmel of Wapello.

#### COMMITTEE ON TRANSPORTATION

**Committee Bill** (Formerly House Study Bill 222), relating to advertising devices placed along interstate highways.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2001.

#### AMENDMENTS FILED

H-1238	H.F.	353	Reynolds of Van Buren
H-1239	H.F.	577	Wise of Lee
			Witt of Black Hawk
			Shoultz of Black Hawk
			Falck of Fayette
H-1240	H.F.	577	Chiodo of Polk
H-1241	H.F.	577	Chiodo of Polk
H-1242	H.F.	304	Committee on State Government
H-1243	H.F.	577	Schrader of Marion

On motion by Rants of Woodbury the House adjourned at 9:29 a.m., until 9:30 a.m., Friday, March 16, 2001.

# JOURNAL OF THE HOUSE

Sixty-eighth Calendar Day - Forty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, March 16, 2001

The House met pursuant to adjournment at 10:45 a.m., Falck of Fayette in the chair.

Prayer was offered by the Honorable Steve Falck, state representative from Fayette County.

The Journal of Thursday, March 15, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 628**, by committee on agriculture, a bill for an act relating to the regulation of grain dealers by providing an exception for limited liability companies that produce renewable fuel.

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

**House File 629**, by committee on agriculture, a bill for an act providing for a weed-free certification program for forage or mulch, and establishing fees.

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

**House File 630**, by committee on state government, a bill for an act relating to campaign finance law and providing penalties.

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

**House File 631**, by Garman, a bill for an act relating to establishing guidelines for comparison price advertising, and providing civil penalties.

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

**House File 632**, by Ford, a bill for an act prohibiting discrimination in insurance on the basis of sex.



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

**House File 633**, by Warnstadt, Murphy, T. Taylor, Dotzler, Ford, and Fallon, a bill for an act establishing a meatpacking industry workers bill of rights and a meatpacking industry workers rights coordinator and providing for a repeal.

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

**House File 634**, by Petersen, a bill for an act prohibiting denial of disability insurance for treatment for depression due to menopause, postpartum depression, and pregnancy.

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

**House File 635**, by committee on labor and industrial relations, a bill for an act providing that certain employees are not entitled to compensation for time spent traveling to and from the worksite.

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

**House File 636**, by committee on environmental protection, a bill for an act relating to the reporting of underground storage tanks and to benefits provided through funds administered by the Iowa comprehensive petroleum underground storage tank fund board.

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

**House File 637**, by committee on education, a bill for an act relating to the responsibilities and duties of the department of education, area education agencies, and the commission of libraries, including the renaming of the regional library system, the appointment of trustees for the unified library service area, and development of a biennial unified plan of service and service delivery in consultation with unified library service areas and area education agency media centers.

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

**House File 638**, by committee on transportation, a bill for an act relating to advertising devices placed along interstate highways.

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

**House File 639**, by Wise, a bill for an act relating to the establishment of a student achievement and teacher quality program.

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

**House File 640**, by Witt, Hatch, Mascher, Scherrman, Stevens, Dotzler, Atteberry, Myers, Frevert, O'Brien, Greimann, Foege, Mertz, Reynolds, T. Taylor, Jochum, Kreiman, Kuhn, Seng, Shoultz, May, Fallon, Falck, Winckler, Lensing, Smith, Cohoon, Quirk, Osterhaus, and Murphy, a bill for an act relating to energy by providing for creation of an energy commission; development of state energy policy, including increased energy efficiency; energy conservation projects for school corporations; construction of generation and transmission facilities, including joint financing and bonding provisions; reliability and adequacy of electric generation and transmission, including standards for disconnection of gas or electric service during winter months, deposits, meter reading and late charges; energy research and alternate energy production and use; and making an appropriation.

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

**House File 641**, by committee on agriculture, a bill for an act relating to life science initiatives by providing for an income, franchise, and gross premiums tax credit for making capital investments in a cooperative association or limited liability company organized to operate a renewable fuel production facility or a development facility designed to produce products from agricultural goods and including applicability date provisions.

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

**House File 642**, by committee on natural resources, a bill for an act relating to reciprocal nonresident hunting and fishing fees and hunting seasons with the state of South Dakota.

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

**House File 643**, by committee on education, a bill for an act providing statutory revisions relating to the department of education, school districts, and the kindergarten through grade twelve educational program.

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

**House File 644**, by committee on local government, a bill for an act relating to the annual filing for the family farm tax credit, to the notification to the assessor of the change in ownership or the person actively engaged in farming the tract of agricultural land for which the family farm tax credit is allowed, providing a penalty, and including effective and applicability date provisions.

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

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

##### House Study Bill 236

Education: Grundberg, Chair; Boal and Wise.

##### House Study Bill 237

Commerce and Regulation: Hansen, Chair; Chiodo and Metcalf.

##### House Study Bill 238

Judiciary: Grundberg, Chair; Kettering 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.

MARGARET A. THOMSON  
Chief Clerk of the House

#### COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House Study Bill 218), relating to the reorganization or dissolution of an area education agency.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2001.

**Committee Bill** (Formerly House Study Bill 220), relating to the acceptance and administration of trusts by a school corporation board of directors.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2001.

**Committee Bill** (Formerly House Study Bill 236), relating to nontraditional practitioner preparation instruction programs, including the licensure of individuals who are participating in or have successfully completed a program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2001.

#### COMMITTEE ON ENVIRONMENTAL PROTECTION

**Committee Bill** (Formerly House File 255), relating to moneys in the solid waste account of the groundwater protection fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2001.

**Committee Bill** (Formerly House Study Bill 142), relating to redemption of empty beverage containers, creating a container redemption fund, appropriating certain fees, and providing an applicability date.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 15, 2001.

**Pursuant to Rule 55, a Minority Report was filed by the following:**

Witt of Black Hawk, Foege of Linn, Greimann of Story, Hatch of Polk, Lensing of Johnson, Mascher of Johnson, Schrader of Marion, Shoultz of Black Hawk and Stevens of Dickinson.

**Committee Bill** (Formerly House Study Bill 191), prohibiting the land disposal of and requiring recycling or reuse of white goods.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2001.

### COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House File 411), repealing the ban on persons or spouses of persons who receive direct or indirect compensation from or who have certain privileges in a county public hospital, from serving as a trustee for that county public hospital.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2001.

**Committee Bill** (Formerly House File 523), relating to the funding pools in the property tax relief fund for county mental health and developmental disabilities services expenditures and providing effective and applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2001.

**Committee Bill** (Formerly House Study Bill 199), relating to urban renewal and urban revitalization and providing for the Act's applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2001.

**Committee Bill** (Formerly House Study Bill 207), relating to Iowa's community empowerment initiative and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2001.

### RESOLUTION FILED

**HR 22**, by Witt, Siegrist, Jenkins, Myers, Dotzler, and Shoultz, a resolution honoring and commemorating the one hundred twenty-fifth anniversary of the University of Northern Iowa.

Laid over under **Rule 25**.

On motion by Foege of Linn the House adjourned at 10:51 a.m., until 1:00 p.m., Monday, March 19, 2001.

# JOURNAL OF THE HOUSE

Seventy-first Calendar Day - Forty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, March 19, 2001

The House met pursuant to adjournment at 1:06 p.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Ben Jensen, pastor of Sacred Heart Church, Ruthven. He was the guest of Representative Marcella Frevert of Palo Alto County.

The Journal of Friday, March 16, 2001 was approved.

## PLEDGE OF ALLEGIANCE

The Star Spangled banner was sung by House Page Joni Carroll. She is the daughter of the Honorable Danny Carroll, state representative from Poweshiek County.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Metcalf of Polk for March 19 and 20, 2001, by Barry of Harrison.

## INTRODUCTION OF BILLS

**House File 645**, by committee on judiciary, a bill for an act providing for a study by the judicial branch concerning the establishment of mental health courts.

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

**House File 646**, by committee on judiciary, a bill for an act relating to sentences of incarceration for third or subsequent operating while intoxicated violations.

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

**House File 647**, by committee on judiciary, a bill for an act relating to the release and use of certain personal information by the state department of transportation.

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

**House File 648**, by committee on human resources, a bill for an act relating to the delivery of services by certain health care professionals and health facilities and providing definitions.

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

**House File 649**, 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, and providing a penalty.

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

**House File 650**, by Jochum, a bill for an act relating to health care including inspection and duplication of health care records, requirements relating to health care services policies and contracts, and the third-party payor liability.

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

**House File 651**, by Jochum, a bill for an act relating to environmental high-impact areas and the use of community impact statements in the permitting process for facilities handling toxic pollutants.

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

**House File 652**, by Jochum, a bill for an act relating to requirements for political campaigns, including electronic filing of amendments, media reports, campaign contribution limits, campaign advertisements, and voter information programs, and providing an effective date.

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

**House File 653**, by committee on judiciary, a bill for an act relating to the imposition of a conditional discharge or a deferred judgment in a criminal sentence.

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

**House File 654**, by committee on judiciary, a bill for an act relating to the amount of contributions to and accumulated increases in the value of certain retirement plans which are exempt from creditors and providing an effective date.

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

**House File 655**, by committee on human resources, a bill for an act relating to the establishment of a system of oversight for adult day services.

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

**House File 656**, by committee on judiciary, a bill for an act relating to the licensing and regulation of manufactured or mobile homes and providing coordinating amendments.

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

**House File 657**, by committee on local government, a bill for an act relating to the powers and duties of the county recorder relating to the recording and keeping of documents.

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

#### SPECIAL PRESENTATION

Jenkins of Black Hawk and Witt of Black Hawk introduced to the House, faculty and student representatives from the University of Northern Iowa. The University Concert Chorale members sang the University of Northern Iowa's Alma mater. Dr. Robert Koob, President of the University of Northern Iowa, briefly addressed the House.

The House rose and expressed its welcome.



## ADOPTION OF HOUSE RESOLUTION 22

Witt of Black Hawk called up for consideration **House Resolution 22**, a resolution honoring and commemorating the one hundred twenty-fifth anniversary of the University of Northern Iowa, and moved its adoption.

The motion prevailed and the resolution was adopted.

## CONSIDERATION OF BILLS

## Regular Calendar

**House File 481**, a bill for an act relating to the establishment of city precincts and providing an effective 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. 481)

The ayes were, 95

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Sievers	Smith
Stevens	Sukup	Taylor, D.	Teig

Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, 1:

Cormack

Absent or not voting, 4

Hansen	Metcalf	Shoultz	Taylor, T.
--------	---------	---------	------------

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

**House Joint Resolution 11**, a joint resolution to nullify administrative rules of the department of natural resources requiring a harvest report of wild turkeys by resident and nonresident hunters, and providing an effective date, was taken up for consideration.

Arnold of Lucas 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?" (H.J.R. 11)

The ayes were, 77:

Alons	Arnold	Atteberry	Barry
Baudler	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Carroll	Chiodo	Cohoon	Connors
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Fallon	Finch	Ford	Garman
Gipp	Grundberg	Hahn	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Manternach	Mertz	Millage	Myers
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Roberts	Schrader	Seng	Shey
Sievers	Stevens	Sukup	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven

Van Fossen  
Mr. Speaker  
Siegrist

Weidman

Wise

Witt

The nays were, 20:

Bell

Bukta

Dotzler

Falck

Foege

Frevert

Greimann

Hatch

Lensing

Mascher

May

Murphy

O'Brien

Richardson

Scherrman

Smith

Taylor, D.

Taylor, T.

Warnstadt

Winckler

Absent or not voting, 3:

Hansen

Metcalf

Shoultz

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

**House File 269**, a bill for an act relating to balloon payments on consumer loans secured by a certificate of title in a motor vehicle, 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. 269)

The ayes were, 97:

Alons

Arnold

Atteberry

Barry

Baudler

Bell

Boal

Boddicker

Bogges

Bradley

Brauns

Broers

Brunkhorst

Bukta

Carroll

Chiodo

Cohoon

Connors

Cormack

De Boef

Dix

Dolecheck

Dotzler

Drake

Eddie

Eichhorn

Elgin

Falck

Fallon

Finch

Foege

Ford

Frevert

Garman

Gipp

Greimann

Grundberg

Hahn

Hatch

Heaton

Hoffman

Horbach

Houser

Hoversten

Huseman

Huser

Jacobs

Jenkins

Jochum

Johnson

Kettering

Klemme

Kreiman

Kuhn

Larkin

Larson

Lensing

Manternach

Mascher

May

Mertz

Millage

Murphy

Myers

O'Brien

Osterhaus

Petersen

Quirk

Raecker

Rants

Rayhons

Rekow

Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Hansen	Metcalf	Shoultz
--------	---------	---------

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 Joint Resolution 11** and **House Files 269** and **481**.

Dix of Butler in the chair at 1:49 p.m.

**House File 301**, a bill for an act establishing a rural fire protection program and limiting the liability of rural water districts and associations in connection with the provision of water for fire protection, was taken up for consideration.

Klemme of Plymouth offered the following amendment H-1219 filed by him and moved its adoption:

H-1219

- 1 Amend House File 301 as follows:
- 2 1. Page 1, line 21, by inserting after the word
- 3 "hydrants" the following: ", facilities".
- 4 2. Page 1, by striking lines 22 through 24 and
- 5 inserting the following: "fire protection purposes if
- 6 the purpose of the hydrants, facilities, or water used
- 7 is not for fire protection. Not later than July 1,
- 8 2006, the legislative".

Amendment H-1219 was adopted.

Klemme of Plymouth 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. 301)

The ayes were, 95:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hatch	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Siegrist, Spkr.	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Dix,	
		Presiding	

The nays were, 2:

Fallon                      Huser

Absent or not voting, 3:

Hansen                      Metcalf                      Shoultz

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

**House File 309**, a bill for an act to legalize participation in an instructional support program by the West Bend-Mallard Community School District and providing an effective and retroactive

applicability date, with report of committee recommending passage, was taken up for consideration.

Sievers 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. 309)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Siegrist, Spkr.	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Dix,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Hansen	Metcalf	Shoultz
--------	---------	---------

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

**House File 462**, a bill for an act relating to the reimbursement of administrative costs of an area education agency for services provided

by the agency under part C of the federal Individuals With Disabilities Education Act, and providing an effective date, was taken up for consideration.

Foege 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. 462)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Siegrist, Spkr.	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Dix,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Hansen	Metcalf	Shoultz
--------	---------	---------

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 301, 309 and 462.**

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Shoultz of Black Hawk on request of Myers of Johnson.

**House File 581**, a bill for an act relating to the size of drainage or levee districts having election districts and requesting an interim study, 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. 581)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Siegrist, Spkr.
Sievers	Smith	Stevens	Stukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen



Warnstadt  
Witt

Weidman  
Dix,  
Presiding

Winckler

Wise

The nays were, none.

Absent or not voting, 2:

Metcalf

Shoultz

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

**House File 469**, a bill for an act requiring agricultural equipment suppliers to repurchase certain items upon termination of an agricultural equipment dealership agreement, was taken up for consideration.

Huseman of Cherokee 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. 469)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel

Tymeson  
Warnstadt  
Witt

Tyrrell  
Weidman  
Dix,  
Presiding

Van Engelenhoven Van Fossen  
Winckler Wise

The nays were, none.

Absent or not voting, 2:

Metcalf

Shoultz

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

**House File 470**, a bill for an act providing for the protection of proprietary rights and collection of fees for software, network designs, and technology applications of the Iowa communications network, 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. 470)

The ayes were, 98:

Alons  
Baudler  
Bogges  
Brunkhorst  
Cohoon  
Dolecheck  
Eichhorn  
Finch  
Garman  
Hahn  
Hoffman  
Huseman  
Jochum  
Kreiman  
Lensing  
Mertz  
O'Brien  
Raecker  
Reynolds  
Schrader  
Sievers

Arnold  
Bell  
Bradley  
Bukta  
Connors  
Dotzler  
Elgin  
Foege  
Gipp  
Hansen  
Horbach  
Huser  
Johnson  
Kuhn  
Manternach  
Millage  
Osterhaus  
Rants  
Richardson  
Seng  
Smith

Atteberry  
Boal  
Brauns  
Carroll  
Cormack  
Drake  
Falck  
Ford  
Greimann  
Hatch  
Houser  
Jacobs  
Kettering  
Larkin  
Mascher  
Murphy  
Petersen  
Rayhons  
Roberts  
Shey  
Stevens

Barry  
Boddicker  
Broers  
Chiodo  
De Boef  
Eddie  
Fallon  
Frevert  
Grundberg  
Heaton  
Hoversten  
Jenkins  
Klemme  
Larson  
May  
Myers  
Quirk  
Rekow  
Scherrman  
Siegrist, Spkr.  
Sukup

Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Dix,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Metcalf                      Shoultz

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 469, 470 and 581.**

**House File 409**, a bill for an act relating to membership in an interstate wildlife violators compact by the department of natural resources, was taken up for consideration.

### SENATE FILE 125 SUBSTITUTED FOR HOUSE FILE 409

Baudler of Adair asked and received unanimous consent to substitute Senate File 125 for House File 409.

**Senate File 125**, a bill for an act relating to membership in an interstate wildlife violators compact by the department of natural resources, 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. 125)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers

Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Grundberg	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Roberts	Scherrman	Schrader	Seng
Shey	Siegrist, Spkr.	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Dix, Presiding

The nays were, none.

Absent or not voting, 4:

Greimann	Metcalf	Richardson	Shoultz
----------	---------	------------	---------

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

### HOUSE FILE 409 WITHDRAWN

Baudler of Adair asked and received unanimous consent to withdraw House File 409 from further consideration by the House.

**House File 353**, a bill for an act relating to the amount of classroom instruction offered in an approved driver education course as programmed by the department of education, was taken up for consideration.

Reynolds of Van Buren offered the following amendment H-1238 filed by her and moved its adoption:

H-1238

1 Amend House File 353 as follows:

- 2 1. Page 1, line 6, by striking the word "eighty"  
 3 and inserting the following: "twenty".

Amendment H-1238 lost.

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. 353)

The ayes were, 91:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Millage
Murphy	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Winckler	Witt	Dix,	
		Presiding	

The nays were, 3:

Kreiman	Reynolds	Tremmel
---------	----------	---------

Absent or not voting, 6:

Falck	Metcalfe	Myers	Shoultz
Warnstadt	Wise		

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

**House File 356**, a bill for an act relating to administrative and corrective changes to the workers' compensation law, 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?" (H.F. 356)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Widman	Winckler	Wise
Witt	Dix,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Metcalf                      Shultz

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 353, 356 and Senate File 125.**

**House File 256**, a bill for an act relating to health care facility regulation, including information to be included in a notice of a deficiency and including the collaboration of the department of inspections and appeals and the state fire marshal in promulgating rules, with report of committee recommending amendment and passage, was taken up for consideration.

Cormack of Webster offered the following amendment H-1116 filed by the committee on state government and moved its adoption:

H-1116

- 1 Amend House File 256 as follows:
- 2 1. Page 1, line 17, by inserting after the word
- 3 "shall" the following: "be provided in a timely
- 4 manner and shall".
- 5 2. Page 1, by striking lines 20 and 21 and
- 6 inserting the following: "notice shall also specify
- 7 the time allowed for correction".
- 8 3. Page 1, line 33, by striking the word
- 9 "collaboration" and inserting the following:
- 10 "consultation".
- 11 4. Page 2, line 26, by striking the word
- 12 "collaboration" and inserting the following:
- 13 "consultation".
- 14 5. Title page, line 3, by striking the word
- 15 "collaboration" and inserting the following:
- 16 "consultation".

The committee amendment H-1116 was adopted.

Cormack of Webster 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. 256)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Dix,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Metcalf                      Shoultz

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

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 256** be immediately messaged to the Senate.

### RULE 57 SUSPENDED

Rants of Woodbury asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a



meeting of the committee on environmental protection at 8:00 a.m., Tuesday, March 20, 2001.

## APPOINTMENTS

### ADMINISTRATIVE RULES REVIEW COMMITTEE (Chapter 17A.8, Code of Iowa)

Paul Scherrman ..... To a term ending April 30, 2003.

### IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (Chapter 97B.8, Code of Iowa)

Dolores Mertz.....  
Replaces Janet Metcalf

## SENATE FILE 94 PASSED ON FILE

The Speaker announced that Senate File 94, previously referred to committee on **judiciary** was **passed on file**.

## SENATE FILE 185 REREFERRED

The Speaker announced that Senate File 185, previously referred to committee on **local government** was rereferred to committee on **ways and means**.

## EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 19, 2001. Had I been present, I would have voted "aye" on House Joint Resolution 11 and House Files 269, 301, 309, 462, and 481.

HANSEN of Pottawattamie

## CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

2001\626 Evelyn Currie, Schaller – For celebrating her 80<sup>th</sup> birthday.

- 2001\627 Ella C. Schelldorf, Holstein – For celebrating her 90<sup>th</sup> birthday.
- 2001\628 Betty and Henry Otto, Holstein – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\629 Phyllis Josephine Hughes, Manchester – For celebrating her birthday on March 7, 2001.
- 2001\630 Teresa Wheeler, Dunkerton – For being nominated by Darrin Smith and being elected as City Clerk of the Year.
- 2001\631 Boyden-Hull Comets, Hull – For winning 2<sup>nd</sup> Place in the 1-A State Tournament.
- 2001\632 Julita and Norbert Goedken, Lamont – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\633 Margaret and David Meckley, Fairbank – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\634 Ruth Nicholson, Oelwein – For celebrating her 93<sup>rd</sup> birthday.
- 2001\635 Luella and Harold Jones, New Virginia – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\636 Herbert Sump, Clarinda – For celebrating his 90<sup>th</sup> birthday.
- 2001\637 Judith Cambell, Sioux City – For being in the Women of Excellence Recognition Category—Woman Helping Women.
- 2001\638 Katheryn Foell, Mason City – For celebrating her 90<sup>th</sup> birthday.
- 2001\639 Norah Hericks, Mason City – For celebrating her 80<sup>th</sup> birthday.

### 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.

MARGARET A. THOMSON  
Chief Clerk of the House

### COMMITTEE ON ENVIRONMENTAL PROTECTION

**Committee Bill** (Formerly House File 68), relating to the burning of wood by sanitary landfills.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2001.

### RESOLUTION FILED

**HCR 24**, by committee on human resources, a concurrent resolution requesting the legislative council to establish a study committee relating to the creation of a statewide central intake unit for receiving child abuse reports.

Laid over under **Rule 25**.

### AMENDMENTS FILED

H-1244	H.F.	389	Johnson of Osceola
H-1245	H.F.	583	Mascher of Johnson
H-1246	H.F.	502	Baudler of Adair Kreiman of Davis
H-1247	H.F.	384	Elgin of Linn
H-1248	H.F.	384	Elgin of Linn
H-1249	H.F.	502	Kuhn of Floyd
H-1250	H.F.	549	Kreiman of Davis Teig of Hamilton

On motion by Rants of Woodbury the House adjourned at 3:04 p.m., until 8:45 a.m., Tuesday, March 20, 2001.

# JOURNAL OF THE HOUSE

Seventy-second Calendar Day - Forty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, March 20, 2001

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

Prayer was offered by Reverend Steve Pike, pastor of Martelle Christian Church, Martelle. He was the guest of Representative Dan Boddicker from Cedar County.

The Journal of Monday, March 19, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 658**, by Fallon and Mascher, a bill for an act relating to the possession or use of marijuana for medical purposes, providing exemptions from certain criminal and civil penalties associated with such possession or use, and providing a penalty and an effective date.

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

**House File 659**, by committee on environmental protection, a bill for an act prohibiting the land disposal of and requiring recycling of white goods.

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

**House File 660**, by committee on local government, a bill for an act relating to school infrastructure purposes and property tax relief by increasing state sales and use taxes, distributing the increased state sales and use tax revenues to school districts for school infrastructure purposes and property tax relief and including an effective date.

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

**House File 661**, by committee on environmental protection, a bill for an act relating to the burning of wood by sanitary landfills.

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

**House File 662**, by committee on local government, a bill for an act relating to Iowa's community empowerment initiative and providing an effective date.

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

**House File 663**, by committee on local government, a bill for an act repealing the ban on persons or spouses of persons who receive direct or indirect compensation from or who have certain privileges in a county public hospital, from serving as a trustee for that county public hospital.

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

**House File 664**, by O'Brien, a bill for an act relating to the definition of homestead for purposes of the additional homestead credit or rent reimbursement for elderly, disabled, and low income, and including an applicability provision.

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

**House File 665**, by committee on local government, a bill for an act relating to the administration of county government by providing for the issuance of certain lease or lease-purchase contracts, the recording of certain property transfers, the imposition of a real estate installment contract fee, and changing the date for reporting agricultural land tax credits.

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

**House File 666**, by Mascher, a bill for an act reenacting the income tax checkoff for domestic abuse services and providing for the Act's retroactive applicability.

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

**House File 667**, by Mascher, a bill for an act 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**.

**House File 668**, by committee on environmental protection, a bill for an act relating to tonnage fees and moneys in the solid waste account of the groundwater protection fund, and providing an effective date.

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

**House File 669**, by committee on education, a bill for an act relating to the acceptance and administration of trusts by a school corporation board of directors.

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

**House File 670**, by committee on education, a bill for an act relating to nontraditional practitioner preparation instruction programs, including the licensure of individuals who are participating in or have successfully completed a program.

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

**House File 671**, by committee on local government, a bill for an act relating to county mental health, mental retardation, and developmental disabilities services provisions involving capital expenditures and the funding pools in the property tax relief fund for such services expenditures and providing effective and retroactive applicability dates.

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

**House File 672**, by committee on education, a bill for an act relating to the establishment of a student achievement and teacher quality program.

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

**House File 673**, by committee on local government, a bill for an act relating to the administrative procedures of certain county officers by authorizing the issuance of checks, providing for the cancellation of warrants and checks, the disposal of tax lists, and the receipt of

electronic payments, specifying tax sale costs and the mailing address for changes of titles and deeds, providing for other properly related matters, 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 March 19, 2001, passed the following bill in which the concurrence of the House is asked:

House File 287, a bill for an act establishing the interstate compact for adult criminal offender supervision and providing a contingent effective date.

Also: That the Senate has on March 19, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 57, a bill for an act relating to approval of city ordinances granting certain utility franchises.

Also: That the Senate has on March 19, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 168, a bill for an act relating to the granting of additional cable television franchises by a city.

Also: That the Senate has on March 19, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 241, a bill for an act relating to the confidentiality of certain domestic abuse records.

Also: That the Senate has on March 19, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 242, a bill for an act relating to the rules regarding the authentication of practitioners' verbal orders in hospitals.

Also: That the Senate has on March 19, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 265, a bill for an act prohibiting the installation, distribution, or sale of nonoperative air bags and providing a penalty.

Also: That the Senate has on March 19, 2001, passed the following bill in which the concurrence of the Senate was asked:

Senate File 304, a bill for an act relating to the application procedure for variances for open burning.

Also: That the Senate has on March 19, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 344, a bill for an act restricting the exemption in the public records law for communications made to government bodies.

Also: That the Senate has on March 19, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 347, a bill for an act eliminating court costs and filing and service fees for plaintiffs seeking relief from domestic abuse.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 8:55 a.m., until the fall of the gavel.

The House resumed session at 10:05 a.m., Speaker pro tempore Sukup in the chair.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Bell of Jasper, until his arrival, on request of Myers of Johnson; Dix of Butler, until his arrival, on request of Rants of Woodbury.

### CONSIDERATION OF BILLS Regular Calendar

**House File 623**, a bill for an act relating to the imposition of a fine for criminal offenses classified as aggravated misdemeanors, or class "D" or class "C" felonies, was taken up for consideration.

Tremmel 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. 623)

The ayes were, 72:

Alons  
Baudler

Arnold  
Boal

Atteberry  
Boddicker

Barry  
Boggess



Bradley	Brauns	Broers	Brunkhorst
Carroll	Chiodo	Cohoon	Connors
Cormack	De Boef	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Frevert	Gipp	Hahn	Hansen
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Manternach	May	Mertz	Millage
Myers	O'Brien	Rants	Rayhons
Rekow	Reynolds	Richardson	Schrader
Seng	Shey	Siegrist, Spkr.	Sievers
Smith	Stevens	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Wise	Sukup, Presiding

The nays were, 24:

Bukta	Dotzler	Falck	Fallon
Foege	Ford	Garman	Greimann
Hatch	Jochum	Lensing	Mascher
Murphy	Osterhaus	Petersen	Quirk
Raecker	Roberts	Scherrman	Shoultz
Taylor, D.	Taylor, T.	Winckler	Witt

Absent or not voting, 4:

Bell	Dix	Grundberg	Metcalf
------	-----	-----------	---------

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

**House File 389**, a bill for an act relating to the duties of the board of directors of a school district, including those related to the suspension of a practitioner by the board of directors of a school district, was taken up for consideration.

Johnson of Osceola offered the following amendment H-1244 filed by him and moved its adoption:

H-1244

- 1 Amend House File 389 as follows:
- 2 1. Page 1, by striking lines 1 through 13.
- 3 2. By renumbering as necessary.

Amendment H-1244 was adopted.

Bukta of Clinton offered the following amendment H-1230 filed by her and moved its adoption:

H-1230

- 1 Amend House File 389 as follows:
- 2 1. Page 1, lines 27 and 28, by striking the words
- 3 "a period specified by the board" and inserting the
- 4 following: "not more than five days".
- 5 2. Page 1, by striking line 34 and inserting the
- 6 following: "without pay for not more than five days.
- 7 The record".
- 8 3. Page 2, lines 25 and 26, by striking the words
- 9 "a period specified by the board" and inserting the
- 10 following: "not more than five days".
- 11 4. Page 3, lines 14 and 15, by striking the words
- 12 "a period specified by the board" and inserting the
- 13 following: "not more than five days".
- 14 5. Page 3, lines 23 and 24, by striking the words
- 15 "a period specified by the board" and inserting the
- 16 following: "not more than five days".

Amendment H-1230 lost.

Roberts of Carroll 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. 389)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson

Lensing	Manternach	Mascher	May
Mertz	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Siegrist, Spkr.	Sievers	Smith	Stevens
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Sukup,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Bell Metcalf

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

### SPECIAL PRESENTATION

Connors of Polk introduced to the House the Honorable former Lieutenant Governor, Bob Anderson. He introduced several teachers from Russia who are here to study how civic education is taught in America. They are visiting Iowa for one month.

The House rose and expressed its welcome.

**House File 500**, a bill for an act relating to the licensure of persons acting as insurance producers, providing an effective date, and applying penalties, was taken up for consideration.

### SENATE FILE 276 SUBSTITUTED FOR HOUSE FILE 500

Hoffman of Crawford asked and received unanimous consent to substitute Senate File 276 for House File 500.

**Senate File 276**, a bill for an act relating to the licensure of persons acting as insurance producers, providing an effective date, and applying penalties, 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. 276)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Siegrist, Spkr.	Sievers	Smith	Stevens
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Sukup,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Bell

Metcalf

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 389 and 623 and Senate File 276.**

## HOUSE FILE 500 WITHDRAWN

Hoffman of Crawford asked and received unanimous consent to withdraw House File 500 from further consideration by the House.

**House File 549**, a bill for an act providing for agricultural liens, was taken up for consideration.

Kreiman of Davis offered the following amendment H-1250 filed by him and Teig of Hamilton and moved its adoption:

H-1250

- 1 Amend House File 549 as follows:
- 2 1. Page 2, line 11, by inserting after the word
- 3 "shall" the following: "substantially".
- 4 2. Page 2, line 28, by inserting after the word
- 5 "section" the following: "substantially".
- 6 3. Page 6, line 9, by inserting after the word
- 7 "shall" the following: "substantially".

Amendment H-1250 was adopted.

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. 549)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg

Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Siegrist, Spkr.	Sievers	Smith	Stevens
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Sukup, Presiding		

The nays were, none.

Absent or not voting, 2:

Bell                      Metcalf

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

Speaker Siegrist in the chair at 10:59 a.m.

**House File 569**, a bill for an act relating to the proposed uniform computer information transactions Act, 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. 569)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Boal	Boddicker	Bogges
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon

Finch	Foege	Ford	Frevort
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, none.

Absent or not voting, 2:

Bell Metcalf

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

**House File 610**, a bill for an act relating to cluster groups under the new jobs and income program, 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. 610)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Finch
Foege	Ford	Frevort	Garman
Gipp	Greimann	Grundberg	Hahn

Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, 1:

Fallon

Absent or not voting, 2:

Bell

Metcalf

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 March 20, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 240, a bill for an act providing for a school investment partnership pilot program.

Also: That the Senate has on March 20, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 450, a bill for an act extending veterans benefits, preferences, and tax exemptions to certain members of reserve forces of the United States and the Iowa national guard, and providing an effective date for property tax exemption claims.

Also: That the Senate has on March 20, 2001, passed the following bill in which the concurrence of the House is asked:



Senate File 509, a bill for an act making a supplemental appropriation to the state department of transportation from the primary road fund for the purchase of salt and including an effective date.

MICHAEL E. MARSHALL, Secretary

## IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 549, 569 and 610.**

**House File 612**, a bill for an act relating to highway improvement assistance from the revitalize Iowa's sound economy fund for brownfield sites, was taken up for consideration.

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. 612)

The ayes were, 80:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Bukta
Carroll	Chiodo	Cohon	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Fallon
Finch	Foege	Ford	Gipp
Grundberg	Hahn	Hansen	Hatch
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Millage	Murphy	Myers	Osterhaus
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Seng	Shey
Sievers	Stevens	Sukup	Taylor, D.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Mr. Speaker
			Siegrist

The nays were, 18:

Atteberry	Connors	Dotzler	Falck
Frevert	Garman	Greimann	Huser
Mertz	O'Brien	Petersen	Richardson
Roberts	Scherrman	Schrader	Shoultz
Smith	Taylor, T.		

Absent or not voting, 2:

Bell	Metcalf
------	---------

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

**House File 564**, a bill for an act providing for the reversion of dividends and distributions by certain cooperative associations, 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. 564)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Bukta
Carroll	Chiodo	Cohoon	Connors
Cormack	De Boef	Dix	Dolecheck
Dotzler	Drake	Eddie	Eichhorn
Elgin	Falck	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell

Van Engelenhoven    Van Fossen  
Winckler              Wise

Warnstadt  
Witt

Weidman  
Mr. Speaker  
Siegrist

The nays were, none.

Absent or not voting, 4:

Baudler

Bell

Houser

Metcalf

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 564 and 612.**

### COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

#### DEPARTMENT OF TRANSPORTATION

A report on the review of the federal outdoor advertising bonus program restrictions, pursuant to House Concurrent Resolution 119, 2000 Session.

### CERTIFICATES OF RECOGNITION

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

**MARGARET A. THOMSON**  
Chief Clerk of the House

2001\640 Marge and Ralph McDonald, Estherville – For celebrating their 50<sup>th</sup> wedding anniversary.

2001\641 Ione and Bill Johnson, Spirit Lake – For celebrating their 50<sup>th</sup> wedding anniversary.

2001\642 Darlene Andresen, Terril – For celebrating her 80<sup>th</sup> birthday.

2001\643 Opal Anderson, Estherville – For celebrating her 87<sup>th</sup> birthday.

2001\644 Gail Wortmann, Bloomfield – Deserves recognition as Iowa's Teacher of the Year.

2001\645 Daisy Johnson, Missouri Valley – For celebrating her 80<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 82**

Ways and Means: Teig, Chair; Osterhaus and Sievers.

##### **House File 217**

Ways and Means: Teig, Chair; Richardson and Sievers.

##### **House File 260**

Ways and Means: Hansen, Chair; Shultz and Sievers.

##### **House File 371**

Ways and Means: Shey, Chair; Houser and D. Taylor.

##### **House File 388**

Ways and Means: Hoffman, Chair; Jochum and Sievers.

##### **House File 424**

Ways and Means: Hoversten, Chair; Boal and Kuhn.

##### **House File 439**

Ways and Means: Hoversten, Chair; Fallon and Sievers.

##### **House File 468**

Ways and Means: Hoversten, Chair; Teig and Winckler.

##### **House File 537**

Ways and Means: Houser, Chair; Kuhn, Richardson, Sievers and Teig.

##### **House File 573**

Ways and Means: Eichhorn, Chair; Houser and Larkin.

##### **House File 576**

Ways and Means: Boal, Chair; Frevert and Hansen.

**Senate File 165**

Local Government: Alons, Chair; Fallon, Houser, Petersen and Sievers.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT****House Study Bill 232**

Ways and Means: Hansen, Chair; Eichhorn and Osterhaus.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 239 Appropriations**

Making a supplemental appropriation to the state department of transportation from the primary road fund for the purchase of salt and including an effective date.

**H.S.B. 240 Appropriations**

Providing appropriations for certain temporary staffing for the Iowa utilities board prior to assessment of such staffing expenses to utilities.

**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.

MARGARET A. THOMSON  
Chief Clerk of the House

**COMMITTEE ON APPROPRIATIONS**

**Senate File 146**, a bill for an act relating to the tobacco master settlement agreement and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 20, 2001.

**Senate Concurrent Resolution 14**, a concurrent resolution providing for a reduction in the appropriations from the general fund of the state for the legislative branch for the fiscal year beginning July 1, 2000, and ending June 30, 2001.

Fiscal Note is not required.

Recommended **Do Pass** March 20, 2001.

**Committee Bill** (Formerly House File 231), relating to the victim rights compensation fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 20, 2001.

**Committee Bill** (Formerly House Study Bill 239), making a supplemental appropriation to the state department of transportation from the primary road fund for the purchase of salt and including an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 20, 2001.

#### COMMITTEE ON STATE GOVERNMENT

**House File 73**, a bill for an act relating to the powers and duties of the executive director of the commission of veterans affairs by providing for the recognition of honor guard units of veterans organizations to perform honor guard services.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1261** March 15, 2001.

**House File 526**, a bill for an act providing an apprenticeship program for Illinois barbers in lieu of existing Iowa barber licensure requirements.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1262** March 15, 2001.

**Committee Bill** (Formerly House Study Bill 40), relating to provision of notice by state agencies prior to providing new products or services.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2001.

**Committee Bill** (Formerly House Study Bill 219), relating to government accountability, by providing for strategic planning, performance measurement and reporting, performance audits, performance contracting, return on investment, and oversight, and providing for its implementation.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2001.

## RESOLUTIONS FILED

**HCR 25**, by Quirk, a concurrent resolution requesting the legislative council to establish a study committee to consider options for simplifying Iowa's income taxation in a revenue-neutral manner.

Laid over under **Rule 25**.

**HCR 26**, by Warnstadt, a concurrent resolution requesting the establishment of a legislative interim study committee to review current issues and criminal penalties related to persons under legal age who purchase, possess, and consume alcohol.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-1251	H.F.	304	Tremmel of Wapello
H-1252	H.F.	304	Falck of Fayette
H-1253	H.F.	304	Warnstadt of Woodbury
H-1254	H.F.	577	Chiodo of Polk
H-1255	H.F.	458	Raecker of Polk
			Kreiman of Davis
H-1256	H.F.	577	Kettering of Sac
Wise of Lee			Johnson of Osceola
Hoffman of Crawford			Mertz of Kossuth
Falck of Fayette			Brunkhorst of Bremer
Quirk of Chickasaw			Eddie of Buena Vista
Alons of Sioux			Witt of Black Hawk
Huseman of Cherokee			Klemme of Plymouth
Hahn of Muscatine			Drake of Pottawattamie
Stevens of Dickinson			Frevert of Palo Alto
Richardson of Warren			Greimann of Story
Osterhaus of Jackson			Baudler of Adair
H-1257	H.F.	577	Hansen of Pottawattamie
			Jenkins of Black Hawk
H-1258	H.F.	502	Baudler of Adair
H-1259	H.F.	643	Wise of Lee
H-1260	H.F.	587	Grundberg of Polk
H-1261	H.F.	73	Committee on State Government

H-1262	H.F.	526	Committee on State Government
H-1263	H.F.	587	Grundberg of Polk
H-1264	H.F.	656	Richardson of Warren
H-1265	H.F.	656	Richardson of Warren
H-1266	H.F.	656	Richardson of Warren
H-1267	H.F.	42	Millage of Scott
H-1268	H.F.	656	Richardson of Warren
H-1269	H.F.	656	Eichhorn of Hamilton
H-1270	H.F.	577	Hatch of Polk
H-1271	H.F.	577	Hatch of Polk
H-1272	H.F.	577	Hansen of Pottawattamie Jenkins of Black Hawk
H-1273	H.F.	525	Tremmel of Wapello
H-1274	H.F.	577	Hatch of Polk
H-1275	H.F.	577	Hatch of Polk

On motion by Rants of Woodbury the House adjourned at 11:59 a.m., until 8:45 a.m., Wednesday, March 21, 2001.



# JOURNAL OF THE HOUSE

Seventy-third Calendar Day - Fiftieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 21, 2001

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

Prayer was offered by Reverend Damon Hall, pastor of Grace Baptist Church, Waverly. He was the guest of Representative Bob Brunkhorst of Bremer County and Representative Bill Dix of Butler County.

The Journal of Tuesday, March 20, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 674**, by committee on education, a bill for an act relating to the reorganization or dissolution of an area education agency.

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

**House File 675**, by O'Brien, a bill for an act relating to taxable property that is acquired by an entity whose property is not subject to property tax, making an appropriation, and including an effective and retroactive applicability provision.

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

**House File 676**, by Shoultz, a bill for an act relating to the applicability and fiscal impact of reductions in rates, enactments, and expansion of deductions and credits, and repeals of certain taxes and including an effective date.

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

**House File 677**, by Frevert, a bill for an act relating to animal feeding operations, disposal of manure, and making penalties applicable.

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

**House File 678**, by committee on judiciary, a bill for an act relating to child custody and visitation including the requirement of mediation when a custody arrangement is disputed.

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

**House File 679**, by committee on local government, a bill for an act relating to urban renewal and urban revitalization and providing for the Act's applicability.

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

**House File 680**, by committee on human resources, a bill for an act relating to child and dependent abuse reporting and civil remedies pertaining to such reporting.

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 March 20, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 184, a bill for an act relating to duties of the county sheriff by increasing the fees and expenses collected by the county sheriff for various services and the release of a garnishment.

Also: That the Senate has on March 20, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 209, a bill for an act providing for the control of paratuberculosis, and providing for penalties.

Also: That the Senate has on March 20, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 384, a bill for an act relating to pay plans for certain employees of the credit union division of the department of commerce.

Also: That the Senate has on March 20, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 393, a bill for an act relating to a petition to the court for a hearing on a criminal defendant's restitution plan.

Also: That the Senate has on March 20, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 411, a bill for an act providing for the establishment of a commission on the status of Iowans of Asian and Pacific Islander heritage within the department of human rights.

Also: That the Senate has on March 20, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 458, a bill for an act relating to children's program and juvenile court provisions involving the department of human services in regard to the foster home insurance fund, group child care providers, juvenile delinquency and child in need of assistance dispositions, and termination of parental rights.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGES CONSIDERED

**Senate File 57**, by Jensen, a bill for an act relating to approval of city ordinances granting certain utility franchises.

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

**Senate File 168**, by committee on commerce, a bill for an act relating to the granting of additional cable television franchises by a city.

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

**Senate File 240**, by committee on education, a bill for an act providing for a school investment partnership pilot program.

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

**Senate File 241**, by committee on human resources, a bill for an act relating to the confidentiality of certain domestic abuse records.

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

**Senate File 242**, by committee on human resources, a bill for an act relating to the rules regarding the authentication of practitioners' medication and standing orders in hospitals.

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

**Senate File 265**, by committee on transportation, a bill for an act prohibiting the installation, distribution, or sale of nonoperative air bags and providing a penalty.

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

**Senate File 304**, by committee on natural resources and environment, a bill for an act relating to the application procedure for variances for open burning.

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

**Senate File 344**, by committee on state government, a bill for an act restricting the exemption in the public records law for communications made to government bodies.

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

**Senate File 347**, by committee on judiciary, a bill for an act eliminating court costs and filing and service fees for plaintiffs seeking relief from domestic abuse.

Read first time and **passed on file**.

**Senate File 450**, by committee on ways and means, a bill for an act extending veterans benefits, preferences, and tax exemptions to certain members of reserve forces of the United States and the Iowa national guard, and providing an effective date for property tax exemption claims.

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

**Senate File 509**, by committee on appropriations, a bill for an act making a supplemental appropriation to the state department of

transportation from the primary road fund for the purchase of salt and including an effective date.

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

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Drake of Pottawattamie, until his arrival, on request of Rants of Woodbury.

The House stood at ease at 8:59 a.m., until the fall of the gavel.

The House resumed session at 9:55 a.m., Speaker Siegrist in the chair.

### CONSIDERATION OF BILLS

#### Regular Calendar

**House File 502**, a bill for an act relating to agricultural production, by prohibiting acts relating to facilities or operations, making penalties applicable, and providing penalties and civil liability, was taken up for consideration.

Kuhn of Floyd offered the following amendment H-1249 filed by him and moved its adoption:

H-1249

- 1 Amend House File 502 as follows:
- 2 1. Page 1, by inserting before line 1, the
- 3 following:
- 4 "Section 1. Section 199.1, Code 2001, is amended
- 5 by adding the following new subsections:
- 6 **NEW SUBSECTION. 5A.** "Contamination" means the
- 7 unintended presence of a plant or plant part
- 8 transferred from an originating area to an area
- 9 without the presence of the plant or plant part that
- 10 alters the genetic characteristics of a plant.
- 11 **NEW SUBSECTION. 5B.** "Crop" means any plant
- 12 produced from an agricultural seed or vegetable seed,
- 13 or any harvested part of the plant.
- 14 **NEW SUBSECTION. 6A.** "Field" means an originating
- 15 field or a neighboring field.
- 16 **NEW SUBSECTION. 6B.** "Genetically modified" means
- 17 to alter the genetic characteristics of a plant by

18 modifying the deoxyribonucleic acid of the plant's  
19 seed in a manner other than by breeding or  
20 pollination.  
21 NEW SUBSECTION. 19A. "Seed dealer" means a person  
22 who sells or offers for sale agricultural seed or  
23 vegetable seed to persons on a retail basis.  
24 NEW SUBSECTION. 19B. "Seed labeler" means a  
25 person required to label agricultural seed or  
26 vegetable seed as provided in section 199.3 or 199.4.  
27 Sec.\_\_\_\_. Section 199.3, subsection 1, Code 2001,  
28 is amended by adding the following new paragraph:  
29 NEW PARAGRAPH. f. The label shall include an  
30 identification of genetically modified agricultural  
31 seed or vegetable seed included in the container. If  
32 the agricultural seed or vegetable seed is genetically  
33 modified, the label shall comply with sections 199.22  
34 and 199.23.  
35 Sec.\_\_\_\_. Section 199.8, Code 2001, is amended by  
36 adding the following new subsection:  
37 NEW SUBSECTION. 4. A person shall not sell, offer  
38 for sale, or expose for sale agricultural seed or  
39 vegetable seed that has been genetically modified, if  
40 the person has represented that that agricultural seed  
41 or vegetable seed is not genetically modified.  
42 Sec.\_\_\_\_. Section 199.13, Code 2001, is amended to  
43 read as follows:  
44 199.13 PENALTY.  
45 1. a. A violation of person who violates this  
46 chapter is guilty of a simple misdemeanor.  
47 b. A person who violates subchapter 2 is subject  
48 to a civil penalty of not more than one thousand  
49 dollars. Civil penalties collected under this  
50 paragraph shall be deposited in the general fund of

## Page 2

1 the state.  
2 2. The department may institute criminal or civil  
3 proceedings in a court of competent jurisdiction in  
4 order to enforce this chapter. When in the  
5 performance of the ~~secretary's~~ department's duties in  
6 enforcing this chapter the ~~secretary~~ department  
7 applies to a court for a temporary or permanent  
8 injunction restraining a person from violating or  
9 continuing to violate any of the provisions of this  
10 chapter or rules adopted under this chapter, the  
11 injunction is to be issued without bond and the person  
12 restrained by the injunction shall pay the costs made  
13 necessary by the procedure.  
14 SUBCHAPTER 2  
15 GENETICALLY MODIFIED AGRICULTURAL SEED  
16 Sec.\_\_\_\_. NEW SECTION. 199.21 APPLICABILITY.

17 The department, in consultation with the attorney  
18 general, shall provide an exception from a requirement  
19 in this subchapter as applied to any type of  
20 genetically modified agricultural seed or genetically  
21 modified vegetable seed that is sold or offered for  
22 sale or transported in this state, if the department  
23 determines that the requirement as applied to that  
24 type of agricultural seed or vegetable seed has been  
25 preempted by federal statute or regulation. The  
26 department shall establish the exceptions by rule  
27 adopted pursuant to chapter 17A. If an exception is  
28 not provided for by rule, the department shall  
29 establish the exception by declaratory order as  
30 provided in section 17A.9, upon receipt of a petition  
31 as provided for in that section.

32 Sec. NEW SECTION. 199.22 NOTICE  
33 REQUIREMENTS.

34 1. A seed labeler shall provide notice of an  
35 agricultural seed or vegetable seed that is  
36 genetically modified on the label of a container  
37 holding the agricultural seed or vegetable seed as  
38 provided in section 199.3 or on a placard as provided  
39 in section 199.4. A seed dealer shall provide the  
40 same notice in a disclosure statement to a person  
41 purchasing the agricultural seed or vegetable seed on  
42 a retail basis prior to or at the time of the  
43 purchase. The disclosure statement may be contained  
44 on a separate form or part of an invoice or bill of  
45 sale evidencing a transaction. The seed dealer shall  
46 not sell agricultural seed or vegetable seed that has  
47 been genetically modified, unless the purchaser signs  
48 the disclosure statement acknowledging that the  
49 purchaser has read the statement. The seed dealer  
50 shall maintain a copy of the acknowledged disclosure

Page 3

1 statement as part of the seed dealer's business  
2 records.

3 2. The form of the disclosure statement shall be  
4 prescribed by rules adopted by the department. The  
5 notice shall appear in a printed bold-faced font in at  
6 least ten point type. The notice shall appear in the  
7 following form:

8 NOTICE

9 GENETICALLY MODIFIED AGRICULTURAL OR  
10 VEGETABLE SEED

11 This agricultural or vegetable seed is genetically  
12 modified. Please consult the label appearing on this  
13 package or the pamphlet required to be attached to the  
14 container or accompanying the bulk sale of  
15 agricultural or vegetable seed, regarding important

16 production information, including possible  
17 restrictions, about the production and marketing of a  
18 crop grown from this agricultural or vegetable seed.  
19 Sec. \_\_\_\_ NEW SECTION. 199.23 PRODUCTION  
20 INFORMATION REQUIREMENTS.

21 1. A seed labeler shall provide production  
22 information for agricultural seed or vegetable seed  
23 that has been genetically modified as required in this  
24 section to the extent that the production information  
25 is known by the seed labeler. The production  
26 information shall appear on the label as provided in  
27 section 199.3 or in a pamphlet attached to the  
28 container or accompanying agricultural seed or  
29 vegetable seed that is sold in bulk as provided in  
30 section 199.4. A seed dealer shall not sell  
31 agricultural seed or vegetable seed that the seed  
32 labeler identifies as genetically modified, unless the  
33 seed dealer provides the purchaser of agricultural  
34 seed or vegetable seed with the production  
35 information. The production information shall include  
36 all of the following:

- 37 a. A brief description of the consequences of the  
38 genetic modification, including but not limited to any  
39 consequences affecting hardiness, growth rate, yield,  
40 resistance, adaptability, appearance, or intrinsic  
41 qualities such as oil content.
- 42 b. Sound management practices required to minimize  
43 the risk of transferring gene characteristics to other  
44 varieties of plants. The sound management practices  
45 shall consist of requirements for planting  
46 agricultural seed or vegetable seed that has been  
47 genetically modified and methods to maintain the  
48 separated area in order to prevent a significant risk  
49 of contamination occurring from any of the following:
- 50 (1) The transfer of gene characteristics to crops

#### Page 4

- 1 planted on a neighboring area by pollination,  
2 including the pollination of crops or the pollination  
3 of other related plants inhabiting the neighboring  
4 area.
- 5 (2) The transfer of agricultural seed or vegetable  
6 seed that has been genetically modified to a  
7 neighboring area.
- 8 c. A notice, if necessary, regarding any financial  
9 risks associated with marketing the crop, including  
10 but not limited to restrictions regarding all of the  
11 following:
- 12 (1) The handling and storage of the crop,  
13 including segregation requirements.
- 14 (2) The sale of the crop in domestic and foreign



15 markets, including import restrictions imposed by  
16 other nations.

17 (3) The use of the crop, including restrictions  
18 regarding human consumption of the crop or products  
19 processed using the crop.

20 2. The language used in the production information  
21 shall comply with standard rules of spelling, grammar,  
22 punctuation, and usage. The production information  
23 shall be printed in a type size of not less than ten  
24 points. The production information shall use terms  
25 that are commonly understood by a reasonable person of  
26 average intelligence, education, and experience who  
27 regularly produces crops originating from the same  
28 type of agricultural seed or vegetable seed that has  
29 been genetically modified that the person is  
30 purchasing.

31 Sec. \_\_\_\_ **NEW SECTION. 199.24 FOOD CROPS NOT**  
32 **APPROVED FOR HUMAN CONSUMPTION – COLOR-CODED SEEDS OR**  
33 **SECURITY PLAN.**

34 1. As used in this section, "designated seed"  
35 means agricultural seed or vegetable seed producing a  
36 crop that may be processed into a food product, but is  
37 not approved for human consumption by an agency of the  
38 federal government, including but not limited to the  
39 United States food and drug administration, because  
40 the agricultural seed or vegetable seed is genetically  
41 modified.

42 2. a. A person shall not sell, offer for sale, or  
43 transport designated seed in this state, unless any of  
44 the following applies:

45 (1) The designated seed is artificially colored  
46 solid blaze orange.

47 (2) The department approves a security plan, or  
48 amendments to an approved security plan, submitted by  
49 the person producing a crop from designated seed,  
50 according to rules adopted by the department. The

Page 5

1 security plan shall provide for sound management  
2 practices used to ensure that there is no risk of  
3 contamination, and for harvesting, storing,  
4 transporting, processing, marketing, and utilizing  
5 crops or goods processed from those crops in a manner  
6 that provides no risk that the crops or goods  
7 processed from the crops will be utilized for human  
8 consumption. The security plan shall be accompanied  
9 by all necessary certifications by persons who will  
10 harvest, store, transport, process, or market the crop  
11 or goods processed from the crop, as required by the  
12 department. The department may approve amendments to  
13 the security plan.

- 14 b. A person shall not sell, offer for sale, or  
15 transport agricultural seed or vegetable seed in this  
16 state that is artificially colored solid blaze orange,  
17 unless it is designated seed. A person shall not  
18 knowingly use management practices, or harvest, store,  
19 transport, process, or market crops or goods processed  
20 from those crops in violation of the security plan.  
21 Sec. \_\_\_\_ NEW SECTION. 199.25 LIABILITY.  
22 1. a. A person who produces a crop produced from  
23 agricultural seed or vegetable seed that is  
24 genetically modified shall not be found liable for  
25 damages caused by contamination, if the crop is  
26 produced in accordance with sound management practices  
27 as provided in section 199.23.  
28 b. A seed dealer who sells agricultural seed or  
29 vegetable seed in compliance with sections 199.23 and  
30 199.24 shall not be found liable for damages caused by  
31 contamination.  
32 c. A seed labeler shall be strictly liable for  
33 damages caused by contamination, if a person who  
34 produces a crop originating from genetically modified  
35 agricultural seed or vegetable seed complies with  
36 sound management practices provided by the seed  
37 labeler as required pursuant to section 199.23.  
38 2. A person who is liable for damages caused by  
39 the contamination shall be subject to punitive  
40 damages."  
41 2. Page 7, by inserting after line 17, the  
42 following:  
43 "Sec. \_\_\_\_ DIRECTIONS TO CODE EDITOR. The Code  
44 editor shall organize chapter 199 in conformance with  
45 this Act. The Code editor shall transfer sections  
46 199.11 through 199.14 into a new subchapter 3.  
47 Sec. \_\_\_\_ EFFECTIVE DATE. The provisions of this  
48 Act amending chapter 199 take effect on September 1,  
49 2001."  
50 3. Title page, line 3, by striking the words "and

#### Page 6

- 1 providing" and inserting the following: "providing".  
2 4. Title page, line 3, by inserting after the  
3 word "liability" the following: ", and providing an  
4 effective date".

Roll call was requested by Kuhn of Floyd and Myers of Johnson.

On the question "Shall amendment H-1249 be adopted?" (H.F.  
502)

The ayes were, 43:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Huser	Jochum
Kreiman	Kuhn	Larkin	Lensing
Mascher	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Smith	Stevens
Taylor, D.	Taylor, T.	Tremmel	Warnstadt
Winckler	Wise	Witt	

The nays were, 54:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggest	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Eddie	Eichhorn	Elgin	Finch
Garman	Gipp	Grundberg	Hahn
Hansen	Heaton	Horbach	Hoversten
Huseman	Jacobs	Jenkins	Johnson
Kettering	Klemme	Larson	Manternach
Metcalf	Millage	Raecker	Rants
Rayhons	Rekow	Roberts	Shey
Shoultz	Sievers	Sukup	Teig
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Mr. Speaker		
	Siegrist		

Absent or not voting, 3:

Drake	Hoffman	Houser
-------	---------	--------

Amendment H-1249 lost.

Baudler of Adair offered the following amendment H-1258 filed by him and moved its adoption:

H-1258

- 1 Amend House File 502 as follows:
- 2 1. Page 3, line 23, by inserting after the word
- 3 "crop" the following: "; or storing, planting, or
- 4 nurturing the crop's seed".
- 5 2. Page 3, line 34, by inserting after the word
- 6 "crop" the following: "; including the crop's seed".
- 7 3. Page 4, line 20, by inserting after the word
- 8 "destroy" the following: "or damage".

- 9 4. Page 4, line 30, by inserting after the word  
 10 "crops," the following: "A person is presumed to  
 11 intend disruption, if the person moves, removes, or  
 12 defaces any sign posted on the crop operation property  
 13 or label used by the owner and the sign or label  
 14 identifies a crop maintained on the crop operation  
 15 property."  
 16 5. Page 4, line 31, by inserting after the word  
 17 "Destroy" the following: "or damage".

Amendment H-1258 was adopted.

Baudler of Adair offered the following amendment H-1246 filed by him and Kreiman of Davis and moved its adoption:

H-1246

- 1 Amend House File 502 as follows:  
 2 1. Page 6, by striking lines 4 through 19 and  
 3 inserting the following: "person is guilty of  
 4 criminal mischief as provided in section 716.1, and  
 5 commits the same class of offense as provided in  
 6 sections 716.3 through 716.6 based on the amount of  
 7 damage to the research crop or crop operation property  
 8 where the research crop is maintained."  
 9 2. By striking page 6, line 28 through page 7,  
 10 line 6, and inserting the following: "person is  
 11 guilty of criminal mischief as provided in section  
 12 716.1, and commits the same class of offense as  
 13 provided in sections 716.3 through 716.6 based on the  
 14 amount of damage to the crop or crop operation  
 15 property where the crop is maintained."

Amendment H-1246 was adopted.

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. 502)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Eddie

Eichhorn	Elgin	Falck	Finch
Foege	Ford	Frevert	Garman
Gipp	Grundberg	Hahn	Hansen
Hatch	Heaton	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Mr. Speaker Siegrist

The nays were, 2:

Fallon                      Greimann

Absent or not voting, 2:

Drake                      Hoffman

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

### SPECIAL PRESENTATION

Speaker Siegrist introduced to the House the Honorable Dan Petersen, former state representative from Muscatine County.

The House rose and expressed its welcome.

**House File 458**, a bill for an act extending the statute of limitations period for filing a criminal charge of incest, was taken up for consideration.

Raecker of Polk offered the following amendment H-1255 filed by him and Kreiman of Davis and moved its adoption:

H-1255

1 Amend House File 458 as follows:

- 2 1. Page 1, line 10, by inserting after the figure  
 3 "709.15" the following: "committed on or with a  
 4 person who is under the age of eighteen".  
 5 2. Page 1, by striking lines 11 and 12 and  
 6 inserting the following: "within ten years after the  
 7 person upon whom the offense is committed attains  
 8 eighteen years of age. An information or indictment  
 9 for any other sexual exploitation shall be found  
 10 within ten years of the date the victim was last  
 11 treated by the counselor or therapist."

Amendment H-1255 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. 458)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Eddie	Eichhorn
Elgin	Falck	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hansen	Hatch	Heaton	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Bradley

Drake

Hoffman

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 March 21, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Joint Resolution 6, a joint resolution nullifying an amendment to an administrative rule of the department of natural resources eliminating the unprotected nongame status of reptiles and providing an effective date.

Also: That the Senate has on March 21, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Joint Resolution 7, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 140, a bill for an act updating the Iowa Code references to the Internal Revenue Code, increasing the minimum filing income requirement for dependents, lowering the threshold amount for making estimated payments for corporations and financial institutions, increasing the estimated tax payment standard for assessing a penalty for corporations and financial institutions, and providing retroactive applicability dates and an effective date.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 337, 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.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 354, a bill for an act relating to limitations on filing medical assistance claims against a decedent's estate.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 372, a bill for an act relating to the powers and duties of the county recorder relating to the recording and keeping of documents.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 387, 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.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 406, a bill for an act relating to a review of revenue sources of local governments.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 412, a bill for an act relating to the compulsory attendance age and attendance at school during the regular school calendar by a child who has reached the age of sixteen.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 413, a bill for an act relating to a criminal sentence subject to the maximum accumulation of earned time credits of fifteen percent of the total sentence of confinement.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 415, a bill for an act relating to the jurisdiction of district associate judges.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 428, a bill for an act requiring the department of human services to establish a statewide central intake unit for receiving reports of child abuse.

MICHAEL E. MARSHALL, Secretary



## IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 458 and 502.**

**House File 587**, a bill for an act providing magistrates who are not licensed to practice law in Iowa with the authority to review applications for involuntary hospitalization and applications for involuntary commitment or treatment of chronic substance abusers and making conforming changes, was taken up for consideration.

Dix of Butler in the chair at 11:37 a.m.

Speaker Siegrist in the chair at 11:40 a.m.

Grundberg of Polk asked and received unanimous consent to withdraw amendment H-1260 filed by her on March 20, 2001.

Grundberg of Polk offered the following amendment H-1263 filed by her and moved its adoption:

H-1263

- 1 Amend House File 587 as follows:
- 2 1. Page 3, by inserting after line 14 the
- 3 following:
- 4 "Sec. \_\_\_\_ LEGISLATIVE STUDY – INVOLUNTARY
- 5 HOSPITALIZATION AND INVOLUNTARY COMMITMENT
- 6 PROCEEDINGS. The legislative council is requested to
- 7 establish a study committee during the 2001 interim on
- 8 issues relating to involuntary hospitalization
- 9 including, but not limited to, both inpatient and
- 10 outpatient commitment proceedings and advanced
- 11 directives. The study committee shall consist of
- 12 legislator members of both political parties from both
- 13 houses of the general assembly, representatives of the
- 14 judicial branch and the department of corrections, law
- 15 enforcement personnel, including police officers and
- 16 sheriffs, mental health consumers, mental health
- 17 advocacy groups, including, but not limited to,
- 18 representatives from the alliance for the mentally ill
- 19 and mental health advocates, representatives from the
- 20 Iowa department of public health, and representatives
- 21 from the psychiatric and psychological services
- 22 community."
- 23 2. Title page, line 4, by inserting after the

- 24 word "abusers" the following: ", providing for an  
 25 interim study committee,".  
 26 3. By renumbering as necessary.

Amendment H-1263 was adopted.

Eichhorn 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. 587)

The ayes were, 56:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Carroll	Cormack
De Boef	Dix	Dolecheck	Eddie
Eichhorn	Elgin	Finch	Garman
Gipp	Grundberg	Hahn	Hansen
Heaton	Horbach	Houser	Hoversten
Huseman	Jacobs	Jenkins	Johnson
Kettering	Klemme	Kreiman	Larson
Manternach	Metcalf	Millage	Quirk
Raecker	Rants	Rayhons	Rekow
Roberts	Shey	Shoultz	Sievers
Sukup	Teig	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Mr. Speaker
			Siegrist

The nays were, 41:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevort
Greimann	Hatch	Huser	Jochum
Kuhn	Larkin	Lensing	Mascher
May	Mertz	Murphy	Myers
O'Brien	Osterhaus	Petersen	Reynolds
Richardson	Scherrman	Schrader	Seng
Smith	Stevens	Taylor, D.	Taylor, T.
Tremmel	Warnstadt	Winckler	Wise
Witt			

Absent or not voting, 3:

Brunkhorst	Drake	Hoffman
------------	-------	---------

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

**House File 225**, a bill for an act providing for the reorganization of districts for the election of Iowa state fair board directors, and providing for an election, with report of committee recommending passage, 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. 225)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, none.

Absent or not voting, 2:

Drake

Hoffman

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

**House File 628**, a bill for an act relating to the regulation of grain dealers by providing an exception for limited liability companies that produce renewable fuel, 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. 628)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, none.

Absent or not voting, 2:

Drake

Hoffman

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 225, 587 and 628.**

### PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty high school students from Teen Leaders in Action in Ottumwa, accompanied by Michelle Sipe, Bethann Cox and Tracey Boxx-Vass. By Tremmel of Wapello.

### CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

2001\646 Western Dubuque Bobcat Basketball Team, Epworth – For being the 2001 Class 3-A Boys State Basketball Champions.

2001\647 Eric Juergens, Maquoketa – For winning the 2<sup>nd</sup> straight NCAA Wrestling Championship at 133 pounds.

2001\648 Mr. and Mrs. Lynn Brenneman, Kalona – For celebrating their 50<sup>th</sup> wedding anniversary.

2001\649 Audrey and Bill Gretter, Keota – For celebrating their 50<sup>th</sup> wedding anniversary.

2001\650 Danville Boys Basketball Team, Danville – For being the 2001 Class 2-A Boys State Basketball Champions.

2001\651 Lucille Cobet, Tama – For celebrating her 80th birthday.

2001\652 Marvel Manfull, Tama – For celebrating her 95<sup>th</sup> birthday.

## SUBCOMMITTEE ASSIGNMENTS

**House File 568**

Ways and Means: Shey, Chair; Hansen and Jochum.

**House File 619**

Ways and Means: Houser, Chair; Osterhaus and Sievers.

**House File 641**

Ways and Means: Teig, Chair; Finch and Shoultz.

**House File 644**

Ways and Means: Sievers, Chair; Houser and Kuhn.

**House File 659**

Ways and Means: Van Fossen, Chair; Shey and Shoultz.

**Senate File 185**

Ways and Means: Shey, Chair; Larkin and Larson.

**Senate File 203**

Education: Brunkhorst, Chair; Carroll and Mascher.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 239**

Appropriations: Gipp, Chair; Barry and Warnstadt.

**House Study Bill 240**

Appropriations: Jenkins, Chair; Jacobs, Raecker, Seng and Wise.

## AMENDMENTS FILED

H-1276	H.F.	526	Gipp of Winneshiek
H-1277	H.F.	577	Schrader of Marion
H-1278	H.F.	577	Schrader of Marion
H-1279	H.F.	593	Smith of Marshall
H-1280	H.F.	593	Smith of Marshall
H-1281	H.F.	567	Carroll of Poweshiek
H-1282	H.F.	382	Osterhaus of Jackson

H-1283	H.F.	630	Gipp of Winneshiek
H-1284	H.F.	577	Witt of Black Hawk
Greimann of Story			Hatch of Polk
Jochum of Dubuque			Mascher of Johnson
Shoultz of Black Hawk			Stevens of Dickinson
H-1285	H.F.	577	Witt of Black Hawk
Greimann of Story			Hatch of Polk
Jochum of Dubuque			Mascher of Johnson
Shoultz of Black Hawk			Stevens of Dickinson
H-1286	H.F.	577	Jenkins of Black Hawk
H-1287	H.F.	304	Mascher of Johnson
H-1288	H.F.	382	Osterhaus of Jackson
H-1289	H.F.	382	Osterhaus of Jackson
H-1290	H.F.	304	Warnstadt of Woodbury
H-1291	H.F.	643	Grundberg of Polk
H-1292	H.F.	304	Warnstadt of Woodbury
H-1293	H.F.	304	Jacobs of Polk
H-1294	H.F.	637	Boal of Polk
H-1295	H.F.	646	Tremmel of Wapello
H-1296	H.F.	653	Tremmel of Wapello
H-1297	H.F.	577	Jenkins of Black Hawk
H-1298	H.F.	638	Huser of Polk

On motion by Rants of Woodbury the House adjourned at 12:54 p.m., until 8:45 a.m., Thursday, March 22, 2001.

# JOURNAL OF THE HOUSE

Seventy-fourth Calendar Day - Fifty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 22, 2001

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

Prayer was offered by Reverend David Schafer, pastor of St. Johns Lutheran Church, Waukon. He was the guest of Representative Chuck Gipp of Winneshiek County.

The Journal of Wednesday, March 21, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 681**, by committee on commerce and regulation, a bill for an act requiring the pledging of collateral in relation to the deposit of uninsured public funds, making related changes, making penalties applicable, and providing for applicability.

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

**House File 682**, by committee on human resources, a bill for an act relating to the establishment of a parental involvement program.

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

**House File 683**, by committee on appropriations, a bill for an act making a supplemental appropriation to the state department of transportation from the primary road fund for the purchase of salt and including an effective date.

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

**House File 684**, by committee on appropriations, a bill for an act relating to the victim rights compensation fund.

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



**House File 685**, by committee on environmental protection, a bill for an act relating to redemption of empty beverage containers, creating a container redemption fund, and providing effective dates.

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

**House File 686**, by committee on state government, a bill for an act relating to provision of notice prior to the provision of products or services by state agencies or political subdivisions.

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

**House File 687**, by committee on state government, a bill for an act relating to government accountability, by providing for strategic planning, performance measurement and reporting, performance audits, performance contracting, return on investment, and oversight, and providing for its implementation.

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

**House File 688**, by committee on human resources, a bill for an act relating to licensure requirements for physician assistants.

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

**House File 689**, by committee on human resources, a bill for an act relating to the contents of certain child abuse assessment reports.

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

**House File 690**, by committee on human resources, a bill for an act relating to premarital education.

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

**House File 691**, by committee on human resources, a bill for an act authorizing the juvenile court, when specified conditions exist, 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 placed on the **calendar**.

**House File 692**, by committee on state government, a bill for an act relating to mandatory disclosures in certain political telephone communications, and applying a penalty.

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

**House File 693**, by Seng, a bill for an act to legalize certain ordinances and amendments considered and passed by the city of Davenport in accordance with procedures no longer valid, and providing an effective date and for retroactive applicability.

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

### 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 21, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 327, a bill for an act relating to the criminal offenses of enticing a minor away and sexual exploitation of a minor and providing a penalty.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 225, a bill for an act relating to an indigent criminal defendant seeking postconviction relief and to the applicability of the Iowa administrative procedures Act to postconviction actions.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 349, a bill for an act relating to information concerning contested case proceedings of the ethics and campaign disclosure board.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 350, a bill for an act making transportation-related Code changes relating to temporary restricted permits and temporary entry and exit permits, railroad crossings, the content of driver's licenses and nonoperator's identification cards, child restraint devices in motor vehicles, hours of service, unsatisfied judgments, and bulk liquid transport.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 374, a bill for an act relating to the qualifications and authorization of therapeutically certified optometrists engaged in the practice of optometry.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 392, a bill for an act relating to appeals filed in juvenile court proceedings.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 394, a bill for an act relating to hospital and birth center licensure, including licensing fees, and providing an effective date.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 414, a bill for an act relating to the crimes of burglary and forgery and providing penalties.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 419, a bill for an act providing for protection from domestic abuse for persons in an intimate relationship.

Also: That the Senate has on March 21, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 453, a bill for an act relating to the administrative procedures of certain county officers by authorizing the issuance of checks, providing for the cancellation of warrants and checks, the disposal of tax lists, and the receipt of electronic payments, specifying tax sale costs and the mailing address for changes of titles and deeds, providing for other properly related matters, and providing an effective date.

Also: That the Senate has on March 21, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 7, a concurrent resolution requesting that the United State Congress adopt daylight saving time as the national standard of keeping time throughout the year.

MICHAEL E. MARSHALL, Secretary

## SENATE MESSAGES CONSIDERED

**Senate Joint Resolution 6**, by committee on natural resources and environment, a joint resolution nullifying an amendment to an

administrative rule of the department of natural resources eliminating the unprotected nongame status of reptiles and providing an effective date.

Read first time and **passed on file.**

**Senate Joint Resolution 7**, by Iverson and Gronstal, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

Read first time and referred to committee on **administration and rules.**

**Senate File 140**, by committee on ways and means, a bill for an act updating the Iowa Code references to the Internal Revenue Code, increasing the minimum filing income requirement for dependents, lowering the threshold amount for making estimated payments for corporations and financial institutions, increasing the estimated tax payment standard for assessing a penalty for corporations and financial institutions, and providing retroactive applicability dates and an effective date.

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

**Senate File 184**, by committee on local government, a bill for an act relating to duties of the county sheriff by increasing the fees and expenses collected by the county sheriff for various services and the release of a garnishment.

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

**Senate File 209**, by Jensen, a bill for an act providing for livestock, including the control of paratuberculosis, and providing for penalties.

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

**Senate File 337**, by committee on commerce, 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 referred to committee on **commerce and regulation**.

**Senate File 354**, by committee on judiciary, a bill for an act relating to limitations on filing medical assistance claims against a decedent's estate.

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

**Senate File 372**, by committee on local government, a bill for an act relating to the powers and duties of the county recorder relating to the recording and keeping of documents.

Read first time and **passed on file**.

**Senate File 384**, by committee on commerce, a bill for an act relating to pay plans for certain employees of the credit union division of the department of commerce.

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

**Senate File 387**, by committee on state government, 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 and regulation**.

**Senate File 393**, by committee on judiciary, a bill for an act relating to a petition to the court for a hearing on a criminal defendant's restitution plan.

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

**Senate File 406**, by committee on local government, a bill for an act relating to a review of revenue sources of local governments.

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

**Senate File 411**, by committee on business and labor relations, a bill for an act providing for the establishment of 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 **state government**.

**Senate File 412**, by committee on education, a bill for an act relating to the compulsory attendance age and attendance at school during the regular school calendar by a child who has reached the age of sixteen.

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

**Senate File 413**, by committee on judiciary, a bill for an act relating to a criminal sentence subject to the maximum accumulation of earned time credits of fifteen percent of the total sentence of confinement.

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

**Senate File 415**, by committee on judiciary, a bill for an act relating to the jurisdiction of district associate judges.

Read first time and referred to committee on **judiciary**.

**Senate File 428**, by committee on human resources, a bill for an act requiring the department of human services to establish a statewide central intake unit for receiving reports of child abuse.

Read first time and referred to committee on **human resources**.

**Senate File 458**, by committee on human resources, a bill for an act relating to children's program and juvenile court provisions involving the department of human services in regard to the foster home insurance fund, group child care providers, juvenile delinquency and child in need of assistance dispositions, and termination of parental rights.

Read first time and **passed on file.**

The House stood at ease at 8:58 a.m., until the fall of the gavel.

The House resumed session at 10:28 a.m., Speaker pro tempore Sukup in the chair.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Myers of Johnson, until his arrival, on request of Huser of Polk.

### CONSIDERATION OF BILLS Regular Calendar

**House File 575**, a bill for an act relating to establishing the state percent of growth for a school budget year, and providing an applicability date, was taken up for consideration.

Speaker Siegrist in the chair at 10:55 a.m.

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. 575)

The ayes were, 56:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Finch	Garman	Gipp	Grundberg
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Sievers
Sukup	Teig	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Mr. Speaker
			Siegrist

The nays were, 44:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Huser	Jochum
Kreiman	Kuhn	Larkin	Lensing
Mascher	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Winckler	Wise	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.

**House File 292**, a bill for an act relating to the financial operations and transactions of the information technology department, 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.

Gipp of Winneshiek in the chair at 11:07 a.m.

On the question "Shall the bill pass?" (H.F. 292)

The ayes were, 100:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May



Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Siegrist, Spkr.	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Gipp,
			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.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Speaker Siegrist, until his arrival, on request of Rants of Woodbury.

**House File 382**, a bill for an act relating to the healthy and well kids in Iowa program, was taken up for consideration.

Osterhaus of Jackson asked and received unanimous consent that amendment H-1282 be deferred.

Osterhaus of Jackson offered the following amendment H-1288 filed by him as follows:

H-1288

- 1 Amend House File 382 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section 249A.3, Code 2001, is amended
- 5 by adding the following new subsection:
- 6 NEW SUBSECTION. 4A. The department shall
- 7 establish presumptive eligibility under the medical
- 8 assistance program for a child who is under nineteen
- 9 years of age. A determination of presumptive
- 10 eligibility shall be made only once in a twelve-month
- 11 period."
- 12 2. Page 2, by inserting after line 19 the

13 following:

14 "Sec.\_\_\_\_. Section 514I.5, subsection 8, paragraph  
15 e, Code 2001, is amended by adding the following new  
16 subparagraph:

17 NEW SUBPARAGRAPH. (15) (a) Care coordination.  
18 For the purposes of this subparagraph subdivision,  
19 "care coordination" means coordinating the provision  
20 of services to children and families to assure that  
21 the children receive health care services by promoting  
22 the coordination of social supports and medical  
23 services across organizations and providers. Care  
24 coordination may include but is not limited to  
25 educating families about the services provided under  
26 the family's health insurance coverage plan; assisting  
27 families in selecting providers; assisting families  
28 with scheduling of health care appointments,  
29 transportation to attend health care appointments, and  
30 translation during health care appointments; and  
31 assisting families in accessing community support  
32 services.

33 (b) Dental services including the coverage of  
34 partial dentures and dentures, with an annual coverage  
35 maximum of one thousand five hundred dollars.

36 (c) Mental health and substance abuse benefits  
37 including coverage of Axis I diagnoses as specified in  
38 the diagnostic and statistical manual of mental  
39 disorders; coverage of the full continuum of treatment  
40 services; provision of adequate provider panels; use  
41 of admission, discharge, continued stay, and placement  
42 criteria specific to children and adolescents; and the  
43 use of Iowa juvenile placement criteria for substance  
44 abuse services.

45 (d) Medically necessary nutrition services  
46 provided by a licensed dietician based upon a  
47 physician referral.

48 (e) Physical and occupational therapy services."

49 3. Page 3, by inserting after line 35 the  
50 following:

## Page 2

1 "Sec.\_\_\_\_. Section 514I.8, subsection 2, paragraph  
2 c, Code 2001, is amended to read as follows:  
3 c. Is a member of a family whose income does not  
4 exceed two hundred percent of the federal poverty  
5 level, as defined in 42 U.S.C. § 9902(2), including  
6 any revision required by such section. Determination  
7 of an applicant's income shall be made on the basis of  
8 the applicant's self-declaration of income."

9 4. Page 4, by inserting after line 7 the  
10 following:

11 "Sec.\_\_\_\_. Section 514I.8, subsection 3, Code

- 12 2001, is amended to read as follows:  
13 3. In accordance with the rules adopted by the  
14 board, a child ~~may~~ shall be determined to be  
15 presumptively eligible for the program pending a final  
16 eligibility determination. Following final  
17 determination of eligibility by the administrative  
18 contractor, a child shall be eligible for a twelve-  
19 month period. At the end of the twelve-month period,  
20 the administrative contractor shall conduct a review  
21 of the circumstances of the eligible child's family to  
22 establish eligibility and cost sharing for the  
23 subsequent twelve-month period."  
24 5. By renumbering as necessary.

Rants of Woodbury asked and received unanimous consent that House File 382 be deferred and that the bill retain its place on the calendar. (Amendment H-1282 deferred and amendment H-1288 pending)

### IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 292 and 575.**

**House File 400**, a bill for an act relating to the regulation of real estate appraisers, 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. 400)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogless	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford

Frevert	Garman	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Gipp,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Myers                      Siegrist, Spkr.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 567**, a bill for an act providing for a legal risk waiver in interstate adoptions, was taken up for consideration.

Carroll of Poweshiek offered the following amendment H-1281 filed by him and moved its adoption:

H-1281

- 1 Amend House File 567 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. NEW SECTION. 232.158A LEGAL RISK
- 5 PLACEMENT.
- 6 1. Notwithstanding any provision of the interstate
- 7 compact on the placement of children to the contrary,
- 8 the department of human services shall permit the
- 9 legal risk placement of a child under the interstate
- 10 compact on the placement of children, if the
- 11 prospective adoptive parent provides a legal risk
- 12 statement, in writing, acknowledging all of the
- 13 following:

14 a. That the placement is a legal risk placement.  
15 b. That the court of the party state of the  
16 sending agency retains jurisdiction over the child for  
17 purposes of the termination of the parental rights of  
18 the biological parents.  
19 c. That if termination of parental rights cannot  
20 be accomplished in accordance with applicable laws,  
21 the child shall be promptly returned to the party  
22 state of the sending agency to be returned to the  
23 child's biological parent or placed as deemed  
24 appropriate by a court of the party state of the  
25 sending agency.  
26 d. That the prospective adoptive parent assumes  
27 full legal, financial, and other risks associated with  
28 the legal risk placement and that the prospective  
29 adoptive parent agrees to hold the department of human  
30 services harmless for any disruption or failure of the  
31 placement.  
32 e. That the prospective adoptive parent shall  
33 provide support and medical and other appropriate care  
34 to the child pending the termination of parental  
35 rights of the biological parents and shall assume  
36 liability for all costs associated with the return of  
37 the child to the party state of the sending agency if  
38 the placement is disrupted or fails.  
39 2. Any written legal risk statement utilized in  
40 establishing a legal risk placement shall, at a  
41 minimum, state all of the information required under  
42 subsection 1, shall be signed by any prospective  
43 adoptive parent, and shall be notarized. The legal  
44 risk statement shall also contain the following notice  
45 printed in clearly legible type: If termination of  
46 parental rights is not accomplished and return of the  
47 child to the biological parent is required, the  
48 prospective adoptive parents are encouraged to seek  
49 mental health counseling to address any resulting  
50 psychological or family problems.

Page 2

1 3. For the purposes of this section, "legal risk  
2 placement" means the placement of a child, who is to  
3 be adopted, with a prospective adoptive parent prior  
4 to the termination of parental rights of the  
5 biological parents, under which the prospective  
6 adoptive parent assumes the risk that, if the parental  
7 rights of the biological parents are not terminated,  
8 the child shall be returned to the biological parents  
9 or placed as deemed appropriate by a court of the  
10 party state of the sending agency, and under which the  
11 prospective adoptive parent assumes other risks and  
12 liabilities specified in a written agreement."

Amendment H-1281 was adopted, placing out of order amendment H-1227 filed by Atteberry of Delaware and Smith of Marshall on March 12, 2001.

### SPECIAL PRESENTATION

Gipp of Winneshiek introduced to the House the Honorable Arthur Ollie former state representative from Clinton County.

The House rose and expressed its welcome.

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. 567)

The ayes were, 95:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Ford	Frevert	Garman
Greimann	Grundberg	Hahn	Hansen
Hatch	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Gipp,	
		Presiding	

The nays were, 3:

Dotzler

Foege

Jochum

Tymeson

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 400, 518 and 567.**

**House File 550**, a bill for an act adding the offense of criminal transmission of human immunodeficiency virus to the list of criminal offenses that require registration under the sex offender registry and providing an effective date, was taken up for consideration.

Baudler of Adair offered amendment H-1225 filed by him as follows:

H-1225

- 1 Amend House File 550 as follows:
- 2 1. Page 1, by inserting before line 1, the
- 3 following:
- 4 "Section 1. Section 80.9, subsection 2, paragraph
- 5 d, Code 2001, is amended to read as follows:
- 6 d. To collect and classify, and keep at all times
- 7 available, complete information useful for the
- 8 detection of crime, and the identification and
- 9 apprehension of criminals. Such information shall be
- 10 available for all peace officers within the state,
- 11 under such regulations as the commissioner may
- 12 prescribe. The provisions of chapter 141A do not
- 13 apply to the entry of human immunodeficiency virus-
- 14 related information by criminal or juvenile justice
- 15 agencies, as defined in section 692.1, into the Iowa
- 16 criminal justice information system or the national
- 17 crime information center system. The provisions of
- 18 chapter 141A also do not apply to the transmission of
- 19 the same information from either or both information
- 20 systems to criminal or juvenile justice agencies. The
- 21 provisions of chapter 141A ~~also~~ do not apply to the
- 22 transmission of the same information from either or
- 23 both information systems to employees of state
- 24 correctional institutions subject to the jurisdiction
- 25 of the department of corrections, employees of secure
- 26 facilities for juveniles subject to the jurisdiction
- 27 of the department of human services, and employees of
- 28 city and county jails, if those employees have direct
- 29 physical supervision over inmates of those facilities



30 or institutions. ~~Human immunodeficiency virus-related~~  
31 The provisions of chapter 141A also do not apply to  
32 transmission of the same information shall not be  
33 transmitted over the police radio broadcasting system  
34 under chapter 693 or any other radio-based  
35 communications system. An employee of an agency  
36 receiving human immunodeficiency virus-related  
37 information under this section who communicates the  
38 information to another employee who does not have  
39 direct physical supervision over inmates, other than  
40 to a supervisor of an employee who has direct physical  
41 supervision over inmates for the purpose of conveying  
42 the information to such an employee, or who  
43 communicates the information to any person not  
44 employed by the agency or uses the information outside  
45 the agency while not acting within the scope of  
46 employment is guilty of a class "D" felony. The  
47 commissioner shall adopt rules regarding the  
48 transmission of human immunodeficiency virus-related  
49 information including provisions for maintaining  
50 confidentiality of the information. The rules shall

Page 2

1 include a requirement that persons receiving  
2 information from the Iowa criminal justice information  
3 system or the national crime information center system  
4 receive training regarding confidentiality standards  
5 applicable to the information received from the  
6 system. The commissioner shall develop and establish,  
7 in cooperation with the department of corrections and  
8 the Iowa department of public health, training  
9 programs and program criteria for persons receiving  
10 human immunodeficiency virus-related information  
11 through the Iowa criminal justice information system  
12 or the national crime information center system."  
13 2. Title page, line 3, by inserting after the  
14 word "and" the following: "authorizing the limited  
15 release of information about the human  
16 immunodeficiency virus, and".

Huser of Polk rose on a point of order that amendment H-1225 was not germane.

The Speaker ruled the point well taken and amendment H-1225 not germane.

Shey 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. 550)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Greimann	Grundberg
Hahn	Hansen	Hatch	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Siegrist, Spkr.	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Gipp,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Heaton	Sievers	Tymeson
--------	---------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 560**, a bill for an act relating to child foster care regulatory requirements and providing an effective date, was taken up for consideration.

Hoversten 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. 560)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Greimann	Grundberg
Hahn	Hansen	Hatch	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Siegrist, Spkr.
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Gipp,
			Presiding

The nays were, none.

Absent or not voting, 4:

Heaton	Mascher	Sievers	Tymeson
--------	---------	---------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 597**, a bill for an act relating to the disposition of unclaimed deer venison processed by a meat and poultry processing establishment, was taken up for consideration.

Rekow of Allamakee 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. 597)

The ayes were, 95:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevort	Garman	Greimann	Grundberg
Hahn	Hansen	Hatch	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shay	Shoultz	Siegrist, Spkr.	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Gipp,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Heaton	Huser	Mascher	Sievers
Tymeson			

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 550, 560 and 597.**

Dix of Butler in the chair at 12:44 p.m.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Mascher of Johnson on request of Warnstadt of Woodbury.

**House File 608**, a bill for an act relating to delinquency charges on certain precomputed consumer credit transactions, 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. 608)

The ayes were, 65:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Carroll	Cphoon	Cormack
De Boef	Dolecheck	Drake	Eddie
Eichhorn	Elgin	Finch	Garman
Gipp	Grundberg	Hahn	Hansen
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larkin
Larson	Manternach	May	Mertz
Metcalf	Millage	O'Brien	Quirk
Raecker	Rants	Rayhons	Rekow
Roberts	Shey	Siegrist, Spkr.	Stevens
Sukup	Teig	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Wise	Witt
Dix,			
Presiding			

The nays were, 31:

Bukta	Chiodo	Connors	Dotzler
Falck	Fallon	Foege	Ford
Frevert	Greimann	Hatch	Jochum
Kreiman	Kuhn	Lensing	Murphy
Myers	Osterhaus	Petersen	Reynolds
Richardson	Scherrman	Schrader	Seng
Shoultz	Smith	Taylor, D.	Taylor, T.
Tremmel	Warnstadt	Winckler	

Absent or not voting, 4:

Heaton	Mascher	Sievers	Tymeson
--------	---------	---------	---------

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 the reporting of underground storage tanks and to benefits provided through funds administered by the Iowa comprehensive petroleum underground storage tank fund board, 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. 636)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker

Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Siegrist, Spkr.
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Dix,
			Presiding

The nays were, none.

Absent or not voting, 4:

Heaton	Mascher	Sievers	Tymeson
--------	---------	---------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 637**, a bill for an act relating to the responsibilities and duties of the department of education, area education agencies, and the commission of libraries, including the renaming of the regional library system, the appointment of trustees for the unified library service area, and development of a biennial unified plan of service and service delivery in consultation with unified library service areas and area education agency media centers, was taken up for consideration.

Boal of Polk offered amendment H-1294 filed by her as follows:

H-1294

- 1 Amend House File 637 as follows:
- 2 1. Page 1, line 6, by striking the word
- 3 "unified".
- 4 2. Page 1, line 17, by striking the word
- 5 "unified".
- 6 3. Page 2, line 2, by striking the word
- 7 "unified".
- 8 4. Page 2, line 22, by striking the word
- 9 "unified".
- 10 5. Page 2, line 23, by striking the word
- 11 "unified".
- 12 6. Page 4, line 23, by striking the word
- 13 "unified".
- 14 7. Page 4, line 30, by striking the word
- 15 "unified".
- 16 8. Page 4, line 33, by striking the word
- 17 "unified".

- 18 9. Page 5, line 3, by striking the word  
19 "unified".  
20 10. Page 5, line 7, by striking the word  
21 "UNIFIED".  
22 11. Page 5, line 9, by striking the words  
23 "Unified library" and inserting the following:  
24 "library Library".  
25 12. Page 5, line 18, by striking the word  
26 "UNIFIED".  
27 13. Page 5, line 20, by striking the word  
28 "unified".  
29 14. Page 6, line 19, by striking the word  
30 "unified".  
31 15. Page 6, line 22, by striking the word  
32 "unified".  
33 16. Page 6, line 25, by striking the word  
34 "unified".  
35 17. Page 6, line 28, by striking the word  
36 "unified".  
37 18. Page 6, line 31, by striking the word  
38 "unified".  
39 19. Page 6, line 34, by striking the word  
40 "unified".  
41 20. Page 7, line 3, by striking the word  
42 "unified".  
43 21. Page 7, line 12, by striking the word  
44 "unified".  
45 22. Page 7, line 24, by striking the word  
46 "unified".  
47 23. Page 7, line 26, by striking the word  
48 "unified".  
49 24. Page 8, line 5, by striking the word  
50 "unified".

## Page 2

- 1 25. Page 8, line 9, by striking the word  
2 "unified".  
3 26. Page 8, line 22, by striking the word  
4 "unified".  
5 27. Page 8, line 27, by striking the word  
6 "unified".  
7 28. Page 8, line 29, by striking the word  
8 "unified".  
9 29. Page 9, line 5, by striking the word  
10 "unified".  
11 30. Page 9, by striking lines 30 through 32 and  
12 inserting the following: "and talented children. The  
13 board shall".  
14 31. Page 10, by striking line 1 and inserting the  
15 following: "committee a library service area trustee  
16 or".



- 17 32. Page 10, line 11, by striking the word  
18 "unified".  
19 33. Page 11, line 7, by striking the word  
20 "county" and inserting the following: "county".  
21 34. Title page, line 5, by striking the word  
22 "unified".  
23 35. Title page, line 7, by striking the word  
24 "unified".  
25 36. By renumbering as necessary.

Boal of Polk offered the following amendment H-1307, to amendment H-1294, filed by her from the floor and moved its adoption:

H-1307

- 1 Amend the amendment, H-1294, to House File 637, as  
2 follows:  
3 1. Page 2, by inserting after line 8 the  
4 following:  
5 "    . Page 8, by inserting after line 35 the  
6 following:  
7 "Sec.    . Section 256.67A, Code 2001, is amended  
8 to read as follows:  
9 256.67A INSURANCE ELIGIBILITY.  
10 Personnel employed by a regional library service  
11 area shall be considered state employees for purposes  
12 of eligibility for receiving employee health and  
13 dental insurance as provided to state employees by the  
14 department of personnel. If a regional library  
15 service area elects to participate in a state employee  
16 health and dental insurance program, the regional  
17 library service area shall continue to pay the costs  
18 of employee participation in a program from funds  
19 appropriated for purposes of the regional libraries  
20 library service areas by the general assembly.""  
21 2. Page 2, by inserting after line 10 the  
22 following:  
23 "    . Page 9, by inserting after line 8 the  
24 following:  
25 "Sec.    . Section 256.68, subsection 2, Code  
26 2001, is amended to read as follows:  
27 2. In addition to funds received under subsection  
28 1, a regional library service area board of trustees  
29 may individually or cooperatively apply to the  
30 commission of libraries for available grants.""  
31 3. By renumbering as necessary.

Amendment H-1307 was adopted.

On motion by Boal of Polk amendment H-1294, as amended, was adopted.

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?" (H.F. 637)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Dix,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Heaton

Mascher

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, 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 608, 636 and 637.**

**House File 643**, a bill for an act providing statutory revisions relating to the department of education, school districts, and the kindergarten through grade twelve educational program, was taken up for consideration.

Grundberg of Polk offered the following amendment H-1291 filed by her and moved its adoption:

H-1291

- 1 Amend House File 643 as follows:
- 2 1. Page 3, line 2, by striking the words and
- 3 figures "~~December 1~~ October 15" and inserting the
- 4 following: "~~December~~ November 1".
- 5 2. Page 3, line 4, by striking the words and
- 6 figures "~~December 15~~ November 1" and inserting the
- 7 following: "~~December~~ November 15".
- 8 3. Page 3, line 11, by striking the words and
- 9 figures "~~December 1~~ October 15" and inserting the
- 10 following: "~~December~~ November 1".
- 11 4. Page 3, by inserting after line 13 the
- 12 following:
- 13 "Sec. \_\_\_\_ Section 257.6, Code 2001, is amended by
- 14 adding the following new subsection:
- 15 NEW SUBSECTION. 6. For the school year beginning
- 16 July 1, 2001, and each succeeding school year, a
- 17 student shall not be included in a district's
- 18 enrollment for purposes of this chapter, or considered
- 19 an eligible pupil under chapter 261C if the student
- 20 meets all of the following:
- 21 a. Was eligible to receive a diploma with the
- 22 class in which they were enrolled and that class
- 23 graduated in the previous school year.
- 24 b. Continues enrollment in the district to take
- 25 courses either provided by the district, offered by
- 26 community colleges under the provisions of section
- 27 257.11, or to take courses under the provisions of
- 28 chapter 261C."
- 29 5. By renumbering as necessary.

Amendment H-1291 was adopted.

Wise of Lee offered the following amendment H-1259 filed by him and moved its adoption:

H-1259

- 1 Amend House File 643 as follows:
- 2 1. Page 3, by striking lines 29 through 34.
- 3 2. By renumbering as necessary.

Roll call was requested by Wise of Lee and T. Taylor of Linn.

On the question "Shall amendment H-1259 be adopted?" (H.F. 643)

The ayes were, 44:

Arnold	Atteberry	Bell	Bukta
Chiodo	Cphoon	Connors	Dotzler
Falck	Fallon	Foege	Ford
Frevert	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Winckler	Wise	Witt

The nays were, 54:

Alons	Barry	Baudler	Boal
Boddicker	Bogges	Bradley	Brauns
Broers	Brunkhorst	Carroll	Cormack
De Boef	Dolecheck	Drake	Eddie
Eichhorn	Elgin	Finch	Garman
Gipp	Grundberg	Hahn	Hansen
Hoffman	Horbach	Houser	Hoversten
Huseman	Jacobs	Jenkins	Johnson
Kettering	Klemme	Larson	Manternach
Metcalf	Millage	Raecker	Rants
Rayhons	Rekow	Roberts	Shey
Siegrist, Spkr.	Sievers	Sukup	Teig
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Dix,		
	Presiding		

Absent or not voting, 2:

Heaton

Mascher

Amendment H-1259 lost.

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. 643 )

The ayes were, 55:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Garman	Gipp	Grundberg	Hahn
Hansen	Hoffman	Horbach	Houser
Hoversten	Huseman	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Roberts
Shey	Siegrist, Spkr.	Sievers	Sukup
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Dix,	
		Presiding	

The nays were, 42:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Huser	Jochum
Kreiman	Kuhn	Larkin	Lensing
May	Mertz	Murphy	Myers
O'Brien	Osterhaus	Petersen	Reynolds
Richardson	Scherrman	Schrader	Seng
Shoultz	Smith	Stevens	Taylor, D.
Taylor, T.	Tremmel	Warnstadt	Winckler
Wise	Witt		

Absent or not voting, 3:

Heaton	Mascher	Quirk
--------	---------	-------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 630**, a bill for an act relating to campaign finance law and providing penalties, was taken up for consideration.

Gipp of Winneshiek offered the following amendment H-1283 filed by him and moved its adoption:

H-1283

- 1 Amend House File 630 as follows:
- 2 1. Page 5, line 10, by striking the word "Yard"
- 3 and inserting the following: "Except as otherwise
- 4 provided in this section, yard".
- 5 2. Page 5, line 17, by inserting after the word
- 6 and figure "and 10" the following: ", if the prior
- 7 permission of the occupant of the property is
- 8 obtained".
- 9 3. Page 5, line 20, by striking the word
- 10 "written".
- 11 4. Page 5, line 21, by striking the words "renter
- 12 or lessee" and inserting the following:
- 13 "corporation".
- 14 5. Page 5, line 24, by striking the words "renter
- 15 or lessee" and inserting the following: "private
- 16 individual".
- 17 6. Page 5, by inserting after line 24 the
- 18 following:
- 19 "(4) Property owned by a private individual that
- 20 has been zoned for commercial purposes, provided that
- 21 the prior permission of the private individual is
- 22 obtained.
- 23 (5) Any other property, including vacant lots,
- 24 owned by a private individual, provided that the
- 25 permission of the private individual is obtained."
- 26 7. Page 5, by inserting after line 32 the
- 27 following:
- 28 "Sec. \_\_\_\_ Section 56.15, subsection 4, unnumbered
- 29 paragraph 2, Code 2001, is amended by striking the
- 30 unnumbered paragraph."
- 31 8. By renumbering and correcting internal
- 32 references as necessary.

Amendment H-1283 was adopted.

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. 630)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Dix,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Heaton                      Mascher

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 630 and 643.**

### SENATE FILE 57 REREFERRED

The Speaker announced that Senate File 57, previously referred to committee on **commerce and regulation** was rereferred to committee on **local government**.

## EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 21, 2001. Had I been present, I would have voted "aye" on House Files 225, 458, 502, 587 and 628.

DRAKE of Pottawattamie

I was necessarily absent from the House chamber on March 22, 2001. Had I been present, I would have voted "aye" on House File 597.

HUSER of Polk

I was necessarily absent from the House chamber on March 19 and 20, 2001. Had I been present, I would have voted "aye" on House Joint Resolution 11, House Files 256, 269, 301, 309, 353, 356, 389, 462, 469, 470, 481, 549, 564, 569, 581, 610, 612, 623, Senate Files 125 and 276.

METCALF of Polk

I was necessarily absent from the House chamber on March 22, 2001. Had I been present, I would have voted "aye" on House Files 518, 550, 560, 597, 608 and 636.

SIEVERS of Scott

I was necessarily absent from the House chamber on March 22, 2001. Had I been present, I would have voted "aye" on House Files 518, 550, 560, 597, 608 and 636.

TYMESON of Madison

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 22<sup>nd</sup> day of March, 2001: House File 287.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

### BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 22, 2001, he approved and transmitted to the Secretary of State the following bill:

Senate File 125, an act relating to membership in an interstate wildlife violators compact by the department of natural resources.

### PROOF OF PUBLICATION (House File 693)

Published copy of House File 693 and verified proof of publication of said bill in the Quad-City Times, a daily newspaper printed and published in Scott County, Iowa on March 2, 2001, was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

### PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty-one 4-H members from Benton, Iowa, Poweshiek and Tama Counties. By Carroll of Poweshiek, Horbach of Tama and Tyrrell of Iowa.

Twelve Alternative Programs NICC students, accompanied by Julie Norby. By Falck of Fayette and Scherrman of Dubuque.

Four Alternative High School students from the Alternative High on the Northeast Iowa Community College Campus, Calmar,

accompanied by Molly Holkesvik and LuAnn Ward. By Gipp of Winneshiek.

Thirty-three senior students from Mt. Pleasant High School, Mt. Pleasant, accompanied by Mrs. Ver Meer and Chaperones. By Heaton of Henry.

Fifty-two Creative Retirement students from Marshalltown Community College, Marshalltown, accompanied by Bert Permar. By Smith of Marshall.

### COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

STATE OF IOWA  
Capitol Planning Commission

The Annual Report, pursuant to Chapter 18A.3, 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\653 Ruth and Harold Lantz, Pomeroy – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\654 Dorisann and Jim Cunningham, Manson – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\655 Margaret Bassett, Ames – For celebrating her 95<sup>th</sup> birthday.
- 2001\656 Ruth and Lloyd Lund, Slater – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2001\657 Loyde Lull, Prole – For celebrating his 80<sup>th</sup> birthday.
- 2001\658 Lorna Nesselroad, Panora – For celebrating her 87<sup>th</sup> birthday.
- 2001\659 Ivan Heuer, Calamus – For celebrating his 99<sup>th</sup> birthday.

- 2001\660 Anna Badtke, Wheatland – For celebrating her 100<sup>th</sup> birthday.
- 2001\661 Dorothy and William Rathje, Clinton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\662 Rolf and Edith Schnack, DeWitt – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\663 Jennifer McFall, Central Lee – For making the Iowa Newspaper Association All-State Second Team in Class 3-A basketball.
- 2001\664 Indianola Boys and Coach Bert Hanson, Indianola – For being the Boys 4-A Championship Team For 2001.
- 2001\665 Derek Thompson, Cedar Falls – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 665

Ways and Means: Sievers, Chair; Houser and D. Taylor.

##### House File 668

Ways and Means: Finch, Chair; Shoultz and Sievers.

##### House File 671

Ways and Means: Houser, Chair; Jochum and Sievers.

##### Senate File 240

Education: Hansen, Chair; Petersen and Sievers.

##### Senate File 304

Environmental Protection: Gipp, Chair; Lensing and Sievers.

##### Senate File 406

Local Government: Van Engelenhoven, Chair; Houser and Kuhn.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

##### H.S.B. 241 Ways and Means

Relating to the administration of the tax and related laws by the department of revenue and finance, including administration of state sales and use, real estate transfer, environmental protection charge

on petroleum diminution, property, motor fuel, special fuel, and inheritance taxes, authorizing tax agreements with Indian tribes, and including effective and applicability date provisions.

### **H.S.B. 242 Appropriations**

Relating to energy conservation including making appropriations of petroleum overcharge funds.

### **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.

MARGARET A. THOMSON  
Chief Clerk of the House

#### **COMMITTEE ON APPROPRIATIONS**

**Committee Bill** (Formerly House Study Bill 240), providing appropriations for certain temporary staffing for the Iowa utilities board prior to assessment of such staffing expenses to utilities.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 21, 2001.

#### **COMMITTEE ON ENVIRONMENTAL PROTECTION**

**Committee Bill** (Formerly House Study Bill 142), relating to redemption of empty beverage containers, creating a container redemption fund, appropriating certain fees, and providing an applicability date.

Fiscal Note is required.

Recommended **Amend and Do Pass** March 20, 2001.

### **RESOLUTIONS FILED**

**HR 23**, by Reynolds, a resolution urging that attention be focused on the potential shortage of qualified nurses in the health care profession.

Laid over under **Rule 25**.

**SCR 7**, by Angelo, a concurrent resolution requesting that the United States Congress adopt daylight saving time as the national standard of keeping time throughout the year.

Laid over under **Rule 25**.

### AMENDMENTS FILED

H-1299	S.C.R.	14	Hatch of Polk
Falck of Fayette			Mascher of Johnson
Seng of Scott			Mertz of Kossuth
Wise of Lee			Murphy of Dubuque
T. Taylor of Linn			Smith of Marshall
Bell of Jasper			
H-1300	H.F.	566	Jochum of Dubuque
H-1301	H.F.	304	Jochum of Dubuque
H-1302	H.F.	304	Jochum of Dubuque
H-1303	H.F.	304	Jochum of Dubuque
H-1304	H.F.	684	Mascher of Johnson
H-1305	H.F.	582	Wise of Lee
H-1306	H.F.	577	Chiodo of Polk
H-1308	H.F.	583	Mascher of Johnson
H-1309	S.F.	62	Alons of Sioux
H-1310	H.F.	304	T. Taylor of Linn
H-1311	H.F.	304	O'Brien of Boone
H-1312	H.F.	577	Jenkins of Black Hawk
H-1313	H.F.	582	Houser of Pottawattamie
H-1314	H.F.	654	Millage of Scott
H-1315	H.F.	656	Richardson of Warren
H-1316	H.F.	656	Richardson of Warren
H-1317	H.F.	577	Jenkins of Black Hawk
H-1318	H.F.	577	Witt of Black Hawk
H-1319	H.F.	577	Witt of Black Hawk
H-1320	H.F.	577	Witt of Black Hawk
H-1321	H.F.	577	Witt of Black Hawk
H-1322	H.F.	577	Witt of Black Hawk
H-1323	H.F.	434	Bukta of Clinton
H-1324	H.F.	681	Johnson of Osceola
			Van Fossen of Scott
H-1325	H.F.	692	Jacobs of Polk
H-1326	H.F.	678	Kreiman of Davis
			Richardson of Warren

H-1327	S.F.	66	Smith of Marshall
			Bell of Jasper
			Chiodo of Polk
			Connors of Polk
			Falck of Fayette
			Foege of Linn
			Frevert of Palo Alto
			Hatch of Polk
			Jochum of Dubuque
			Kuhn of Floyd
			Lensing of Johnson
			May of Worth
			Murphy of Dubuque
			O'Brien of Boone
			Petersen of Polk
			Reynolds of Van Buren
			Scherrman of Dubuque
			Seng of Scott
			Stevens of Dickinson
			T. Taylor of Linn
			Warnstadt of Woodbury
			Wise of Lee
H-1328	H.F.	590	Carroll of Poweshiek
H-1329	H.F.	590	Carroll of Poweshiek

On motion by Rants of Woodbury the House adjourned at 2:13 p.m., until 9:30 a.m., Friday, March 23, 2001.

# JOURNAL OF THE HOUSE

Seventy-fifth Calendar Day - Fifty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, March 23, 2001

The House met pursuant to adjournment at 9:18 a.m., Gipp of Winneshiek in the chair.

Prayer was offered by Becky Lorenz, Executive Secretary to the Speaker of the House.

The Journal of Thursday, March 22, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 694**, by committee on economic development, a bill for an act relating to housing by creating a housing trust fund and a housing trust commission.

Read first time and placed on the **calendar**.

**House File 695**, by committee on economic development, a bill for an act relating to the school-to-career program.

Read first time and placed on the **calendar**.

**House File 696**, by committee on economic development, a bill for an act relating to the employment security administrative contribution surcharge, and providing an effective date.

Read first time and placed on the **calendar**.

**House File 697**, by committee on economic development, a bill for an act relating to an Iowa new economy council.

Read first time and placed on the **calendar**.

**House File 698**, by committee on appropriations, a bill for an act providing appropriations for certain temporary staffing for the Iowa

utilities board and consumer advocate prior to assessment of such staffing expenses to utilities.

Read first time and placed on the **appropriations calendar**.

**House File 699**, by Larson, a bill for an act relating to taxation of real property containing a conservation easement by allowing a deduction for state individual income tax purposes for certain capital gains relating to conservation easements, providing an exemption from inheritance tax for real property containing a conservation easement, and providing retroactive and other applicability dates.

Read first time and referred to committee on **ways and means**.

**House File 700**, by Brunkhorst, a bill for an act relating to the gross premiums tax on certain exchanges of insurance policies and including an applicability provision.

Read first time and referred to committee on **ways and means**.

**House File 701**, by Cormack, Dotzler, and Raecker, a bill for an act relating to the licensure of persons owning or operating pet cemeteries and pet crematoriums, establishing standards and fees, making an appropriation, and providing for criminal penalties.

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 22, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 405, a bill for an act relating to the method of identifying precincts to be recounted for purposes of election recounts.

Also: That the Senate has on March 22, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 425, a bill for an act relating to standards of and participation in the title guaranty program.



Also: That the Senate has on March 22, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 479, a bill for an act relating to wastewater systems, establishing a fund, appropriating moneys from the fund, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

## SENATE MESSAGES CONSIDERED

**Senate File 225**, by committee on judiciary, a bill for an act relating to an indigent criminal defendant seeking postconviction relief and to the applicability of the Iowa administrative procedures Act to postconviction actions.

Read first time and referred to committee on **judiciary**.

**Senate File 349**, by committee on state government, a bill for an act relating to certain filings relating to executive and legislative ethics.

Read first time and referred to committee on **state government**.

**Senate File 350**, by committee on transportation, a bill for an act making transportation-related Code changes relating to temporary restricted permits and temporary entry and exit permits, railroad crossings, the content of driver's licenses and nonoperator's identification cards, child restraint devices in motor vehicles, hours of service, unsatisfied judgments, and bulk liquid transport.

Read first time and referred to committee on **transportation**.

**Senate File 392**, by committee on judiciary, a bill for an act relating to appeals filed in juvenile court proceedings.

Read first time and referred to committee on **judiciary**.

**Senate File 394**, by committee on human resources, a bill for an act relating to hospital and birth center licensure, including licensing fees, and providing an effective date.

Read first time and referred to committee on **human resources**.

**Senate File 414**, by committee on judiciary, a bill for an act relating to the crimes of burglary and forgery and providing penalties.

Read first time and referred to committee on **judiciary**.

**Senate File 419**, by committee on judiciary, a bill for an act providing for protection from domestic abuse for persons in an intimate relationship.

Read first time and referred to committee on **judiciary**.

**Senate File 453**, by committee on local government, a bill for an act relating to the administrative procedures of certain county officers by authorizing the issuance of checks, providing for the cancellation of warrants and checks, the disposal of tax lists, and the receipt of electronic payments, specifying tax sale costs and the mailing address for changes of titles and deeds, providing for other properly related matters, and providing an effective date.

Read first time and **passed on file**.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 693

Judiciary: Broers, Chair; Chiodo and Eichhorn.

##### Senate File 196

State Government: Gipp, Chair; Garman, Jochum, Reynolds and Van Engelenhoven.

##### Senate File 241

Judiciary: Barry, Chair; Jochum and Shey.

##### Senate File 242

State Government: Elgin, Chair; Bradley and T. Taylor.

##### Senate File 344

State Government: Eichhorn, Chair; Falck and Millage.

**Senate File 354**

Judiciary: Millage, Chair; Eichhorn and Kreiman.

**Senate File 393**

Judiciary: Shey, Chair; Baudler and Shoultz.

**Senate File 411**

State Government: Gipp, Chair; Brauns and Chiodo.

**Senate File 413**

Judiciary: Shey, Chair; Boddicker and Kreiman.

**Senate File 415**

Judiciary: Eichhorn, Chair; Kreiman and Millage.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 241**

Ways and Means: Eichhorn, Chair; Larson and Shoultz.

**House Study Bill 242**

Appropriations: Dix, Chair; Barry and Smith.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENT****H.S.B. 243 Judiciary**

Establishing a criminal offense of sexual exploitation by a school employee.

**RESOLUTIONS FILED**

**HCR 27**, by Frevert, a concurrent resolution to urge that the United States Congress, the United States Department of Agriculture, and the United States Department of Justice take all actions necessary to ensure competitive markets in the meat processing industry, including the suspension of mergers of this nation's largest meat processors.

Laid over under **Rule 25**.

**HR 24**, by Sukup, Garman, Roberts, Smith, Foege, Dix and Shoultz, a resolution recognizing and congratulating Quakerdale on 150 years of service.

Laid over under **Rule 25**.

**HR 25**, by Bell, a resolution honoring Anne Wignall for achieving the 2001 Prudential Spirit of Community Award.

Laid over under **Rule 25**.

On motion by Kuhn of Floyd the House adjourned at 9:21 a.m., until 1:00 p.m., Monday, March 26, 2001.

# JOURNAL OF THE HOUSE

Seventy-eighth Calendar Day - Fifty-third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, March 26, 2001

The House met pursuant to adjournment at 1:05 p.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend De Ann Klapp, pastor of the United Methodist Church, Pisgah, also of Mondamin and Little Sioux. She was the guest of Representative Donna Barry of Harrison County.

The Journal of Friday, March 23, 2001 was approved.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Lance Yedersberger, an American citizen for four months, formerly from Canada, and his friend Jerry Yellin, a captain and P-51 pilot in WWII. They were the guests of the Honorable Rebecca Reynolds from Van Buren County.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Heaton of Henry on request of Barry of Harrison and Schrader of Marion on request of Myers of Johnson.

## SPECIAL PRESENTATIONS

Larson of Linn introduced to the House, David Garrison, an artist from Burlington. His art work is currently displayed on the main floor of the rotunda.

The House rose and expressed its welcome.

Witt of Black Hawk introduced to the House, Whitney Bauer and Bryan Slauson, students from Southeast Polk High School in Runnells. They sang "Unforgettable" in honor of the anniversary of his secretary, Jean and Senate Doorkeeper, Kermit Tannatt.

The House rose and expressed its appreciation.

### INTRODUCTION OF BILL

**House File 702**, by Frevert, a bill for an act relating to animal feeding operations, by providing for small animal feeding operations.

Read first time and referred to committee on **agriculture**.

### SENATE MESSAGES CONSIDERED

**Senate File 405**, by committee on state government, a bill for an act relating to the method of identifying precincts to be recounted for purposes of election recounts.

Read first time and referred to committee on **state government**.

**Senate File 479**, by committee on natural resources and environment, a bill for an act relating to wastewater systems, establishing a fund, appropriating moneys from the fund, and providing an effective date.

Read first time and referred to committee on **appropriations**.

### CONSIDERATION OF BILLS

#### Regular Calendar

**House Joint Resolution 9**, a joint resolution nullifying an amendment to an administrative rule of the department of natural resources eliminating the unprotected nongame status of reptiles and providing an effective date, was taken up for consideration.

### SENATE JOINT RESOLUTION 6 SUBSTITUTED FOR HOUSE JOINT RESOLUTION 9

Baudler of Adair asked and received unanimous consent to substitute Senate Joint Resolution 6 for House Joint Resolution 9.

**Senate Joint Resolution 6**, a joint resolution nullifying an amendment to an administrative rule of the department of natural resources eliminating the unprotected nongame status of reptiles and providing an effective date, was taken up for consideration.

Baudler of Adair 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?" (S.J.R. 6)

The ayes were, 57:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Carroll	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Garman	Gipp	Grundberg	Hahn
Hansen	Hatch	Hoffman	Horbach
Houser	Hoversten	Huseman	Jacobs
Jenkins	Johnson	Kettering	Klemme
Kuhn	Larson	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Sievers
Sukup	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Mr. Speaker			
Siegrist			

The nays were, 41:

Atteberry	Bell	Brunkhorst	Bukta
Chiodo	Cohoon	Connors	Dotzler
Falck	Fallon	Foege	Ford
Frevert	Greimann	Huser	Jochum
Kreiman	Larkin	Lensing	Mascher
May	Mertz	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Reynolds	Richardson	Scherrman	Seng
Shoultz	Smith	Stevens	Taylor, D.
Taylor, T.	Warnstadt	Winckler	Wise
Witt			

Absent or not voting, 2:

Heaton	Schrader
--------	----------

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

**House File 384**, a bill for an act relating to the elimination of programs and duties of the department of economic development, was taken up for consideration.

Elgin of Linn offered the following amendment H-1247 filed by him and moved its adoption:

H-1247

- 1 Amend House File 384 as follows:
- 2 1. Page 1, by inserting after line 6 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 15.108, subsection 7, paragraph
- 5 c, subparagraph (5), Code 2001, is amended by striking
- 6 the subparagraph."
- 7 2. By renumbering as necessary.

Amendment H-1247 was adopted.

Elgin of Linn offered the following amendment H-1248 filed by him and moved its adoption:

H-1248

- 1 Amend House File 384 as follows:
- 2 1. Page 1, by inserting after line 8 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 15.246, unnumbered paragraph 1,
- 5 Code 2001, is amended to read as follows:
- 6 The department shall establish and administer a
- 7 case management program, contingent upon the
- 8 availability of funds authorized for the program, and
- 9 conducted in coordination with the job training
- 10 ~~partnership program~~, the self-employment loan program,
- 11 and other state or federal programs providing
- 12 financial or technical assistance administered by the
- 13 department. The case management program shall assist
- 14 in furnishing information about available assistance
- 15 to clients seeking to establish or expand small
- 16 business ventures, furnishing information about
- 17 available financial or technical assistance,
- 18 evaluating small business venture proposals,
- 19 completing viable business start-up or expansion
- 20 plans, and completing applications for financial or
- 21 technical assistance under the programs administered
- 22 by the department. As used in this section, "client"
- 23 means a low-income person eligible for assistance
- 24 under the self-employment loan program established in



25 section 15.241."

26 2. Page 2, by inserting after line 7 the  
27 following:

28 "Sec. \_\_\_\_ Section 84A.5, subsection 6, paragraph  
29 e, Code 2001, is amended by striking the paragraph.

30 Sec. \_\_\_\_ Section 96.11, subsection 6, paragraph  
31 c, subparagraph (8), Code 2001, is amended by striking  
32 the subparagraph.

33 Sec. \_\_\_\_ Section 97B.1A, subsection 8, paragraph  
34 a, subparagraph (6), Code 2001, is amended by striking  
35 the subparagraph.

36 Sec. \_\_\_\_ Section 241.3, subsection 2, Code 2001,  
37 is amended to read as follows:

38 2. The department shall consult and cooperate with  
39 the department of workforce development, the United  
40 States commissioner of social security administration,  
41 the division of the status of women of the department  
42 of human rights, ~~the representative of the~~  
43 ~~administrative agency administering the Job Training~~  
44 ~~Partnership Act~~, the department of education, and  
45 other persons in the executive branch of the state  
46 government as the department considers appropriate to  
47 facilitate the coordination of multipurpose service  
48 programs established under this chapter with existing  
49 programs of a similar nature.

50 Sec. \_\_\_\_ Section 499A.104, subsection 4,

Page 2

1 paragraph b, subparagraph (5), Code 2001, is amended  
2 to read as follows:

3 (5) Construction training program schedule for  
4 partners. ~~The program shall involve, to the greatest~~  
5 ~~extent possible, persons participating as dislocated~~  
6 ~~workers under the federal Job Training Partnership Act~~  
7 ~~as provided in section 7B.1.~~ If a contract is  
8 executed with a person to perform skilled labor or to  
9 supervise skilled work, the person must be certified  
10 by an organization recognized as representing a  
11 membership of persons with common skills.

12 Sec. \_\_\_\_ Chapter 7B, Code 2001, is repealed."

13 3. Page 2, line 15, by striking the word and  
14 figure "and 16.143" and inserting the following:  
15 "16.143, and 231.53".

16 4. Title page, line 1, by striking the words  
17 "programs and" and inserting the following: "certain  
18 economic development and job training related programs  
19 and certain."

20 5. By renumbering as necessary.

Amendment H-1248 was adopted.

Elgin 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. 384)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Grundberg	Hahn	Hansen	Hatch
Hoffman	Horbach	Houser	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Seng	Shey	Shoultz	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Heaton	Hoversten	Schrader
--------	-----------	----------

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

## HOUSE JOINT RESOLUTION 9 WITHDRAWN

Baudler of Adair asked and received unanimous consent to withdraw House Joint Resolution 9 from further consideration by the House.

**House File 73**, a bill for an act relating to the powers and duties of the executive director of the commission of veterans affairs by providing for the recognition of honor guard units of veterans organizations to perform honor guard services, with report of committee recommending amendment and passage, was taken up for consideration.

Eichhorn of Hamilton offered the following amendment H-1261 filed by the committee on state government and moved its adoption:

H-1261

- 1 Amend House File 73 as follows:
- 2 1. Page 1, by striking lines 7 through 14 and
- 3 inserting the following:
- 4 "2. A recognized military veterans organization, a
- 5 reserve officer training corps, or an honor guard unit
- 6 of the organization or corps shall be allowed to
- 7 perform honor guard services on public school property
- 8 or other public property in this state. The honor
- 9 guard services are not a violation of any public
- 10 policy, rule, regulation, resolution, or ordinance
- 11 which prohibits the possession or display of rifles or
- 12 firearms on public school property or other public
- 13 property in this state."

The committee amendment H-1261 was adopted.

Eichhorn 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. 73)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo

Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Grundberg	Hahn	Hansen	Hatch
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Seng	Shey	Shoultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, none.

Absent or not voting, 2:

Heaton

Schrader

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 73 and 384 and Senate Joint Resolution 6.**

**House File 579**, a bill for an act relating to the administration and management of the department of personnel, was taken up for consideration.

Gipp of Winneshiek in the chair at 1:56 p.m.

Elgin 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. 579)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Greimann	Grundberg
Hahn	Hansen	Hatch	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Gipp,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Heaton                      Schrader

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 535**, a bill for an act allowing cities to issue general obligation bonds, revenue bonds, or loan agreements to fund the construction and equipping of child care centers and providing an effective date, was taken up for consideration.

Sievers 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. 535)

The ayes were, 84:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boguess	Bradley
Broers	Brunkhorst	Bukta	Carroll
Chiodo	Cphoon	Connors	Cormack
Dix	Dotzler	Eddie	Elgin
Falck	Fallon	Finch	Foege
Ford	Frevert	Greimann	Grundberg
Hahn	Hansen	Hatch	Hoffman
Houser	Hoversten	Huseman	Jacobs
Jenkins	Jochum	Johnson	Kettering
Kreiman	Kuhn	Larkin	Larson
Lensing	Mascher	May	Mertz
Metcalf	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Seng
Shey	Shoultz	Siegrist, Spkr.	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Gipp, Presiding

The nays were, 14:

Boal	Boddicker	Brauns	De Boef
Dolecheck	Drake	Eichhorn	Garman
Horbach	Huser	Klemme	Manternach
Millage	Tyrrell		

Absent or not voting, 2:

Heaton	Schrader
--------	----------

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 the testing of individuals and the release of the results of tests for communicable and infectious diseases and for the human immunodeficiency virus and making penalties applicable, was taken up for consideration.

Carroll of Poweshiek asked and received unanimous consent that amendment H-1328 be deferred.

Carroll of Poweshiek offered the following amendment H-1329 filed by him and moved its adoption:

H-1329

1 Amend House File 590 as follows:

2 1. Page 4, by inserting after line 9, the  
3 following:

4 "7A. A hospital, health care provider, or other  
5 person who is authorized to perform a test under this  
6 section who performs the test in compliance with this  
7 section or who fails to perform the test authorized  
8 under this section, is immune from any liability,  
9 civil or criminal, which might otherwise be incurred  
10 or imposed.

11 7B. A hospital, health care provider, or other  
12 person who is authorized to perform a test under this  
13 section has no duty to perform the test authorized."

14 2. Page 4, line 11, by inserting after the word  
15 "section." the following: "The department may  
16 determine by rule the contagious or infectious  
17 diseases for which testing is reasonable and  
18 appropriate and which may be administered under this  
19 section."

20 3. Page 4, by inserting after line 11, the  
21 following:

22 "\_\_\_\_. The employer of a care provider who  
23 sustained an exposure under this section shall pay the  
24 costs of testing for the individual who is the source  
25 of the exposure and of the testing of the care  
26 provider, if the exposure was sustained during the  
27 course of employment. However, the department shall  
28 pay the costs of testing for the individual who is the  
29 source of the significant exposure and of the testing  
30 of the care provider who renders direct aid without  
31 compensation."

32 4. Page 7, by inserting after line 25, the  
33 following:

34 "\_\_\_\_. A hospital, health care provider, or other  
35 person who is authorized to perform an HIV test under  
36 this section, who performs the HIV test in compliance  
37 with this section or who fails to perform an HIV test  
38 authorized under this section, is immune from any  
39 liability, civil or criminal, which might otherwise be  
40 incurred or imposed.

41 \_\_\_\_\_. A hospital, health care provider, or other  
42 person who is authorized to perform a test under this  
43 section has no duty to perform the HIV test  
44 authorized."

45 5. By renumbering as necessary.

Amendment H-1329 was adopted.

Carroll of Poweshiek asked and received unanimous consent to withdraw amendment H-1328 filed by him on March 22, 2001.

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. 590)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Greimann	Grundberg
Hahn	Hansen	Hatch	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalfe	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Gipp,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Heaton                      Schrader

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.



## IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 535, 579 and 590.**

## 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 26, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 194, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability provisions.

Also: That the Senate has on March 26, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 323, a bill for an act relating to the standard for investment of retirement funds by municipal utilities.

Also: That the Senate has on March 26, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 407, a bill for an act relating to the regulatory authority and procedures of the department of natural resources by providing for the issuance of limited quota licenses and the issuance of licenses and permits by electronic means.

Also: That the Senate has on March 26, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 449, a bill for an act exempting property owned and operated by an Indian housing authority from property tax and including an effective date.

Also: That the Senate has on March 26, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 452, a bill for an act requiring the use of a uniform prescription drug information card by providers of third-party payment or prepayment of prescription drug expenses.

MICHAEL E. MARSHALL, Secretary

**House File 678**, a bill for an act relating to child custody and visitation including the requirement of mediation when a custody arrangement is disputed, was taken up for consideration.

Kreiman of Davis offered amendment H-1326 filed by him and Richardson of Warren as follows:

H-1326

- 1 Amend House File 678 as follows:
- 2 1. Page 1, by inserting after line 16, the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 598.17, Code 2001, is amended
- 5 by adding the following new unnumbered paragraph:
- 6 NEW UNNUMBERED PARAGRAPH. A decree dissolving the
- 7 marriage shall include a finding that states the name
- 8 and age of each minor child by date of birth whose
- 9 welfare may be affected by the dissolution. The
- 10 decree shall also include a finding that states
- 11 whether the wife is pregnant."
- 12 2. Title page, line 1, by inserting after the
- 13 word "to" the following: "parents and children
- 14 including provisions relating to".
- 15 3. By renumbering as necessary.

Millage of Scott rose on a point of order that amendment H-1326 was not germane.

The Speaker ruled the point well taken and amendment H-1326 not germane.

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. 678)

The ayes were, 82:

Alons	Arnold	Barry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Carroll	Chiodo	Cphoon	Connors
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Falck	Fallon	Finch	Foege
Ford	Frevert	Greimann	Grundberg
Hahn	Hansen	Hatch	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Manternach	May	Mertz

Metcalf	Myers	O'Brien	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Seng	Shey	Siegrist, Spkr.	Sievers
Smith	Stevens	Sukup	Taylor, D.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Witt	Gipp,		
	Presiding		

The nays were, 16:

Atteberry	Bukta	Dotzler	Garman
Huser	Jochum	Lensing	Mascher
Millage	Murphy	Osterhaus	Petersen
Shoultz	Taylor, T.	Winckler	Wise

Absent or not voting, 2:

Heaton	Schrader
--------	----------

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 March 26, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 228, a bill for an act relating to the duties of the department of public safety.

Also: That the Senate has on March 26, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 410, a bill for an act relating to the application of certain air quality requirements to indoor emission units or air contaminant sources.

Also: That the Senate has on March 26, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 462, a bill for an act relating to the energy loan fund administered by the department of natural resources.

Also: That the Senate has on March 26, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 466, a bill for an act relating to child care and protection public policy provisions involving children.

MICHAEL E. MARSHALL, Secretary

**House File 674**, a bill for an act relating to the reorganization or dissolution of an area education agency, was taken up for consideration.

Tymeson of Madison 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. 674)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Greimann	Grundberg
Hahn	Hansen	Hatch	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Gipp,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Heaton

Schrader

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 669**, a bill for an act relating to the acceptance and administration of trusts by a school corporation board of directors, was taken up for consideration.

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. 669)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Greimann	Grundberg
Hahn	Hansen	Hatch	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Gipp,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Heaton

Schrader

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 669, 674 and 678.**

### Appropriations Calendar

**Senate File 66**, a bill for an act relating to state general fund expenditure limitation requirements for transmission of the state budget by the governor and passage of the state budget by the general assembly, with report of committee recommending passage, was taken up for consideration.

The House stood at ease at 3:37 p.m., until the fall of the gavel.

The House resumed session at 4:35 p.m., Speaker Siegrist in the chair.

Murphy of Dubuque asked and received unanimous consent that amendment H-1119 be deferred.

Mascher of Johnson asked and received unanimous consent that amendment H-1130 be deferred.

Mascher of Johnson offered the following amendment H-1138 filed by her and moved its adoption:

H-1138

- 1 Amend Senate File 66, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. SAVINGS ACCOUNT FUND APPROPRIATION.
- 6 There is appropriated from the general fund of the
- 7 state to the department of education for the fiscal
- 8 year beginning July 1, 2001, and ending June 30, 2002,
- 9 the following amount, or so much thereof as is
- 10 necessary, to be used for the purpose designated:
- 11 For deposit in the teacher compensation reform and

12 student achievement savings account fund created in  
13 section 8.57B:  
14 ..... \$ 42,000,000

15 Notwithstanding section 8.33, moneys appropriated  
16 in this section shall not revert at the close of the  
17 fiscal year."

18 2. Page 1, line 6, by inserting after the word  
19 "limitation." the following: "The governor's budget  
20 transmitted in accordance with section 8.21 shall  
21 incorporate all other funds affecting directly or  
22 indirectly the condition of the general fund of the  
23 state, including but not limited to the funds created  
24 in sections 8.55, 8.56, 8.57, 8.57A, and 8.57B."

25 3. Page 1, by inserting after line 16, the  
26 following:

27 "Sec. \_\_\_\_ NEW SECTION. 8.57B TEACHER  
28 COMPENSATION REFORM AND STUDENT ACHIEVEMENT SAVINGS  
29 ACCOUNT FUND.

30 1. A teacher compensation reform and student  
31 achievement savings account fund is created as a  
32 separate and distinct fund in the state treasury under  
33 the control of the department of education. Moneys in  
34 the fund in a fiscal year shall be used as directed by  
35 the general assembly for teacher compensation reform  
36 and student achievement activities approved by the  
37 Seventy-ninth General Assembly, First Regular Session,  
38 or by future general assemblies.

39 2. Revenue for the teacher compensation reform and  
40 student achievement savings account fund shall be  
41 deposited with the treasurer of state and credited to  
42 the fund and shall include, but is not limited to,  
43 moneys in the form of a devise, gift, bequest,  
44 donation, federal or other grant, reimbursement,  
45 repayment, judgment, transfer, payment, or  
46 appropriation from any source intended to be used for  
47 the purposes of the fund.

48 3. Notwithstanding section 8.33, moneys  
49 appropriated for deposit in the teacher compensation  
50 reform and student achievement savings account fund

## Page 2

1 shall not revert but shall remain available for  
2 expenditure as directed by the general assembly in  
3 appropriations made from the fund."

4 4. Title page, line 4, by inserting after the  
5 word "assembly" the following: "and making an  
6 appropriation".

Roll call was requested by Murphy of Dubuque and Warnstadt of Woodbury.

On the question "Shall amendment H-1138 be adopted?" (S.F. 66)

The ayes were, 42:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Huser	Jochum
Kreiman	Kuhn	Larkin	Lensing
Mascher	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Reynolds	Richardson	Scherrman
Seng	Shoultz	Smith	Stevens
Taylor, D.	Taylor, T.	Tremmel	Warnstadt
Winckler	Witt		

The nays were, 54:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Garman	Gipp	Hahn	Hansen
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Roberts
Shey	Sievers	Sukup	Teig
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Mr. Speaker		
	Siegrist		

Absent or not voting, 4:

Carroll	Grundberg	Schrader	Wise
---------	-----------	----------	------

Amendment H-1138 lost.

Hatch of Polk offered the following amendment H-1152 filed by him and moved its adoption:

H-1152

1 Amend Senate File 66, as passed by the Senate, as



2 follows:

3 1. Page 1, line 4, by inserting after the figure  
4 "7." the following: "The governor in submitting the  
5 budget under section 8.21, and the general assembly in  
6 passing a budget, shall not have recurring  
7 expenditures in excess of recurring revenues."

A non-record roll call was requested.

The ayes were 40, nays 53.

Amendment H-1152 lost.

Rants of Woodbury asked and received unanimous consent that Senate File 66 be deferred and that the bill be placed on the unfinished business calendar.

#### SENATE FILE 509 PASSED ON FILE

The Speaker announced that Senate File 509, previously referred to committee on **appropriations** was **passed on file**.

#### EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 22 and 26, 2001. Had I been present, I would have voted "aye" on House Files 73, 384, 518, 535, 550, 560, 567, 579, 590, 597, 608, 630, 636, 637, 643, 669, 674, 678, Senate Joint Resolution 6 and "nay" on amendment H-1259 to House File 643.

HEATON of Henry

#### 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 26<sup>th</sup> day of March, 2001: House File 327.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

## PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Anna Voltmer from Decorah High School, Decorah, accompanied by Mrs. Jo Ann Voltmer. By Gipp of Winneshiek.

Mareike Bruemmer and Nicole Obst foreign exchange students from Germany and currently attending school in Osage, accompanied by Bill and Carol Schmidt. By Kuhn of Floyd.

Twenty-eight 9<sup>th</sup> through 12<sup>th</sup> grade students from Hampton-Dumont, Cal-Dows, Sheffield-Chapin, Merservey-Thornton, accompanied by Ken Kasper, Ann Lukensmeyer and Sharron Meyer. By Sukup of Franklin.

## CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\666 Belvia Berlingame Wood, Norwalk – For celebrating her 100<sup>th</sup> birthday.
- 2001\667 Pinkie Galbreath, Onawa – For celebrating her 103<sup>rd</sup> birthday.
- 2001\668 Ileen Koch, Mapleton – For celebrating her 80<sup>th</sup> birthday.
- 2001\669 Katy and Chuck Johnson, Whiting – For celebrating their 63<sup>rd</sup> wedding anniversary.
- 2001\670 John J. Petersen, Denison – For celebrating his 83<sup>rd</sup> birthday.
- 2001\671 Velma and Don Lindstrom, Kiron – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\672 Don Maasen, Westside – For celebrating his 80<sup>th</sup> birthday.
- 2001\673 Paul Heitritter, Boyden – For being the Boyden-Hull basketball team member selected to the Class 1-A All-Tournament Team.

- 2001\674 Bertha and Sam Johnson, Ringstead – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\675 Joyce and Ralph Shriner, Estherville – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\676 June and Gordon Locky, Milford – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\677 Mr. Elwood Cother, Lakewood, CA – For celebrating his 90<sup>th</sup> birthday.
- 2001\678 Donna and Kenneth Simons, Fairfield – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\679 John Howard, Indianola – For celebrating his 80<sup>th</sup> birthday.
- 2001\680 Phyllis Watkins, Hartford – For celebrating her 80<sup>th</sup> birthday.
- 2001\681 Patricia Harvey, Waterloo – For celebrating her 75<sup>th</sup> birthday.
- 2001\682 Doris and Glen Niedermann, Elk Run Heights – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\683 Gwen Scoles, Evansdale – For celebrating her 80<sup>th</sup> birthday.
- 2001\684 Leona Hubbard, Waterloo – For celebrating her 91<sup>st</sup> birthday.
- 2001\685 Dr. William and Kathleen Girsch, Waterloo – For celebrating their 80<sup>th</sup> birthdays.
- 2001\686 Florence and Gus Wrage, Gladbrook – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\687 C. J. Barkema, Muscatine – For being named to the Iowa Newspaper Association's All-State Team.
- 2001\688 Jean and Kermit Tannatt, Des Moines – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\689 Alex Burchett, Eldora – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\690 Anne Wignall, Newton – For winning the 2001 Prudential Spirit of Community Award.
- 2001\691 Christopher Donahue, PCM – For being selected to perform LP at the All-State Individual Speech Festival.
- 2001\692 Lisa Clinkenbeard, PCM – For being selected to perform Prose at the All-State Individual Speech Festival.

- 2001\693 Felix Schmegner, Colfax-Mingo – For being selected to perform Acting at the All-State Individual Speech Festival.
- 2001\694 Ryan Borts, Colfax-Mingo – For being selected to perform Poetry at the All-State Individual Speech Festival.
- 2001\695 Kelsie Goodman, Colfax-Mingo – For being selected to perform Storytelling at the All-State Individual Speech Festival.
- 2001\696 James M. Zempel, Spirit Lake – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\697 Dorothy and Norvil Felderman, Bellevue – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\698 Helen and William Alden, Maquoketa – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2001\699 Freda and Gerald DeLarm, Monmouth – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\700 Vivian and Ross River, Maquoketa – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\701 Louise and Junior Lane, Norwalk – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\702 Marjorie Hoppe, Correctionville – For celebrating her 80<sup>th</sup> birthday.
- 2001\703 Peter Nielsen, Ida Grove – For celebrating his 80<sup>th</sup> birthday.
- 2001\704 Mary Ludwig, Early – For celebrating her 90<sup>th</sup> birthday.
- 2001\705 Alvera Ruchti, Lake View – For celebrating her 91<sup>st</sup> birthday.
- 2001\706 Bessi Groth, Correctionville – For celebrating her 95<sup>th</sup> birthday.
- 2001\707 Arline Hunter, Lake View – For celebrating her 95<sup>th</sup> birthday.
- 2001\708 Mr. and Mrs. Merrill Webb, Shenandoah – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\709 Alice and Billie Chase, Osceola – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\710 Charlene and Clifford Jones, Osceola – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\711 Phyllis McMillin, Bedford – For celebrating her 90<sup>th</sup> birthday.
- 2001\712 Velma Fink, Fairbank – For celebrating her 85<sup>th</sup> birthday.

2001\713 Gen and Ernie Schwarz, Clinton – For celebrating their 50<sup>th</sup> wedding anniversary.

2001\714 Malee Ketelsen, Clinton – For receiving the International Academy of Trial Lawyers Award.

#### SUBCOMMITTEE ASSIGNMENTS

##### Senate File 57

Local Government: Weidman, Chair; Arnold and Warnstadt.

##### Senate File 209

Agriculture: Rekow, Chair; Johnson and Scherrman.

##### Senate File 349

State Government: Gipp, Chair; Garman, Jochum, Reynolds and Van Engelenhoven.

##### Senate File 394

Human Resources: Boal, Chair; Boddicker and Reynolds.

##### Senate File 412

Education: Finch, Chair; Bukta and Eddie.

##### Senate File 428

Human Resources: Hoversten, Chair; Boddicker and Smith.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

##### H.S.B. 11.1 Ways and Means (Revised)

Establishing an interstate distribution center initiative by identifying an activity of a foreign corporation which does not constitute doing business in or deriving income from sources within the state and for which a return is not required for state income tax purposes and including effective and retroactive applicability date provisions.

##### H.S.B. 35.1 Ways and Means (Revised)

Establishing a small business growth initiative by adjusting the allocation to Iowa of income earned by an S corporation for purposes of the state individual income tax and including a retroactive applicability date provision.

## H.S.B. 244 Ways and Means

Establishing a new economy employment initiative by providing for a partial deduction under the individual income tax for the capital gain from the sale or exchange of capital stock of a corporation which was acquired by an individual on account of employment with the corporation, limiting the fiscal impact of the partial deductions, and including an effective and retroactive applicability date 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.

MARGARET A. THOMSON  
Chief Clerk of the House

#### COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House Study Bill 131), relating to sales and use taxes on the delivery of electricity and natural gas.

Fiscal Note is not required.

Recommended **Do Pass** March 21, 2001.

**Committee Bill** (Formerly House Study Bill 164), exempting property owned and operated by an Indian housing authority from property tax and including an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 21, 2001.

### RESOLUTIONS FILED

**HR 26**, by Larson, Van Fossen, Bell, Rants, and Sukup, a resolution congratulating Maytag Corporation on being named an Energy Star Partner of the Year.

Laid over under **Rule 25**.

**HR 27**, by Alons, a resolution congratulating the Men's and Women's Basketball Teams of Northwestern College of Orange City.

Laid over under **Rule 25**.

### AMENDMENTS FILED

H-1330	H.F.	577	Jenkins of Black Hawk
H-1331	H.F.	695	Brunkhorst of Bremer Dotzler of Black Hawk
H-1332	H.F.	680	Hoversten of Woodbury
H-1333	H.F.	680	Foege of Linn
H-1334	H.F.	598	Foege of Linn
H-1335	H.F.	304	Jacobs of Polk
H-1336	H.F.	681	Hansen of Pottawattamie Johnson of Osceola
H-1337	H.F.	304	Fallon of Polk Cormack of Webster
H-1338	H.F.	656	Eichhorn of Hamilton
H-1339	H.F.	635	T. Taylor of Linn Dotzler of Black Hawk
H-1340	H.F.	635	T. Taylor of Linn
H-1341	H.F.	635	T. Taylor of Linn
H-1342	H.F.	680	Hoversten of Woodbury Foege of Linn
H-1343	H.F.	618	Warnstadt of Woodbury
H-1344	H.F.	416	Alons of Sioux Eichhorn of Hamilton
H-1345	H.F.	635	Murphy of Dubuque
H-1346	H.F.	662	Houser of Pottawattamie Foege of Linn

On motion by Rants of Woodbury the House adjourned at 5:15 p.m., until 8:45 a.m., Tuesday, March 27, 2001.

# JOURNAL OF THE HOUSE

Seventy-ninth Calendar Day - Fifty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, March 27, 2001

The House met pursuant to adjournment at 8:47 a.m., Speaker pro tempore Sukup in the chair.

Prayer was offered by Reverend Corey Miller, pastor of Carroll Church of Christ, Carroll. He was the guest of Representative Rod Roberts of Carroll County.

The Journal of Monday, March 26, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 703**, 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 placed on the **ways and means calendar**.

**House File 704**, by Teig, a bill for an act establishing an agricultural sales tax advisory council, and providing for the elimination of the council.

Read first time and referred to committee on **ways and means**.

**House File 705**, by committee on ways and means, a bill for an act relating to sales and use taxes on the delivery of electricity and natural gas.

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 26, 2001, passed the following bill in which the concurrence of the Senate was asked:



House File 179, a bill for an act relating to excluding from confinement dogs used by police or correctional officers.

Also: That the Senate has on March 26, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 269, a bill for an act relating to balloon payments on consumer loans secured by a certificate of title in a motor vehicle.

Also: That the Senate has on March 26, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 470, a bill for an act providing for the protection of proprietary rights and collection of fees for software, network designs, and technology applications of the Iowa communications network.

Also: That the Senate has on March 26, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 170, a bill for an act relating to training requirements for certain child laborers and providing an effective date.

Also: That the Senate has on March 26, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 339, a bill for an act relating to scheduled fines for hunting and fishing violations.

Also: That the Senate has on March 26, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 461, a bill for an act relating to advertising devices placed along interstate highways.

Also: That the Senate has on March 26, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 470, a bill for an act relating to the regulation of infectious and contagious diseases in animals, and providing for penalties.

MICHAEL E. MARSHALL, Secretary

## SENATE MESSAGES CONSIDERED

**Senate File 323**, by Drake, a bill for an act relating to the standard for investment of retirement funds by municipal utilities.

Read first time and referred to committee on **state government**.

**Senate File 407**, by committee on natural resources and environment, a bill for an act relating to the regulatory authority and procedures of the department of natural resources by providing for the issuance of limited quota licenses and the issuance of licenses and permits by electronic means.

Read first time and referred to committee on **ways and means**.

**Senate File 410**, by committee on natural resources and environment, a bill for an act relating to the application of certain air quality requirements to indoor emission units or air contaminant sources.

Read first time and referred to committee on **environmental protection**.

**Senate File 425**, by committee on commerce, a bill for an act relating to standards of and participation in the title guaranty program.

Read first time and referred to committee on **commerce and regulation**.

**Senate File 449**, 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 **passed on file**.

**Senate File 452**, by committee on commerce, a bill for an act requiring the use of a uniform prescription drug information card by providers of third-party payment or prepayment of prescription drug expenses.

Read first time and referred to committee on **commerce and regulation**.

**Senate File 462**, by committee on natural resources and environment, a bill for an act relating to the energy loan fund administered by the department of natural resources.

Read first time and referred to committee on **environmental protection**.

**Senate File 466**, by committee on human resources, a bill for an act relating to child care and protection public policy provisions involving children.

Read first time and referred to committee on **human resources**.

## CONSIDERATION OF BILLS

### Regular Calendar

**House File 635**, a bill for an act providing that certain employees are not entitled to compensation for time spent traveling to and from the worksite, was taken up for consideration.

The House stood at ease at 8:55 a.m., until the fall of the gavel.

The House resumed session and consideration of House File 635 at 9:21 a.m., Speaker Siegrist in the chair.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Huser of Polk, until her arrival, on request of Myers of Johnson.

T. Taylor of Linn offered the following amendment H-1339 filed by him and Dotzler of Black Hawk and moved its adoption:

H-1339

- 1 Amend House File 635 as follows:
- 2 1. Page 1, line 3, by inserting after the word
- 3 "to" the following: "wage".
- 4 2. Page 1, line 10, by inserting after the word
- 5 "to" the following: "wage".
- 6 3. Title page, line 2, by inserting before the
- 7 word "compensation" the following: "wage".

Roll call was requested by T. Taylor of Linn and Myers of Johnson.

On the question "Shall amendment H-1339 be adopted?" (H.F. 635)

The ayes were, 46:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Cormack	Dotzler
Falck	Fallon	Foege	Ford
Frevert	Garman	Greimann	Hatch
Jochum	Kreiman	Kuhn	Larkin
Larson	Lensing	Mascher	May
Mertz	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Reynolds
Richardson	Scherrman	Schrader	Seng
Shoultz	Smith	Stevens	Taylor, D.
Taylor, T.	Tremmel	Warnstadt	Winckler
Wise	Witt		

The nays were, 52:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Carroll
De Boef	Dolecheck	Drake	Eddie
Eichhorn	Elgin	Finch	Gipp
Grundberg	Hahn	Hansen	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Jacobs	Jenkins	Johnson
Kettering	Klemme	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Sievers
Sukup	Teig	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Mr. Speaker
			Siegrist

Absent or not voting, 2:

Dix                      Huser

Amendment H-1339 lost.

T. Taylor of Linn offered the following amendment H-1340 filed by him and moved its adoption:

H-1340

- 1 Amend House File 635 as follows:
- 2 1. Page 1, line 3, by striking the word "An" and
- 3 inserting the following: "Unless a collective
- 4 bargaining agreement provides otherwise, an".

Amendment H-1340 was adopted.

T. Taylor of Linn offered the following amendment H-1341 filed by him and moved its adoption:

H-1341

- 1 Amend House File 635 as follows:
- 2 1. Page 1, line 12, by inserting after the word
- 3 "hours." the following: "This section applies only to
- 4 persons employed in the work of removing corn
- 5 tassels."

A non-record roll call was requested.

The ayes were 37, nays 50.

Amendment H-1341 lost.

Murphy of Dubuque offered the following amendment H-1345 filed by him and moved its adoption:

H-1345

- 1 Amend House File 635 as follows:
- 2 1. Page 1, line 12, by inserting after the word
- 3 "hours." the following: "An employee traveling
- 4 between worksites on a train, plane, or automobile is
- 5 entitled to compensation for the time that an employee
- 6 spends traveling between worksites."

Amendment H-1345 lost.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Sukup of Franklin, until his return, on request of Rants of Woodbury.

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?" (H.F. 635)

The ayes were, 52:

Alons	Barry	Baudler	Boal
Boddicker	Bogges	Bradley	Brauns
Broers	Brunkhorst	Carroll	De Boef
Dix	Dolecheck	Drake	Eddie
Elgin	Finch	Gipp	Grundberg
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Sievers
Sukup	Teig	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Mr. Speaker
			Siegrist

The nays were, 47:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Cormack	Dotzler
Eichhorn	Falck	Fallon	Foege
Ford	Frevert	Garman	Greimann
Hatch	Huser	Jochum	Kreiman
Kuhn	Larkin	Lensing	Mascher
May	Mertz	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Reynolds	Richardson	Scherrman	Schrader
Seng	Shoultz	Smith	Stevens
Taylor, D.	Taylor, T.	Tremmel	Warnstadt
Winckler	Wise	Witt	

Absent or not voting, 1:

Arnold

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 635** 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 27, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 89, a bill for an act relating to the supervision of curriculum received via the Iowa communications network.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 433, a bill for an act relating to certain programs and public health issues under the purview of the Iowa department of public health, and providing a penalty.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGES CONSIDERED

**Senate File 170**, by committee on business and labor relations, a bill for an act relating to training requirements for certain child laborers and providing an effective date.

Read first time and referred to committee on **labor and industrial relations**.

**Senate File 339**, by committee on natural resources and environment, a bill for an act relating to scheduled fines for hunting and fishing violations.

Read first time and referred to committee on **natural resources**.

**Senate File 433**, 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, and providing a penalty.

Read first time and **passed on file**.

**Senate File 461**, by committee on transportation, a bill for an act relating to advertising devices placed along interstate highways.

Read first time and **passed on file**.

**Senate File 470**, by committee on agriculture, a bill for an act relating to the regulation of infectious and contagious diseases in animals, and providing for penalties.

Read first time and referred to committee on **agriculture**.

### Regular Calendar

**House File 655**, a bill for an act relating to the establishment of a system of oversight for adult day services, was taken up for consideration.

Dix of Butler in the chair at 11:01 a.m.

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. 655)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Chiodo	Cohoon
Connors	Cormack	De Boef	Dolecheck
Dotzler	Drake	Eddie	Eichhorn
Elgin	Falck	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Dix,			
Presiding			



The nays were, none.

Absent or not voting, 3:

Carroll

Grundberg

Sukup

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 655** 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 27, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 597, a bill for an act relating to the disposition of unclaimed deer venison processed by a meat and poultry processing establishment.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 447, a bill for an act relating to the graduated driver's licensing system's requirements for full driver's licenses.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 465, a bill for an act creating a fund for the use of the state department of transportation to purchase soydiesel fuel for use in its vehicles and providing an effective date.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 499, a bill for an act making changes to and reorganizing scheduled fines.

MICHAEL E. MARSHALL, Secretary

**House File 566**, a bill for an act relating to the terms "registered voter", "eligible elector", and "qualified voter" for purposes of elections, voter registration, statutory petition requirements,

absentee voting by armed forces, and drainage district elections, was taken up for consideration.

Jochum of Dubuque offered amendment H-1300 filed by her as follows:

H-1300

- 1 Amend House File 566 as follows:
- 2 1. Page 2, by inserting after line 14, the
- 3 following:
- 4 "Sec. \_\_. Section 49.13, Code 2001, is amended by
- 5 adding the following new subsection:
- 6 NEW SUBSECTION. 5. The commissioner may appoint
- 7 high school students who are not yet qualified to be
- 8 registered voters to serve as precinct election board
- 9 members.
- 10 a. To qualify to serve as a precinct election
- 11 board member, a high school student shall:
- 12 (1) Be a United States citizen.
- 13 (2) Be a junior or senior in good standing
- 14 enrolled in a public or private secondary school in
- 15 Iowa.
- 16 (3) Have a cumulative grade point average
- 17 equivalent to at least 2.0 on a 4.0 scale.
- 18 (4) At the time of appointment, have the written
- 19 approval of the principal of the secondary school the
- 20 student attends.
- 21 (5) Have the written approval of the student's
- 22 parent or legal guardian.
- 23 (6) Have satisfactorily completed the training
- 24 course for election officials.
- 25 (7) Meet all other qualifications for appointment
- 26 and service as an election board member except the
- 27 requirement of being a registered voter.
- 28 b. No more than one student precinct election
- 29 board member may serve on each precinct election
- 30 board.
- 31 c. Student precinct election board members shall
- 32 not serve as the chairperson of a precinct election
- 33 board.
- 34 d. Before serving, the student election precinct
- 35 board member must certify in writing to the
- 36 commissioner the political party with which the
- 37 student is affiliated.
- 38 e. Student precinct election board members shall
- 39 not be counted as absent from school on the day they
- 40 serve as election officials.
- 41 f. Student precinct election board members shall
- 42 not be allowed to work more hours than allowed under

43 the applicable labor laws.

44 Sec. \_\_. Section 49.15, Code 2001, is amended by

45 adding the following new unnumbered paragraph:

46 NEW UNNUMBERED PARAGRAPH. In drawing up precinct

47 election board panels, the commissioner may use

48 student precinct election board members appointed

49 pursuant to section 49.13, subsection 5."

50 2. Title page, line 1, by inserting after the

## Page 2

1 word "to" the following: "elections by allowing youth

2 participation in the electoral process and by

3 amending".

4 3. By renumbering as necessary.

Jacobs of Polk rose on a point of order that amendment H-1300 was not germane.

The Speaker ruled the point well taken and amendment H-1300 was not germane.

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. 566)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Chiodo	Cohoon
Connors	Cormack	De Boef	Dolecheck
Dotzler	Drake	Eddie	Eichhorn
Elgin	Falck	Fallon	Finch
Foege	Ford	Frevrt	Garman
Gipp	Greimann	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader

Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Dix,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Carroll	Grundberg	Sukup
---------	-----------	-------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 680**, a bill for an act relating to child and dependent abuse reporting and civil remedies pertaining to such reporting, was taken up for consideration.

Hoversten of Woodbury offered the following amendment H-1342 filed by him and Foege of Linn and moved its adoption:

H-1342

- 1 Amend House File 680 as follows:
- 2 1. Page 1, line 28, by striking the words "or
- 3 head start program" and inserting the following:
- 4 "head start program, family development and self-
- 5 sufficiency grant program under section 217.12, or
- 6 healthy opportunities for parents to experience
- 7 success – healthy families Iowa program under section
- 8 135.106".

Amendment H-1342 was adopted.

Foege of Linn asked and received unanimous consent to withdraw amendment H-1333 filed by him on March 26, 2001.

Hoversten of Woodbury offered the following amendment H-1332 filed by him and moved its adoption:

H-1332

- 1 Amend House File 680 as follows:
- 2 1. Page 3, line 21, by inserting after the word

- 3 "requirements." the following: "For a person who is  
 4 engaged in active duty in the military service of this  
 5 state or the United States, the licensing board may  
 6 suspend the abuse training requirements as a condition  
 7 of licensure during the period of active duty."

Amendment H-1332 was adopted.

Hoversten 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. 680)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hatch	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Dix,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Fallon	Hansen	Sukup
--------	--------	-------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 304**, a bill for an act relating to elections and voter qualifications and voter registration and concerning election misconduct and criminal penalties, voter registration deadlines and voter registration by mail, written summaries of proposed constitutional amendments or of certain other public measures, election polling hours, receiving, handling, and delivering absentee ballots, and the election of directors of local school districts, area education agencies, and merged areas, and including effective date and applicability date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Jacobs of Polk offered amendment H-1242 filed by the committee on state government as follows:

H-1242

- 1 Amend House File 304 as follows:
- 2 1. Page 12, by striking lines 4 through 19.
- 3 2. Page 17, by striking lines 2 through 8.
- 4 3. Page 19, by striking lines 1 through 21.
- 5 4. Page 20, line 14, by striking the words and
- 6 figures "paragraphs 1 and 2" and inserting the
- 7 following: "paragraph 2".
- 8 5. Page 20, line 15, by striking the word "are"
- 9 and inserting the following: "is".
- 10 6. Page 20, by striking lines 16 through 28.
- 11 7. Page 21, line 2, by striking the word "six"
- 12 and inserting the following: "~~six~~ four".
- 13 8. Page 21, line 7, by striking the word
- 14 "paragraphs" and inserting the following:
- 15 "paragraph".
- 16 9. Page 21, by striking lines 13 through 20.
- 17 10. Page 35, line 4, by striking the word and
- 18 figures "July 1, 2001" and inserting the following:
- 19 "January 1, 2003".
- 20 11. Page 35, line 5, by striking the figure
- 21 "2001" and inserting the following: "2003".
- 22 12. Title page, by striking lines 3 and 4, and
- 23 inserting the following: "penalties, voter
- 24 registration deadlines, written summaries of proposed
- 25 constitutional".

Rants of Woodbury asked and received unanimous consent that House File 304 be deferred and that the bill retain its place on the calendar. (Committee amendment H-1242 pending)

On motion by Rants of Woodbury, the House was recessed at 11:38 a.m., until 1:00 p.m.

### AFTERNOON SESSION

The House reconvened at 1:03 p.m., Barry of Harrison in the chair.

### 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.

Carroll of Poweshiek in the chair at 1:06 p.m.

### SENATE MESSAGES CONSIDERED

**Senate File 447**, by committee on transportation, a bill for an act relating to the graduated driver's licensing system's requirements for full driver's licenses.

Read first time and referred to committee on **transportation**.

**Senate File 465**, by committee on transportation, a bill for an act creating a fund for the use of the state department of transportation to purchase soydiesel fuel for use in its vehicles and providing an effective date.

Read first time and referred to committee on **transportation**.

**Senate File 499**, by committee on judiciary, a bill for an act making changes to and reorganizing scheduled fines.

Read first time and referred to committee on **judiciary**.

## CONSIDERATION OF BILLS

### Regular Calendar

The House resumed consideration of **House File 304**, a bill for an act relating to elections and voter qualifications and voter registration and concerning election misconduct and criminal penalties, voter registration deadlines and voter registration by mail, written summaries of proposed constitutional amendments or of certain other public measures, election polling hours, receiving, handling, and delivering absentee ballots, and the election of directors of local school districts, area education agencies, and merged areas, and including effective date and applicability date provisions, previously deferred. (Committee amendment H-1242 pending)

The House resumed consideration of the committee amendment H-1242 pending at recess and found on page 900 of the House Journal.

Heaton of Henry offered amendment H-1353, to the committee amendment H-1242, filed by him from the floor as follows:

H-1353

- 1 Amend the amendment, H-1242, to House File 304 as
- 2 follows:
- 3 1. Page 1, by inserting after line 2, the
- 4 following:
- 5 "\_\_\_". Page 13, line 23, by striking the word
- 6 "may" and inserting the following: "will".
- 7 2. Page 1, line 3, by striking the figure "8."
- 8 and inserting the following: "8, and inserting the
- 9 following:
- 10 "Sec. \_\_\_. Section 49.77, subsection 3, unnumbered
- 11 paragraph 1, Code 2001, is amended by striking the
- 12 unnumbered paragraph.""
- 13 3. By renumbering as necessary.

The House stood at ease at 1:24 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H-1353, to the committee amendment H-1242 at 1:54 p.m., Carroll of Poweshiek in the chair.

Heaton of Henry requested division as follows:



Lines 3 through 6, Division A.  
Lines 7 through 12, Division B.  
Line 13, Division A.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-1353B, to the committee amendment H-1242.

Heaton of Henry moved the adoption of amendment H-1353A, to the committee amendment H-1242.

A non-record roll call was requested.

The ayes were 46, nays 43.

Amendment H-1353A was adopted.

Mascher of Johnson offered the following amendment H-1357, to the committee amendment H-1242, filed by her from the floor and moved its adoption:

H-1357

- 1 Amend the amendment, H-1242, to House File 304 as
- 2 follows:
- 3 1. Page 1, by striking lines 22 through 25, and
- 4 inserting the following:
- 5 "\_\_\_ Title page, by striking lines 1 through 8,
- 6 and inserting the following: "An Act relating to
- 7 voter suppression, and".
- 8 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 40, nays 50.

Amendment H-1357 lost.

On motion by Jacobs of Polk, the committee amendment H-1242, as amended, was adopted.

Jochum of Dubuque offered the following amendment H-1302 filed by her and moved its adoption:

H-1302

- 1 Amend House File 304 as follows:
- 2 1. Page 1, by striking line 1.
- 3 2. By striking page 11, line 20 through page 35,
- 4 line 5.
- 5 3. Title page, by striking lines 1 through 9, and
- 6 inserting the following: "An act relating to election
- 7 misconduct and criminal penalties."
- 8 4. By renumbering as necessary.

Roll call was requested by Wise of Lee and Brunkhorst of Bremer.

On the question "Shall amendment H-1302 be adopted?" (H.F. 304)

The ayes were, 45:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Eichhorn
Falck	Fallon	Foege	Ford
Frevert	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Reynolds	Richardson
Scherrman	Schrader	Seng	Shoultz
Smith	Stevens	Taylor, D.	Taylor, T.
Tremmel	Warnstadt	Winckler	Wise
Witt			

The nays were, 54:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Elgin	Finch	Garman
Gipp	Grundberg	Hahn	Hansen
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Roberts
Shey	Siegrist, Spkr.	Sukup	Teig
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Carroll,		
	Presiding		

Absent or not voting, 1:

Sievers

Amendment H-1302 lost.

O'Brien of Boone offered the following amendment H-1311 filed by him and moved its adoption:

H-1311

- 1 Amend House File 304 as follows:
- 2 1. By striking page 12, line 20 through page 15,
- 3 line 12.
- 4 2. Page 20, by striking lines 3 through 13.
- 5 3. Title page, by striking line 3, and inserting
- 6 the following: "penalties, voter registration".
- 7 4. By renumbering as necessary.

Sukup of Franklin in the chair at 3:49 p.m.

Roll call was requested by Myers of Johnson and Larkin of Lee.

On the question "Shall amendment H-1311 be adopted?" (H.F. 304)

The ayes were, 43:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Huser	Jochum	Kreiman
Kuhn	Larkin	Lensing	Mascher
May	Mertz	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Reynolds	Richardson	Scherrman	Schrader
Seng	Shoultz	Smith	Stevens
Taylor, D.	Taylor, T.	Tremmel	Warnstadt
Winckler	Wise	Witt	

The nays were, 56:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Finch	Garman	Gipp	Grundberg
Hahn	Hansen	Heaton	Hoffman

Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Siegrist, Spkr.
Sievers	Teig	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Sukup, Presiding

Absent or not voting, 1:

Hatch

Amendment H-1311 lost.

Mascher of Johnson offered amendment H-1287 filed by her as follows:

H-1287

- 1 Amend House File 304 as follows:
- 2 1. Page 15, by inserting after line 35 the
- 3 following:
- 4 "Sec.     . NEW SECTION. 39.27 QUALIFICATIONS FOR
- 5 PUBLIC OFFICE.
- 6 Any person elected to an office under the laws of
- 7 this state shall be an eligible elector. At the time
- 8 an elected official takes office the official shall be
- 9 a resident of the state, district, county, township,
- 10 city, or ward by or for which the person was elected,
- 11 or in which the duties of the office are to be
- 12 exercised. An elected official shall continue to be a
- 13 resident of the state, district, county, township,
- 14 city, or ward by or for which the person was elected,
- 15 or in which the duties of the office are to be
- 16 exercised for the duration of the term of office.
- 17 This section shall not apply to United States senators
- 18 or representatives in Congress."
- 19 2. Title page, line 1, by inserting after the
- 20 word "elections" the following: "and qualifications
- 21 of elected officials".
- 22 3. By renumbering as necessary.

Jacobs of Polk rose on a point of order that amendment H-1287 was not germane.

The Speaker ruled the point well taken and amendment H-1287 was not germane.

Jochum of Dubuque asked and received unanimous consent to withdraw amendment H-1301 filed by her on March 22, 2001.

Jochum of Dubuque offered the following amendment H-1303 filed by her and moved its adoption:

H-1303

- 1 Amend House File 304 as follows:
- 2 1. Page 16, by inserting before line 1, the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 49.14, subsection 1, Code 2001,
- 5 is amended to read as follows:
- 6 1. The commissioner may appoint substitute
- 7 precinct election officials as alternates for election
- 8 board members. ~~a majority of the original election~~
- 9 ~~board members shall be present at the precinct polling~~
- 10 ~~place at all times; The commissioner may use~~
- 11 substitute precinct election officials to create
- 12 multiple work shifts for polling places on election
- 13 day. Shifts and work schedules shall be arranged at
- 14 the discretion of the commissioner provided that at
- 15 partisan elections such majority the composition of
- 16 the election board shall include at least one precinct
- 17 election official from each political party. If the
- 18 chairperson leaves the polling place, the chairperson
- 19 shall designate another member of the board to serve
- 20 as chairperson until the chairperson returns. The
- 21 responsibilities and duties of a precinct election
- 22 official present at the time the polling place was
- 23 opened on the day of an election may be assumed at any
- 24 later time that day by a substitute appointed as an
- 25 alternate. The substitute shall serve either for the
- 26 balance of that election day or for any shorter period
- 27 of time the commissioner may designate."
- 28 2. By renumbering as necessary.

Amendment H-1303 lost.

Falck of Fayette asked and received unanimous consent to withdraw amendment H-1252 filed by him on March 20, 2001.

Fallon of Polk offered the following amendment H-1337 filed by him and Cormack of Webster and moved its adoption:

H-1337

- 1 Amend House File 304 as follows:

- 2 1. Page 17, by inserting after line 27, the  
3 following:  
4 "DIVISION \_\_\_\_  
5 Sec. \_\_\_\_ INTERIM STUDY COMMITTEE ON INSTANT  
6 RUNOFF VOTING. The legislative council is requested  
7 to establish a legislative interim study committee for  
8 the 2001 interim on instant runoff voting, a system of  
9 voting by which a voter is allowed to rank the  
10 candidates for an office on the ballot in the order of  
11 preference. The interim committee shall study the  
12 process by which, if no candidate receives a majority,  
13 the second choices will be tallied, and if necessary,  
14 the third choices tallied until one candidate receives  
15 a majority of the votes cast. The committee shall  
16 study the feasibility of such a process being used in  
17 this state, what elections it should be used for,  
18 whether such a voting system has increased voter  
19 turnout in the localities where it is used, and any  
20 other issues related to this type of voting."  
21 2. By renumbering as necessary.

Amendment H-1337 lost.

Warnstadt of Woodbury offered the following amendment H-1290  
filed by him and moved its adoption:

H-1290

- 1 Amend House File 304 as follows:  
2 1. By striking page 17, line 32, through page 18,  
3 line 19, and inserting the following:  
4 "Any registered voter, under the circumstances  
5 specified in section 53.1, may on any day, except  
6 election day, and not more than seventy days prior to  
7 the date of the election, apply in person for an  
8 absentee ballot at the commissioner's office or at any  
9 location designated by the commissioner, or make  
10 written application to the commissioner for an  
11 absentee ballot. However, for those elections in  
12 which the commissioner directs the polls be opened at  
13 noon pursuant to section 49.73, a voter may apply in  
14 person for an absentee ballot at the commissioner's  
15 office from eight a.m. until eleven a.m. on election  
16 day. The state commissioner shall prescribe a form  
17 for absentee ballot applications. However, if a  
18 registered voter submits an application that includes  
19 all of the information required in this section, the  
20 prescribed form is not required. Absentee ballot  
21 applications may include instructions to send the  
22 application directly to the county commissioner of  
23 elections. However, no absentee ballot application

- 24 shall be preaddressed or printed with instructions to  
25 send the applications to anyone other than the  
26 appropriate commissioner."  
27 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 37, nays 47.

Amendment H-1290 lost.

Jacobs of Polk offered the following amendment H-1335 filed by her and moved its adoption:

H-1335

- 1 Amend House File 304 as follows:  
2 1. Page 18, line 10, by inserting after the word  
3 "address," the following: "However, more than ten  
4 absentee ballots may be mailed to a residence with ten  
5 or more residents if the residence has only one  
6 mailing address and that mailing address is the same  
7 as the residence address and is not a post office  
8 box."

Amendment H-1335 was adopted.

Tremmel of Wapello offered the following amendment H-1251 filed by him and moved its adoption:

H-1251

- 1 Amend House File 304 as follows:  
2 1. By striking page 17, line 30 through page 18,  
3 line 19.  
4 2. By renumbering as necessary.

Carroll of Poweshiek in the chair at 4:50 p.m.

Roll call was requested by Tremmel of Wapello and Myers of Johnson.

On the question "Shall amendment H-1251 be adopted?" (H.F. 304)

The ayes were, 53:

Atteberry	Bell	Boddicker	Broers
Bukta	Chiado	Cohoon	Connors
Cormack	De Boef	Dotzler	Eichhorn
Falck	Fallon	Finch	Foege
Ford	Frevert	Garman	Greimann
Hatch	Huser	Jochum	Kreiman
Kuhn	Larkin	Lensing	Manternach
Mascher	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shoultz
Smith	Taylor, D.	Taylor, T.	Tremmel
Tymeson	Warnstadt	Winckler	Wise
Witt			

The nays were, 45:

Alons	Arnold	Barry	Baudler
Boal	Bogges	Bradley	Brauns
Brunkhorst	Dix	Dolecheck	Drake
Eddie	Elgin	Gipp	Grundberg
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Huseman	Jacobs
Jenkins	Johnson	Kettering	Klemme
Larson	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Shey
Siegrist, Spkr.	Sievers	Sukup	Teig
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Carroll,			
Presiding			

Absent or not voting, 2:

Hoversten	Stevens
-----------	---------

Amendment H-1251 was adopted, placing amendment H-1335, previously adopted, out of order.

T. Taylor of Linn offered amendment H-1310 filed by him and requested division as follows:

H-1310

1 Amend House File 304 as follows:

H-1310A

2 1. Page 20, line 14, by striking the words and



## H-1310A

3 figures "paragraphs 1 and 2," and inserting the  
 4 following: "paragraph 1,".  
 5 2. Page 20, line 15, by striking the word "are"  
 6 and inserting the following: "is".

## H-1310B

7 3. By striking page 20, line 29 through page 21,  
 8 line 5.

T. Taylor of Linn asked and received unanimous consent to withdraw amendment H-1310A.

T. Taylor of Linn moved the adoption of amendment H-1310B.

Roll call was requested by T. Taylor of Linn and Huser of Polk.

On the question "Shall amendment H-1310B be adopted?" (H.F. 304)

The ayes were, 43:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Huser	Jochum
Kreiman	Kuhn	Larkin	Lensing
Mascher	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Taylor, D.	Taylor, T.	Tremmel	Warnstadt
Winckler	Wise	Witt	

The nays were, 56:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Garman	Gipp	Grundberg	Hahn
Hansen	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Jacobs
Jenkins	Johnson	Kettering	Klemme
Larson	Manternach	Metcalf	Millage
Raecker	Rants	Rayhons	Rekow
Roberts	Shey	Siegrist, Spkr.	Sievers

Sukup                      Teig  
Van Engelenhoven    Van Fossen

Tymeson  
Weidman

Tyrrell  
Carroll,  
Presiding

Absent or not voting, 1:

Stevens

Amendment H-1310B lost.

Jacobs of Polk offered the following amendment H-1293 filed by her and moved its adoption:

H-1293

- 1 Amend House File 304 as follows:
- 2 1. By striking page 23, line 3 through page 35,
- 3 line 5, and inserting the following:
- 4 "Sec. \_\_\_\_ INTERIM STUDY COMMITTEE ON SCHOOL BOARD
- 5 ELECTIONS. The legislative council is requested to
- 6 establish a legislative interim study committee for
- 7 the 2001 interim on the conduct of school district and
- 8 merged area elections under current Iowa law. If
- 9 established, the committee should be directed to
- 10 review all issues concerning school district and
- 11 merged area elections in this state, including dates
- 12 of regular and special elections and whether these
- 13 elections can be held in conjunction with any other
- 14 regularly scheduled elections, number of board
- 15 members, length of term of office of board members,
- 16 qualifications of board members, school and merged
- 17 area issues that are required to be decided by
- 18 referendum, and other issues related to school
- 19 district and merged area elections."
- 20 2. By renumbering as necessary.

Amendment H-1293 was adopted, placing out of order lines 17 through 21 of the committee amendment H-1242, previously adopted.

Warnstadt of Woodbury offered amendment H-1253 filed by him as follows:

H-1253

- 1 Amend House File 304 as follows:
- 2 1. Page 35, by inserting before line 6 the
- 3 following:
- 4 "DIVISION VI
- 5 MAIL BALLOT ELECTIONS

6 Sec. \_\_\_\_ NEW SECTION. 49B.1 MAIL BALLOT  
7 ELECTIONS.

8 A mail ballot election may be conducted in cities  
9 with a population of two hundred or less as provided  
10 in this chapter.

11 Sec. \_\_\_\_ NEW SECTION. 49B.2 DEFINITIONS.

12 As used in this chapter, unless the context  
13 otherwise requires:

14 1. "Election day" is the date established by law  
15 on which a particular election would be held if that  
16 election were being conducted by means other than a  
17 mail ballot election.

18 2. "Return verification envelope" means an  
19 envelope that contains a secrecy envelope and which is  
20 designed to allow election officials, upon examination  
21 of the outside of the envelope, to determine that the  
22 ballot is being submitted by someone who is in fact a  
23 registered voter and who has not already voted.

24 3. "Secrecy envelope" means an envelope used to  
25 contain the elector's ballot and that is designed to  
26 conceal the voter's vote and to prevent the voter's  
27 ballot from being distinguished from the ballots of  
28 other voters.

29 Sec. \_\_\_\_ NEW SECTION. 49B.3 MAIL BALLOT  
30 ELECTION PROCEDURE.

31 The state commissioner of elections shall prescribe  
32 uniform procedures and forms to be used in the conduct  
33 of mail ballot elections.

34 Sec. \_\_\_\_ NEW SECTION. 49B.4 INITIATION BY  
35 GOVERNING BODY.

36 1. The city council of a city may, by resolution,  
37 request that the county commissioner of elections  
38 conduct the regular city election or a special city  
39 election under this chapter. Only a city with two  
40 hundred or fewer registered voters at the time the  
41 resolution is adopted may make such a request. The  
42 council must file the resolution with the county  
43 commissioner not later than ninety days before the  
44 date of the election. The commissioner shall approve  
45 the request if the commissioner determines that it is  
46 economically and administratively feasible to conduct  
47 the regular city election or a special city election  
48 by mail.

49 2. After the resolution is approved, the county  
50 commissioner shall prepare a written plan for conduct

Page 2

1 of the election as provided in section 49B.5. At  
2 least seventy-one days before the date set for the  
3 election, the county commissioner shall forward a copy  
4 of the written plan to the city council concerned.

5 Sec.     . NEW SECTION. 49B.5 WRITTEN PLAN FOR  
6 CONDUCT OF ELECTION – AMENDMENTS – APPROVAL  
7 PROCEDURE.

8 1. The county commissioner shall prepare a written  
9 plan, including a timetable, for the conduct of a mail  
10 ballot election and shall submit it to the state  
11 commissioner of elections at least seventy-one days  
12 before the date of the election.

13 2. The plan may be amended by the county  
14 commissioner any time before the sixty-fourth day  
15 before the date of the election by notifying the state  
16 commissioner of elections in writing of any changes.

17 3. Within five days after receiving the plan, and  
18 as soon as possible after receiving any amendments,  
19 the state commissioner of elections shall approve,  
20 disapprove, or recommend changes to the plan or  
21 amendments. The final plan shall be approved and  
22 available to the public at least two days before the  
23 deadline for candidates to file nomination papers in  
24 the office of the city clerk.

25 4. When the written plan has been approved, the  
26 county commissioner shall proceed to conduct the  
27 election according to the approved plan.

28 Sec.     . NEW SECTION. 49B.6 PUBLICATION OF  
29 NOTICE.

30 The county commissioner shall, not more than ten  
31 days and not less than four days before the date that  
32 ballots are to be mailed, publish notice that a mail  
33 ballot election will be conducted. The notice shall  
34 be published in a newspaper of general circulation in  
35 each city for which the mail ballot election will be  
36 conducted. The notice shall include all of the  
37 following information:

38 1. The date ballots will be mailed.

39 2. The last day that a voter can request an  
40 absentee ballot.

41 3. Voter registration deadlines.

42 4. Location or locations where mail ballots can be  
43 deposited pursuant to section 49B.13.

44 5. Instructions for obtaining a replacement ballot  
45 if a voter's ballot is destroyed, spoiled, lost, or  
46 not received pursuant to section 49B.9.

47 The county commissioner is not required to publish  
48 a sample ballot.

49 Sec.     . NEW SECTION. 49B.7 MAILING BALLOTS.

50 1. Official ballots for a mail ballot election

Page 3

1 shall be prepared and all other initial procedures for  
2 elections shall be followed as otherwise provided by  
3 law.

4 2. The county commissioner of elections shall mail  
5 an official ballot to every registered voter of the  
6 city conducting the election on a date not sooner than  
7 the twentieth day before the date of the election and  
8 not later than the tenth day before the date of the  
9 election. An exception shall be made for those  
10 ballots delivered as prescribed in section 49B.12.

11 3. All ballots shall be mailed by first class  
12 mail.

13 4. Ballots mailed by the county commissioner shall  
14 be addressed to the address of each voter appearing in  
15 the registration records of the city, and placed in an  
16 envelope which is prominently marked "Do Not Forward".

17 5. The ballot shall contain the following warning:  
18 "Any person who, by use of violence, threats of  
19 violence, or any means of duress, procures the vote of  
20 a voter for or against any measure or candidate is  
21 subject, upon conviction, to imprisonment or to a  
22 fine, or both."

23 Sec. \_\_\_\_ NEW SECTION. 49B.8 REGISTRATION.

24 The county commissioner shall not mail a ballot  
25 under this chapter to any voter not registered thirty  
26 days before the date of the election. Voters  
27 registered less than thirty days before the date of  
28 the election, but before the close of registration,  
29 may apply for a ballot under section 49B.9.

30 Sec. \_\_\_\_ NEW SECTION. 49B.9 REPLACEMENT  
31 BALLOTS.

32 If the mail ballot is destroyed, spoiled, lost, or  
33 not received by the voter, the voter may obtain a  
34 replacement ballot from the county commissioner as  
35 provided in this section. a voter seeking a  
36 replacement ballot shall sign a statement, on a form  
37 prescribed by the state commissioner, that the ballot  
38 was destroyed, spoiled, lost, or not received. The  
39 voter or the voter's designee shall deliver the  
40 statement to the county commissioner before noon on  
41 the date of the election. The voter may mail the  
42 statement to the county commissioner. However, a  
43 county commissioner shall not transmit a ballot by  
44 mail under this section unless the statement is  
45 received before five p.m. on the fourth day before the  
46 date of the election. When a statement is timely  
47 received under this section, the county commissioner  
48 shall give the ballot to the voter if the voter is  
49 present in the office of the county commissioner, or  
50 promptly mail the ballot to the voter at the address

Page 4

1 contained in the statement, except when prohibited by  
2 this section. If the voter is present in the county

3 commissioner's office, the ballot shall be voted at  
4 that time. The county commissioner shall keep a  
5 record of each replacement ballot provided under this  
6 section. If a voter, having received and voted a  
7 replacement ballot as provided under this section,  
8 later finds the lost ballot, the voter shall return  
9 the lost ballot to the county commissioner.

10 Sec. \_\_. NEW SECTION. 49B.10 VOTING AND RETURN  
11 OF BALLOT.

12 1. A registered voter, upon receipt of a mail  
13 ballot, shall mark the ballot in such a manner that no  
14 other person will know how the ballot is marked and  
15 shall place it in the secrecy envelope provided with  
16 the ballot.

17 A voter who is blind, cannot read, or because of a  
18 physical disability is unable to mark the ballot, may  
19 be assisted by any person selected by the voter.

20 2. The voter shall place the secrecy envelope  
21 containing the ballot in the return verification  
22 envelope and sign and securely seal the return  
23 verification envelope. The sealed return verification  
24 envelope shall be returned to the county commissioner  
25 by one of the following methods:

26 a. The sealed return verification envelope may be  
27 delivered by the registered voter or the voter's  
28 designee to the county commissioner's office or a  
29 place designated by the commissioner no later than the  
30 time the polls close on election day.

31 b. The sealed return verification envelope may be  
32 mailed, postage paid, to the county commissioner. In  
33 order for the ballot to be counted, the return  
34 verification envelope must be clearly postmarked by an  
35 officially authorized postal service not later than  
36 the day before the election and received by the county  
37 commissioner not later than the time established for  
38 the canvass by the board of supervisors for that  
39 election. The county commissioner shall contact the  
40 post office serving the county commissioner's office  
41 at the latest practical hour before the canvass by the  
42 board of supervisors for that election, and shall  
43 arrange for return verification envelopes received in  
44 that post office but not yet delivered to the  
45 commissioner's office to be brought to the  
46 commissioner's office before the canvass for that  
47 election by the board of supervisors.

48 Sec. \_\_. NEW SECTION. 49B.11 ABSENTEE BALLOTS.

49 1. A registered voter who will be absent from the  
50 city during the time when the ballots are mailed may

2 a. Vote in person in the county commissioner's  
3 office as soon as ballots are available and until noon  
4 the day before the ballots are scheduled to be mailed.

5 b. Make a written request, signed by the voter and  
6 addressed to the county commissioner, that the ballot  
7 be mailed to an address other than that which appears  
8 on the voter's registration record. Written requests  
9 shall be accepted until noon the day before the  
10 ballots are scheduled to be mailed.

11 2. Ballots mailed to voters pursuant to this  
12 section shall be mailed the same day that all other  
13 ballots are mailed.

14 Sec. \_\_\_\_ NEW SECTION. 49B.12 BALLOTING BY  
15 CONFINED PERSONS.

16 A person who is a resident or patient in a health  
17 care facility or hospital located in the county in  
18 which the election is to be held shall not be mailed a  
19 ballot but shall have a ballot delivered in the manner  
20 prescribed by section 53.22, subsection 1.

21 Sec. \_\_\_\_ NEW SECTION. 49B.13 PERSONAL DELIVERY  
22 OF MAIL BALLOT - BALLOT DROPOFF STATIONS.

23 A ballot dropoff station for the deposit of mail  
24 ballots may be established in the city conducting the  
25 mail ballot election at the direction of the county  
26 commissioner. A ballot dropoff station established at  
27 the direction of the commissioner shall be open from  
28 eight a.m. until five p.m. on the day of the election.

29 Sec. \_\_\_\_ NEW SECTION. 49B.14 RECEIPT OF BALLOT  
30 - SIGNATURE VERIFICATION.

31 When a mail ballot is returned; the county  
32 commissioner, or the county commissioner's designees,  
33 shall first examine the return verification envelope  
34 to determine whether it was submitted by a registered  
35 voter who has not previously voted. a ballot shall be  
36 counted only if it is returned in the return  
37 verification envelope, the envelope is signed by the  
38 voter to whom the ballot is issued, and the signature  
39 has been verified as provided in this section.

40 The county commissioner or the county  
41 commissioner's designees shall verify the signature of  
42 each voter on the return verification envelope with  
43 the signature in the voter's registration records and  
44 may commence verification at any time before election  
45 day. If a voter to whom a replacement ballot has been  
46 issued under section 49B.9 returns more than one  
47 ballot, only the replacement ballot shall be counted.

48 If the voter's signature is verified and the ballot  
49 is otherwise valid, the county commissioner or the  
50 county commissioner's designees shall deposit the

## Page 6

1 ballot unopened in an official ballot box.

2 Sec. NEW SECTION. 49B.15 PROCEDURE FOR  
3 INVALID BALLOTS.

4 If the county commissioner is not convinced that  
5 the individual who signed the return verification  
6 envelope is the voter whose name appears on the  
7 registration card, the county commissioner shall not  
8 deposit the ballot in a ballot box but shall do all of  
9 the following:

10 1. Give notice to the voter as follows:

11 a. As soon as possible after receipt of a voter's  
12 ballot, give notice to the voter, either by telephone  
13 or by first class mail, if the county commissioner is  
14 unable to verify the voter's signature.

15 b. Inform the voter that the voter may appear in  
16 person at the county commissioner's office before the  
17 close of the polls on election day and verify the  
18 signature.

19 2. Permit any voter appearing pursuant to  
20 subsection 1, paragraph "b", to:

21 a. Verify the voter's signature, after proof of  
22 identification, by affirming that the signature is in  
23 fact the voter's or by completing a new registration  
24 card containing the voter's current signature.

25 b. If necessary, request and receive a replacement  
26 ballot and vote at that time.

27 3. If the discrepancy is not rectified to the  
28 county commissioner's satisfaction, present the  
29 unopened envelope and the registration card to the  
30 special precinct election board for a determination.  
31 If the election board is unable to resolve the issue  
32 to its satisfaction, the ballot shall not be counted.

33 Sec. NEW SECTION. 49B.16 COUNTING BALLOTS.

34 Mail ballots shall be counted in the manner  
35 prescribed by section 53.23 for absentee ballots. The  
36 county commissioner shall supervise the procedures for  
37 the handling, counting, and canvassing of ballots to  
38 ensure the safety and confidentiality of all ballots.

39 Sec. NEW SECTION. 49B.17 CHALLENGES.

40 Votes cast pursuant to this chapter may be  
41 challenged in the manner prescribed by section 53.31  
42 for absentee ballots.

43 Sec. NEW SECTION. 49B.18 CANVASS OF VOTES.

44 The provisions of chapter 50 relating to canvass of  
45 votes apply to this chapter only to the extent they do  
46 not conflict with this chapter.

47 Sec. NEW SECTION. 49B.19 OTHER LAWS.

48 All laws which apply to elections apply to mail  
49 ballot elections held under this chapter to the extent  
50 applicable.



## Page 7

1 Sec.\_\_\_\_. NEW SECTION. 49B.20 RULES.

2 The state commissioner of elections shall adopt  
3 rules pursuant to chapter 17a to govern the procedures  
4 and forms necessary to implement this chapter. The  
5 authority of the state commissioner to adopt rules  
6 under this chapter shall be liberally construed.

7 Sec.\_\_\_\_. NEW SECTION. 49B.21 MISCONDUCT –  
8 VIOLATIONS – PENALTIES.

9 1. A person who, by use of violence, threats of  
10 violence, or any means of duress, procures or  
11 endeavors to procure the vote of a voter for or  
12 against any measure or candidate commits an aggravated  
13 misdemeanor.

14 2. A person who violates or attempts to violate  
15 any provision or requirement of this chapter for which  
16 a penalty is not otherwise provided commits a simple  
17 misdemeanor.

18 Sec.\_\_\_\_. Section 39.3, Code 2001, is amended by  
19 adding the following new subsection:

20 NEW SUBSECTION. 8A. "Mail ballot election" means  
21 an election conducted pursuant to chapter 49B."

22 2. Title page, line 8, by inserting after the  
23 word "areas," the following: "allowing elections in  
24 certain cities to be conducted by mail ballots and  
25 providing penalties,".

26 3. By renumbering as necessary.

Jacobs of Polk rose on a point of order that amendment H-1253 was not germane.

The Speaker ruled the point well taken and amendment H-1253 was not germane.

Warnstadt of Woodbury offered amendment H-1292 filed by him as follows:

H-1292

1 Amend House File 304 as follows:

2 1. Page 35, by inserting before line 6, the  
3 following:

4 "DIVISION\_\_\_\_  
5 CAMPAIGNS

6 Sec.\_\_\_\_. NEW SECTION. 56.14a FALSE INFORMATION  
7 IN POLITICAL MATERIAL.

8 1. A person shall not be a sponsor of any  
9 published material on behalf of or in opposition to  
10 any candidate or ballot issue that contains any

- 11 assertion, representation, or statement of fact,  
12 including, but not limited to, information concerning  
13 a candidate's prior public record, which the sponsor  
14 knows to be untrue, deceptive, or misleading.
- 15 2. For purposes of this section, "published  
16 material" means statements or graphic representations  
17 made through any public medium which includes, but is  
18 not limited to, any of the following:
- 19 a. Electronic media such as live or prerecorded  
20 radio or television broadcasts, broadcasts or  
21 transmissions through other publicly available  
22 electronic communications, and video or audio tape  
23 recordings which are publicly distributed.
- 24 b. Print media, such as newspapers, pamphlets,  
25 folders, display cards, signs, posters, or billboard  
26 advertisements.
- 27 c. Any other methods or mediums designed for  
28 publicly advertising or publishing information.
- 29 3. For purposes of this section, "sponsor" means a  
30 person who pays for or approves published material and  
31 shall include a candidate or committee which knows and  
32 approves of an independent expenditure made by another  
33 person under section 56.13."
- 34 2. Title page, line 8, by inserting after the  
35 word "areas," the following: "prohibiting the  
36 publication of false or misleading information in  
37 political advertisements, and applying a penalty,".
- 38 3. By renumbering as necessary.

Jacobs of Polk rose on a point of order that amendment H-1292 was not germane.

The Speaker ruled the point well taken and amendment H-1292 was not germane.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Stevens of Dickinson on request of Myers of Johnson.

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. 304)

The ayes were, 56:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Garman	Gipp	Grundberg	Hahn
Hansen	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Jacobs
Jenkins	Johnson	Kettering	Klemme
Larson	Manternach	Metcalf	Millage
Raecker	Rants	Rayhons	Rekow
Roberts	Shey	Siegrist, Spkr.	Sievers
Sukup	Teig	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Carroll, Presiding

The nays were, 43:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Huser	Jochum
Kreiman	Kuhn	Larkin	Lensing
Mascher	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Taylor, D.	Taylor, T.	Tremmel	Warnstadt
Winckler	Wise	Witt	

Absent or not voting, 1:

Stevens

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, 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 March 27, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 292, a bill for an act relating to the financial operations and transactions of the information technology department.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 84, a bill for an act prohibiting the sale or distribution of purple loosestrife.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 348, a bill for an act relating to the establishment of Iowa charter schools.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 463, a bill for an act relating to the regulation of games of skill or chance, subjecting violators to criminal and civil penalties, and appropriating certain penalties to the department of inspections and appeals.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 473, a bill for an act relating to the regulation of securities, by defining the terms "agent" and "security", providing registration requirements, providing for disciplinary actions, imposing fees and civil penalties, providing for testimony and the production of evidence, authorizing cooperation with law enforcement entities, providing criminal penalties, and eliminating reporting requirements.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 480, a bill for an act directing the department of education to establish a task force to conduct a comprehensive review of the licensing of community college faculty.

MICHAEL E. MARSHALL, Secretary

## IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 304, 566 and 680.**

## Unfinished Business Calendar

The House resumed consideration of **Senate File 66**, a bill for an act relating to state general fund expenditure limitation requirements for transmission of the state budget by the governor and passage of the state budget by the general assembly, previously

deferred on March 26, 2001 and found on pages 876-879 of the House Journal.

## RULE 68 SUSPENDED

Myers of Johnson asked and received unanimous consent to suspend Rule 68, relating to the order of consideration of amendments, for the immediate consideration of amendment H-1327 filed by Smith of Marshall et al., as follows:

H-1327

1 Amend Senate File 66, as passed by the Senate, as  
2 follows:

3 1. Page 1, by inserting after line 16 the  
4 following:

5 "Sec. \_\_\_. Section 8.55, subsection 2, Code 2001,  
6 is amended to read as follows:

7 2. The maximum balance of the fund is the amount  
8 equal to five percent of the adjusted revenue estimate  
9 for the fiscal year. If the amount of moneys in the  
10 Iowa economic emergency fund is equal to the maximum  
11 balance, moneys in excess of this amount shall be  
12 transferred to the general children first fund.

13 Sec. \_\_\_. NEW SECTION. 8.57B CHILDREN FIRST  
14 FUND.

15 1. A children first fund is created in the state  
16 treasury. The children first fund shall be separate  
17 from the general fund of the state and shall not be  
18 considered part of the general fund of the state  
19 except in determining the cash position of the state  
20 for payment of state obligations. The moneys in the  
21 children first fund are not subject to section 8.33  
22 and shall not be transferred, used, obligated,  
23 appropriated, or otherwise encumbered except as  
24 provided in this section. Moneys in the children  
25 first fund may be used for cash flow purposes provided  
26 that any moneys so allocated are returned to the  
27 children first fund by the end of each fiscal year.  
28 However, the children first fund shall be considered a  
29 special account for the purposes of section 8.53.

30 2. Notwithstanding section 12C.7, subsection 2,  
31 interest or earnings on moneys deposited in the  
32 children first fund shall be credited to the children  
33 first fund. Interest or earnings on the moneys  
34 deposited in the fund are subject to appropriation for  
35 purposes of enhancing preschool and early education  
36 programs for young children. An appropriation of any  
37 other moneys deposited in or credited to the fund  
38 shall not be made unless the bill or joint resolution

- 39 is passed by a vote of at least three-fifths of the  
 40 members of each house of the general assembly and is  
 41 approved by the governor."  
 42 2. Title page, line 2, by striking the word  
 43 "requirements" and inserting the following: "and  
 44 transfer requirements and".  
 45 3. By renumbering as necessary.

Speaker Siegrist in the chair at 7:05 p.m.

Smith of Marshall moved the adoption of amendment H-1327.

Roll call was requested by Huser of Polk and Murphy of Dubuque.

On the question "Shall amendment H-1327 be adopted?" (S.F. 66)

The ayes were, 43:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Huser	Jochum
Kreiman	Kuhn	Larkin	Lensing
Mascher	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Taylor, D.	Taylor, T.	Tremmel	Warnstadt
Winckler	Wise	Witt	

The nays were, 55:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Finch	Garman	Gipp	Grundberg
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Sievers	Sukup
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Mr. Speaker	
		Siegrist	

Absent or not voting, 2:

Shey

Stevens

Amendment H-1327 lost.

Myers of Johnson asked and received unanimous consent to withdraw the following amendments:

Amendment H-1117 filed by Murphy of Dubuque on February 28, 2001.

Amendment H-1118 filed by Murphy of Dubuque on February 28, 2001.

Amendment H-1119, previously deferred, filed by Murphy of Dubuque on February 28, 2001.

Amendment H-1120 filed by Murphy of Dubuque on February 28, 2001.

Amendment H-1121 filed by Witt of Black Hawk on February 28, 2001.

Amendment H-1122 filed by Kreiman of Davis on February 28, 2001.

Amendment H-1123 filed by Schrader of Marion on February 28, 2001.

Amendment H-1124 filed by Quirk of Chickasaw on February 28, 2001.

Amendment H-1125 filed by Atteberry of Delaware on February 28, 2001.

Amendment H-1126 filed by Shoultz of Black Hawk on February 28, 2001.

Amendment H-1127 filed by Greimann of Story on February 28, 2001.

Amendment H-1128 filed by Hatch of Polk on February 28, 2001.

Amendment H-1129 filed by Kuhn of Floyd on February 28, 2001.

Amendment H-1130, previously deferred, filed by Wise of Lee on February 28, 2001.

Amendment H-1131 filed by Dotzler of Black Hawk on February 28, 2001.

Amendment H-1132 filed by Dotzler of Black Hawk on February 28, 2001.

Amendment H-1133 filed by Wise of Lee on February 28, 2001.

Amendment H-1134 filed by Wise of Lee on February 28, 2001.

Amendment H-1135 filed by Ford of Polk on February 28, 2001.

Amendment H-1136 filed by Smith of Marshall on March 1, 2001.

Amendment H-1137 filed by Osterhaus of Jackson on March 1, 2001.

Amendment H-1140 filed by Chiodo of Polk on March 1, 2001.

Amendment H-1142 filed by Bell of Jasper on March 1, 2001.

Amendment H-1143 filed by Lensing of Johnson on March 1, 2001.

Amendment H-1146 filed by Petersen of Polk on March 1, 2001.

Amendment H-1149 filed by Foege of Linn on March 1, 2001.

Amendment H-1150 filed by Foege of Linn on March 1, 2001.

Amendment H-1153 filed by Murphy of Dubuque on March 1, 2001.

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. 66)

The ayes were, 57:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Finch	Garman	Gipp	Grundberg
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Sievers
Sukup	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Mr. Speaker			
Siegrist			

The nays were, 42:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Huser	Jochum
Kreiman	Kuhn	Larkin	Lensing
Mascher	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Reynolds	Richardson	Scherrman



Schrader  
Taylor, D.  
Wise

Seng  
Taylor, T.  
Witt

Shoultz  
Warnstadt

Smith  
Winckler

Absent or not voting, 1:

Stevens

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 March 27, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 549, a bill for an act providing for agricultural liens.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 346, a bill for an act relating to the department of corrections by providing for the use of deadly force by correctional or peace officers, for submission of presentence investigation reports to the department, for establishing a training fund in the department, for transcription and recording of testimony for certain investigations conducted by the department of corrections, and for purchases by a department or agency from Iowa state industries.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 391, a bill for an act excepting certain acts constituting a simple assault from the criminal offense of robbery.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 437, a bill for an act relating to the registration and titling of all-terrain vehicles and snowmobiles, and subjecting violators to a penalty.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 474, a bill for an act requiring E911 surcharges remitted by a provider to be reported in a standard format and providing that the reported information be used only to provide E911 service.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 487, a bill for an act creating alternative criminal sentences.

MICHAEL E. MARSHALL, Secretary

### Regular Calendar

**Senate File 146**, a bill for an act relating to the tobacco master settlement agreement and providing an effective date, with report of committee recommending passage, 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?" (S.F. 146)

The ayes were, 99:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Grundberg	Hahn	Hansen	Hatch
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Sievers	Smith
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, none.

Absent or not voting, 1:

Stevens

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### Appropriations Calendar

**House File 683**, a bill for an act making a supplemental appropriation to the state department of transportation from the primary road fund for the purchase of salt and including an effective date, was taken up for consideration.

### SENATE FILE 509 SUBSTITUTED FOR HOUSE FILE 683

Gipp of Winneshiek asked and received unanimous consent to substitute Senate File 509 for House File 683.

**Senate File 509**, a bill for an act making a supplemental appropriation to the state department of transportation from the primary road fund for the purchase of salt and including an effective date, 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?" (S.F. 509)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevort	Garman	Gipp	Greimann
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson

Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Sievers	Smith	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, none.

Absent or not voting, 2:

Grundberg                      Stevens

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HOUSE FILE 683 WITHDRAWN

Gipp of Winneshiek asked and received unanimous consent to withdraw House File 683 from further consideration by the House.

#### IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 66, 146 and 509.**

#### SENATE FILE 465 REREFERRED

The Speaker announced that Senate File 465, previously referred to committee on **transportation** was rereferred to committee on **agriculture.**

#### EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 27, 2001. Had I been present, I would have voted "nay" on amendment H-1339 to House File 635.

DIX of Butler

## 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 27<sup>th</sup> day of March, 2001: House Files 179, 228, 269 and 470.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

## BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 26, 2001, he approved and transmitted to the Secretary of State the following bill:

House File 287, an act establishing the interstate compact for adult criminal offender supervision and providing a contingent effective date.

## PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Seventy home school students from Poweshiek County, accompanied by Margene Pierce. By Carroll of Poweshiek.

Ninety-seven students from Mid-Prairie Middle School, Kalona, accompanied by Diane Allen, Laura Conaway, Sheila Dicker, Annette Schutte and Christopher Soldat. By De Boef of Mahaska.

## COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

### IOWA LAW ENFORCEMENT ACADEMY

The Annual Report for Fiscal Year 2000, pursuant to Chapter 80B, 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\715 Jane and Fritz Langguth, Fontanelle – For being named Master Farmers by Wallaces Farmer Magazine.
- 2001\716 Eleanor and Phil Burkhardt, Guthrie Center – For celebrating their 57<sup>th</sup> wedding anniversary.
- 2001\717 Kathryn and Bruce Carl, Greenfield – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\718 Eva Kimble, Mason City – For celebrating her 99<sup>th</sup> birthday.
- 2001\719 Ruth and John King, Mason City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\720 Ryan Arment, Mason City – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\721 Rose and Paul Myler, Missouri Valley – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\722 Lucille Lane, Missouri Valley – For celebrating her 90<sup>th</sup> birthday.
- 2001\723 Evelyn Mitchell, Dunlap – For celebrating her 90<sup>th</sup> birthday.
- 2001\724 Jeremy Flockhart, Stanwood – For having Outstanding School Attendance and only missing 1 day in his entire K-12 career.
- 2001\725 Ben Berman, Iowa City – For being an All-State Speech Contestant in the Oratory Category.
- 2001\726 Dana Thomann, Highland – For being an All-State Speech Contestant in the Poetry Category.
- 2001\727 Jo Jordan, Iowa City – For being an All-State Speech Contestant in the Acting Category.
- 2001\728 Colleen and Leo "Pete" Carlson, Manson – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\729 Nancy and Paul Neese, Stratford – For celebrating their 50<sup>th</sup> wedding anniversary.

2001\730 Marjorie McCabe, Manson – For celebrating her 80<sup>th</sup> birthday.

2001\731 Wilma DeGroot, Oskaloosa – For celebrating her 85<sup>th</sup> birthday.

2001\732 Seth Fisher, Kalona – For being awarded the Iowa Basketball Coaches Association's Academic All-State Team Award.

2001\733 Lynn and Mertice Miller, Wellman – For celebrating their 50<sup>th</sup> wedding anniversary.

2001\734 Bertha Walter, Lenox – For celebrating her 90<sup>th</sup> birthday.

#### **SUBCOMMITTEE ASSIGNMENTS**

##### **Senate File 168**

Commerce and Regulation: Jacobs, Chair; Dix and Falck.

##### **Senate File 169**

Commerce and Regulation: Raecker, Chair; Petersen and Van Fossen.

##### **Senate File 241 Reassigned**

Judiciary: Broers, Chair; Baudler and Jochum.

##### **Senate File 265**

Transportation: Johnson, Chair; Larkin and Rayhons.

##### **Senate File 323**

State Government: Brauns, Chair; Connors and Elgin.

##### **Senate File 337**

Commerce and Regulation: Jenkins, Chair; Hoffman and Schrader.

##### **Senate File 350**

Transportation: Eddie, Chair; Brauns and Cohoon.

##### **Senate File 384**

Commerce and Regulation: Shey, Chair; Chiodo and Hoffman.

##### **Senate File 387**

Commerce and Regulation: Hoffman, Chair; Bradley and Quirk.

**Senate File 405**

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and Reynolds.

**Senate File 479**

Appropriations: Drake, Chair; Barry and Hatch.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT****House Study Bill 243**

Judiciary: Eichhorn, Chair; Kreiman and Shey.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 245 Ways and Means**

Exempting sales to certain tax-exempt nonprofit symphonic music organizations from the sales and use taxes.

**H.S.B. 246 Ways and Means**

Providing an Iowa individual income tax checkoff for deposit in the keep Iowa beautiful fund, making an appropriation, and providing a retroactive applicability 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.

MARGARET A. THOMSON  
Chief Clerk of the House

**COMMITTEE ON EDUCATION**

**Senate File 104**, a bill for an act relating to a study of the Iowa communications network as a school district instructional tool for students enrolled in kindergarten through grade twelve.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1348** March 26, 2001.



**Senate File 203**, a bill for an act extending the regular program district cost guarantee for school districts, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1349** March 26, 2001.

#### COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

**Senate File 98**, a bill for an act concerning unemployment compensation by relieving unemployment compensation charges for employees who become unemployed due to a presidentially declared disaster.

Fiscal Note is not required.

Recommended **Do Pass** March 27, 2001.

#### RESOLUTIONS FILED

**HCR 28**, by Frevert, a concurrent resolution urging the Congress of the United States and the United States Department of Agriculture to provide increased federal moneys for purposes of supporting enhanced surveillance expenses as part of a pseudorabies eradication program.

Laid over under **Rule 25**.

**HR 28**, by Van Fossen, a resolution congratulating the Quad-City Mallards Hockey Team.

Laid over under **Rule 25**.

**HR 29**, by Warnstadt, Murphy, Stevens, Witt, Cohoon, D. Taylor, Tremmel, Mertz, O'Brien, Smith, Scherrman, Atteberry, May, T. Taylor, Myers, Bukta, Greimann, Kuhn, Seng, Reynolds, Dotzler, Richardson and Connors, a resolution requesting that the Governor of Iowa proclaim the month of May as Military Appreciation Month.

Laid over under **Rule 25**.

#### AMENDMENTS FILED

H-1347	H.F.	681	Johnson of Osceola Van Fossen of Scott
H-1348	S.F.	104	Committee on Education

H-1349	S.F.	203	Committee on Education
H-1350	H.F.	654	Millage of Scott
H-1351	H.F.	577	Jenkins of Black Hawk
H-1352	H.F.	519	Rayhons of Hancock
H-1354	H.F.	695	Brunkhorst of Bremer Dotzler of Black Hawk
H-1355	H.F.	694	Teig of Hamilton
H-1356	H.F.	697	Jenkins of Black Hawk
H-1358	H.F.	577	Schrader of Marion
H-1359	H.F.	582	Fallon of Polk
H-1360	H.F.	692	Jacobs of Polk Warnstadt of Woodbury Cormack of Webster Myers of Johnson Gipp of Winneshiek
H-1361	H.F.	452	Boddicker of Cedar
H-1362	H.F.	292	Senate Amendment

On motion by Rants of Woodbury the House adjourned at 8:01 p.m., until 8:45 a.m., Wednesday, March 28, 2001.

# JOURNAL OF THE HOUSE

Eightieth Calendar Day - Fifty-fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 28, 2001

The House met pursuant to adjournment at 8:48 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Ray A. Holmquist, pastor of St. Mark Lutheran Church, Storm Lake. He was the guest of Representative Russell Eddie of Buena Vista County.

The Journal of Tuesday, March 27, 2001 was approved.

## PETITION FILED

The following petition was received and placed on file:

By Speaker Siegrist from five hundred fifty-two people favoring the newborn infant surrender act.

## 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 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 341, a bill for an act making modifications to certain transportation-related fines, penalties, and salvage theft examination fees and registration fees for vehicles nine model years old or older, and providing an effective date.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 342, a bill for an act requiring voters to present identification containing a photograph to poll workers prior to voting.

Also: That the Senate has on March 27, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 355, a bill for an act providing for the transfer of custody and termination of parental rights for a newborn infant whose parent voluntarily surrenders physical custody at certain health facilities and providing for immunity

from prosecution for child abandonment crimes for such parent, establishing confidentiality protections and a penalty, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGES CONSIDERED

**Senate File 84**, 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 346**, by committee on judiciary, a bill for an act relating to the department of corrections by providing for the use of deadly force by correctional or peace officers, for submission of presentence investigation reports to the department, for establishing a training fund in the department, for transcription and recording of testimony for certain investigations conducted by the department of corrections, and for purchases by a department or agency from Iowa state industries.

Read first time and referred to committee on **judiciary**.

**Senate File 348**, by committee on education, a bill for an act relating to the establishment of Iowa charter schools and providing for a conditional effective date.

Read first time and referred to committee on **education**.

**Senate File 391**, by committee on judiciary, a bill for an act excepting certain acts constituting a simple assault from the criminal offense of robbery.

Read first time and referred to committee on **judiciary**.

**Senate File 437**, by committee on natural resources and environment, a bill for an act relating to the registration and titling of all-terrain vehicles and snowmobiles, and subjecting violators to a penalty.

Read first time and **passed on file**.

**Senate File 463**, by committee on state government, a bill for an act relating to the regulation of games of skill or chance, subjecting violators to criminal and civil penalties, and appropriating certain penalties to the department of inspections and appeals.

Read first time and referred to committee on **state government**.

**Senate File 473**, by committee on commerce, a bill for an act relating to the regulation of securities, by defining the terms "agent" and "security", providing registration requirements, providing for disciplinary actions, imposing fees and civil penalties, providing for testimony and the production of evidence, authorizing cooperation with law enforcement entities, providing criminal penalties, and eliminating reporting requirements.

Read first time and referred to committee on **commerce and regulation**.

**Senate File 474**, by committee on judiciary, a bill for an act requiring E911 surcharges remitted by a provider to be reported in a standard format and providing that the reported information be used only to provide E911 service.

Read first time and referred to committee on **judiciary**.

**Senate File 480**, by committee on education, a bill for an act directing the department of education to establish a task force to conduct a comprehensive review of the licensing of community college faculty.

Read first time and referred to committee on **education**.

**Senate File 487**, by committee on judiciary, a bill for an act creating alternative criminal sentences.

Read first time and referred to committee on **judiciary**.

#### ADOPTION OF HOUSE CONCURRENT RESOLUTION 13

Connors of Polk called up for consideration **House Concurrent Resolution 13**, a concurrent resolution relating to a biennial

memorial session, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### ADOPTION OF HOUSE CONCURRENT RESOLUTION 14

Connors of Polk called up for consideration **House Concurrent Resolution 14**, a concurrent resolution relating to Pioneer Lawmakers, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### ADOPTION OF HOUSE MEMORIAL RESOLUTION 1

Bell of Jasper offered the following House Memorial Resolution 1 and moved its adoption:

##### HOUSE MEMORIAL RESOLUTION 1

*Whereas*, The Honorable Wayne J. Fullmer, of Jasper County, Iowa, who was a member of the Sixty-first general assembly, passed away January 7, 2001; *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 Bell of Jasper, Schrader of Marion and Boal of Polk.

#### ADOPTION OF HOUSE MEMORIAL RESOLUTION 2

Huser of Polk offered the following House Memorial Resolution 2 and moved its adoption:

##### HOUSE MEMORIAL RESOLUTION 2

*Whereas*, The Honorable Norman Jesse, of Polk County, Iowa, who was a member of the Sixty-third, Sixty-fourth, Sixty-fifth, Sixty-sixth, Sixty-seventh and Sixty-eighth general assemblies, passed away May 28, 2000; *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 Huser of Polk, Connors of Polk and Jacobs of Polk.

### ADOPTION OF HOUSE MEMORIAL RESOLUTION 3

Cormack of Webster offered the following House Memorial Resolution 3 and moved its adoption:

#### HOUSE MEMORIAL RESOLUTION 3

*Whereas*, The Honorable D. Vincent Mayberry, of Webster County, Iowa, who was a member of the Sixty-first, Sixty-second, Sixty-third and Sixty-fourth general assemblies, passed away October 2, 2000; *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 Cormack of Webster, Eddie of Buena Vista and Mertz of Kossuth.

### ADOPTION OF HOUSE MEMORIAL RESOLUTION 4

Atteberry of Delaware offered the following House Memorial Resolution 4 and moved its adoption:

#### HOUSE MEMORIAL RESOLUTION 4

*Whereas*, The Honorable Harold C. McCormick, of Delaware County, Iowa, who was a member of the Sixty-third, Sixty-fourth and Sixty-fifth general assemblies, passed away August 17, 2000; *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 Atteberry of Delaware, Horbach of Tama and Falck of Fayette.

## IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that **House Concurrent Resolutions 13 and 14** be immediately messaged to the Senate.

On motion by Jacobs of Polk, the House was recessed at 9:05 a.m., until 1:00 p.m.

## AFTERNOON SESSION

The House reconvened at 1:13 p.m., Speaker Siegrist in the chair.

## SENATE MESSAGES CONSIDERED

**Senate File 341**, by committee on transportation, a bill for an act making modifications to certain transportation-related fines, penalties, and registration fees for vehicles nine model years old or older, and providing an effective date.

Read first time and referred to committee on **transportation**.

**Senate File 342**, by committee on state government, a bill for an act requiring voters to present identification containing a photograph to poll workers prior to voting.

Read first time and referred to committee on **state government**.

**Senate File 355**, by committee on human resources, a bill for an act providing for the release of custody and termination of parental rights for certain newborn infants whose parent or person authorized to act on the parent's behalf relinquishes physical custody at certain health facilities and providing certain immunity from prosecution and civil liability for such parent or person, establishing confidentiality protections and a penalty, and providing an effective date.

Read first time and **passed on file**.



## QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-nine members present, thirty-one absent.

## SPECIAL PRESENTATION

Rayhons of Hancock introduced to the House the Iowa 2001 Mother of the Year, Denise Johnson of Lake Mills.

The House rose and expressed its welcome.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Falck of Fayette, until his return, on request of Huser of Polk.

## CONSIDERATION OF BILLS

### Regular Calendar

**House File 662**, a bill for an act relating to Iowa's community empowerment initiative and providing an effective date, was taken up for consideration.

Houser of Pottawattamie offered the following amendment H-1346 filed by him and Foege of Linn and moved its adoption:

H-1346

- 1 Amend House File 662 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section 28.4, subsection 12, Code
- 5 2001, is amended by adding the following new
- 6 paragraph:
- 7 **NEW PARAGRAPH.** e. It is the intent of the general
- 8 assembly to convene a summit meeting under the
- 9 auspices of the legislative council during the 2001
- 10 legislative interim to consider the issues described
- 11 in this paragraph "e". In addition to members of the
- 12 general assembly, those invited to participate in the
- 13 meeting may include members of the Iowa empowerment
- 14 board and community empowerment area boards,

15 representatives of the governor, persons participating  
16 in community empowerment initiative services,  
17 representatives of programs offered through the  
18 funding streams enumerated in paragraph "d", and other  
19 persons involved in efforts to achieve the desired  
20 results identified for the community empowerment  
21 initiative. It is anticipated that those  
22 participating in the summit meeting will produce a  
23 report with findings and recommendations for  
24 consideration during the 2002 legislative session.  
25 The issues for consideration at the summit meeting may  
26 include but are not limited to the following:  
27 (1) Assessing the status of the efforts to achieve  
28 full cooperation between the programs offered through  
29 the funding streams identified in paragraph "d" and  
30 community empowerment area boards in order to avoid  
31 duplication, enhance efforts, combine planning, and  
32 take other steps to best utilize public funding to  
33 meet the needs of the families in the areas. In  
34 addition, the summit participants shall make  
35 recommendations as to removing barriers or other steps  
36 that may be taken so that the programs and community  
37 empowerment area board efforts may be more fully  
38 integrated.  
39 (2) Implementing an approach to move toward a  
40 statewide equalization of the public funding provided  
41 for community empowerment initiative programs and  
42 other state funding streams directed to similar  
43 purposes.  
44 (3) Identifying other age groups or result areas  
45 that may be incorporated within or supported by the  
46 community empowerment initiative. In addition,  
47 consideration may be given to opportunities identified  
48 by the governor for expanding the role of the  
49 community empowerment initiative as part of the  
50 governor's efforts to reorganize and redirect state

## Page 2

1 government.  
2 (4) Considering other issues, concerns, and  
3 opportunities for the community empowerment initiative  
4 identified at the local and state levels."  
5 2. By renumbering as necessary.

Amendment H-1346 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. 662)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, none.

Absent or not voting, 2:

Falck                      Hansen

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 629**, a bill for an act providing for a weed-free certification program for forage or mulch, and establishing fees, was taken up for consideration.

Alons of Sioux 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. 629)

The ayes were, 99:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, none.

Absent or not voting, 1:

Falck

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 697**, a bill for an act relating to an Iowa new economy council, was taken up for consideration.

Jenkins of Black Hawk offered the following amendment H-1356 filed by him and moved its adoption:

H-1356

1 Amend House File 697 as follows:

- 2 1. Page 2, line 12, by striking the word "ten"  
3 and inserting the following: "eleven".  
4 2. Page 2, lines 14 and 15, by striking the words  
5 "members designated in paragraphs "c" and" and  
6 inserting the following: "member designated in  
7 paragraph".  
8 3. Page 2, line 15, by striking the word "ten"  
9 and inserting the following: "eleven".  
10 4. Page 2, line 16, by striking the word "ten"  
11 and inserting the following: "eleven".  
12 5. Page 2, line 20, by striking the word "Two"  
13 and inserting the following: "Three".  
14 6. Page 2, line 24, by striking the words  
15 "president, or the president's designee," and  
16 inserting the following: "representative".  
17 7. Page 2, lines 30 and 31 by striking the words  
18 "development, or the director's designee" and  
19 inserting the following: "development".  
20 8. Page 3, by inserting after line 31 the  
21 following:  
22 "10. The council shall be subject to the open  
23 meetings law in chapter 21 and all meetings of the  
24 council shall be conducted in the presence of a  
25 representative of the department."  
26 9. Page 4, by inserting after line 28 the  
27 following:  
28 "3. The council shall focus on nondiscriminatory  
29 market expansion and shall foster a competitive and  
30 open environment. The council shall not be a  
31 mechanism to allocate markets, fix prices, or stifle  
32 competition."  
33 10. Page 5, line 10, by striking the words "any  
34 moneys directly from the state" and inserting the  
35 following: "a direct appropriation from the state.  
36 The department may allocate to the council moneys that  
37 have been appropriated to the department for purposes  
38 identified by the council to support council  
39 activities".

Amendment H-1356 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. 697)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Falck	Hansen	Tyrrell
-------	--------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGES

Rant of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 629, 662 and 697.**

**House File 692**, a bill for an act relating to mandatory disclosures in certain political telephone communications, and applying a penalty, was taken up for consideration.

Jacobs of Polk offered the following amendment H-1325 filed by her and moved its adoption:

H-1325

- 1 Amend House File 692 as follows:
- 2 1. Page 1, line 20, by striking the word "where"
- 3 and inserting the following: "in which".
- 4 2. Page 2, line 24, by striking the words "at the
- 5 commencement" and inserting the following: "by the
- 6 end".

Amendment H-1325 was adopted.

Jacobs of Polk offered the following amendment H-1360 filed by Jacobs, et al., and moved its adoption:

H-1360

- 1 Amend House File 692 as follows:
- 2 1. Page 3, by inserting after line 4, the
- 3 following:
- 4 Sec.     . **NEW SECTION. 56.14B FALSE INFORMATION**
- 5 **IN POLITICAL MATERIAL.**
- 6 1. A person shall not be a sponsor of any
- 7 published material on behalf of or in opposition to
- 8 any candidate or ballot issue that contains any
- 9 assertion, representation, or statement of fact,
- 10 including, but not limited to, information concerning
- 11 a candidate's prior public record, that the sponsor
- 12 knows to be untrue, deceptive, or misleading.
- 13 2. For purposes of this section, "published
- 14 material" means statements or graphic representations
- 15 made through any public medium that includes, but is
- 16 not limited to, any of the following:
- 17 a. Electronic media such as live or prerecorded
- 18 radio or television broadcasts, broadcasts or
- 19 transmissions through other publicly available
- 20 electronic communications, and video or audio tape
- 21 recordings that are publicly distributed.
- 22 b. Print media, such as newspapers, pamphlets,
- 23 folders, display cards, signs, posters, or billboard
- 24 advertisements.
- 25 c. Any other methods or mediums designed for
- 26 publicly advertising or publishing information.
- 27 3. For purposes of this section, "sponsor" means a
- 28 person who pays for or approves published material and
- 29 shall include a candidate or committee that knows and
- 30 approves of an independent expenditure made by another
- 31 person under section 56.13."
- 32 2. Title page, line 1, by striking the words

- 33 "mandatory disclosures in" and inserting the  
 34 following: "limitations relating to".  
 35 3. Title page, line 2, by striking the word  
 36 "telephone".  
 37 4. By renumbering as necessary.

Amendment H-1360 was adopted.

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. 692)

The ayes were, 99:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, none.

Absent or not voting, 1:

Falck



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:

Boddicker of Cedar for the remainder of the day, on request of Rants of Woodbury.

**House File 686**, a bill for an act relating to provision of notice prior to the provision of products or services by state agencies or political subdivisions, was taken up for consideration.

Bradley of Clinton asked and received unanimous consent that House File 686 be deferred and that the bill retain its place on the calendar.

**House File 681**, a bill for an act requiring the pledging of collateral in relation to the deposit of uninsured public funds, making related changes, making penalties applicable, and providing for applicability, was taken up for consideration.

Hansen of Pottawattamie asked and received unanimous consent to withdraw amendment H-1336 filed by him and Johnson of Osceola on March 26, 2001.

Johnson of Osceola asked and received unanimous consent to withdraw amendment H-1324 filed by him and Van Fossen of Scott on March 22, 2001.

Johnson of Osceola offered the following amendment H-1347 filed by him and Van Fossen of Scott and moved its adoption:

H-1347

- 1 Amend House File 681 as follows:
- 2 1. Page 12, by striking lines 18 through 30 and
- 3 inserting the following:
- 4 "Sec. \_\_\_\_ REPORTS BY THE BANKING DIVISION AND THE
- 5 CREDIT UNION DIVISION. The superintendent of banking
- 6 and the superintendent of credit unions shall each
- 7 prepare a report for the general assembly as follows:
- 8 1. The superintendent of banking shall prepare a
- 9 report for the general assembly that includes an

10 analysis of the current state sinking fund for public  
 11 deposits in banks; a comparison of the current  
 12 statutory assessment process for public funds  
 13 deposits, a system of pledging of collateral, and  
 14 other risk-based or nonrisk-based alternatives; and  
 15 such other information or issues as the superintendent  
 16 deems appropriate and useful to the general assembly  
 17 in the general assembly's review of the issues and  
 18 policy alternatives associated with this matter.  
 19 2. The superintendent of credit unions shall  
 20 prepare a report for the general assembly that  
 21 includes an analysis of the current state sinking fund  
 22 for public deposits in credit unions; a comparison of  
 23 the current statutory assessment process for public  
 24 funds deposits, a system of pledging of collateral,  
 25 including the current statute permitting credit unions  
 26 to pledge collateral, and other risk-based or nonrisk-  
 27 based alternatives; and such other information or  
 28 issues as the superintendent deems appropriate and  
 29 useful to the general assembly in the general  
 30 assembly's review of the issues and policy  
 31 alternatives associated with this matter.  
 32 3. Each report may include recommendations for  
 33 changes in applicable existing statutes. Each report  
 34 shall be submitted to the general assembly no later  
 35 than November 1, 2001."

Amendment H-1347 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. 681)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Grundberg	Hahn
Hansen	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn

Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Boddicker	Falck	Hatch
-----------	-------	-------

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 681 and 692.**

Dix of Butler in the chair at 2:51 p.m.

**House File 519**, a bill for an act relating to the qualifications and duties of the clerk of court, was taken up for consideration.

Jochum of Dubuque offered the following amendment H-1226 filed by her and Broers of Cerro Gordo and moved its adoption:

H-1226

- 1 Amend House File 519 as follows:
- 2 1. Page 1, lines 33 through 35, by striking the
- 3 words "~~Within three months of appointment the clerk of~~
- 4 ~~the district court must establish residence and~~
- 5 ~~physically reside in the county.~~" and inserting the
- 6 following: "Within three months of appointment the
- 7 clerk of the district court must establish residence
- 8 and physically reside in the county state."

Amendment H-1226 was adopted.

Rayhons of Hancock offered the following amendment H-1352 filed by him and moved its adoption:

H-1352

- 1 Amend House File 519 as follows:
- 2 1. Page 1, by striking lines 33 through 35 and
- 3 inserting the following: "is at the time of
- 4 application a resident of the state. Within three
- 5 months of appointment the clerk of the district court
- 6 must establish residence and physically reside in the
- 7 county."

Amendment H-1352 lost.

Eichhorn 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. 519)

The ayes were, 94:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dolecheck
Dotzler	Drake	Eddie	Eichhorn
Elgin	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen

Warnstadt  
Witt

Weidman  
Dix,  
Presiding

Winckler

Wise

The nays were, 1:

Rayhons

Absent or not voting, 5:

Boddicker  
Houser

Falck

Fallon

Grundberg

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 598**, a bill for an act establishing a child protection center grant program, was taken up for consideration.

Foege of Linn offered the following amendment H-1334 filed by him and moved its adoption:

H-1334

- 1 Amend House File 598 as follows:
- 2 1. Page 1, line 1, by striking the figure
- 3 "136.11" and inserting the following: "135.113".
- 4 2. Page 1, line 5, by striking the words "state
- 5 board of health" and inserting the following:
- 6 "director of public health".
- 7 3. Page 2, line 16, by striking the words "state
- 8 board of health" and inserting the following:
- 9 "director".
- 10 4. Page 2, line 18, by striking the words "state
- 11 board" and inserting the following: "director".

Amendment H-1334 was adopted.

Pursuant to Rule 31.8, amendment H-1363 filed by Foege of Linn from the floor was placed out of order.

Hoversten 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. 598)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dolecheck
Dotzler	Drake	Eddie	Eichhorn
Elgin	Fallon	Finch	Foege
Frevert	Garman	Gipp	Greimann
Grundberg	Hahn	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Siegrist, Spkr.	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Dix,
			Presiding

The nays were, 1:

Ford

Absent or not voting, 3:

Boddicker	Falck	Hansen
-----------	-------	--------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 624**, a bill for an act relating to the appointment and dismissal of a police chief or marshal under a mayor-council form of city government, 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?" (H.F. 624)

The ayes were, 63:

Arnold	Barry	Baudler	Bell
Boal	Boguess	Bradley	Brauns
Broers	Brunkhorst	Cohoon	Connors
Cormack	De Boef	Dolecheck	Drake
Finch	Frevert	Garman	Gipp
Hahn	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Jacobs
Jenkins	Jochum	Johnson	Klemme
Kreiman	Kuhn	Larson	Manternach
May	Mertz	Metcalf	Millage
O'Brien	Osterhaus	Rants	Rayhons
Rekow	Reynolds	Roberts	Scherrman
Schrader	Shey	Siegrist, Spkr.	Sievers
Sukup	Taylor, D.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Dix,	
		Presiding	

The nays were, 32:

Alons	Atteberry	Bukta	Chiodo
Dotzler	Eddie	Eichhorn	Elgin
Fallon	Foege	Ford	Greimann
Hansen	Hatch	Huser	Kettering
Larkin	Lensing	Mascher	Murphy
Myers	Petersen	Quirk	Raecker
Richardson	Seng	Shoultz	Smith
Stevens	Taylor, T.	Winckler	Witt

Absent or not voting, 5:

Boddicker	Carroll	Falck	Grundberg
Wise			

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 519 and 598.**

**House File 656**, a bill for an act relating to the licensing and regulation of manufactured or mobile homes and providing coordinating amendments, was taken up for consideration.

Eichhorn of Hamilton offered the following amendment H-1269 filed by him and moved its adoption:

H-1269

- 1 Amend House File 656 as follows:
- 2 1. Page 1, line 16, by striking the word "is".
- 3 2. Title page, line 2, by inserting after the
- 4 word "homes" the following: ", providing that actions
- 5 for rent recovery and for forcible entry and detention
- 6 of real property may be merged,".

Amendment H-1269 was adopted.

Richardson of Warren offered the following amendment H-1264 filed by him and moved its adoption:

H-1264

- 1 Amend House File 656 as follows:
- 2 1. Page 6, by inserting after line 12 the
- 3 following:
- 4 "Set-ups of manufactured or mobile homes by a
- 5 manufactured or mobile home retailer, manufacturer, or
- 6 distributor which cause numerous complaints from the
- 7 purchaser or transferee of a manufactured or mobile
- 8 home to the department concerning the set-ups."

Sukup of Franklin in the chair at 4:00 p.m.

Amendment H-1264 lost.

Richardson of Warren offered the following amendment H-1268 filed by him and moved its adoption:

H-1268

- 1 Amend House File 656 as follows:
- 2 1. Page 8, line 2, by striking the words "three
- 3 hundred twenty".
- 4 2. Page 9, line 23, by striking the words "three
- 5 hundred twenty".



Amendment H-1268 lost.

Richardson of Warren asked and received unanimous consent to withdraw amendment H-1266 filed by him on March 20, 2001.

Richardson of Warren asked and received unanimous consent to withdraw amendment H-1316 filed by him on March 22, 2001.

Richardson of Warren offered the following amendment H-1315 filed by him and moved its adoption:

H-1315

- 1 Amend House File 656 as follows:
- 2 1. Page 9, line 24, by inserting after the word
- 3 "community," the following: "However, this
- 4 restriction shall not prohibit the adoption or
- 5 enforcement of an ordinance that requires a minimum of
- 6 one shelter to be located in a manufactured home
- 7 community or mobile home park."

Amendment H-1315 was adopted.

Richardson of Warren asked and received unanimous consent to withdraw amendment H-1265 filed by him on March 20, 2001.

Eichhorn of Hamilton offered the following amendment H-1338 filed by him and moved its adoption:

H-1338

- 1 Amend House File 656 as follows:
- 2 1. Page 15, line 9, by inserting after the word
- 3 "fee," the following: "In the event that a counter-
- 4 claim is filed by a defendant, the action for money
- 5 damages shall be scheduled for hearing separate from
- 6 the forcible entry and detention action. In the event
- 7 that a defendant defaults or fails to appear in a
- 8 merged action pursuant to this section, the court
- 9 shall not enter a judgment on the action for money
- 10 damages until twenty days after service of process."

Amendment H-1338 was adopted.

Eichhorn 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. 656)

The ayes were, 83:

Alons	Arnold	Barry	Baudler
Bell	Boal	Bogges	Bradley
Brauns	Broers	Brunkhorst	Bukta
Chiodo	Cohoon	Connors	Cormack
De Boef	Dix	Drake	Eddie
Eichhorn	Elgin	Finch	Foege
Ford	Frevert	Garman	Gipp
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Richardson	Roberts	Scherrman	Schrader
Shey	Siegrist, Spkr.	Sievers	Smith
Stevens	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Sukup, Presiding	

The nays were, 11:

Atteberry	Dotzler	Fallon	Greimann
Hatch	Reynolds	Seng	Shultz
Taylor, D.	Taylor, T.	Witt	

Absent or not voting, 6:

Boddicker	Carroll	Dolecheck	Falck
Grundberg	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 695**, a bill for an act relating to the school-to-career program, was taken up for consideration.

Brunkhorst of Bremer offered amendment H-1331 filed by him and Dotzler of Black Hawk as follows:

H-1331

- 1 Amend House File 695 as follows:
- 2 1. Page 1, by inserting after line 6, the
- 3 following:
- 4 "Sec. \_\_. Section 15.365, subsection 1, Code
- 5 2001, is amended to read as follows:
- 6 1. An employer who employs a participant in a
- 7 certified school-to-career program may claim a refund
- 8 of twenty percent of the employer's payroll
- 9 expenditures for each participant in the certified
- 10 program or twenty percent of the employer's
- 11 expenditures for nonpaid participant experience
- 12 expenses provided for in the certified program
- 13 agreement. The expenses may include instructor
- 14 expenses, instructional materials, up to one hundred
- 15 fifty thousand dollars of training facility costs, and
- 16 project coordination. The refund is limited to the
- 17 first four hundred hours of payroll or nonpaid
- 18 participant experience expenditures per participant
- 19 for each calendar year the participant is in the
- 20 certified program, not to exceed three years per
- 21 participant."
- 22 2. By renumbering as necessary.

Brunkhorst of Bremer offered the following amendment H-1354, to amendment H-1331, filed by him and Dotzler of Black Hawk and moved its adoption:

H-1354

- 1 Amend the amendment, H-1331, to House File 695 as
- 2 follows:
- 3 1. Page 1, by inserting after line 1 the
- 4 following:
- 5 " \_\_. Page 1, by inserting after line 4 the
- 6 following:
- 7 "Sec. \_\_. Section 15.364, subsection 6, Code
- 8 2001, is amended to read as follows:
- 9 6. That in addition to the base wage paid to the
- 10 participant, the employer shall pay an additional sum
- 11 to be held in trust to be applied toward the
- 12 participant's postsecondary education required for
- 13 completion of the certified program. The additional
- 14 amount must be not less than an amount determined by
- 15 the department of economic development to be
- 16 sufficient to provide payment of tuition expenses

- 17 toward completion of not more than two academic years  
 18 of the required postsecondary education component of  
 19 the certified program at an Iowa community college or  
 20 an Iowa public or private college or university. This  
 21 amount shall be held in trust for the benefit of the  
 22 participant pursuant to rules adopted by the  
 23 department of economic development. Payment into an  
 24 ERISA-approved fund for the benefit of the participant  
 25 shall satisfy this requirement. The specific fund  
 26 shall be specified in the agreement. An employer that  
 27 is a consortium of two or more employers shall not be  
 28 subject to the requirements of this subsection."  
 29 2. Page 1, by striking line 13 and inserting the  
 30 following: "agreement which may include instructor".  
 31 3. Page 1, line 15, by inserting after the word  
 32 "costs" the following: "per program".  
 33 4. Page 1, line 16, by striking the word  
 34 "coordination." and inserting the following:  
 35 "coordination."  
 36 5. By renumbering as necessary.

Amendment H-1354 was adopted.

On motion by Dotzler of Black Hawk, amendment H-1331, as amended, was adopted.

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?" (H.F. 695)

The ayes were, 94:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Chiodo	Cohoon	Connors
Cormack	De Boef	Dix	Dolecheck
Dotzler	Drake	Eddie	Eichhorn
Elgin	Fallon	Finch	Foege
Ford	Frevert	Garman	Gipp
Greimann	Hahn	Hansen	Hatch
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage

Murphy	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Siegrist, Spkr.	Sievers	Smith
Stevens	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Witt	Sukup, Presiding		

The nays were, none.

Absent or not voting, 6:

Boddicker	Carroll	Falck	Grundberg
Myers	Wise		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 583**, a bill for an act relating to the certification of persons providing water pump services, was taken up for consideration.

Speaker Siegrist in the chair at 4:47 p.m.

Mascher of Johnson offered amendment H-1245 filed by her as follows:

H-1245

- 1 Amend House File 583 as follows:
- 2 1. Page 4, by inserting after line 3 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 455B.190A, Code 2001, is
- 5 amended by adding the following new subsection:
- 6 NEW SUBSECTION. 7. A well contractor who is
- 7 engaged in performing pump services on July 1, 2001,
- 8 and who registers as a pump installer with the
- 9 department by January 1, 2002, shall be deemed to have
- 10 met the certification requirements of this section
- 11 without examination. Beginning January 1, 2002, a
- 12 pump installer seeking an initial well contractor
- 13 certification shall meet the requirements for
- 14 certification established in this section.
- 15 Sec. \_\_\_\_ NOTIFICATION. The department shall
- 16 notify any person currently performing pump services
- 17 regarding the requirements of this Act."

Mascher of Johnson offered the following amendment H-1308, to amendment H-1245, filed by her and moved its adoption:

H-1308

- 1 Amend the amendment, H-1245, to House File 583 as
- 2 follows:
- 3 "1. Page 1, by striking lines 16 and 17 and
- 4 inserting the following: "make reasonable efforts to
- 5 provide notice to persons engaged in performing pump
- 6 services on July 1, 2001, that such persons shall have
- 7 until January 1, 2002, to register with the department
- 8 and thereby become certified without examination.""

Amendment H-1308 was adopted.

On motion by Mascher of Johnson amendment H-1245, as amended, 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. 583)

The ayes were, 67:

Alons	Baudler	Boal	Bogges
Bradley	Brauns	Broers	Bukta
Carroll	Chiodo	De Boef	Dix
Dotzler	Drake	Eddie	Elgin
Finch	Foege	Frevert	Gipp
Greimann	Hahn	Hansen	Hatch
Heaton	Hoffman	Hoversten	Huseman
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larson	Lensing	Mascher	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Scherrman
Seng	Shey	Shoultz	Sievers
Smith	Stevens	Sukup	Teig
Tremmel	Tymeson	Van Fossen	Warnstadt
Winckler	Witt	Mr. Speaker	
		Siegrist	

The nays were, 27:

Arnold	Atteberry	Bell	Brunkhorst
Cohoon	Connors	Cormack	Eichhorn
Fallon	Ford	Garman	Horbach
Houser	Huser	Larkin	Manternach
May	Rekow	Reynolds	Richardson
Roberts	Schrader	Taylor, D.	Taylor, T.
Tyrrell	Van Engelenhoven	Wise	

Absent or not voting, 6:

Barry	Boddicker	Dolecheck	Falck
Grundberg	Weidman		

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 583, 624, and 656.**

**House File 694**, a bill for an act relating to housing by creating a housing trust fund and a housing trust commission, was taken up for consideration.

Teig of Hamilton offered the following amendment H-1355 filed by him and moved its adoption:

H-1355

- 1 Amend House File 694 as follows:
- 2 1. Page 1, line 8, by striking the word
- 3 "jointly".
- 4 2. Page 1, lines 10 and 11, by striking the words
- 5 "and the department of economic development".

Amendment H-1355 was adopted.

Dix of Butler in the chair at 5:30 p.m.

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. 694)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Bogges
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohon
Connors	Cormack	De Boef	Dolecheck
Dotzler	Drake	Eddie	Eichhorn
Elgin	Fallon	Finch	Foege
Ford	Frevert	Garman	Gipp
Greimann	Grundberg	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Dix,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Boddicker	Falck	Siegrist, Spkr.
-----------	-------	-----------------

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 686**, a bill for an act relating to provision of notice prior to the provision of products or services by state agencies or political subdivisions, previously deferred and found on page 951 of the House Journal.

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. 686)

The ayes were, 95:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dolecheck
Dotzler	Drake	Eddie	Eichhorn
Elgin	Fallon	Finch	Foege
Ford	Frevert	Garman	Gipp
Greimann	Grundberg	Hahn	Hansen
Hatch	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Dix,	
		Presiding	

The nays were, 1:

Kreiman

Absent or not voting, 4:

Boddicker	Falck	Heaton	Siegrist, Spkr.
-----------	-------	--------	-----------------

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 686, 694 and 695.**

## SENATE FILE 203 REREFERRED

The Speaker announced that Senate File 203, previously referred to committee on **education** was rereferred to committee on **appropriations**.

## SENATE FILE 474 REREFERRED

The Speaker announced that Senate File 474, previously referred to committee on **judiciary** was rereferred to committee on **local government**.

## EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 28, 2001. Had I been present, I would have voted "aye" on House Files 566 and 655.

CARROLL of Poweshiek

I was necessarily absent from the House chamber on March 27, 2001. Had I been present, I would have voted "aye" on House File 662.

HANSEN of Pottawattamie

I was necessarily absent from the House chamber on March 27, 2001. Had I been present, I would have voted "aye" on Senate Files 146, 509, amendments H-1251 and H-1310B to House File 304, amendment H-1327 to Senate File 66 and "nay" on House File 304 and Senate File 66.

STEVENS of Dickinson

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 28, 2001, he approved and transmitted to the Secretary of State the following bills:

House File 327, an act relating to the criminal offenses of enticing a minor away and sexual exploitation of a minor and providing a penalty.

Senate File 276, an act relating to the licensure of persons acting as insurance producers, providing an effective date, and applying penalties.

### PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty 8<sup>th</sup> grade students from Ruthven-Ayrshire Community School, Ruthven, accompanied by Mr. Josephson, Ms. Martinson and Ms. Scott. By Frevert of Palo Alto.

Thirty senior students from Mt. Pleasant High School, Mt. Pleasant, accompanied by Sharmin Ver Meer and Chaperones. By Heaton of Henry.

Thirteen students from Partnership High School, Tama. By Horbach of Tama.

Twenty-three Senior Government students from Davis County High School, Bloomfield, accompanied by Ed Good, James Pope and Phil Ware. By Kreiman of Davis.

### CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\735 Opal and Loren Brown, Charles City – For celebrating their 64<sup>th</sup> wedding anniversary.
- 2001\736 Leona Arndt, Charles City – For celebrating her 80<sup>th</sup> birthday.
- 2001\737 Greg Brunner, Charles City – For being named First-Team All-State by the Iowa Newspaper Association.
- 2001\738 Allison Lyle, Keota – For qualifying in Division 1 to compete in Women's NCAA Swim Championships.
- 2001\739 Katie Brees, Keota – For winning the National Women's Long Jump title at the NCAA Division III Indoor Track and Field Championship.

2001\740 Marian and Tom Remmes, Denison – For celebrating their 50<sup>th</sup> wedding anniversary.

### SUBCOMMITTEE ASSIGNMENTS

#### House File 351 Reassigned

Ways and Means: Finch, Chair; Huser and Tymeson.

#### Senate File 170

Labor and Industrial Relations: Hansen, Chair; Raecker and T. Taylor.

#### Senate File 203

Appropriations: Millage, Chair; Jacobs and Wise.

#### Senate File 348

Education: Brunkhorst, Chair; Boal, Roberts, Stevens and Wise.

#### Senate File 410

Environmental Protection: Bradley, Chair; Gipp and Hatch.

#### Senate File 447

Transportation: Heaton, Chair; Arnold and Bukta.

#### Senate File 462

Environmental Protection: Sievers, Chair; Gipp and Stevens.

#### Senate File 463

State Government: Brauns, Chair; Larkin and Van Engelenhoven.

#### Senate File 465

Agriculture: Rayhons, Chair; Boggess and May.

#### Senate File 466

Human Resources: Brunkhorst, Chair; Broers and Murphy.

#### Senate File 470

Agriculture: Manternach, Chair; Frevert and Johnson.

#### Senate File 480

Education: Broers, Chair; Cohoon and Sukup.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 11.1**

Ways and Means: Hoversten, Chair; Richardson and Sievers.

**House Study Bill 35.1**

Ways and Means: Larson, Chair; Eichhorn and Richardson.

**House Study Bill 244**

Ways and Means: Sukup, Chair; Larson and Shoultz.

**House Study Bill 245**

Ways and Means: Sievers, Chair; Finch and Kuhn.

**House Study Bill 246**

Ways and Means: Finch, Chair; Larson and Osterhaus.

**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.

**MARGARET A. THOMSON**  
Chief Clerk of the House

**COMMITTEE ON APPROPRIATIONS**

**Senate File 479**, a bill for an act relating to wastewater systems, establishing a fund, appropriating moneys from the fund, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 2001.

**Committee Bill** (Formerly House Study Bill 242), relating to energy conservation including making appropriations of petroleum overcharge funds.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 2001.

## COMMITTEE ON STATE GOVERNMENT

**Senate File 196**, a bill for an act relating to conflicts of interest of public officers and employees, including lobbyist and clients reports, and review of documents related to campaign finance disclosure reports.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1367** March 28, 2001.

## AMENDMENTS FILED

H-1364	S.F.	433	Brunkhorst of Bremer
H-1365	S.F.	346	Baudler of Adair
H-1366	H.F.	638	Huser of Polk
H-1367	S.F.	196	Committee on State Government
H-1368	S.F.	461	Huser of Polk
H-1369	S.F.	355	Smith of Marshall
H-1370	S.F.	355	Smith of Marshall
H-1371	H.F.	116	Metcalf of Polk
H-1372	H.F.	116	Metcalf of Polk
H-1373	H.F.	116	Metcalf of Polk
H-1374	H.F.	116	Metcalf of Polk
H-1375	H.F.	116	Metcalf of Polk
H-1376	H.F.	116	Metcalf of Polk
H-1377	H.F.	116	Metcalf of Polk
H-1378	H.F.	116	Metcalf of Polk
H-1379	H.F.	116	Metcalf of Polk

On motion by Rants of Woodbury the House adjourned at 5:45 p.m., until 8:45 a.m., Thursday, March 29, 2001.

# JOURNAL OF THE HOUSE

Eighty-first Calendar Day - Fifty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 29, 2001

The House met pursuant to adjournment at 8:48 a.m., Speaker pro tempore Sukup in the chair.

Prayer was offered by Reverend Don Fisher, pastor of Westminster Presbyterian Church, Clarinda. He was the guest of Representative Effie Boggess of Page County and Journal Room Page, Hannah Roberts.

The Journal of Wednesday, March 28, 2001 was approved.

## PETITION FILED

The following petition was received and placed on file:

By Barry of Harrison from forty-one constituents of the 82<sup>nd</sup> District favoring an upgrade of telephone service. Barry and sixteen Representatives have signed a letter of support of the Broadband Internet Access Act (S.88) to United States Senator Charles Grassley.

## INTRODUCTION OF BILL

**House File 706**, 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**.

## 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 28, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 324, a bill for an act relating to transportation, including provisions on road projects, vehicle sales, movement, and reports, and mailing of notices, and providing a penalty and an effective date.

Also: That the Senate has on March 28, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 313, a bill for an act relating to removal of county board of supervisor appointees.

Also: That the Senate has on March 28, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 335, a bill for an act relating to species of animals by classifying certain species as livestock and providing exemptions from the sales and use tax for feed used to support the species.

Also: That the Senate has on March 28, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 485, a bill for an act relating to jurisdiction in criminal forfeiture proceedings.

Also: That the Senate has on March 28, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 486, a bill for an act relating to the assessment of a law enforcement initiative surcharge on certain criminal offenses.

Also: That the Senate has on March 28, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 500, a bill for an act relating to insurance, by addressing the operation and regulation of insurance companies, mutual insurance associations, the Iowa insurance guaranty association, and other insurance or risk-assuming entities, including the rights and duties of such entities and the powers and authority of the insurance commissioner; by establishing jurisdiction and venue requirements for actions against the Iowa insurance guaranty association; and providing penalties, repeals, and effective dates.

Also: That the Senate has on March 28, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 505, a bill for an act requiring establishment of community review committees and county child protection assistance teams.

MICHAEL E. MARSHALL, Secretary

## LEAVE OF ABSENCE

Leave of absence was granted as follows:



Chiodo of Polk, Ford of Polk and Hatch of Polk, until their arrival, on request of Kreiman of Davis.

## CONSIDERATION OF BILLS

### Regular Calendar

**House File 526**, a bill for an act providing an apprenticeship program for Illinois barbers in lieu of existing Iowa barber licensure requirements, with report of committee recommending amendment and passage, was taken up for consideration.

Gipp of Winneshiek offered amendment H-1262 filed by the committee on state government as follows:

H-1262

1 Amend House File 526 as follows:  
2 1. By striking everything after the enacting  
3 clause and inserting the following:  
4 "Section 1. RECIPROCITY STANDARDS FOR BARBERS –  
5 STUDY. The Iowa department of public health, in  
6 conjunction with the board of barber examiners, shall  
7 conduct a study regarding reciprocity standards,  
8 including program hours required and apprenticeship  
9 programs, for barbers in other states. The study  
10 shall be conducted with the input of barber schools  
11 and licensed barbers in this state, and shall examine  
12 and review state law requirements concerning the  
13 reciprocity practices of other states, with a  
14 particular emphasis and focus on the states  
15 surrounding and bordering the state of Iowa. The  
16 objective of the study shall be to determine ways in  
17 which the existing reciprocity system between the  
18 state of Iowa and graduates of barber schools and  
19 licensed barbers in other states can be improved to  
20 achieve greater flexibility and promote the relocation  
21 of qualified barbers to this state. The department  
22 shall submit a report of its conclusions to the  
23 members of the general assembly by December 15, 2001."

Gipp of Winneshiek offered the following amendment H-1276, to the committee amendment H-1262, filed by him and moved its adoption:

H-1276

1 Amend the amendment, H-1262, to House File 526 as

2 follows:

3 1. Page 1, by inserting after line 23 the

4 following:

5 "\_\_\_\_. Title page, by striking lines 1 and 2 and

6 inserting the following: "An Act providing for a

7 study of state law requirements in this state and

8 other states regarding barber reciprocity practices.""

Amendment H-1276 was adopted.

On motion by Gipp of Winneshiek the committee amendment H-1262, as amended, was adopted.

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. 526)

The ayes were, 89:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Connors	Cormack	De Boef	Dolecheck
Dotzler	Drake	Eddie	Eichhorn
Elgin	Falck	Fallon	Finch
Foege	Frevert	Garman	Gipp
Greimann	Grundberg	Hahn	Hansen
Heaton	Hoffman	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rayhons	Rekow	Reynolds
Roberts	Scherrman	Schrader	Shey
Shoultz	Smith	Stevens	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Sukup,			
Presiding			

The nays were, 2:

Seng

Sievers

Absent or not voting, 9:

Boggess	Dix	Ford	Hatch
Horbach	Larson	Rants	Richardson
Siegrist, Spkr.			

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**House File 561**, a bill for an act repealing the requirement to fly a flag or pennant on an all-terrain vehicle or snowmobile when operating on a public road or street, was taken up for consideration.

May of Worth 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. 561)

The ayes were, 72:

Alons	Arnold	Atteberry	Barry
Bell	Boddicker	Boggess	Bradley
Brauns	Broers	Bukta	Chiodo
Cohoon	Connors	Cormack	Dix
Dotzler	Drake	Eddie	Eichhorn
Elgin	Falck	Fallon	Foege
Ford	Garman	Gipp	Hatch
Heaton	Hoffman	Houser	Hoversten
Huseman	Huser	Jacobs	Jochum
Johnson	Kettering	Klemme	Kuhn
Larkin	Manternach	Mascher	May
Mertz	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Rayhons	Rekow	Reynolds	Richardson
Scherrman	Schrader	Seng	Shey
Shoultz	Smith	Stevens	Taylor, D.
Taylor, T.	Teig	Tremmel	Van Fossen
Warnstadt	Wise	Witt	Sukup,
			Presiding

The nays were, 24:

Baudler	Boal	Brunkhorst	Carroll
De Boef	Dolecheck	Finch	Frevert
Greimann	Grundberg	Hahn	Hansen
Jenkins	Kreiman	Lensing	Metcalf
Raecker	Roberts	Sievers	Tymeson
Tyrrell	Van Engelenhoven	Weidman	Winckler

Absent or not voting, 4:

Horbach

Larson

Rants

Siegrist, Spkr.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 526 and 561.**

The House stood at ease at 9:28 a.m., until the fall of the gavel.

The House resumed session at 10:48 a.m., Speaker pro tempore Sukup in the chair.

### MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 29, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 21, a concurrent resolution to call upon the President and the Congress of the United States to intervene on behalf of the cattle industry in Iowa prior to the United States Environmental Protection Agency's implementation of the agency's interpretation of the 1972 Clean Water Act.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGES CONSIDERED

**Senate File 313**, by Rittmer, a bill for an act relating to removal of county board of supervisor appointees.

Read first time and referred to committee on **local government.**

**Senate File 335**, by committee on agriculture, a bill for an act relating to species of animals by classifying certain species as livestock and providing exemptions from the sales and use tax for feed used to support the species.

Read first time and referred to committee on **ways and means**.

**Senate File 485**, by committee on judiciary, a bill for an act relating to jurisdiction in criminal forfeiture proceedings.

Read first time and referred to committee on **judiciary**.

**Senate File 486**, by committee on judiciary, a bill for an act relating to the assessment of a law enforcement initiative surcharge on certain criminal offenses.

Read first time and referred to committee on **judiciary**.

**Senate File 500**, by committee on commerce, a bill for an act relating to insurance, by addressing the operation and regulation of insurance companies, mutual insurance associations, the Iowa insurance guaranty association, and other insurance or risk-assuming entities, including the rights and duties of such entities and the powers and authority of the insurance commissioner; by establishing jurisdiction and venue requirements for actions against the Iowa insurance guaranty association; and providing penalties, repeals, and effective dates.

Read first time and referred to committee on **commerce and regulation**.

**Senate File 505**, by committee on human resources, a bill for an act requiring establishment of community review committees and county child protection assistance teams.

Read first time and referred to committee on **human resources**.

### SPECIAL PRESENTATION

Hoffman of Crawford introduced to the House, Jacklyn Murray, a student from West Monona Community High School recognized for her volunteer service.

The House rose and expressed its welcome.

## ADOPTION OF HOUSE RESOLUTION 20

Hoffman of Crawford called up for consideration **House Resolution 20**, a resolution honoring Jacklyn Murray for achieving the 2001 Prudential Spirit of Community Award, and moved its adoption.

The motion prevailed and the resolution was adopted.

## SPECIAL PRESENTATION

Bell of Jasper introduced to the House, Anne Wignall, a student at Berg Middle School recognized for her volunteer service.

The House rose and expressed its welcome.

## ADOPTION OF HOUSE RESOLUTION 25

Bell of Jasper called up for consideration **House Resolution 25**, a resolution honoring Anne Wignall for achieving the 2001 Prudential Spirit of Community Award, and moved its adoption.

The motion prevailed and the resolution was adopted.

## SENATE FILE 140 PASSED ON FILE

The Speaker announced that Senate File 140, previously referred to committee on **ways and means** was **passed on file**.

## EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 28, 2001. Had I been present, I would have voted "aye" on House Files 624, 656 and 695.

CARROLL of Poweshiek

## 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 29<sup>th</sup> day of March, 2001: House File 597

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

### CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\741 Pat and Shorty Howell, Indianola – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\742 Wanda Cleveland, Norwalk – For celebrating her 85<sup>th</sup> birthday.
- 2001\743 Helen Fickel, Indianola – For celebrating her 89<sup>th</sup> birthday.
- 2001\744 Corey Stromley, Rockwell – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\745 Wilma and Raymond Swanson, Lockridge – For celebrating their 59<sup>th</sup> wedding anniversary.
- 2001\746 Marie and Louis Hosek, Toledo – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2001\747 Evelyn and Ludvik Mayer, Chelsea – For celebrating their 50<sup>th</sup> wedding anniversary.

### SUBCOMMITTEE ASSIGNMENTS

#### House File 343 Reassigned

Ways and Means: Boal, Chair; Larkin and Sievers.

#### House File 685

Ways and Means: Van Fossen, Chair; Shey and Shoultz.

#### Senate File 341

Transportation: Johnson, Chair; Quirk and Weidman.

**Senate File 342**

State Government: Jacobs, Chair; Boddicker, Eichhorn, Jochum and Reynolds.

**Senate File 346**

Judiciary: Baudler, Chair; Broers and Kreiman.

**Senate File 391**

Judiciary: Shey, Chair; Boddicker and Kreiman.

**Senate File 474**

Local Government: Weidman, Chair; Eddie and Reynolds.

**Senate File 487**

Judiciary: Shey, Chair; Baudler and Kreiman.

**Senate File 499**

Judiciary: Eichhorn, Chair; Shey and Tremmel.

**Senate File 500**

Commerce and Regulation: Hoffman, Chair; D. Taylor and Van Fossen.

**Senate File 505**

Human Resources: Hoversten, Chair; Boddicker and Smith.

**COMMITTEE RECOMMENDATION**

**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.

**MARGARET A. THOMSON**  
Chief Clerk of the House

**COMMITTEE ON COMMERCE AND REGULATION**

**Senate File 169**, a bill for an act limiting the exemption from regulation of certain persons acting as an attorney in fact regarding certain real estate transactions.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2001.



**Senate File 337**, 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.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2001.

**Senate File 384**, a bill for an act relating to pay plans for certain employees of the credit union division of the department of commerce.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2001.

#### COMMITTEE ON ECONOMIC DEVELOPMENT

**Senate File 141**, a bill for an act relating to the allocation of program job credits to program costs under the accelerated career education program and providing effective and retroactive applicability dates.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2001.

#### COMMITTEE ON HUMAN RESOURCES

**Senate File 198**, a bill for an act relating to family investment program requirements regarding the time period allowed for supported postsecondary education assistance and including an applicability provision.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2001.

#### COMMITTEE ON LOCAL GOVERNMENT

**Senate File 57**, a bill for an act relating to approval of city ordinances granting certain utility franchises.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2001.

#### COMMITTEE ON WAYS AND MEANS

**Senate File 185**, a bill for an act relating to the definition of factory-built structures, the relocation of factory-built structures, the certification of installers of manufactured homes, and providing a fee, an appropriation, and a civil penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 2001.

**Committee Bill** (Formerly House File 619), relating to the growing and processing of grapes, creating a state commission, establishing a fund for certain tax receipts, and providing an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2001.

**Committee Bill** (Formerly House Study Bill 11.1), establishing an interstate distribution center initiative by identifying an activity of a foreign corporation which does not constitute doing business in or deriving income from sources within the state and for which a return is not required for state income tax purposes and including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 28, 2001.

**Committee Bill** (Formerly House Study Bill 35.1), establishing a small business growth initiative by adjusting the allocation to Iowa of income earned by an S corporation for purposes of the state individual income tax and including a retroactive applicability date provision.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 2001.

### AMENDMENTS FILED

H-1380	H.F.	324	Senate Amendment
H-1381	H.F.	670	Stevens of Dickinson
H-1382	H.F.	670	Lensing of Johnson
H-1383	H.F.	670	Stevens of Dickinson
H-1384	H.F.	670	Grundberg of Polk
H-1385	H.F.	582	Richardson of Warren
H-1386	H.F.	670	Bukta of Clinton
H-1387	H.F.	670	Foege of Linn
H-1388	H.F.	670	Winckler of Scott
H-1389	H.F.	670	Mascher of Johnson
H-1390	H.F.	116	Winckler of Scott
H-1391	H.F.	670	Petersen of Polk
H-1392	H.F.	116	Hatch of Polk
H-1393	H.F.	116	Petersen of Polk
H-1394	H.F.	116	Winckler of Scott
H-1395	H.F.	116	Mascher of Johnson

H-1396      H.F.    116      Lensing of Johnson

On motion by Jacobs of Polk the House adjourned at 11:18 a.m., until 9:30 a.m., Friday, March 30, 2001.

# JOURNAL OF THE HOUSE

Eighty-second Calendar Day - Fifty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, March 30, 2001

The House met pursuant to adjournment at 9:28 a.m., Metcalf of Polk in the chair.

Prayer was offered by the Honorable Janet Metcalf, state representative from Polk County.

The Journal of Thursday, March 29, 2001 was approved.

## PETITION FILED

The following petition was received and placed on file:

By Mascher of Johnson from seventy-nine Iowa City teachers from District 46 opposing House Study Bill 201, the proposed teacher compensation bill.

## INTRODUCTION OF BILLS

**House File 707**, by committee on ways and means, a bill for an act establishing an interstate distribution center initiative by identifying an activity of a foreign corporation for which a return is not required for state income tax purposes and including effective and retroactive applicability date provisions.

Read first time and placed on the **ways and means calendar**.

**House File 708**, by committee on ways and means, a bill for an act establishing a small business growth initiative by adjusting the allocation to Iowa of income earned by an S corporation for purposes of the state individual income tax and including a retroactive applicability date provision.

Read first time and placed on the **ways and means calendar**.

**House File 709**, by committee on ways and means, a bill for an act relating to the growing and processing of grapes, creating a state commission, establishing a fund for certain tax receipts, and providing an appropriation.

Read first time and referred to committee on **appropriations**.

#### AMENDMENTS FILED

H-1397	H.F.	577	Jenkins of Black Hawk
H-1398	H.F.	577	Jenkins of Black Hawk
H-1399	H.F.	577	Jenkins of Black Hawk

On motion by Finch of Story the House adjourned at 9:30 a.m., until 10:00 a.m., Monday, April 2, 2001.

# JOURNAL OF THE HOUSE

Eighty-fifth Calendar Day - Fifty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, April 2, 2001

The House met pursuant to adjournment at 10:07 a.m., Speaker Siegrist in the chair.

Prayer was offered by the Honorable Ralph Klemme, state representative from Plymouth County.

The Journal of Friday, March 30, 2001 was approved.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by five Eagle Scouts from Troop 55 in Denison, including Chris Skoog, Justin Scherff, Jeremy Kippley, Chris Nelson and Brad Brockman. They were accompanied by their leaders, Mr. Eric Skoog and Mr. Jeff Nelson. They were the guests of the Honorable Clarence Hoffman, state representative from Crawford County. Following the Pledge of Allegiance Mary Jane Buzbee from Denison and a student at Simpson College, sang God Bless America.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Drake of Pottawattamie, until his arrival, on request of Carroll of Poweshiek; Gipp of Winneshiek on request of Barry of Harrison; D. Taylor of Linn and Petersen of Polk on request of Myers of Johnson.

## HOUSE FILE 435 WITHDRAWN

Metcalf of Polk asked and received unanimous consent to withdraw House File 435 from further consideration by the House.

## SPECIAL PRESENTATION

Houser of Pottawattamie introduced to the House Francis Lajba, President and CEO of SCOLA (Satellite Communications For Learning); Wayne Bryant, Retired Pottawattamie County Supervisor

and Chen Lixia, Associate Professor of the Education Ministry of the Peoples Republic of China who addressed the House briefly.

The House rose and expressed its welcome.

## CONSIDERATION OF BILL

### Regular Calendar

**House File 670**, a bill for an act relating to nontraditional practitioner preparation instruction programs, including the licensure of individuals who are participating in or have successfully completed a program, was taken up for consideration.

Lensing of Johnson offered amendment H-1382 filed by her as follows:

H-1382

- 1 Amend House File 670 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. NONTRADITIONAL PRACTITIONER
- 5 PREPARATION INTERIM STUDY. The legislative council is
- 6 requested to authorize a nontraditional practitioner
- 7 preparation interim study committee to review
- 8 alternative or nontraditional practitioner preparation
- 9 of teachers and administrators used in other states
- 10 and to submit recommendations for changes or revisions
- 11 to the current statutory practitioner preparation
- 12 program requirements that address practitioner
- 13 shortage areas while maintaining high levels of
- 14 student achievement. The study committee shall submit
- 15 a report of its findings and recommendations to the
- 16 senate and house of representatives standing
- 17 committees on education on or before December 15,
- 18 2001."

The House stood at ease at 10:26 a.m., until the fall of the gavel.  
(Amendment H-1382 pending)

The House resumed session and consideration of House File 670 and amendment H-1382 (pending) at 11:40 a.m., Hansen of Pottawattamie in the chair.

Lensing of Johnson moved the adoption of amendment H-1382.

Roll call was requested by Richardson of Warren and Dotzler of Black Hawk.

On the question "Shall amendment H-1382 be adopted?" (H.F. 670)

The ayes were, 43:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Garman	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, T.	Tremmel	Warnstadt
Winckler	Wise	Witt	

The nays were, 53:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Grundberg	Hahn	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Siegrist, Spkr.
Sievers	Sukup	Teig	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Hansen, Presiding			

Absent or not voting, 4:

Finch	Gipp	Petersen	Taylor, D.
-------	------	----------	------------

Amendment H-1382 lost.

Mascher of Johnson offered the following amendment H-1391 filed by Petersen of Polk and moved its adoption:



H-1391

1 Amend House File 670 as follows:

2 1. Page 1, by striking lines 12 through 16 and  
3 inserting the following: "the standards established  
4 pursuant to section 256.7, subsection 25.

5 The nontraditional teacher preparation program  
6 shall include forty-eight credit hours in coursework  
7 provided by a traditionally approved practitioner  
8 preparation program and a twelve-week student teaching  
9 field experience that includes both observation and  
10 participation in teaching activities in a variety of  
11 school settings.

12 The nontraditional administrator preparation  
13 program shall consist of, at a minimum, two".

14 2. Page 1, by striking lines 19 through 21, and  
15 inserting the following: "license pursuant to section  
16 272.2, subsection 13, paragraph "a". Prior to  
17 licensure as an administrator, a student shall  
18 successfully complete the".

19 3. Page 1, by striking line 23 and inserting the  
20 following: "272.2, subsection 13.

21 The institution that delivers the".

22 4. Page 2, by striking lines 19 through 21 and  
23 inserting the following: "training program, and a  
24 nontraditional practitioner preparation instruction  
25 program in accordance with section 256.16, subsection  
26 3. An individual may be".

27 5. Page 2, line 25, by striking the word "twelve-  
28 week".

29 6. Page 3, line 4, by striking the word "twelve-  
30 week".

31 7. Page 3, by striking lines 11 through 13 and  
32 inserting the following: "completes one year of  
33 teaching under a conditional license. a person issued  
34 a".

A non-record roll call was requested.

The ayes were 35, nays 50.

Amendment H-1391 lost.

Stevens of Dickinson offered the following amendment H-1383  
filed by him and moved its adoption:

H-1383

1 Amend House File 670 as follows:

2 1. Page 1, by striking lines 15 through 17 and

- 3 inserting the following: "education theory,  
4 instructional methods, and classroom management. The  
5 program for students who wish to be licensed as  
6 conditional or provisional teachers shall, in addition  
7 to the coursework requirements, include a twelve-week  
8 student teaching field experience that includes both  
9 observation and participation in teaching activities  
10 in a variety of school settings. The program  
11 coursework shall consist of two eighteen-semester-  
12 hour, or the trimester or quarter equivalent, courses  
13 of study, the first of which a student".  
14 2. Page 1, line 22, by striking the word "twelve-  
15 week" and inserting the following: "eighteen-  
16 semester-hour, or the trimester or quarter  
17 equivalent,".  
18 3. Page 2, by striking lines 19 through 21 and  
19 inserting the following: "training program, and a  
20 nontraditional practitioner preparation instruction  
21 program in accordance with section 256.16, subsection  
22 3. An individual may be".  
23 4. Page 2, line 25, by striking the word "twelve-  
24 week".  
25 5. Page 3, line 4, by striking the word "twelve-  
26 week".  
27 6. Page 3, line 12, by striking the word "twelve-  
28 week".

Amendment H-1383 lost.

Bukta of Clinton offered the following amendment H-1386 filed by her and moved its adoption:

H-1386

- 1 Amend House File 670 as follows:  
2 1. Page 1, by striking lines 15 and 16 and  
3 inserting the following: "education theory,  
4 instructional methods, and classroom management. The  
5 program for students who wish to be licensed as  
6 conditional or provisional teachers shall, in addition  
7 to the coursework requirements, include a twelve-week  
8 student teaching field experience that includes both  
9 observation and participation in teaching activities  
10 in a variety of school settings. The program  
11 coursework shall consist of two".

Amendment H-1386 lost.

Mascher of Johnson offered the following amendment H-1389 filed by her and moved its adoption:

## H-1389

- 1 Amend House File 670 as follows:
- 2 1. Page 1, by striking lines 15 and 16 and
- 3 inserting the following: "education theory,
- 4 instructional methods, and classroom management. The
- 5 program for students who wish to be licensed as
- 6 conditional or provisional teachers shall, in addition
- 7 to the coursework requirements, include a twelve-week
- 8 student teaching field experience that includes both
- 9 observation and participation in teaching activities
- 10 in a variety of school settings. The program course
- 11 work shall consist of two".
- 12 2. Page 1, lines 19 and 20, by striking the words
- 13 "paragraphs "a" and "b"" and inserting the following:
- 14 "paragraph "a"".
- 15 3. Page 1, line 21, by striking the word
- 16 "provisional" and inserting the following:
- 17 "conditional".
- 18 4. Page 2, by striking lines 19 through 21 and
- 19 inserting the following: "training program, and a
- 20 nontraditional practitioner preparation instruction
- 21 program in accordance with section 256.16, subsection
- 22 3. An individual may be".
- 23 5. Page 2, line 25, by striking the word "twelve-
- 24 week".
- 25 6. Page 3, line 4, by striking the word "twelve-
- 26 week".
- 27 7. Page 3, by striking lines 11 through 13, and
- 28 inserting the following: "completes one year of
- 29 teaching under a conditional license. a person issued
- 30 a".

Amendment H-1389 lost.

Winckler of Scott offered the following amendment H-1388 filed by her and moved its adoption:

## H-1388

- 1 Amend House File 670 as follows:
- 2 1. Page 1, line 16, by striking the word "and
- 3 practice teaching." and inserting the following:
- 4 "brain-based research, lesson design, learning styles
- 5 of students, best teaching practices, human relations,
- 6 technology integration, conflict resolution, and shall
- 7 meet the requirements of section 272.25, subsection 3.
- 8 The program for students who wish to be licensed as
- 9 conditional teachers shall, in addition to the
- 10 coursework requirements, include a twelve-week student
- 11 teaching field experience that includes both

- 12 observation and participation in teaching activities  
13 in a variety of school settings."  
14 2. Page 1, line 16, by inserting before the words  
15 "shall consist" the following: "coursework".

Amendment H-1388 lost.

Grundberg of Polk offered amendment H-1384 filed by her as follows:

H-1384

- 1 Amend House File 670 as follows:  
2 1. Page 1, line 17, by striking the word "twelve-  
3 week" and inserting the following: "twelve-semester-  
4 hour, or the trimester or quarter equivalent,".  
5 2. Page 1, line 22, by striking the word "twelve-  
6 week" and inserting the following: "twelve-semester-  
7 hour, or the trimester or quarter equivalent,".  
8 3. Page 1, line 24, by inserting after the word  
9 "subsection" the following: "shall include as a  
10 component of its program supervision of a practitioner  
11 during the practitioner year of employment under a  
12 conditional license, and".  
13 4. Page 2, by striking lines 18 through 21 and  
14 inserting the following: "license if the individual  
15 successfully completes a nontraditional practitioner  
16 preparation instruction program in accordance with  
17 section 256.16, subsection 3. An individual may be".  
18 5. Page 2, line 25, by striking the word "twelve-  
19 week".  
20 6. Page 3, by striking lines 1 through 3 and  
21 inserting the following: "in grades nine through  
22 twelve if the individual".  
23 7. Page 3, line 4, by striking the word "twelve-  
24 week".  
25 8. Page 3, by striking lines 8 through 10 and  
26 inserting the following: "through twelve if the  
27 individual successfully".  
28 9. Page 3, line 12, by striking the word "twelve-  
29 week".  
30 10. Page 3, by inserting after line 16 the  
31 following:  
32 "Sec. \_\_\_\_ DEPARTMENTAL STUDIES. The department  
33 of education shall do the following:  
34 1. Conduct a study of the transfer of credits  
35 between practitioner preparation institutions, both  
36 in-state and out-of-state. The study shall determine  
37 whether the transfer of credits by practitioner  
38 preparation institutions is fair and consistent, and  
39 shall identify actions that may be taken to improve

40 the ability of a student to transfer credits earned in  
41 one practitioner preparation institution to another.  
42 2. Analyze and compare, in consultation with the  
43 board of educational examiners, the requirements for  
44 practitioner licensure or endorsement that require a  
45 master's degree and the master's degree requirements  
46 established by approved practitioner preparation  
47 graduate programs.  
48 The department shall submit its findings and  
49 recommendations in a report to the senate and house of  
50 representatives standing committees on education by

Page 2

1 December 1, 2001."  
2 11. Title page, by striking lines 1 through 4 and  
3 inserting the following: "An Act relating to  
4 practitioner preparation programs by providing for the  
5 establishment of nontraditional practitioner  
6 preparation and licensure and by providing for a study  
7 of practitioner preparation programs."

Foege of Linn offered the following amendment H-1405, to amendment H-1384, filed by him from the floor and moved its adoption:

H-1405

1 Amend the amendment, H-1384, to House File 670 as  
2 follows:  
3 1. Page 1, by inserting after line 4 the  
4 following:  
5 "\_\_\_\_. Page 1, by striking lines 19 and 20 and  
6 inserting the following: "license pursuant to section  
7 272.2, subsection 13, paragraph "b". Prior to  
8 licensure as a conditional administrator or a".  
9 2. Page 1, by striking lines 18 and 19 and  
10 inserting the following:  
11 "\_\_\_\_. Page 2, by striking lines 24 through 26 and  
12 inserting the following: "administrator under a  
13 conditional license. However, an individual  
14 licensed".  
15 3. By renumbering as necessary.

Amendment H-1405 lost.

On motion by Grundberg of Polk, amendment H-1384 was adopted, placing amendment H-1387 out of order.

Stevens of Dickinson offered amendment H-1381 filed by him as follows:

H-1381

- 1 Amend House File 670 as follows:
- 2 1. Page 3, by inserting after line 16 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 272.2, Code 2001, is amended by
- 5 adding the following new subsection:
- 6 NEW SUBSECTION. 16. a. Administer the Praxis II
- 7 examination for knowledge of pedagogies and for not
- 8 more than one content area in which the applicant
- 9 intends to teach, to each individual who is applying
- 10 for a conditional license in accordance with
- 11 subsection 13, paragraph "b". Fees for the
- 12 examination required under this subsection shall be
- 13 paid from moneys appropriated to the board for this
- 14 purpose. Costs incurred for additional content area
- 15 examinations shall be paid by the applicant.
- 16 b. This subsection is repealed effective June 30,
- 17 2003."

Stevens of Dickinson offered the following amendment H-1402, to amendment H-1381, filed by him from the floor and moved its adoption:

H-1402

- 1 Amend the amendment, H-1381, to House File 670, as
- 2 follows:
- 3 1. Page 1, by inserting after line 15 the
- 4 following:
- 5 " \_\_\_\_ If for any reason the state board
- 6 administers Praxis examinations to students
- 7 traditionally prepared in accordance with section
- 8 272.25, the results of the examinations administered
- 9 pursuant to this subsection shall be separately
- 10 maintained from the results of examinations
- 11 administered to traditionally prepared students."
- 12 2. By relettering as necessary.

Amendment H-1402 was adopted.

On motion by Stevens of Dickinson amendment H-1381, as amended, was adopted.

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. 670)

The ayes were, 51:

Alons	Barry	Baudler	Boal
Boddicker	Bogges	Bradley	Brauns
Broers	Brunkhorst	Carroll	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Grundberg	Hahn	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Kettering	Klemme
Larson	Manternach	Metcalf	Millage
Raecker	Rants	Rayhons	Rekow
Shey	Siegrist, Spkr.	Sievers	Sukup
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Hansen,	
		Presiding	

The nays were, 46:

Arnold	Atteberry	Bell	Bukta
Chiodo	Cohoon	Connors	Dotzler
Falck	Foege	Ford	Frevet
Garman	Greimann	Hatch	Huser
Jochum	Johnson	Kreiman	Kuhn
Larkin	Lensing	Mascher	May
Mertz	Murphy	Myers	O'Brien
Osterhaus	Quirk	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shoultz	Smith	Stevens	Taylor, D.
Taylor, T.	Tremmel	Warnstadt	Winckler
Wise	Witt		

Absent or not voting, 3:

Fallon	Gipp	Petersen
--------	------	----------

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, 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 2, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Joint Resolution 3, a joint resolution authorizing the sixth judicial district department of correctional services to extend a lease-purchase agreement and providing an effective date.

Also: That the Senate has on April 2, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 289, a bill for an act relating to open burn notifications and providing a penalty.

MICHAEL E. MARSHALL, Secretary

### ADOPTION OF HOUSE RESOLUTION 24

Sukup of Franklin called up for consideration **House Resolution 24**, a resolution recognizing and congratulating Quakerdale on 150 years of service, and moved its adoption.

The motion prevailed and the resolution was adopted.

Speaker Siegrist in the chair at 3:28 p.m.

On motion by Rants of Woodbury, the House was recessed at 3:29 p.m., until 5:00 p.m.

The House resumed session at 5:03 p.m., Speaker Siegrist in the chair.

### SENATE MESSAGE CONSIDERED

**Senate File 374**, by committee on state government, a bill for an act relating to the qualifications and authorization of therapeutically certified optometrists engaged in the practice of optometry.

Read first time and referred to committee on **human resources**.

### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy members present, thirty absent.



## CONSIDERATION OF BILL Regular Calendar

**House File 577**, a bill for an act relating to electric power generation and transmission, by addressing the criteria for construction of an electric generating facility; waivers; approval of power purchase contracts; management of regulated emissions from facilities fueled by coal; providing for the development of a state electric energy policy; providing for joint agreements for acquisition of ownership of a joint facility for electric power generation and transmission, and for the planning, financing, operation, and maintenance of the joint facility; providing for the bonding authority of electric power agencies; and making certain other changes and requirements related to electric generation and transmission, was taken up for consideration.

The House stood at ease at 5:20 p.m., until the fall of the gavel.

The House resumed session and consideration of House File 577 at 6:25 p.m., Speaker pro tempore Sukup 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, thirty absent.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Huser of Polk, until her arrival, on request of Myers of Johnson.

Schrader of Marion offered amendment H-1358 filed by him as follows:

H-1358

- 1 Amend House File 577 as follows:
- 2 1. By striking everything after the enacting
- 3 clause, and inserting the following:
- 4 "Section 1. NEW SECTION. 476B.1 DEFINITIONS.
- 5 As used in this chapter, unless the context

6 otherwise requires:

7 1. "ADAD equipment" means automatic dialing-  
8 announcing device equipment, which is a device or  
9 system of devices used, either alone or in conjunction  
10 with other equipment, for the purpose of automatically  
11 selecting or dialing telephone numbers, for  
12 disseminating prerecorded messages to the numbers  
13 selected or dialed without the use of a live operator.

14 2. "Autodialer" means an automatic telephone  
15 dialing system or equipment that has both the capacity  
16 to store or produce telephone numbers to be called  
17 using a random or sequential number generator, and to  
18 dial such numbers.

19 3. "Board" means the utilities board created in  
20 section 474.1.

21 4. "Caller identification" means the display, on  
22 the call recipient's telephone or related equipment,  
23 of the caller's telephone number or identity to the  
24 recipient of the call.

25 5. "Consumer" means an actual or prospective  
26 purchaser, lessee, or recipient of a consumer good or  
27 service.

28 6. "Consumer good or service" means any real  
29 property or any tangible or intangible personal  
30 property that is normally used for personal, family,  
31 or household purposes, including, without limitation,  
32 any such property intended to be attached to or  
33 installed in any real property without regard to  
34 whether it is so attached or installed, as well as  
35 cemetery lots and timeshare estates, and any service  
36 related to such property.

37 7. "Conversation time" is the time when two-way  
38 telecommunications is possible during a telephone  
39 call.

40 8. "Doing business in this state" means a business  
41 that conducts telephone solicitations from a location  
42 in this state or from other states or nations to  
43 consumers located in this state.

44 9. "Existing business relationship" means an  
45 established pattern of activity between a consumer and  
46 a merchant, involving an inquiry, application,  
47 purchase, or transaction initiated by a consumer  
48 regarding products or services offered by a merchant.

49 10. "Merchant" means a person who, directly or  
50 indirectly, offers or makes available to a consumer

## Page 2

1 any consumer good or service.

2 11. "Predictive dialing technology" means an  
3 automated dialing system or computer software that  
4 utilizes a formula or similar mechanism to initiate a

- 5 certain greater number of telephone calls than the  
6 number of telephone solicitors available to speak to  
7 prospective customers, with a goal of keeping the  
8 available telephone solicitors continually speaking to  
9 one prospective customer after another.
- 10 12. "Prepaid calling card" means an object  
11 containing an access number and authorization code  
12 that enables an end user to use prepaid calling  
13 services.
- 14 13. "Prepaid calling card company" means any  
15 person providing prepaid calling services to the  
16 public using its own or resold telecommunications  
17 network.
- 18 14. "Prepaid calling services" means any prepaid  
19 telecommunications service that allows end users to  
20 originate calls through an access number and  
21 authorization code, whether manually or electronically  
22 dialed.
- 23 15. "Telephone solicitation" means any voice  
24 communication, wherever originated, transmitted over a  
25 telephone for the purpose of encouraging action on the  
26 part of the consumer, including but not limited to any  
27 of the following actions:
- 28 a. The purchase or rental of property, goods, or  
29 services.
- 30 b. Investment in property, goods, or services.
- 31 c. Soliciting a sale of a consumer good or  
32 service.
- 33 d. Offering an extension of credit for a consumer  
34 good or service.
- 35 e. Obtaining information that will or may be used  
36 for the direct solicitation of a sale of a consumer  
37 good or service or an offer of extension of credit for  
38 such purpose.
- 39 f. Soliciting a donation for any group,  
40 organization, or purpose.
- 41 16. "Telephone solicitor" means a person doing  
42 business in this state, who makes or causes to be made  
43 a telephone solicitation, including, but not limited  
44 to, calls made by use of automatic dialing-announcing  
45 device equipment, predictive dialing technology, or an  
46 autodialer.
- 47 17. "Unsolicited telephone solicitation" means a  
48 telephone solicitation other than a call made as  
49 follows:
- 50 a. In response to an express request of the person

**Page 3**

- 1 called.
- 2 b. Primarily in connection with an existing debt  
3 or contract, payment, or performance of which has not

4 been completed at the time of such call.

5 c. To a person with whom the telephone solicitor  
6 has an existing business relationship.

7 d. To a residential subscriber if the telephone  
8 solicitation is made on behalf of a not-for-profit  
9 organization exempt from paying taxes under section  
10 501(c) of the Internal Revenue Code, and if a bona  
11 fide member of the exempt organization directly makes  
12 such communication, and does not contract with a  
13 telemarketing firm or other third party to make the  
14 calls.

15 e. By a person licensed pursuant to chapter 543B  
16 who calls an actual or prospective seller or lessor of  
17 real property if the call is made in response to a  
18 yard sign or other form of real estate sales  
19 advertisement placed by the seller or lessor.

20 Sec. 2. NEW SECTION. 476B.2 RESTRICTIONS ON THE  
21 USE OF CERTAIN TELEMARKETING EQUIPMENT.

22 1. A person shall not do any of the following:

23 a. Utilize any ADAD equipment, predictive dialing  
24 technology, or autodialer to call any person  
25 registered on the do-not-call list maintained pursuant  
26 to section 476B.3.

27 b. Call any person registered on the do-not call  
28 list maintained pursuant to section 476B.3 while the  
29 person is performing paid telephone solicitation  
30 services pursuant to contract, including payment by  
31 acceptance of a percentage of any charitable donations  
32 collected by the person while performing telephone  
33 solicitation services.

34 c. Operate any ADAD equipment, predictive dialing  
35 technology, or autodialers in a manner that  
36 intentionally impedes or prevents the function of a  
37 recipient's caller identification if the caller's  
38 existing equipment is capable of allowing the display  
39 of the caller's telephone number or identity.

40 2. a. Except as provided in paragraph "b", a  
41 person shall not use, employ, or direct another person  
42 to use, or contract for the use of, ADAD equipment.

43 b. Except for ADAD equipment that randomly or  
44 sequentially selects the telephone numbers for  
45 calling, the prohibition in paragraph "a" does not  
46 apply to any of the following, provided that the  
47 telephone numbers selected for automatic dialing have  
48 been screened to exclude any consumer who is included  
49 on the do-not-call list pursuant to section 476B.3 or  
50 who has an unlisted telephone number, unless the calls

Page 4

1 made concern a good or service that has been  
2 previously ordered or purchased:

3 (1) Calls made with ADAD equipment by a nonprofit  
4 organization or by an individual using the calls other  
5 than for commercial profit-making purposes or fund-  
6 raising, if the calls do not involve the advertisement  
7 or offering for sale, lease, or rental of goods,  
8 services, or property.

9 (2) Calls made with ADAD equipment relating to  
10 payment for, service of, or warranty coverage of  
11 previously ordered or purchased goods or services or  
12 to persons or organizations with an existing business  
13 relationship with the persons or organizations using  
14 the calls.

15 (3) Calls made with ADAD equipment relating to the  
16 collection of lawful debts.

17 (4) Calls made with ADAD equipment to members or  
18 employees of the organization making the calls.

19 (5) Calls made with ADAD equipment that use an  
20 initial prerecorded message of a duration no greater  
21 than seven seconds prior to a live operator intercept,  
22 or calls that involve an initial message from a live  
23 operator.

24 3. Calls made with ADAD equipment must terminate  
25 the connection with any call within ten seconds after  
26 the person receiving the call acts to disconnect the  
27 call.

28 4. Calls made with predictive dialing technology  
29 must meet a standard that allows a live telephone  
30 solicitor to engage in conversation with a call  
31 recipient within two seconds after the call is  
32 answered by the call recipient.

33 Sec. 3. NEW SECTION. 476B.3 DO-NOT-CALL LISTING.

34 1. The secretary of state shall contract with a  
35 service that maintains a national do-not-call list, so  
36 that Iowa telephone subscribers who do not wish to  
37 receive unsolicited telephone solicitation utilizing  
38 any ADAD equipment, predictive dialing technology, or  
39 autodialers may register to be included on the list.  
40 The contract shall be made in consultation with the  
41 consumer protection division of the department of  
42 justice, so that all evidentiary issues and other  
43 issues related to enforcement are considered.

44 2. A residential, mobile, or telephonic paging  
45 device telephone subscriber who does not wish to  
46 receive unsolicited telephone solicitations may  
47 register to be included on the do-not-call list  
48 contracted for by the secretary of state pursuant to  
49 subsection 1.

50 3. A telephone solicitor doing business in Iowa

2 subsection 5, and shall obtain a subscription to  
3 receive the quarterly updated subscription listings of  
4 consumers in Iowa who have registered to be included  
5 on the do-not-call list referred to in this section.

6 4. A telephone solicitor shall not make a call  
7 with any ADAD equipment, predictive dialing  
8 technology, or autodialer to any consumer in Iowa  
9 whose name is on the do-not-call list referred to in  
10 this section.

11 5. The secretary of state and consumer protection  
12 division of the department of justice shall adopt  
13 rules pursuant to chapter 17a to administer this  
14 section, including appropriate notices to consumers of  
15 the types of calls toward which such registration is  
16 directed, and the charging of a fee for subscriptions  
17 to the list so that the list income supports the cost  
18 of maintaining the list.

19 Sec. 4. **NEW SECTION. 476B.4 TELEPHONE**  
20 **SOLICITATION RESTRICTIONS.**

21 A telephone solicitor who makes a telephone  
22 solicitation to a residential, mobile, or telephonic  
23 paging device telephone number shall disclose the  
24 identity of the telephone solicitor and the business  
25 on whose behalf the telephone solicitor is making the  
26 telephone solicitation, immediately upon making  
27 contact by telephone with the person who is the object  
28 of the telephone solicitation. The telephone  
29 solicitor shall also comply with the provisions of 16  
30 C.F.R. § 310.4 in regard to required disclosures and  
31 other actions of the telephone solicitor. The  
32 business employing the telephone solicitor shall also  
33 comply with the provisions of 16 C.F.R. § 310.5,  
34 particularly with regard to the use of fictitious  
35 names by employees and recordkeeping by the business  
36 regarding such names.

37 Sec. 5. **NEW SECTION. 476B.5 REQUIREMENTS FOR**  
38 **CONTRACTS MADE PURSUANT TO TELEPHONE SOLICITATION.**

39 1. A contract made pursuant to a telephone  
40 solicitation is not valid and enforceable against a  
41 consumer unless made in compliance with this section.

42 2. A contract made pursuant to a telephone  
43 solicitation must satisfy all of the following:

44 a. The contract must be reduced to writing and  
45 signed by the consumer.

46 b. The contract must comply with all other  
47 applicable laws and rules.

48 c. The contract must match the description of  
49 goods or services as principally communicated in the  
50 telephone solicitation.

## Page 6

1 d. The contract must contain the name, address,  
2 and telephone number of the seller, the total price of  
3 the contract, and a detailed description of the goods  
4 or services being sold.

5 e. The contract must contain, in bold, conspicuous  
6 type, immediately preceding the signature, the  
7 following statement:

8 "You are not obligated to pay any money unless you  
9 sign this contract and return it to the seller."

10 f. The contract must not exclude from its terms  
11 any oral or written representations made by the  
12 telephone solicitor to the consumer in connection with  
13 the transaction.

14 This section does not apply to contractual sales  
15 specifically regulated by other law, or to the sale of  
16 financial services, security sales, or sales  
17 transacted by insurance companies or their wholly  
18 owned subsidiaries or agents, or to the sale of cable  
19 television services to a franchised cable television  
20 operator's existing subscribers within that cable  
21 television operator's franchise area, or to any sales  
22 where no prior payment is made to the merchant and an  
23 invoice accompanies the goods or services allowing the  
24 consumer no less than seven days to cancel or return  
25 the goods or services without obligation for any  
26 payment.

27 Sec. 6. NEW SECTION. 476B.6 RESTRICTIONS ON  
28 CHARGES TO CREDIT CARD ACCOUNTS AND ELECTRONIC  
29 TRANSFERS OF FUNDS.

30 1. A merchant who engages a telephone solicitor to  
31 make or cause to be made a telephone solicitation  
32 shall not make or submit any charge to a consumer's  
33 credit card account or make or cause to be made any  
34 electronic transfer of funds until after the merchant  
35 receives from the consumer a copy of the contract,  
36 signed by the consumer, that complies with section  
37 476B.5.

38 2. This section does not apply to any of the  
39 following:

40 a. A transaction made pursuant to prior  
41 negotiations in the course of a visit by the consumer  
42 to a merchant operating a retail business  
43 establishment which has a fixed permanent location and  
44 where consumer goods are displayed or offered for sale  
45 on a continuing basis.

46 b. A transaction in which the consumer may obtain  
47 a full refund for the return of undamaged and unused  
48 goods or a cancellation of services by notice to the  
49 seller within seven days after receipt by the  
50 consumer, and the seller will process the refund

## Page 7

1 within thirty days after receipt of the returned  
2 merchandise by the consumer.

3 c. A transaction in which the consumer purchases  
4 goods or services pursuant to an examination of a  
5 television, radio, or print advertisement or a sample,  
6 brochure, or catalog of the merchant that contains all  
7 of the following:

8 (1) The name, address, and telephone number of the  
9 merchant.

10 (2) A description of the goods or services being  
11 sold.

12 (3) Any limitations or restrictions that apply to  
13 the offer.

14 d. A transaction in which the merchant is a bona  
15 fide charitable organization or a newspaper.

16 Sec. 7. NEW SECTION. 476B.7 PREPAID CALLING  
17 CARDS – DISCLOSURES – REQUIREMENTS.

18 1. A prepaid calling card company shall provide  
19 all of the following information about the prepaid  
20 calling services in a prominent area at the point of  
21 sale of the prepaid calling services, legibly and  
22 visibly printed on the card, packaging, or display in  
23 such a manner that the consumer may make an informed  
24 decision about the prepaid calling services prior to  
25 purchase:

26 a. The maximum charge per minute for the prepaid  
27 calling services.

28 b. All applicable surcharges.

29 c. The expiration policy for the prepaid calling  
30 services, if applicable.

31 The company shall insure by contract with its  
32 retailers or distributors that the information is  
33 provided to the consumer.

34 2. A prepaid calling card company shall legibly  
35 print all of the following information on the prepaid  
36 calling card:

37 a. The name of the prepaid calling card company,  
38 as registered with the secretary of state.

39 b. A toll-free customer service number.

40 c. A toll-free network access number.

41 d. The authorization code, if such a code is  
42 required to access telecommunications service.

43 3. A prepaid calling card company shall provide  
44 all of the following information and services through  
45 its customer service number:

46 a. Rates and surcharges.

47 b. Balance of use in account.

48 c. Expiration date or period, if applicable.

49 d. A live operator to answer incoming calls

50 twenty-four hours a day, seven days a week, or



## Page 8

1 electronic voice recording of consumer messages. A  
2 combination of live operators or recorders may be  
3 used. If a recorder is used, the company shall  
4 attempt to contact each consumer no later than the  
5 next business day following the date of the recording.

6 4. A prepaid calling card company shall use the  
7 following billing standards:

8 a. A prepaid calling card company shall only  
9 charge a consumer for conversation time used plus  
10 applicable surcharges.

11 b. The billing increment used by a prepaid calling  
12 card company shall not exceed one minute.

13 c. Conversation time of less than a full minute  
14 shall not be rounded up beyond the next full minute.

15 5. Cards that do not have a specific expiration  
16 period printed on the card, and that have a balance of  
17 service remaining, shall be considered active for a  
18 minimum of one year from the date of first use, or if  
19 recharged, from the date of the last recharge.

20 6. A prepaid calling card company shall have a  
21 refund policy that meets all of the following minimum  
22 requirements:

23 a. For prepaid calling services that are rendered  
24 unusable for reasons beyond the consumer's control,  
25 and have not exceeded the expiration period, a prepaid  
26 calling card company shall provide a refund equal to  
27 the value remaining in the account.

28 b. Each company may, but shall not be required to,  
29 provide a refund when a card has been lost or stolen.

30 c. Refunds may be cash or replacement service, at  
31 the prepaid calling card company's option, but must be  
32 made to the consumer within sixty days of the request  
33 for a refund by the consumer.

34 7. All cards sold by a prepaid calling card  
35 company in Iowa after July 1, 2001, shall comply with  
36 this section.

37 Sec. 8. **NEW SECTION. 476B.8 INVESTIGATIONS –**  
38 **CIVIL ACTIONS – CIVIL PENALTY – OTHER REMEDIES.**

39 1. A violation of this chapter is a violation of  
40 section 714.16, subsection 2, paragraph "a". All the  
41 powers conferred upon the attorney general to  
42 accomplish the objectives and carry out the duties  
43 prescribed pursuant to section 714.16 are also  
44 conferred upon the attorney general to enforce this  
45 chapter, including, but not limited to, the power to  
46 issue subpoenas, adopt rules pursuant to chapter 17A  
47 which shall have the force of law, and seek injunctive  
48 relief and civil penalties.

49 2. In seeking reimbursement pursuant to section  
50 714.16, subsection 7, from a person who has committed

## Page 9

1 a violation of this chapter, the attorney general may  
2 seek an order from the court that the person pay to  
3 the attorney general on behalf of consumers the  
4 amounts for which the person would be liable under  
5 section 476B.8, subsection 2, for each consumer who  
6 has a cause of action pursuant to section 476B.8,  
7 subsection 2. Section 714.16, as it relates to  
8 consumer reimbursement, shall apply to consumer  
9 reimbursement pursuant to this section.

10 Sec. 9. NEW SECTION. 476B.9 PRIVATE CAUSE OF  
11 ACTION – DAMAGES AND INJUNCTIVE RELIEF.

12 In addition to any other remedies, a consumer who  
13 receives more than one telephone solicitation within  
14 any twelve-month period by or on behalf of the same  
15 person in violation of any provision of this chapter  
16 may bring an action against the person to recover all  
17 of the following:

- 18 1. Preliminary and permanent injunctive relief  
19 necessary to protect the public against further  
20 violations.
  - 21 2. The greater of actual monetary damages or a sum  
22 not less than one hundred dollars but not more than  
23 two thousand dollars for each telephone call made in  
24 violation of this chapter.
  - 25 3. Costs and reasonable attorney fees.
- 26 Reimbursement awarded to the attorney general  
27 pursuant to section 714.16, subsection 7, on behalf of  
28 a plaintiff who has filed an action pursuant to this  
29 section concerning the same set of facts shall be  
30 deducted from any damages awarded to the plaintiff in  
31 an action filed under this section.

32 Sec. 10. NEW SECTION. 476B.10 NOTIFICATION OF  
33 RIGHTS.

34 The board shall by rule ensure that  
35 telecommunications providers inform their customers of  
36 the customers' rights under this chapter. The  
37 notification shall be made by at least both of the  
38 following:

- 39 1. Annual inserts in the billing statements mailed  
40 to customers.
- 41 2. Conspicuous publication of the notice in the  
42 consumer information pages of the local telephone  
43 directories.

44 Sec. 11. Section 476.57, Code 2001, is repealed."

- 45 2. Title page, by striking lines 1 through 12 and  
46 inserting the following: "An Act relating to  
47 telemarketing."

- 48 3. By renumbering as necessary.

Schrader of Marion requested a ruling if amendment H-1358 was germane.

The Speaker ruled amendment H-1358 not germane.

Schrader of Marion moved to suspend the rules to consider amendment H-1358.

Roll call was requested by Schrader of Marion and Connors of Polk.

On the question "Shall the rules be suspended to consider amendment H-1358?" (H.F. 577)

The ayes were, 39:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Jochum	Kreiman
Kuhn	Larkin	Lensing	Mascher
May	Mertz	Murphy	Myers
O'Brien	Osterhaus	Quirk	Reynolds
Richardson	Scherrman	Schrader	Seng
Smith	Stevens	Taylor, T.	Tremmel
Warnstadt	Winckler	Witt	

The nays were, 56:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Garman	Gipp	Grundberg	Hahn
Hansen	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Jacobs
Jenkins	Johnson	Kettering	Klemme
Larson	Manternach	Metcalf	Millage
Raecker	Rants	Rayhons	Rekow
Roberts	Shey	Shoultz	Siegrist, Spkr.
Sievers	Teig	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Sukup,
			Presiding

Absent or not voting, 5:

Carroll	Huser	Petersen	Taylor, D.
Wise			

The motion to suspend the rules lost.

Hatch of Polk offered the following amendment H-1274 filed by him and moved its adoption:

H-1274

1 Amend House File 577 as follows:

2 1. Page 1, by inserting before line 1 the  
3 following:

4 "Section 1. Section 455A.1, Code 2001, is amended  
5 by adding the following new subsection:

6 NEW SUBSECTION. 2A. "Energy commission" means the  
7 energy commission created in section 455A.5A.

8 Sec. NEW SECTION. 455A.5A IOWA ENERGY  
9 COMMISSION – APPOINTMENT AND DUTIES.

10 1. An energy commission is created within the  
11 department of natural resources.

12 2. The energy commission shall consist of seven  
13 members, appointed by the governor.

14 a. The members shall serve staggered terms of four  
15 years, beginning and ending as provided in section  
16 69.19, except for the initial appointments. The  
17 governor shall indicate, when making the initial  
18 appointments, the two persons that shall serve four-  
19 year terms, the two persons that shall serve three-  
20 year terms, the two persons that shall serve two-year  
21 terms, and the one person that shall serve a one-year  
22 term, in order to initiate the system of four-year  
23 staggered terms. Commission appointees are subject to  
24 senate confirmation.

25 b. The members shall be electors of the state, and  
26 shall have substantial knowledge of the subjects  
27 embraced in chapter 473. The appointments shall be  
28 based upon the training, experience, and capacity of  
29 the appointees, and not based upon political  
30 considerations, other than as provided in section  
31 69.16.

32 c. A member of the energy commission shall not  
33 hold any other state or federal office.

34 d. The energy commission shall be subject to the  
35 provisions of section 69.16 regarding political  
36 affiliation and section 69.16A regarding gender  
37 balance.

38 e. A member of the energy commission may be  
39 reappointed, subject to the provisions of chapter 69.

40 f. A vacancy on the energy commission shall be  
41 filled for the unexpired term according to the  
42 provisions of chapter 69.

43 3. The energy commission shall hold an  
44 organizational meeting within thirty days of the

45 beginning of a new regular term for one or more of its  
46 members. The energy commission shall organize by  
47 electing a chairperson, vice chairperson, secretary,  
48 and any other officers deemed necessary or desirable.  
49 The energy commission shall meet at least quarterly  
50 throughout the year, or upon the call of the

Page 2

1 chairperson.

2 4. A majority of the members of the energy  
3 commission is a quorum, and a majority of a quorum may  
4 act in any matter within the jurisdiction of the  
5 commission, unless a more restrictive rule is adopted  
6 by the commission.

7 5. The energy commission shall investigate and  
8 annually report to the general assembly on at least  
9 the following topics:

10 a. The latest technologies of energy efficiency  
11 and renewable resources.

12 b. Formulation of a statewide education policy to  
13 inform media and citizens of energy issues.

14 c. The short-term and long-term feasibility of  
15 implementing various alternative energy sources.

16 d. The regulation of utilities in Iowa.

17 e. Recommendations regarding responsible standards  
18 for improving the efficiency of projects that utilize  
19 state funds.

20 6. The energy commission is charged with the  
21 following responsibilities and duties, except as  
22 otherwise established by law:

23 a. Establish policy for the department and adopt  
24 rules, pursuant to chapter 17A, necessary to provide  
25 for the effective administration of chapter 473.

26 b. Hear appeals in contested cases pursuant to  
27 chapter 17a on matters relating to actions taken by  
28 the director under chapter 473 and approve the budget  
29 request prepared by the director for the programs  
30 authorized by chapter 473.

31 c. Increase, decrease, or strike any item within  
32 the department budget request for the programs  
33 authorized by chapter 473 before granting approval.

34 7. The energy commission shall also advise the  
35 governor in developing energy policy in Iowa.

36 8. Members of the energy commission are eligible  
37 for reimbursement of actual and necessary expenses  
38 incurred in the performance of their official duties.  
39 Each member of the energy commission may also be  
40 eligible to receive compensation as provided in  
41 section 7E.6.

42 Sec. \_\_\_\_ Section 455A.6, subsection 6, paragraph  
43 b, Code 2001, is amended to read as follows:

44 b. Hear appeals in contested cases pursuant to  
45 chapter 17a on matters relating to actions taken by  
46 the director under chapter 455C, 458A, or 464B, ~~or~~  
47 473.  
48 Sec. \_\_\_\_\_. Section 473.1, subsection 1, Code 2001,  
49 is amended to read as follows:  
50 1. "Commission" means the ~~environmental protection~~

Page 3

1 energy commission of the department.  
2 Sec. \_\_\_\_\_. Section 473.3, Code 2001, is amended to  
3 read as follows:  
4 473.3 LEGISLATIVE INTENT – ENERGY EFFICIENCY  
5 GOAL.  
6 1. Iowa imports over ninety-eight percent of its  
7 energy, and energy resources in relation to consumer  
8 demand are soon projected to reach a critical point in  
9 Iowa. Increasing energy efficiency is one method for  
10 conserving energy resources.  
11 2. The goal policy of this state is to more  
12 efficiently utilize energy resources more efficiently,  
13 especially those that are nonrenewable or that have  
14 negative environmental impacts, in order to enhance  
15 the economy of the state and to decrease the state's  
16 dependence on energy resources from outside the state  
17 by reducing the amount of energy used.  
18 3. The long-term goal of this state is to increase  
19 energy efficiency by twenty percent, over a time  
20 period and by specific measures to be determined by  
21 the commission.  
22 4. This goal is to The energy efficiency policy  
23 shall be implemented through all of the following  
24 policies and programs:  
25 a. Through the development of programs that  
26 promote energy efficiency and energy conservation by  
27 all Iowans, through including through increased  
28 weatherization of homes.  
29 b. Through the development and enhancement of an  
30 energy efficiency industry, through,  
31 c. Through the development of indigenous energy  
32 resources that are economically and environmentally  
33 viable, and through,  
34 d. Through the development and implementation of  
35 effective public information and education programs.  
36 5. State government shall be a model and testing  
37 ground for the use of energy efficiency systems.  
38 Sec. \_\_\_\_\_. Section 473.7, Code 2001, is amended to  
39 read as follows:  
40 473.7 DUTIES OF THE DEPARTMENT ENERGY COMMISSION.  
41 The department commission shall:  
42 1. Deliver to the general assembly by January 15,

43 1990 February 1, 2003, a plan for the development,  
44 management, and efficient utilization of all energy  
45 resources in the state. The plan shall evaluate  
46 existing energy utilization with regard to energy  
47 efficiency and shall evaluate the future energy needs  
48 of the state. The plan shall include but is not  
49 limited to the following elements:  
50 a. The historical use and distribution of energy

Page 4

1 in Iowa.  
2 b. The growth rate of energy consumption in Iowa.  
3 c. A projection of Iowa's energy needs at a  
4 ~~minimum of ten, twenty, and thirty years into the~~  
5 future.  
6 d. The impact of meeting Iowa's energy needs on  
7 the economy of the state.  
8 e. The impact of meeting Iowa's energy needs on  
9 the environment of the state.  
10 f. An evaluation of alternative sources and uses  
11 of energy.  
12 g. ~~Legislative recommendations that may be~~  
13 ~~necessary as a basis for the development of a state~~  
14 ~~policy for the development and efficient utilization~~  
15 ~~of on energy resources.~~  
16 h. An evaluation of the ability of existing laws  
17 and regulations ~~surrounding the utilization of to~~  
18 ~~address future needs regarding energy resources.~~  
19 The department commission shall develop the plan  
20 with the assistance of, and in consultation with, the  
21 utilities board within the department of commerce,  
22 representatives of the energy industry, economic  
23 interests, the public, and other interested parties.  
24 The department commission shall submit a report to the  
25 general assembly concerning the status and  
26 implementation of the plan on a biennial basis. The  
27 biennial update shall contain an evaluation of all  
28 state energy programs including expected versus actual  
29 benefits and forecasts of future energy demand in  
30 Iowa.  
31 2. Identify a state facility in the state to be  
32 used as a marketing tool to promote energy  
33 conservation by providing a showcase for the  
34 department commission to demonstrate energy  
35 efficiency.  
36 3. The department commission shall exchange  
37 information with other states on energy and especially  
38 on the allocation of fuel and shall request all  
39 information necessary to determine the reasonableness  
40 of any reduction of Iowa's fuel allocation, or the  
41 reasonableness of any increase in prices of any type

42 of fuel, including the possibility of price-fixing or  
43 other manipulation of the market.  
44 4. Establish a central depository within the state  
45 for energy data.  
46 a. The central depository shall be located at or  
47 accessible through a library ~~which~~ that is a member of  
48 an interlibrary loan program to facilitate access to  
49 the data and information contained in the central  
50 depository.

Page 5

1 b. ~~The department commission~~ shall collect data  
2 necessary to forecast future energy demands in the  
3 state.  
4 c. ~~The department commission~~ may require a  
5 supplier to provide information pertaining to the  
6 supply, storage, distribution and sale of energy  
7 sources in this state.  
8 d. The information shall be furnished on a  
9 periodic basis, shall be of a nature ~~which~~ that  
10 directly relates to the supply, storage, distribution  
11 and sale of energy sources, and shall not include any  
12 records, documents, books, or other data ~~which~~ that  
13 relate to the financial position of the supplier.  
14 Provided, provided that the ~~department commission~~,  
15 prior to requiring any supplier to furnish ~~it~~ the  
16 ~~commission~~ with such information, shall make every  
17 reasonable effort to determine if ~~the same~~ such  
18 information is available from any other governmental  
19 source. If ~~it~~ the commission finds such information  
20 is available, the ~~department commission~~ shall not  
21 require submission of ~~the same~~ such information from a  
22 supplier.  
23 e. Notwithstanding the provisions of chapter 22,  
24 information and reports obtained under this ~~section~~  
25 subsection shall be confidential except when used for  
26 statistical purposes without identifying a specific  
27 supplier and when release of the information will not  
28 give an advantage to competitors and serves a public  
29 purpose. The ~~department commission~~ shall use this  
30 data to conduct energy forecasts ~~which~~ that shall be  
31 included in the biennial update required by this  
32 section.  
33 f. The ~~department commission~~ may subpoena  
34 witnesses, administer oaths, and require the  
35 production of records, books, and documents for  
36 examination in order to obtain information required to  
37 be submitted under this section. In case of failure  
38 or refusal on the part of any person to comply with a  
39 subpoena issued by the ~~department commission~~, or in  
40 case of the refusal of any witness to testify as to



41 any matter regarding which the witness may be  
42 interrogated under this chapter, the district court,  
43 upon the application of the ~~department~~ commission, may  
44 order the person to show cause why the person should  
45 not be held in contempt for failure to testify or  
46 comply with a subpoena, and may order the person to  
47 produce the records, books, and documents for  
48 examination, and to give testimony. The courts may  
49 punish for contempt as in the case of disobedience to  
50 a like subpoena issued by the court, or for refusal to

Page 6

1 testify.

2 5. Develop, recommend, and implement with  
3 appropriate agencies public and professional education  
4 and communication programs in energy efficiency,  
5 energy conservation, and conversion to alternative  
6 sources of energy.

7 6. When necessary to carry out its duties under  
8 this chapter, enter into contracts with state agencies  
9 and other qualified contractors.

10 7. Receive and accept grants made available for  
11 programs relating to duties of the ~~department~~  
12 commission under this chapter.

13 8. ~~Promulgate~~ Adopt rules pursuant to chapter 17A

14 necessary to carry out the provisions of this chapter;  
15 ~~subject to review in accordance with chapter 17A.~~

16 Rules promulgated by the governor pursuant to a  
17 proclamation issued under the provisions of section  
18 473.8 shall not be subject to review or a public  
19 hearing as required in chapter 17A; however, agency  
20 rules for implementation of the governor's  
21 proclamation are subject to the requirements of  
22 chapter 17A.

23 9. Examine and determine whether additional state  
24 regulatory authority is necessary to protect the  
25 public interest and to promote the effective  
26 development, utilization and conservation of energy  
27 resources. If the ~~department~~ commission finds that  
28 additional regulatory authority is necessary, the  
29 ~~department~~ commission shall submit recommendations to  
30 the general assembly concerning the nature and extent  
31 of such regulatory authority and which state agency  
32 should be assigned such regulatory responsibilities.

33 10. Develop and assist in the implementation of  
34 public education and communications programs in energy  
35 development, use and conservation, in ~~co-operation~~  
36 cooperation with the department of education, the  
37 state university extension services and other public  
38 or private agencies and organizations as deemed  
39 appropriate by the ~~department~~ commission.

- 40 11. Develop a program to ~~annually~~ give annual  
41 public recognition to innovative methods of energy  
42 conservation.
- 43 12. Administer and coordinate federal funds for  
44 energy conservation programs including, but not  
45 limited to, the institutional conservation program,  
46 state energy conservation program, and energy  
47 extension service program, and related programs ~~which~~  
48 that provide energy management and conservation  
49 assistance to schools, hospitals, ~~health-care~~ health  
50 care facilities, communities, and the general public.

Page 7

- 1 13. Administer and coordinate the state building  
2 energy management program including projects funded  
3 through private financing.
- 4 14. Perform monthly fuel surveys ~~which that~~ that  
5 establish a statistical average of motor fuel prices  
6 for various motor fuels provided throughout the state.  
7 Additionally, the ~~department~~ commission shall perform  
8 monthly fuel surveys in cities with populations of  
9 over fifty thousand ~~which that~~ establish a statistical  
10 average of motor fuel prices for various motor fuels  
11 provided in those individual cities. The survey  
12 results shall be publicized in a monthly press release  
13 issued by the ~~department~~ commission.
- 14 15. ~~Conduct a study on~~ Study activities related to  
15 energy production and use ~~which that~~ that contribute to  
16 global climate change and the depletion of the  
17 stratospheric ozone layer. The study shall identify  
18 the types and relative contributions of these  
19 activities in Iowa. The ~~department~~ commission shall  
20 develop a strategy to reduce emissions from activities  
21 identified as having an adverse impact on the global  
22 climate and the stratospheric ozone layer. ~~The~~  
23 ~~department shall submit a report containing its~~  
24 ~~findings and recommendations to the governor and~~  
25 ~~general assembly by January 1, 1992.~~
- 26 Sec. \_\_\_\_ Section 473.17, Code 2001, is amended to  
27 read as follows:
- 28 473.17 REVIEW.
- 29 The first session of the ~~Seventy-second~~ Eighty-  
30 first General Assembly meeting in the year ~~1987~~ 2005  
31 shall review the activities and performance of the  
32 ~~department~~ commission and shall ~~not later than July 1,~~  
33 ~~1987~~ make a determination concerning the status and  
34 duties of the ~~department~~ commission, which review  
35 shall be performed every ten years thereafter."
- 36 2. Page 1, by inserting after line 8 the  
37 following:
- 38 "Sec. \_\_\_\_ Section 476.2, Code 2001, is amended by

39 adding the following new subsection:

40 NEW SUBSECTION. 5A. The board shall emphasize the  
 41 maintenance of a safe, reliable, and adequate power  
 42 system, through application of standards for customer  
 43 response times, outage frequency and duration,  
 44 strategic staffing, prevention of injury and loss of  
 45 life, and facilitation of construction of adequate  
 46 generation and transmission facilities, including  
 47 maintenance of the existing power grid.  
 48 Sec. \_\_\_\_ Section 476.2, subsection 6, Code 2001,  
 49 is amended to read as follows:

50 6. The board shall provide the general assembly

Page 8

1 energy commission with a report on the energy  
 2 efficiency planning efforts undertaken by utilities  
 3 required to offer energy efficiency plans pursuant to  
 4 section 476.6, subsection 17. The report shall be  
 5 completed by January 1, 1998, following subjects:  
 6 a. An analysis of the level of investment and  
 7 incentives required to increase the energy generated  
 8 from alternative or renewable sources by ten, twenty,  
 9 and thirty percent.

10 b. Recommendations for promoting investment in  
 11 integrated small-scale renewable energy systems.

12 c. An analysis of the costs and benefits of  
 13 generating and transmitting electricity from renewable  
 14 sources, and a proposal for a formula for establishing  
 15 a fair cost for transmitting electricity from  
 16 renewable sources.

17 d. Recommendations regarding establishment of a  
 18 standard system for net metering and connecting  
 19 renewable electricity generators to the electric  
 20 transmission grid."

21 3. By renumbering as necessary.

Roll call was requested by Myers of Johnson and Hatch of Polk.

On the question "Shall amendment H-1274 be adopted?" (H.F. 577)

The ayes were, 42:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Jochum	Kreiman
Kuhn	Larkin	Lensing	Mascher
May	Mertz	Murphy	Myers
O'Brien	Osterhaus	Quirk	Reynolds

Richardson	Scherrman	Schrader	Seng
Shoultz	Smith	Stevens	Taylor, D.
Taylor, T.	Tremmel	Warnstadt	Winckler
Wise	Witt		

The nays were, 54:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Finch	Garman	Gipp	Grundberg
Hahn	Hansen	Hoffman	Horbach
Hoversten	Huseman	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Roberts
Shey	Siegrist, Spkr.	Sievers	Teig
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Sukup, Presiding		

Absent or not voting, 4:

Heaton	Houser	Huser	Petersen
--------	--------	-------	----------

Amendment H-1274 lost.

Witt of Black Hawk offered amendment H-1284 filed by Witt, et al., as follows:

H-1284

- 1 Amend House File 577 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. NEW SECTION. 473.14 IMPLEMENTATION
- 5 OF ENERGY CONSERVATION MEASURES – SCHOOL
- 6 CORPORATIONS.
- 7 1. Any energy efficiency projects approved by the
- 8 commission that are completed by a school corporation
- 9 subject to section 298.18 shall be exempt from the
- 10 bonded debt levy limits in section 298.18.
- 11 2. The commission shall adopt rules pursuant to
- 12 chapter 17A to administer this section, including
- 13 requirements for an energy management plan, an energy
- 14 audit, and an engineering analysis of the energy
- 15 conservation measures.
- 16 3. A participating school corporation shall
- 17 annually report to the commission on August 1 the

18 status of all energy conservation measures identified  
19 in their engineering analysis, whether or not the  
20 measures have been acquired or implemented, and the  
21 results of energy usage analyses of the board's  
22 facilities. The report shall also be made available  
23 to the residents of the election district for the  
24 school corporation."

25 2. Page 1, by inserting after line 8 the  
26 following:

27 Sec. \_\_. Section 476.2, subsection 6, Code 2001,  
28 is amended to read as follows:

29 6. The board shall provide the general assembly  
30 with a report on the energy efficiency planning  
31 efforts undertaken by utilities required to offer  
32 energy efficiency plans pursuant to section 476.6,  
33 subsection 17. The report shall be completed by  
34 January 1, 1998. following subjects:

35 a. An analysis of the level of investment and  
36 incentives required to increase the energy generated  
37 from alternative or renewable sources by ten, twenty,  
38 and thirty percent.

39 b. Recommendations for promoting investment in  
40 integrated small-scale renewable energy systems.

41 c. An analysis of the costs and benefits of  
42 generating and transmitting electricity from renewable  
43 sources, and a proposal for a formula for establishing  
44 a fair cost for transmitting electricity from  
45 renewable sources.

46 d. Recommendations regarding establishment of a  
47 standard system for net metering and connecting  
48 renewable electricity generators to the electric  
49 transmission grid."

50 3. Page 5, by inserting before line 1 the

## Page 2

1 following:

2 "Sec. \_\_. Section 476.6, subsection 19, Code  
3 2001, is amended to read as follows:

4 19. ENERGY EFFICIENCY IMPLEMENTATION, COST REVIEW,  
5 AND COST RECOVERY.

6 It is the intent of the general assembly that the  
7 board reinstitute the filing and evaluation of energy  
8 efficiency plans by gas and electric utilities,  
9 effective upon the effective date of this Act:

10 a. Gas and electric utilities required to be rate-  
11 regulated under this chapter shall file energy  
12 efficiency plans with the board. An energy efficiency  
13 plan and budget shall include a range of programs,  
14 tailored to the needs of all customer classes,  
15 including residential, commercial, and industrial  
16 customers, for energy efficiency opportunities. The

17 plans shall include rebates for the purchase and use  
18 of energy efficient appliances. The plans shall  
19 include programs for qualified low-income persons  
20 including a cooperative program with any community  
21 action agency within the utility's service area to  
22 implement countywide or communitywide energy  
23 efficiency programs for qualified low-income persons,  
24 and shall also include a small business energy  
25 assistance program to be developed by the energy  
26 commission. Rate-regulated gas and electric utilities  
27 shall utilize Iowa agencies and Iowa contractors to  
28 the maximum extent cost-effective in their energy  
29 efficiency plans filed with the board.

30 b. A gas and electric utility required to be rate-  
31 regulated under this chapter shall assess potential  
32 energy and capacity savings available from actual and  
33 projected customer usage by applying commercially  
34 available technology and improved operating practices  
35 to energy-using equipment and buildings. The utility  
36 shall submit the assessment to the board. Upon  
37 receipt of the assessment, the board shall consult  
38 with the energy bureau of the division of energy and  
39 geological resources of the department of natural  
40 resources to develop specific capacity and energy  
41 savings performance standards for each utility. The  
42 utility shall submit an energy efficiency plan which  
43 that shall include economically achievable programs  
44 designed to attain these energy and capacity  
45 performance standards.

46 The utilities shall make energy audits available to  
47 all customers. Priority may be given to customers  
48 with greater energy use, but the service shall not be  
49 denied on the basis that the consumer purchases only a  
50 selected product or products from the utility.

### Page 3

1 c. The board shall conduct contested case  
2 proceedings for review of energy efficiency plans and  
3 budgets filed by gas and electric utilities required  
4 to be rate-regulated under this chapter. The board  
5 may approve, reject, or modify the plans and budgets.  
6 Notwithstanding the provisions of section 17A.19,  
7 subsection 5, in an application for judicial review of  
8 the board's decision concerning a utility's energy  
9 efficiency plan or budget, the reviewing court shall  
10 not order a stay. Whenever a request to modify an  
11 approved plan or budget is filed subsequently by the  
12 office of consumer advocate or a gas or electric  
13 utility required to be rate-regulated under this  
14 chapter, the board shall promptly initiate a formal  
15 proceeding if the board determines that any reasonable

16 ground exists for investigating the request. The  
17 formal proceeding may be initiated at any time by the  
18 board on its own motion. Implementation of board-  
19 approved plans or budgets shall be considered  
20 continuous in nature and shall be subject to  
21 investigation at any time by the board or the office  
22 of the consumer advocate.

23 d. Notice to customers of a contested case  
24 proceeding for review of energy efficiency plans and  
25 budgets shall be in a manner prescribed by the board.  
26 e. A gas or electric utility required to be rate-  
27 regulated under this chapter may recover, through an  
28 automatic adjustment mechanism filed pursuant to  
29 subsection 11, over a period not to exceed the term of  
30 the plan, the costs of an energy efficiency plan  
31 approved by the board, including amounts for a plan  
32 approved prior to July 1, 1996, in a contested case  
33 proceeding conducted pursuant to paragraph "c". The  
34 board shall periodically conduct a contested case  
35 proceeding to evaluate the reasonableness and prudence  
36 of the utility's implementation of an approved energy  
37 efficiency plan and budget. If a utility is not  
38 taking all reasonable actions to cost-effectively  
39 implement an approved energy efficiency plan, the  
40 board shall not allow the utility to recover from  
41 customers costs in excess of those costs that would be  
42 incurred under reasonable and prudent implementation  
43 and shall not allow the utility to recover future  
44 costs at a level other than what the board determines  
45 to be reasonable and prudent. If the result of a  
46 contested case proceeding is a judgment against a  
47 utility, that utility's future level of cost recovery  
48 shall be reduced by the amount by which the programs  
49 were found to be imprudently conducted. The utility  
50 shall not represent energy efficiency in customer

#### Page 4

1 billings as a separate cost or expense unless the  
2 board otherwise approves.  
3 f. A rate-regulated utility required to submit an  
4 energy efficiency plan under this subsection shall,  
5 upon the request of the energy commission, or upon the  
6 direct request of a state agency or political  
7 subdivision to which ~~it~~ the utility provides service,  
8 provide advice and assistance to a state agency or  
9 political subdivision regarding measures ~~which that~~  
10 the state agency or political subdivision might take  
11 in achieving improved energy efficiency results. The  
12 cooperation shall include assistance in accessing  
13 financial assistance for energy efficiency measures.  
14 Sec. \_\_\_\_ Section 476.44, subsection 2, Code 2001,

15 is amended to read as follows:

16 2. a. An electric utility subject to this  
17 division, except a utility ~~which~~ that elects rate  
18 regulation pursuant to section 476.1A, shall not be  
19 required to purchase, at any one time, more than its  
20 scheduled percentage share of ~~one hundred five~~  
21 ~~megawatts of power~~ its Iowa retail load from  
22 alternative energy production facilities or small  
23 hydro facilities at the rates established pursuant to  
24 section 476.43. The board shall ~~allocate the one~~  
25 ~~hundred five megawatts~~ make the allocations based upon  
26 each utility's percentage of the total Iowa retail  
27 peak demand, for the each year, beginning January 1,  
28 ~~1990~~, of all utilities subject to this section, based  
29 on the following schedule:

30 (1) Until January 1, 2006, two percent.

31 (2) Beginning January 1, 2006, four percent.

32 (3) Beginning January 1, 2009, six percent.

33 (4) Beginning January 1, 2011, eight percent.

34 (5) Beginning January 1, 2013, ten percent.

35 (6) Beginning January 1, 2015, twelve percent.

36 (7) Beginning January 1, 2017, fourteen percent.

37 (8) Beginning January 1, 2019, sixteen percent.

38 (9) Beginning January 1, 2021, twenty percent.

39 b. If a utility undergoes reorganization as  
40 defined in section 476.76, the board shall combine the  
41 allocated purchases of power for each utility involved  
42 in the reorganization.

43 c. Notwithstanding the ~~one hundred five megawatt~~  
44 current applicable maximum, the board may increase the  
45 amount of power that a utility is required to purchase  
46 at the rates established pursuant to section 476.43 if  
47 the board finds that a utility, including a  
48 reorganized utility, exceeds its ~~1990~~ previous Iowa  
49 retail peak demand level by twenty percent, and the  
50 additional power the utility is required to purchase

#### Page 5

1 will encourage the development of alternate energy  
2 production facilities and small hydro facilities. The  
3 increase shall not exceed the utility's increase in  
4 peak demand multiplied by the ratio of the utility's  
5 share of the ~~one hundred five megawatt~~ current  
6 scheduled maximum to its ~~1990~~ Iowa retail peak  
7 demand."

8 4. Title page, line 1 by striking the word  
9 "power" and inserting the following: "power,  
10 including".

11 5. Title page, line 11, by inserting after the  
12 word "agencies;" the following: "addressing energy  
13 conservation and energy efficiency programs;



- 14 addressing the alternative energy production  
15 standard;"  
16 6. By renumbering as necessary.

Speaker Siegrist in the chair at 7:16 p.m.

Jenkins of Black Hawk rose on a point of order that amendment H-1284 was not germane.

The Speaker ruled the point well taken and amendment H-1284 not germane.

Witt of Black Hawk offered amendment H-1285 filed by Witt, et al., as follows:

H-1285

- 1 Amend House File 577 as follows:  
2 1. Page 1, by inserting before line 1 the  
3 following:  
4 "Sec. \_\_\_\_ Section 15.354, Code 2001, is amended  
5 by adding the following new subsection:  
6 NEW SUBSECTION. 4. New housing constructed, or  
7 existing housing rehabilitated, with moneys from the  
8 fund shall meet the minimum energy efficiency  
9 standards of the state building code as adopted  
10 pursuant to section 103A.8A.  
11 Sec. \_\_\_\_ Section 16.100, Code 2001, is amended by  
12 adding the following new subsection:  
13 NEW SUBSECTION. 9. New housing constructed, or  
14 existing housing rehabilitated, with moneys from the  
15 fund shall meet the minimum energy efficiency  
16 standards of the state building code as adopted  
17 pursuant to section 103A.8A.  
18 Sec. \_\_\_\_ Section 103A.10, subsection 2, Code  
19 2001, is amended by adding the following new  
20 paragraph:  
21 NEW PARAGRAPH. c. To all new housing constructed  
22 or existing housing rehabilitated with moneys from the  
23 funds established under sections 15.354 or 16.100."  
24 2. Title page, line 1, by inserting after the  
25 words "relating to" the following: "energy,  
26 including".  
27 3. Title page, line 11, by inserting after the  
28 word "agencies;" the following: "addressing energy  
29 efficiency standards in housing;"  
30 4. By renumbering as necessary.

Jenkins of Black Hawk rose on a point of order that amendment H-1285 was not germane.

The Speaker ruled the point well taken and amendment H-1285 not germane.

Witt of Black Hawk asked for unanimous consent to suspend the rules to consider amendment H-1285.

Objection was raised.

Witt of Black Hawk moved to suspend the rules to consider amendment H-1285.

A non-record roll call was requested.

The ayes were 39, nays 49.

The motion to suspend the rules lost.

Schrader of Marion offered the following amendment H-1278 filed by him and moved its adoption:

H-1278

- 1 Amend House File 577 as follows:
- 2 1. Page 1, line 10, by striking the word
- 3 "subsections," and inserting the following:
- 4 "subsection".
- 5 2. By striking page 1, line 11, through page 2,
- 6 line 30.
- 7 3. Page 2, line 31, by striking the figure "16B",
- 8 and inserting the following: "16A".
- 9 4. By renumbering as necessary.

Roll call was requested by Schrader of Marion and Connors of Polk.

On the question "Shall amendment H-1278 be adopted?" (H.F. 577)

The ayes were, 45:

Atteberry

Bell

Bukta

Chiodo

Cohoon	Connors	Cormack	Dotzler
Falck	Fallon	Foege	Ford
Frevert	Garman	Greimann	Hatch
Huser	Jochum	Kreiman	Kuhn
Larkin	Lensing	Mascher	May
Mertz	Murphy	Myers	O'Brien
Osterhaus	Quirk	Reynolds	Richardson
Scherrman	Schrader	Seng	Shoultz
Smith	Stevens	Taylor, D.	Taylor, T.
Tremmel	Warnstadt	Winckler	Wise
Witt			

The nays were, 54:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Gipp	Grundberg	Hahn	Hansen
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Roberts
Shey	Sievers	Sukup	Teig
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Mr. Speaker		
	Siegrist		

Absent or not voting, 1:

Petersen

Amendment H-1278 lost.

Gipp of Winneshiek in the chair at 8:02 p.m.

Jenkins of Black Hawk offered the following amendment H-1312 filed by him and moved its adoption:

H-1312

- 1 Amend House File 577 as follows:
- 2 1. Page 1, line 10, by striking the word
- 3 "subsections" and inserting the following:
- 4 "subsection".
- 5 2. By striking page 2, line 31, through page 4,
- 6 line 35.
- 7 3. Title page, lines 4 and 5, by striking the

- 8 words "management of regulated emissions from  
9 facilities fueled by coal;"  
10 4. By renumbering, redesignating, and correcting  
11 internal references as necessary.

Amendment H-1312 was adopted, placing amendment H-1231 filed by Osterhaus of Jackson and amendment H-1318 filed by Witt of Black Hawk out of order.

Chiodo of Polk asked and received unanimous consent to withdraw amendment H-1254 filed by him on March 20, 2001.

Schrader of Marion offered the following amendment H-1277 filed by him and moved its adoption:

H-1277

- 1 Amend House File 577 as follows:  
2 1. Page 1, by inserting after line 22 the  
3 following:  
4 "(4) The contract provides the least-cost, long-  
5 term benefit available to the consumer."  
6 2. Page 2, by striking lines 13 through 16 and  
7 inserting the following:  
8 "f. The contract costs or the portion of the  
9 contract costs that are required to provide service to  
10 the public utility's Iowa retail customers shall be  
11 included in the public utility's regulated retail  
12 electric rates if the board finds all of the following  
13 after a contested case proceeding:  
14 (1) The power purchase contract is the least-cost  
15 alternative.  
16 (2) The contract costs or the portion of the  
17 contract costs that are required to provide service to  
18 the public utility's Iowa retail customers are not  
19 offset by other cost decreases or revenue increases.  
20 (3) The resulting return on common equity will not  
21 exceed the public utility's actual cost of common  
22 equity as determined by the board.  
23 The public utility may propose to recover the costs  
24 through an automatic adjustment of rates as provided  
25 in subsection 11."

Roll call was requested by Schrader of Marion and T. Taylor of Linn.

On the question "Shall amendment H-1277 be adopted?" (H.F. 577)

The ayes were, 44:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Cormack	Dotzler
Falck	Foege	Ford	Frevert
Garman	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Winckler	Wise	Witt

The nays were, 53:

Alons	Arnold	Barry	Boal
Boddicker	Boggess	Bradley	Brauns
Broers	Brunkhorst	Carroll	De Boef
Dix	Dolecheck	Drake	Eddie
Eichhorn	Elgin	Finch	Grundberg
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Siegrist, Spkr.
Sievers	Sukup	Teig	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Gipp, Presiding			

Absent or not voting, 3:

Baudler	Fallon	Petersen
---------	--------	----------

Amendment H-1277 lost.

Jenkins of Black Hawk asked and received unanimous consent to withdraw amendment H-1297 filed by him on March 21, 2001 placing out of order amendment H-1403 filed by Chiodo of Polk from the floor.

Jenkins of Black Hawk offered amendment H-1398 filed by him as follows:

H-1398

1 Amend House File 577 as follows:

2 1. Page 1, line 24, by striking the word "from"  
3 and inserting the following: "from, or for the lease  
4 of,".

5 2. Page 1, line 26, by inserting after the word  
6 "purchased" the following: "or nameplate capacity of  
7 the facility leased".

8 3. Page 6, by inserting after line 21 the  
9 following:

10 "4. a. If a rate-regulated public utility files  
11 an application to construct an electric power  
12 generating facility pursuant to section 476A.3, the  
13 board shall specify in advance, by order issued after  
14 a contested case proceeding, the ratemaking principles  
15 that will apply when the costs of the facility are  
16 included in regulated electric rates.

17 b. In determining the applicable ratemaking  
18 principles, the board shall not be limited to  
19 traditional ratemaking principles or traditional cost  
20 recovery mechanisms.

21 c. The applicable ratemaking principles shall be  
22 determined in a contested case proceeding, which  
23 proceeding may be combined with the proceeding for  
24 issuance of a certificate conducted pursuant to  
25 chapter 476A.

26 d. The order setting forth the applicable  
27 ratemaking principles shall be issued prior to the  
28 commencement of construction of the facility.

29 e. Following issuance of the order, the rate-  
30 regulated public utility shall have the option of  
31 proceeding with construction of the facility, or  
32 withdrawing its application for a certificate under  
33 chapter 476A.

34 f. Notwithstanding any provision of this chapter  
35 to the contrary, the ratemaking principles established  
36 by the order issued pursuant to paragraph "d" shall be  
37 binding with regard to the specific electric power  
38 generating facility in any subsequent rate proceeding.

39 Sec.\_\_\_\_. Section 476A.4, Code 2001, is amended by  
40 adding the following new subsection:

41 NEW SUBSECTION. 5. A proceeding for the issuance  
42 of a certificate under section 476A.5 may be  
43 consolidated with a contested case proceeding for  
44 determination of applicable ratemaking principles  
45 under section 476.53."

46 4. Page 8, by inserting after line 4 the  
47 following:

48 "Sec.\_\_\_\_. Section 476A.7, Code 2001, is amended  
49 by adding the following new subsection:

50 NEW SUBSECTION. 3. Pursuant to the provisions of

**Page 2**

- 1 section 476.53, a rate-regulated public utility shall
- 2 have the option of withdrawing its application for
- 3 issuance of a certificate at any time prior to the
- 4 issuance of the certificate, or after the certificate
- 5 has been issued."
- 6 5. By renumbering as necessary.

Jenkins of Black Hawk offered the following amendment H-1400, to amendment H-1398, filed by him from the floor and moved its adoption:

H-1400

- 1 Amend the amendment, H-1398, to House File 577, as
- 2 follows:
- 3 1. Page 1, line 12, by inserting after the word
- 4 "facility" the following: "in Iowa".
- 5 2. Page 1, line 31, by inserting after the word
- 6 "facility" the following: "in Iowa".

Amendment H-1400 was adopted.

Chiodo of Polk offered the following amendment H-1415, to amendment H-1398, filed by him from the floor and moved its adoption:

H-1415

- 1 Amend the amendment, H-1398, to House File 577, as
- 2 follows:
- 3 1. By striking page 1, line 1, through page 2,
- 4 line 6, and inserting the following:
- 5 "Amend House File 577 as follows:
- 6 \_\_\_\_\_. Page 1, line 10, by striking the word
- 7 "subsections" and inserting the following:
- 8 "subsection".
- 9 \_\_\_\_\_. By striking page 1, line 11, through page 2,
- 10 line 30.
- 11 \_\_\_\_\_. Page 4, by inserting after line 35, the
- 12 following:
- 13 "Sec. \_\_\_\_\_. Section 476.8, Code 2001, is amended to
- 14 read as follows:
- 15 476.8 UTILITY CHARGES AND SERVICE.
- 16 1. Every public utility is required to furnish
- 17 reasonably adequate service and facilities.
- 18 a. "Reasonably adequate service and facilities"
- 19 for public utilities furnishing gas or electricity
- 20 includes programs for customers to encourage the use
- 21 of energy efficiency and renewable energy sources.

22 b. The charge made by any public utility for any  
23 heat, light, gas, energy efficiency and renewable  
24 energy programs, water or power produced, transmitted,  
25 delivered or furnished, or communications services, or  
26 for any service rendered or to be rendered in  
27 connection therewith with such service shall be  
28 reasonable and just, and every unjust or unreasonable  
29 charge for such service is prohibited and declared  
30 unlawful. In determining reasonable and just rates,  
31 the board shall consider all factors relating to value  
32 and shall not be bound by rate base decisions or  
33 rulings made prior to the adoption of this chapter.  
34 2. The board shall have the authority to order a  
35 rate-regulated public utility to construct an electric  
36 generating facility, transmission facility, or both,  
37 as necessary to ensure continued electric reliability,  
38 and to maintain reasonably adequate, reliable, safe,  
39 and cost-efficient electric service to Iowa consumers.  
40 The prudent and reasonable costs incurred to construct  
41 and operate such generating facility or transmission  
42 facility shall be included in the determination of the  
43 rates of the rate-regulated public utility.  
44 3. The board, in determining the value of  
45 materials or services to be included in valuations or  
46 costs of operations for rate-making purposes, may  
47 disallow any unreasonable profit made in the sale of  
48 materials to or services supplied for any public  
49 utility by any firm or corporation owned or controlled  
50 directly or indirectly by such utility or any

## Page 2

1 affiliate, subsidiary, parent company, associate or  
2 any corporation whose controlling stockholders are  
3 also controlling stockholders of such utility. The  
4 burden of proof shall be on the public utility to  
5 prove that no unreasonable profit is made.  
6 4. The continued availability of reliable and  
7 affordable electricity is critical to sustaining  
8 existing levels of economic activity, providing for  
9 future economic growth, and ensuring the education,  
10 health, safety, and quality of life of individual  
11 Iowans. Therefore, the general assembly finds and  
12 declares that the public interest requires that the  
13 board take such action as is necessary to cause the  
14 construction of additional baseload electricity  
15 generating capacity and necessary transmission  
16 facilities in Iowa.  
17 a. Each rate-regulated public utility shall submit  
18 a plan to the board by April 1, 2002, to construct one  
19 or more large baseload electricity generating  
20 facilities in Iowa, as quickly as is practicable.



b. The board shall, after a contested case proceeding, either approve the plan as submitted, or approve the plan with such modifications as the board deems necessary to carry out the purposes of this subsection."

\_. By striking page 5, line 4 through page 6, line 21 and inserting the following:

"1. A rate-regulated electric public utility shall have installed electric generating capacity, adjusted for purchases and sales, not less than its maximum integrated hour demand for the year plus a reserve of not less than fifteen percent of such demand. The installed electric generating capacity shall include not more than ten percent firm power purchased from fossil-fueled or nuclear generation sources pursuant to contracts executed, amended, or extended after January 1, 2001, unless otherwise approved by the board as necessary to assure adequate electric generating capacity. The prudent and reasonable costs incurred to construct, operate, and maintain electric generating and transmission facilities shall be included in the determination of the rates of the rate-regulated electric public utility.

2. The board may approve a surcharge to retail customers for the cost of capital being invested in the electric power generating facility during the period of construction, if the board finds that it is in the public interest to provide an incentive to ensure the construction of a new electric power generating facility in Iowa.

### Page 3

3. If retail rates for electric generation service provided by rate-regulated electric utilities are deregulated pursuant to Iowa or federal law, the board shall determine the difference, if any, between the market value and the book value of all of the generation assets owned by a rate-regulated electric utility. The board shall approve a charge to be paid by the utility's retail customers over a reasonable period to permit the utility to collect from such customers the excess, if any, of the book value over the market value of those generation assets. The board shall approve a credit to be paid by the utility to its retail customers over a reasonable period to permit such customers to recover the excess, if any, of the market value over the book value of those generations assets.

4. The board shall report to the general assembly by January 21, 2002, and biennially thereafter, on the adequacy, reliability, and development of electric

20 generating and transmission facilities in the state.  
 21 The report may include recommendations for actions by  
 22 the general assembly to assure the adequacy and  
 23 reliability of electric generating and transmission  
 24 facilities throughout the state."  
 25 \_\_\_\_ Title page, lines 3 and 4, by striking the  
 26 words "approval of power purchase contracts" and  
 27 inserting the following: "providing authority for the  
 28 utilities board to order the construction of a  
 29 generating or transmission facility".  
 30 \_\_\_\_ By renumbering, redesignating, and  
 31 correcting internal references as necessary."

Roll call was requested by Myers of Johnson and Huser of Polk.

On the question "Shall amendment H-1415 be adopted?" (H.F. 577)

The ayes were, 44:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Cormack	Dotzler
Falck	Foege	Ford	Frevert
Garman	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Winckler	Wise	Witt

The nays were, 53:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Carroll
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Grundberg	Hahn	Hansen	Heaton
Hoffman	Horbach	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Siegrist, Spkr.
Sievers	Sukup	Teig	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Gipp,			
Presiding			

Absent or not voting, 3:

Fallon

Houser

Petersen

Amendment H-1415 lost.

Chiodo of Polk asked and received unanimous consent to withdraw amendment H-1406 and amendment H-1410 to amendment H-1398 filed by him from the floor.

On motion by Jenkins of Black Hawk amendment H-1398, as amended, was adopted.

Jenkins of Black Hawk asked and received unanimous consent to withdraw amendment H-1399 filed by him on March 30, 2001.

Chiodo of Polk offered the following amendment H-1241 filed by him and moved its adoption:

H-1241

1 Amend House File 577 as follows:

- 2 1. Page 1, line 27, by striking the word "ninety"
- 3 and inserting the following: "one hundred eighty".
- 4 2. Page 1, line 35, through page 2, line 1, by
- 5 striking the word "ninety-day" and inserting the
- 6 following: "one-hundred-eighty-day".

Roll call was requested by Murphy of Dubuque and Chiodo of Polk.

On the question "Shall amendment H-1241 be adopted?" (H.F. 577)

The ayes were, 43:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Cormack	Dotzler
Falck	Foege	Ford	Frevort
Garman	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Reynolds	Richardson	Scherrman	Schrader
Seng	Shoultz	Smith	Stevens
Taylor, D.	Taylor, T.	Tremmel	Warnstadt
Winckler	Wise	Witt	

The nays were, 53:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
De Boef	Dix	Drake	Eddie
Eichhorn	Elgin	Finch	Grundberg
Hahn	Hansen	Heaton	Hoffman
Horbach	Hoversten	Huseman	Jacobs
Jenkins	Johnson	Kettering	Klemme
Larson	Manternach	Metcalf	Millage
Quirk	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Siegrist, Spkr.
Sievers	Sukup	Teig	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Gipp,			
Presiding			

Absent or not voting, 4:

Dolecheck	Fallon	Houser	Petersen
-----------	--------	--------	----------

Amendment H-1241 lost.

Hatch of Polk offered the following amendment H-1270 filed by him and moved its adoption:

H-1270

- 1 Amend House File 577 as follows:
- 2 1. Page 2, by striking lines 8 through 12 and
- 3 inserting the following:
- 4 "e. The board shall review the reasonableness and
- 5 prudence of the costs of a power purchase contract
- 6 approved under this subsection at least every twenty-
- 7 four months.
- 8 (1) If, after a contested case proceeding, the
- 9 board finds by a preponderance of the evidence that
- 10 fuel procurement costs or other contract costs are
- 11 imprudent, unreasonable, or excessive, the board shall
- 12 order a refund to affected retail customers.
- 13 (2) In the period between contested case
- 14 proceedings, the board may require a rate-regulated
- 15 public utility to file certain information as it deems
- 16 necessary to monitor power purchase contract costs.
- 17 The board shall adopt rules pursuant to chapter 17a to
- 18 administer this subparagraph."

Roll call was requested by Hatch of Polk and Myers of Johnson.

On the question "Shall amendment H-1270 be adopted?" (H.F. 577)

The ayes were, 47:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Cormack	Dotzler
Eichhorn	Falck	Finch	Foege
Ford	Frevert	Garman	Greimann
Hatch	Huser	Jochum	Kreiman
Kuhn	Larkin	Lensing	Mascher
May	Mertz	Murphy	Myers
O'Brien	Osterhaus	Quirk	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shoultz	Smith	Stevens
Taylor, D.	Taylor, T.	Tremmel	Warnstadt
Winckler	Wise	Witt	

The nays were, 50:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Carroll
De Boef	Dix	Dolecheck	Drake
Eddie	Elgin	Grundberg	Hahn
Hansen	Heaton	Hoffman	Horbach
Hoversten	Huseman	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Shey
Siegrist, Spkr.	Sievers	Sukup	Teig
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Gipp, Presiding		

Absent or not voting, 3:

Fallon	Houser	Petersen
--------	--------	----------

Amendment H-1270 lost.

Witt of Black Hawk offered the following amendment H-1320 filed by him and moved its adoption:

H-1320

- 1 Amend House File 577 as follows:
- 2 1. Page 2, by striking lines 8 through 10 and
- 3 inserting the following:
- 4 "e. The board, subsequent to".
- 5 2. By renumbering or relettering as necessary.

Roll call was requested by Witt of Black Hawk and Schrader of Marion.

On the question "Shall amendment H-1320 be adopted?" (H.F. 577)

The ayes were, 44:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Cormack	Dotzler	Eichhorn
Falck	Foege	Ford	Frevert
Garman	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Winckler	Wise	Witt

The nays were, 50:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Brauns
Broers	Carroll	De Boef	Dix
Dolecheck	Drake	Eddie	Elgin
Grundberg	Hahn	Hansen	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Jacobs	Jenkins	Johnson
Kettering	Klemme	Larson	Manternach
Metcalf	Millage	Raecker	Rants
Rayhons	Rekow	Roberts	Shey
Siegrist, Spkr.	Sievers	Sukup	Teig
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Gipp,		
	Presiding		

Absent or not voting, 6:

Bradley	Brunkhorst	Connors	Fallon
Finch	Petersen		

Amendment H-1320 lost.

Chiodo of Polk asked and received unanimous consent to withdraw amendment H-1240 filed by him on March 15, 2001.

Osterhaus of Jackson offered the following amendment H-1236 filed by him and moved its adoption:

H-1236

- 1 Amend House File 577 as follows:
- 2 1. Page 2, line 21, by inserting after the word
- 3 "board" the following: "and the office of the
- 4 consumer advocate".
- 5 2. Page 2, line 23, by inserting after the word
- 6 "board" the following: "or the consumer advocate".
- 7 3. Page 2, line 27, by inserting after the word
- 8 "board" the following: "or the consumer advocate".

Amendment H-1236 was adopted.

Osterhaus of Jackson asked and received unanimous consent to withdraw amendment H-1237 filed by him on March 14, 2001.

Huser of Polk asked and received unanimous consent to withdraw amendment H-1306 filed by Chiodo of Polk on March 22, 2001.

Jenkins of Black Hawk offered the following amendment H-1286 filed by him and moved its adoption:

H-1286

- 1 Amend House File 577 as follows:
- 2 1. Page 2, by striking lines 21 through 30.
- 3 2. Page 6, by striking lines 12 through 21.

Amendment H-1286 was adopted, placing amendment H-1234 filed by Osterhaus of Jackson out of order.

Osterhaus of Jackson offered the following amendment H-1232 filed by him and moved its adoption:

H-1232

- 1 Amend House File 577 as follows:
- 2 1. Page 2, by inserting after line 30 the
- 3 following:
- 4 "i. This subsection does not exempt a power
- 5 purchase contract that is not required to be filed
- 6 with the board pursuant to the requirements of this
- 7 subsection from review and approval by the board
- 8 pursuant to any other applicable provision of this
- 9 chapter."

Roll call was requested by Osterhaus of Jackson and Myers of Johnson.

On the question "Shall amendment H-1232 be adopted?" (H.F. 577)

The ayes were, 41:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Dotzler	Falck	Foege
Ford	Frevert	Garman	Greimann
Hatch	Huser	Jochum	Kreiman
Kuhn	Larkin	Lensing	Mascher
May	Mertz	Murphy	O'Brien
Osterhaus	Quirk	Reynolds	Richardson
Scherrman	Schrader	Seng	Shoultz
Smith	Stevens	Taylor, D.	Taylor, T.
Tremmel	Warnstadt	Winckler	Wise
Witt			

The nays were, 55:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Finch	Grundberg	Hahn	Hansen
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Roberts
Shey	Siegrist, Spkr.	Sievers	Sukup
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Gipp,	
		Presiding	

Absent or not voting, 4:

Connors	Fallon	Myers	Petersen
---------	--------	-------	----------

Amendment H-1232 lost.

Jenkins of Black Hawk offered amendment H-1317 filed by him and requested division as follows:



H-1317

1 Amend House File 577 as follows:

H-1317A

2 1. Page 4, line 21, by striking the letter "g."  
3 and inserting the following: "f."

H-1317B

4 2. Page 5, line 29, by striking the word "issue"  
5 and inserting the following: "issues of fuel  
6 diversity, and".

H-1317A

7 3. Page 6, by inserting after line 3 the  
8 following:  
9 "k. Demand-side management, including energy  
10 efficiency and load."

H-1317B

11 4. Page 9, line 14, by striking the words "in  
12 subchapter" and inserting the following: "in this  
13 subchapter".

Amendment H-1317A was placed out of order.

Jenkins of Black Hawk offered the following amendment H-1330,  
to amendment H-1317B, filed by him and moved its adoption:

H-1330

1 Amend the amendment, H-1317, to House File 577 as  
2 follows:  
3 1. Page 1, by inserting after line 3 the  
4 following:  
5 "\_\_\_ Page 5, line 27, by inserting after the  
6 word "contracts" the following: "and leases"."  
7 2. By renumbering and correcting internal  
8 references as necessary.

Amendment H-1330 was adopted.

Jenkins of Black Hawk offered the following amendment H-1351,  
to amendment H-1317B, filed by him and moved its adoption:

H-1351

- 1 Amend the amendment, H-1317, to House File 577, as
- 2 follows:
- 3 1. Page 1, line 10, by inserting after the word
- 4 "load" the following: "management".

Amendment H-1351 was adopted.

On motion by Jenkins of Black Hawk amendment H-1317B, as amended, was adopted.

Hatch of Polk asked and received unanimous consent to withdraw amendment H-1271 filed by him on March 20, 2001.

Hatch of Polk offered amendment H-1275 filed by him as follows:

H-1275

- 1 Amend House File 577 as follows:
- 2 1. Page 4, by inserting after line 35 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 476.20, Code 2001, is amended
- 5 to read as follows:
- 6 476.20 DISCONNECTION LIMITED – NOTICE –
- 7 MORATORIUM – DEPOSITS.
- 8 1. A utility shall not, except in cases of
- 9 emergency, discontinue, reduce, or impair service to a
- 10 community, or a part of a community, except for
- 11 nonpayment of account or violation of rules and
- 12 regulations, unless and until permission to do so is
- 13 obtained from the board.
- 14 2. a. The board shall establish rules requiring a
- 15 regulated public utility furnishing gas or electricity
- 16 to include in the utility's notice of pending
- 17 disconnection of service a written statement advising
- 18 the customer that the customer may be eligible to
- 19 participate in the low income home energy assistance
- 20 program or weatherization assistance program
- 21 administered by the division of community action
- 22 agencies of the department of human rights.
- 23 b. The written statement shall list include the
- 24 following information:
- 25 (1) The address and telephone number of the local
- 26 agency ~~which that~~ is administering the customer's low
- 27 income home energy assistance program and the
- 28 weatherization assistance program. ~~The written~~
- 29 ~~statement shall also state~~
- 30 (2) A statement that the customer is advised to

31 contact the public utility to settle any of the  
32 customer's complaints with the public utility, but if  
33 a complaint is not settled to the customer's  
34 satisfaction, the customer may ~~file the~~ do either of  
35 the following:

36 (a) Pursue arbitration with the public utility  
37 regarding a deposit or a disconnection from service,  
38 as described in subsection 6.

39 (b) File a complaint with the board. The written  
40 statement shall include the

41 (3) The address and phone number of the board.

42 (4) If the notice of pending disconnection of  
43 service applies to a residence, the written statement  
44 shall advise that the disconnection does not apply  
45 from November 1 through April June 1 for a resident  
46 who is a "head of household", as defined by law, and  
47 who has been certified to the public utility by the  
48 local agency which is administering the low income  
49 home energy assistance program and weatherization  
50 assistance program as being eligible for either the

## Page 2

1 low income home energy assistance program or  
2 weatherization assistance program, and that if such a  
3 resident resides within the serviced residence, the  
4 customer should promptly have the qualifying resident  
5 notify the local agency which is administering the low  
6 income home energy assistance program and  
7 weatherization assistance program if the customer  
8 meets the conditions described in subsection 3,  
9 paragraph "a", subparagraph (1) or (2).

10 c. The board shall establish rules requiring that  
11 the written notice contain additional information as  
12 it deems necessary and appropriate.

13 3. The board shall establish rules which shall be  
14 uniform with respect to all public utilities  
15 furnishing gas or electricity relating to  
16 disconnection of service.

17 PARAGRAPH DIVIDED. This subsection section applies  
18 both to regulated utilities and to municipally owned  
19 utilities and unincorporated villages which that own  
20 their own distribution systems, and violations of this  
21 subsection subject the utilities to civil penalties  
22 under section 476.51.

23 A qualified applicant for the low income home  
24 energy assistance program or the weatherization  
25 assistance program who is also a "head of household",  
26 as defined in section 422.4, subsection 7, shall be  
27 promptly certified by the local agency administering  
28 the applicant's program to the applicant's public  
29 utility that the resident is a "head of household" as

30 ~~defined in section 422.4, subsection 7, and is~~  
31 ~~qualified for the low-income home energy assistance~~  
32 ~~program or weatherization assistance program.~~  
33 ~~Notwithstanding subsection 1, a~~  
34 a. A public utility furnishing gas or electricity  
35 shall not disconnect service from November 1 through  
36 April June 1 to a residence which has a resident that  
37 has been certified under this paragraph, provided  
38 that one of the following conditions is satisfied:  
39 (1) The customer currently is, or has been, a  
40 participant in any state or federal assistance program  
41 at any time during the previous twelve months, or  
42 whose projected adjusted gross income due to a  
43 demonstrated change in economic circumstances would  
44 make the customer eligible for state or federal  
45 assistance.  
46 (2) The customer pays the lesser of a minimum of  
47 fifty percent of the current monthly payment, or three  
48 hundred dollars, for service during the months of  
49 November through May, provided that the board finds  
50 that public utility bills have or are likely to

### Page 3

1 substantially increase due to causes other than  
2 increased consumption due to weather conditions.  
3 b. A public utility furnishing gas or electricity  
4 from November 1 through June 1 to a residential  
5 customer meeting the conditions under either  
6 subparagraph (1) or (2) of paragraph "a" shall also  
7 waive any late charge or penalty on gas or electric  
8 utility bills covering service provided during the  
9 period from November 1 through June 1.  
10 c. A customer with a disability or medical need  
11 requiring environmental control or assistive medical  
12 devices shall be eligible for exemption from  
13 disconnection, provided that all of the following  
14 conditions are satisfied:  
15 (1) (a) The customer applies to the board on an  
16 application form furnished by the board providing the  
17 applicant's name, address, date of birth, and social  
18 security number and shall also provide a statement  
19 from a physician licensed under chapter 148, 149, 150,  
20 or 150A, a physician assistant licensed under chapter  
21 148C, an advanced registered nurse practitioner  
22 licensed under chapter 152, or a chiropractor licensed  
23 under chapter 151, or a physician, physician  
24 assistant, nurse practitioner, or chiropractor  
25 licensed to practice in a contiguous state, written on  
26 the physician's, physician assistant's, nurse  
27 practitioner's, or chiropractor's stationery, stating  
28 the nature of the applicant's disability or medical

29 need and such additional information as required by  
30 rules adopted by the utilities board. The  
31 physician's, physician assistant's, nurse  
32 practitioner's, or chiropractor's statement shall  
33 state the period of time during which the person is  
34 expected to be disabled or the medical need is  
35 expected to exist.  
36 (b) Any person providing false information with  
37 the intent to defraud on the application for an  
38 exemption under this paragraph "c" is subject to a  
39 civil penalty of one thousand dollars that may be  
40 imposed by the utilities board, for deposit in the  
41 energy assistance fund created in section 476.20a and  
42 used for arbitration services pursuant to subsection  
43 6.  
44 (c) A physician, physician assistant, nurse  
45 practitioner, or chiropractor who provides false  
46 information with the intent to defraud on the  
47 physician's, physician assistant's, nurse  
48 practitioner's, or chiropractor's statement used in  
49 establishing proof is subject to a civil penalty of  
50 one thousand dollars that may be imposed by the

Page 4

1 utilities board, for deposit in the energy assistance  
2 fund created in section 476.20A and used for  
3 arbitration services pursuant to subsection 6. In  
4 addition to the civil penalty, the department shall  
5 revoke the exemption issued pursuant to this  
6 subsection, and allow the public utility to impose all  
7 applicable late fees and charges.  
8 (2) During the time that the disability or medical  
9 need requiring the environmental control or assistive  
10 medical device is in existence, the customer makes a  
11 good faith effort to pay the customer's utility bill  
12 and any outstanding balance, according to the  
13 standards for payments reflecting income guidelines  
14 established by rule by the utilities board. If the  
15 customer does not meet the payment guidelines for two  
16 consecutive months, either the public utility or the  
17 customer may request that a new individual payment be  
18 established, subject to arbitration if necessary.  
19 3A. a. It is the intent of the general assembly  
20 that the board review the metering and billing  
21 practices of the utilities, and the related rules, on  
22 a regular basis. Meter reading should be performed  
23 frequently for more accurate customer billing.  
24 b. If a utility estimates a meter reading, the  
25 next monthly bill must accurately reflect the actual  
26 dates and changes in fuel prices and temperatures  
27 during the estimated month. The utility shall not

28 apply its highest cost, or an average cost, of fuel  
29 for the estimated month.

30 4. A public utility ~~which~~ that violates a  
31 provision of this section relating to the  
32 disconnection of service or ~~which~~ that violates a rule  
33 of the board relating to disconnection of service is  
34 subject to civil penalties imposed by the board under  
35 section 476.51.

36 5. The board shall establish rules ~~which shall be~~  
37 ~~uniform~~ with respect to all public utilities  
38 furnishing gas or electricity relating to deposits  
39 ~~which that~~ may be required by the public utility for  
40 the initiation or reinstatement of service.

41 a. The deposit for a residential ~~or commercial~~  
42 customer for a place ~~which has previously received~~  
43 service shall not be greater than the highest billing  
44 of service for one month for the place in the previous  
45 twelve-month period two hundred dollars.

46 b. The deposit for a residential or a commercial  
47 customer for a place ~~which has not previously received~~  
48 service or for an industrial customer shall be one.  
49 half of the customer's projected one month's usage for  
50 the place to be serviced as determined by the public

#### Page 5

1 utility according to rules established by the board.

2 c. This subsection does not prohibit a public  
3 utility from requiring payment of a customer's past  
4 due account with the utility prior to reinstatement of  
5 service; however, a customer can appeal this decision  
6 and require arbitration pursuant to subsection 6.

7 d. The rules shall allow a person other than the  
8 customer to pay the customer's deposit. Upon  
9 termination of service to such a customer, the deposit  
10 plus accumulated interest less any unpaid utility bill  
11 of the customer, shall be reimbursed to the person who  
12 made the deposit.

13 6. Arbitration services shall be available for  
14 customers who cannot meet the payment guidelines  
15 established by rule under subsection 3, or who appeal  
16 a determination of a public utility under subsection  
17 5.

18 a. The arbitration services shall be provided to  
19 the fullest extent possible by nonprofit organizations  
20 providing such services, and shall be supplemented as  
21 necessary by services provided with funds from the  
22 energy assistance fund created in section 476.20A.

23 b. Public utilities shall notify customers that  
24 they have the right to proceed to binding arbitration  
25 with the public utility, if direct negotiation in  
26 resolving payment or deposit disputes with the public

27 utility is unsuccessful.

28 c. The parties shall accept an arbitrator's

29 decision as binding. The customer shall make the

30 payment according to the terms of the decision, and

31 the public utility shall accept the payment as payment

32 in full from the customer.

33 d. The board shall adopt rules pursuant to chapter

34 17A to implement the arbitration process.

35 Sec. \_\_\_\_ . NEW SECTION. 476.20A ENERGY ASSISTANCE

36 FUND.

37 1. An energy assistance fund is created in the

38 state treasury. Moneys deposited in the fund shall be

39 used as follows:

40 a. For arbitration services under section 476.20.

41 b. To increase energy efficiency and

42 weatherization.

43 c. To support research for and the use of emerging

44 energy technology.

45 2. The energy assistance fund may receive moneys

46 including, but not limited to, the following:

47 a. Moneys appropriated by the general assembly for

48 the fund.

49 b. Moneys credited to the fund under section

50 476.20.

#### Page 6

1 c. Contributions from customer utility bills under

2 subsection 3.

3 d. Any other moneys available to, obtained, or

4 accepted by the board for placement in the fund.

5 3. Each utility shall periodically notify its

6 customers of the availability and purpose of the fund

7 and provide them with forms on which they can

8 authorize the utility to bill a contribution to the

9 fund on a monthly basis. The board shall adopt rules

10 pursuant to chapter 17A regarding such contributions.

11 4. Notwithstanding section 12C.7, subsection 2,

12 interest or earnings on moneys deposited in the energy

13 assistance fund shall be credited to the fund.

14 Notwithstanding section 8.33, moneys remaining in the

15 energy assistance fund at the end of a fiscal year

16 shall not revert to the general fund of the state."

17 2. By renumbering as necessary.

Jenkins of Black Hawk rose on a point of order that amendment H-1275 was not germane.

The Speaker ruled the point well taken and amendment H-1275 not germane.

Hatch of Polk asked for unanimous consent to suspend the rules to consider amendment H-1275.

Objection was raised.

Hatch of Polk moved to suspend the rules to consider amendment H-1275.

A non-record roll call was requested.

The ayes were 41, nays 53.

The motion to suspend the rules lost.

Witt of Black Hawk offered the following amendment H-1322 filed by him and moved its adoption:

H-1322

- 1 Amend House File 577 as follows:
- 2 1. Page 4, by inserting after line 35 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 476.8, Code 2001, is amended to
- 5 read as follows:
- 6 476.8 UTILITY CHARGES AND SERVICE.
- 7 1. Every public utility is required to furnish
- 8 reasonably adequate service and facilities.
- 9 a. "Reasonably adequate service and facilities"
- 10 for public utilities furnishing gas or electricity
- 11 includes programs for customers to encourage the use
- 12 of energy efficiency and renewable energy sources.
- 13 b. The charge made by any public utility for any
- 14 heat, light, gas, energy efficiency and renewable
- 15 energy programs, water or power produced, transmitted,
- 16 delivered or furnished, or communications services, or
- 17 for any service rendered or to be rendered in
- 18 connection ~~therewith~~ with such service shall be
- 19 reasonable and just, and every unjust or unreasonable
- 20 charge for such service is prohibited and declared
- 21 unlawful. In determining reasonable and just rates,
- 22 the board shall consider all factors relating to value
- 23 and shall not be bound by rate base decisions or
- 24 rulings made prior to the adoption of this chapter.
- 25 2. The board shall have the authority to order a
- 26 rate-regulated public utility to construct an electric
- 27 generating facility, transmission facility, or both,
- 28 as necessary to ensure continued electric reliability,
- 29 and to maintain reasonably adequate, reliable, safe,



30 and cost-efficient electric service to Iowa consumers.  
31 The prudent and reasonable costs incurred to construct  
32 and operate such generating facility or transmission  
33 facility shall be included in the determination of the  
34 rates of the rate-regulated public utility.  
35 3. The board, in determining the value of  
36 materials or services to be included in valuations or  
37 costs of operations for rate-making purposes, may  
38 disallow any unreasonable profit made in the sale of  
39 materials to or services supplied for any public  
40 utility by any firm or corporation owned or controlled  
41 directly or indirectly by such utility or any  
42 affiliate, subsidiary, parent company, associate or  
43 any corporation whose controlling stockholders are  
44 also controlling stockholders of such utility. The  
45 burden of proof shall be on the public utility to  
46 prove that no unreasonable profit is made."  
47 2. Title page, line 3, by inserting after the  
48 word "facility;" the following: "providing authority  
49 for the utilities board to order the construction of a  
50 generation or transmission facility;"

## Page 2

1 3. By renumbering as necessary.

Amendment H-1322 lost.

Osterhaus of Jackson offered the following amendment H-1233  
filed by him and moved its adoption:

H-1233

1 Amend House File 577 as follows:  
2 1. Page 5, line 32, by inserting after the word  
3 "grid" the following: ", including the need for  
4 transmission facilities to ensure Iowans' access to  
5 power generated in other states".

Amendment H-1233 was adopted.

Jenkins of Black Hawk asked and received unanimous consent to  
withdraw amendment H-1397 filed by him on March 30, 2001,  
placing amendment H-1401 filed by Jenkins of Black Hawk from the  
floor, amendments H-1407 and H-1411 filed by Chiodo of Polk from  
the floor, out of order.

Schrader of Marion offered the following amendment H-1243 filed by him and moved its adoption:

H-1243

- 1 Amend House File 577 as follows:
- 2 1. Page 6, by striking lines 29 and 30 and
- 3 inserting the following: "construction of the
- 4 facility are required by the present or future public
- 5 convenience, use and necessity and are compatible
- 6 with".

Dix of Butler in the chair at 10:11 p.m.

Roll call was requested by Schrader of Marion and Osterhaus of Jackson.

On the question "Shall amendment H-1243 be adopted?" (H.F. 577)

The ayes were, 44:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Cormack	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Garman	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Winckler	Wise	Witt

The nays were, 54:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
De Boef	Dolecheck	Drake	Eddie
Eichhorn	Elgin	Finch	Gipp
Grundberg	Hahn	Hansen	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Jacobs	Jenkins	Johnson
Kettering	Klemme	Larson	Manternach
Metcalf	Millage	Raecker	Rants
Rayhons	Rekow	Roberts	Shey
Siegrist, Spkr.	Sievers	Sukup	Teig

Tymeson  
Weidman

Tyrrell  
Dix,  
Presiding

Van Engelenhoven Van Fossen

Absent or not voting, 2:

Connors

Petersen

Amendment H-1243 lost.

Warnstadt of Woodbury asked and received unanimous consent to withdraw amendment H-1321 filed by Witt of Black Hawk on March 22, 2001.

Kettering of Sac offered the following amendment H-1256 filed by Kettering, et al., and moved its adoption:

H-1256

- 1 Amend House File 577 as follows:
- 2 1. Page 9, line 29, by inserting after the word
- 3 "project" the following: ", including the
- 4 acquisition, construction, or acquisition of any
- 5 interest in an electric power generating plant to be
- 6 constructed in this state, or the acquisition,
- 7 construction, or acquisition of any interest in a
- 8 transmission line or system".
- 9 2. Page 10, line 7, by striking the word
- 10 "transmission".
- 11 3. Page 10, by striking lines 23 through 26.
- 12 4. By renumbering as necessary.

Amendment H-1256 was adopted.

Wise of Lee asked and received unanimous consent to withdraw amendment H-1239 filed by Wise, et al., on March 15, 2001.

Osterhaus of Jackson offered the following amendment H-1235 filed by him and moved its adoption:

H-1235

- 1 Amend House File 577 as follows:
- 2 1. Page 10, by striking lines 6 through 33 and
- 3 inserting the following:
- 4 "2. Notwithstanding anything in this subchapter or
- 5 chapter 28F to the contrary, an electric power
- 6 facility shall not be financed with the proceeds of

- 7 public bonds or obligations, the interest on which is
- 8 exempt from federal income tax, unless the public
- 9 issuer shall comply with the requirements or
- 10 limitations imposed by the Internal Revenue Code or
- 11 other applicable federal law to preserve the tax
- 12 exemption of interest payable on the bonds or
- 13 obligations."

Amendment H-1235 lost.

Hansen of Pottawattamie asked and received unanimous consent to withdraw amendments H-1257 and H-1272 filed by him and Jenkins of Black Hawk on March 20, 2001.

Witt of Black Hawk offered the following amendment H-1319 filed by him and moved its adoption:

H-1319

- 1 Amend House File 577 as follows:
- 2 1. Page 17, by striking lines 19 through 23.

Amendment H-1319 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. 577)

The ayes were, 54:

Alons	Barry	Baudler	Boal
Boddicker	Bogges	Bradley	Brauns
Broers	Brunkhorst	Carroll	De Boef
Dolecheck	Drake	Eddie	Eichhorn
Elgin	Finch	Gipp	Grundberg
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Mertz
Metcalf	Millage	Raecker	Rants
Rayhons	Rekow	Roberts	Shey
Siegrist, Spkr.	Sievers	Sukup	Teig
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Dix,		
	Presiding		

The nays were, 44:

Arnold	Atteberry	Bell	Bukta
Chiodo	Cohoon	Cormack	Dotzler
Falck	Fallon	Foege	Ford
Frevert	Garman	Greimann	Hatch
Huser	Jochum	Kreiman	Kuhn
Larkin	Lensing	Mascher	May
Murphy	Myers	O'Brien	Osterhaus
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Winckler	Wise	Witt

Absent or not voting, 2:

Connors                      Petersen

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 577** 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 April 2, 2001, adopted the following resolution in which the concurrence of the Senate was asked:

House Joint Resolution 5, a joint resolution to nullify an administrative rule of the department of revenue and finance relating to the collection of a fee to recover direct costs in the administration of a local option sales and services tax and providing an effective date.

Also: That the Senate has on April 2, 2001, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 8, a concurrent resolution honoring Herb Plambeck.

Also: That the Senate has on April 2, 2001, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 9, a concurrent resolution to request that the Congress of the United States maintain its commitment to clean air and the ethanol

industry, by maintaining the oxygenate requirement in the federal Clean Air Act that promotes the use of ethanol in reformulated gasoline, and urging the United States Environmental Protection Agency to resist California's attempt to waive the oxygenate requirement in that state.

Also: That the Senate has on April 2, 2001, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 13, a concurrent resolution relating to a biennial memorial session.

Also: That the Senate has on April 2, 2001, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 14, a concurrent resolution relating to Pioneer Lawmakers.

Also: That the Senate has on April 2, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 336, a bill for an act relating to the authority of the state board of educational examiners to develop a code of professional rights and responsibilities, practices, and ethics for practitioners.

Also: That the Senate has on April 2, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 429, a bill for an act relating to price regulation for local exchange carriers, by changing certain definitions related to price regulation, permitting certain rate increases, requiring certain network infrastructure investments, and making related changes.

Also: That the Senate has on April 2, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 494, a bill for an act relating to disputes in mediation involving agricultural operations.

Also: That the Senate has on April 2, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 503, a bill for an act relating to the construction of facilities or installation of practices related to open feedlot manure control, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

## BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 2<sup>nd</sup> day of April, 2001: House Files 89, 194 and 549.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 30, 2001, he approved and transmitted to the Secretary of State the following bills:

House File 179, an act relating to excluding from confinement dogs used by police or correctional officers.

House File 228, an act relating to the duties of the department of public safety.

House File 269, an act relating to balloon payments on consumer loans secured by a certificate of title in a motor vehicle.

House File 470, an act providing for the protection of proprietary rights and collection of fees for software, network designs, and technology applications of the Iowa communications network.

House File 597, an act relating to the disposition of unclaimed deer venison processed by a meat and poultry processing establishment.

Senate File 146, an act relating to the tobacco master settlement agreement and providing an effective date.

Senate File 509, an act making a supplemental appropriation to the state department of transportation from the primary road fund for the purchase of salt and including an effective date.

### GOVERNOR'S VETO MESSAGE

A copy of the following communication was received and placed on file:

March 30, 2001

The Honorable Mary Kramer  
President of the Senate

State Capitol Building  
LOCAL

Dear President Kramer:

I hereby transmit Senate File 66, an Act relating to state general fund expenditure limitation requirements for transmission of the state budget by the Governor and passage of the state budget by the General Assembly.

I am unable to approve Senate File 66. This bill makes changes to the state expenditure limitation even though the present limitation accomplishes the purposes for which it was created. This is an unnecessary and, in some instances, unworkable revision to Iowa's original budget reform legislation.

A key part of Iowa's 1992 budget reform law was creating a mechanism for filling the state's two reserve funds. One of those reserve funds, the economic emergency fund, pre-dated the 1992 changes, but it had never been adequately maintained. The expenditure limitation, which provides that only 99% of estimated revenues may be spent, created a mechanism for filling those reserve funds.

That original expenditure limitation has worked very well. Both of the state's reserves are filled to their statutory maximum. Combined, they contain nearly half a billion dollars. Given that the present law has worked so well, there is no reason for change.

Senate File 66 would change that original expenditure limitation by stipulating that reversions (which are appropriated but unspent funds) not be considered in calculating the expenditure limitation. This is an unnecessary alteration of the expenditure limitation.

Every year, there are appropriated but unspent funds that are returned to the state general fund at the end of the fiscal year. The expenditure limitation is meant to limit expenditures. Reversions are, by their very nature, not expenditures.

Reversions are a very real aspect of budgeting, and it makes little sense to not recognize that fact. According to the legislative fiscal bureau, over the last twenty years reversions have averaged over \$26 million a year.

Senate File 66 flies in the face of the legislature's own practice. The \$26 million in average unspent funds each year would be higher but for the fact that the legislature has often chosen to fund technology projects with reversions. The state's successful Y2K effort was started with a legislative appropriation of \$15 million of anticipated reversions in FY 1997. It makes no sense to assume that reversions will not exist for the purpose of calculating the expenditure limit but then assume that they will exist for purposes of making technology appropriations.

Iowa's 1992 budget reform effort has been successful because it was a workable approach to limiting spending. This new limitation would also remove needed flexibility in the budgeting process.

I have, for example, recommended salary savings in the FY 2002 budget through workforce attrition. It is not possible to determine at this point exactly where this \$4.3



million savings will be achieved; that will depend on which employees leave state government over the course of that fiscal year. As a consequence, that savings is shown as a reversion. To not reflect that savings in the calculation of the expenditure limit takes away many of the tools that are necessary to make enterprise wide decisions about expenditures.

For the above reasons, I hereby respectfully disapprove Senate File 66.

Sincerely,  
Thomas J. Vilsack  
Governor

## COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

### IOWA DEPARTMENT OF PUBLIC HEALTH

A report concerning organized delivery systems in Iowa, pursuant to Chapter 158, 1993 Acts of the Seventy-fifth General Assembly.

#### Center for Health Statistics

A report concerning vital statistics of 1999, pursuant to Chapter 144.5(5), Code of Iowa.

The 2000 Iowa Termination of Pregnancy Report, pursuant to Chapter 144.29A, 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.

MARGARET A. THOMSON  
Chief Clerk of the House

2001\748 Hazel Lapel, Denison – For celebrating her 90<sup>th</sup> birthday.

2001\749 Mabel Luth, Denison – For celebrating her 80<sup>th</sup> birthday.

2001\750 Ruth Ann Lynn, Mapleton – For celebrating her 80<sup>th</sup> birthday.

2001\751 Norma Neldeberg, Whiting – For celebrating her 80<sup>th</sup> birthday.

2001\752 Myrlin Hansman, Westside – For celebrating his 85<sup>th</sup> birthday.

2001\753 Violet Atwood, Whiting – For celebrating her 100<sup>th</sup> birthday.

- 2001\754 Mr. and Mrs. Ted Gollobit, Manilla – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\755 Richard and Shirley Swanson, Manilla – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\756 Wallace and Eileen Auen, Schleswig – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\757 John and Dorothy Zediker, Mapleton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\758 Meryllis and Bud Demitroff, Lehigh – For celebrating their 56<sup>th</sup> wedding anniversary.
- 2001\759 Ellen and James McMahon, Waterloo – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\760 Willard Dale, Evansdale – For celebrating his 85<sup>th</sup> birthday.
- 2001\761 Isadore Mary Phillips, Waterloo – For celebrating her 90<sup>th</sup> birthday.
- 2001\762 Elizabeth and Henry Vierkant, Mason City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\763 Hazel King, Mason City – For celebrating her 80<sup>th</sup> birthday.
- 2001\764 Leola and Hart Johnson, Mason City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\765 Mary Posey, Mason City – For celebrating her 90<sup>th</sup> birthday.
- 2001\766 Gerald Peterson, Mason City – For celebrating his 80<sup>th</sup> birthday.
- 2001\767 Edna and Corrie Ehlert, Woodbine – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\768 Georgianna Shannon, Missouri Valley – For celebrating her 80<sup>th</sup> birthday.
- 2001\769 Ferna Vanderhayden, La Porte City – For celebrating her 90<sup>th</sup> birthday.
- 2001\770 Pat and Bert Hansen, Vinton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\771 Blanche Rebik, Traer – For celebrating her 90<sup>th</sup> birthday.
- 2001\772 Henrietta Michael, Vinton – For celebrating her 90<sup>th</sup> birthday.
- 2001\773 Adam Noelck, Boone – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

- 2001\774 Justin Appenzeller, Boone – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\775 Elmer Spoo, Gruver – For celebrating his 90<sup>th</sup> birthday.
- 2001\776 Myron and Helen Guge, Estherville – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2001\777 Adeline and Marvin Dagel, Lake Park – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\778 Mildred Johnston, Waterloo – For celebrating her 80<sup>th</sup> birthday.
- 2001\779 John Jacobsen, Waterloo – For celebrating his 97<sup>th</sup> birthday.
- 2001\780 Lillian Phillips, Elk Run Heights – For celebrating her 80<sup>th</sup> birthday.
- 2001\781 Lorraine and Robert Reeves, Waterloo – For celebrating their 50<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 704

Ways and Means: Teig, Chair; Frevert and Sievers.

##### House File 709

Appropriations: Brunkhorst, Chair; Jacobs and Murphy.

##### Senate File 392

Judiciary: Broers, Chair; Barry and Jochum.

##### Senate File 452

Commerce and Regulation: Metcalf, Chair; Hoffman and Osterhaus.

##### Senate File 473

Commerce and Regulation: Hoffman, Chair; Johnson and Wise.

#### AMENDMENTS FILED

H-1404	H.F.	582	Houser of Pottawattamie
H-1408	H.F.	646	Raecker of Polk
			Grundberg of Polk
			Kreiman of Davis

H-1412	S.F.	355	Tremmel of Wapello
	Barry of Harrison		Atteberry of Delaware
	Boal of Polk		Reynolds of Van Buren
	Tymeson of Madison		Boddicker of Cedar
	Smith of Marshall		Broers of Cerro Gordo
	Kreiman of Davis		Hoversten of Woodbury
	Roberts of Carroll		
H-1413	H.F.	582	Houser of Pottawattamie
H-1414	H.F.	116	Atteberry of Delaware
H-1416	H.F.	593	Barry of Harrison
H-1417	H.F.	382	Reynolds of Van Buren
H-1418	H.F.	116	Tremmel of Wapello
H-1419	H.F.	116	Boddicker of Cedar
H-1420	H.F.	116	Foege of Linn

On motion by Rants of Woodbury the House adjourned at 11:30 p.m., until 8:45 a.m., Tuesday, April 3, 2001.

# JOURNAL OF THE HOUSE

Eighty-sixth Calendar Day - Fifty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, April 3, 2001

The House met pursuant to adjournment at 8:47 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Don Hodson, pastor of Coralville United Methodist Church, Coralville. He is the guest of Representative Richard Myers of Johnson County.

The Journal of Monday, April 2, 2001 was approved.

## SENATE MESSAGES CONSIDERED

**Senate File 289**, by Flynn, a bill for an act relating to open burn notifications and providing a penalty.

Read first time and referred to committee on **environmental protection**.

**Senate File 336**, by committee on education, a bill for an act relating to the authority of the state board of educational examiners to develop a code of professional rights and responsibilities, practices, and ethics for practitioners.

Read first time and referred to committee on **education**.

**Senate File 429**, by committee on commerce, a bill for an act relating to price regulation for local exchange carriers, by changing certain definitions related to price regulation, permitting certain rate increases, requiring certain network infrastructure investments, and making related changes.

Read first time and referred to committee on **commerce and regulation**.

**Senate File 494**, by committee on agriculture, a bill for an act relating to disputes in mediation involving agricultural operations.

Read first time and referred to committee on **agriculture**.

**Senate File 503**, by committee on natural resources and environment, a bill for an act relating to the construction of facilities or installation of practices related to open feedlot manure control, and providing an effective date.

Read first time and referred to committee on **agriculture**.

## CONSIDERATION OF BILL

### Regular Calendar

**House File 582**, a bill for an act relating to the division and development of land by amending provisions relating to subdivision plats and plats of survey and relating to annexation and other boundary adjustments, and providing for the Act's applicability, was taken up for consideration.

Wise of Lee offered the following amendment H-1305 filed by him and moved its adoption:

H-1305

- 1 Amend House File 582 as follows:
- 2 1. Page 1, by inserting before line 1, the
- 3 following:
- 4 "Section 100. Section 331.303, Code 2001, is
- 5 amended by adding the following new subsection:
- 6 NEW SUBSECTION. 8A. Upon petition of twenty
- 7 percent of the eligible electors residing in an
- 8 unincorporated area of a county and affected by a city
- 9 zoning ordinance or regulation or an amendment to a
- 10 city zoning ordinance or regulation, approve or
- 11 disapprove a city zoning ordinance or regulation or an
- 12 amendment to the ordinance or regulation affecting the
- 13 unincorporated area of the county pursuant to section
- 14 414.23."
- 15 2. Page 12, by inserting before line 11, the
- 16 following:
- 17 "Sec. 200. Section 414.23, unnumbered paragraph 3,
- 18 Code 2001, is amended to read as follows:
- 19 Property owners affected by such zoning regulations
- 20 shall have the same rights of hearing, protest, and
- 21 appeal as those within the municipality exercising
- 22 this power. However, upon petition of twenty percent
- 23 of the eligible electors residing in an unincorporated
- 24 area of a county and affected by a city zoning

25 ordinance or regulation or an amendment to a city  
 26 zoning ordinance or regulation, the city zoning  
 27 ordinance or regulation or amendment to an ordinance  
 28 or regulation shall not take effect within the  
 29 unincorporated area unless the zoning ordinance or  
 30 regulation or an amendment to an ordinance or  
 31 regulation is approved by the board of supervisors.  
 32 The petition shall be submitted to the county auditor.  
 33 The auditor shall notify the city of receipt of the  
 34 petition."  
 35 3. Page 12, line 11, by striking the word "This"  
 36 and inserting the following: "Sections 100 and 200 of  
 37 this Act apply to a city zoning ordinance or  
 38 regulation or an amendment to a city ordinance or  
 39 regulation affecting an unincorporated area of a  
 40 county, which is adopted on or after the effective  
 41 date of this Act. The remainder of this".  
 42 4. Title page, line 2, by inserting after the  
 43 word "to" the following: "city zoning, relating to".  
 44 5. Title page, line 3, by striking the word  
 45 "survey" and inserting the following: "survey".  
 46 6. By renumbering as necessary.

Roll call was requested by Wise of Lee and O'Brien of Boone.

On the question "Shall amendment H-1305 be adopted?" (H.F. 582)

The ayes were, 40:

Atteberry	Boddicker	Broers	Chiodo
Cphoon	De Boef	Dotzler	Falck
Finch	Foege	Ford	Frevert
Garman	Greimann	Heaton	Hoversten
Huser	Kreiman	Kuhn	Larkin
Lensing	Manternach	Mascher	May
Mertz	Murphy	O'Brien	Osterhaus
Petersen	Quirk	Reynolds	Richardson
Scherrman	Schrader	Smith	Stevens
Tremmel	Tymeson	Winckler	Wise

The nays were, 58:

Alons	Arnold	Barry	Baudler
Bell	Boal	Bogges	Bradley
Brauns	Brunkhorst	Bukta	Carroll
Connors	Cormack	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Fallon	Gipp	Grundberg	Hahn
Hatch	Hoffman	Horbach	Houser

Huseman	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Larson
Metcalf	Millage	Raecker	Rants
Rayhons	Rekow	Roberts	Seng
Shey	Shoultz	Sievers	Sukup
Taylor, D.	Taylor, T.	Teig	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Witt	Mr. Speaker		
	Siegrist		

Absent or not voting, 2:

Hansen                      Myers

Amendment H-1305 lost.

Richardson of Warren offered the following amendment H-1385 filed by him and moved its adoption:

H-1385

- 1 Amend House File 582 as follows:
- 2 1. Page 1, by striking lines 1 through 9.
- 3 2. By renumbering as necessary.

Amendment H-1385 was adopted.

Richardson of Warren offered amendment H-1404 filed by Houser of Pottawattamie as follows:

H-1404

- 1 Amend House File 582 as follows:
- 2 1. By striking page 3, line 19, through page 4,
- 3 line 19, and inserting the following: "enactment. If
- 4 such an agreement is in force, the board shall dismiss
- 5 a petition or plan which violates the terms of the
- 6 agreement."
- 7 2. By striking page 4, line 35 through page 5,
- 8 line 4, and inserting the following: "An annexation
- 9 including territory".
- 10 3. Page 5, by striking lines 8 through 12, and
- 11 inserting the following: "hearing for all affected
- 12 property owners and the county."
- 13 4. Page 5, line 20, by striking the word
- 14 "certified" and inserting the following: "regular".
- 15 5. By striking page 7, line 20 through page 9,
- 16 line 6.



- 17 6. By striking page 9, line 21 through page 11,  
18 line 19.  
19 7. Page 12, line 12, by striking the words  
20 "boundary adjustment" and inserting the following:  
21 "annexation of territory".  
22 8. By renumbering as necessary.

Rants of Woodbury asked and received unanimous consent that House File 582 be deferred and that the bill retain its place on the calendar. (Amendment H-1404 pending)

On motion by Rants of Woodbury, the House was recessed at 9:23 a.m., until 1:00 p.m.

### AFTERNOON SESSION

The House reconvened at 1:01 p.m., Gipp of Winneshiek in the chair.

### SENATE MESSAGE CONSIDERED

**Senate Joint Resolution 3**, by committee on judiciary, a joint resolution authorizing the sixth judicial district department of correctional services to extend a lease-purchase agreement and providing an effective date.

Read first time and referred to committee on **judiciary**.

### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-five members present, twenty-five absent.

The House stood at ease at 1:14 p.m., until the fall of the gavel.

The House resumed session at 2:42 p.m., Speaker Siegrist in the chair.

### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed fifty-seven members present, forty-three absent.

## CONSIDERATION OF BILL

### Regular Calendar

The House resumed consideration of **House File 582**, a bill for an act relating to the division and development of land by amending provisions relating to subdivision plats and plats of survey and relating to annexation and other boundary adjustments, and providing for the Act's applicability, previously deferred with amendment H-1404 pending and found on page 1603 of the House Journal.

Fallon of Polk offered the following amendment H-1425, to amendment H-1404, filed by him from the floor and moved its adoption:

H-1425

1 Amend the amendment, H-1404, to House File 582, as  
2 follows:

3 1. Page 1, by inserting after line 6, the  
4 following:

5 "\_\_\_\_. Page 4, line 28, by inserting after the  
6 word "uniform" the following: "and regular city"."

7 2. Page 1, by inserting after line 6, the  
8 following:

9 "\_\_\_\_. Page 4, line 32, by inserting after the  
10 word "application." the following: "A certified  
11 survey of the land area must be made if territory  
12 comprising less than eighty-five percent of the land  
13 area is included with the consent of the property  
14 owners. The survey shall be paid by the applicants.""

15 3. Page 1, by inserting after line 6, the  
16 following:

17 "\_\_\_\_. Page 4, by striking lines 33 and 34 and  
18 inserting the following: "and a map of showing the  
19 territory ~~showing its location in relationship to~~ and  
20 the entire city.""

21 4. Page 1, by inserting after line 14, the  
22 following:

23 "\_\_\_\_. Page 6, line 4, by inserting after the word  
24 "application." the following: "The council shall not  
25 approve an application if the territory to be added  
26 does not create more uniform and regular city  
27 boundaries.""

28 5. Page 1, by inserting after line 14, the  
29 following:

30 "\_\_\_\_. Page 6, line 29, by inserting after the  
31 word "resolution." the following: "The map shall show  
32 the territory and the entire city to which the

33 annexation is directed.""

34 6. Page 1, by inserting after line 14, the  
35 following:

36 "\_\_\_\_. Page 6, line 35, by inserting after the  
37 word "board." the following: "The application must  
38 contain a legal description and a map showing the  
39 territory and the entire city to which the annexation  
40 is directed.""

41 7. Page 1, by inserting after line 14, the  
42 following:

43 "\_\_\_\_. Page 7, line 2, by inserting after the word  
44 "island." the following: "The board shall not approve  
45 an application if the territory to be added does not  
46 create more uniform and regular city boundaries.""

47 8. Page 1, by inserting after line 16, the  
48 following:

49 "\_\_\_\_. Page 9, by inserting before line 7, the  
50 following:

#### Page 2

1 "Sec.\_\_\_\_. Section 368.11, subsection 2, Code  
2 2001, is amended to read as follows:

3 2. A map of the territory, and of the entire city  
4 or cities involved. ""

5 9. Page 1, by inserting before line 19, the  
6 following:

7 "\_\_\_\_. Page 11, by inserting before line 20, the  
8 following:

9 "Sec.\_\_\_\_. Section 368.17, Code 2001, is amended  
10 by adding the following new subsection:

11 NEW SUBSECTION. 8. An annexation if the territory  
12 to be added does not create more uniform and regular  
13 city boundaries.""

14 10. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 40, nays 46.

Amendment H-1425 lost.

On motion by Richardson of Warren amendment H-1404 was adopted, placing out of order amendment H-1313 filed by Houser of Pottawattamie and amendment H-1359 filed by Fallon of Polk.

Richardson of Warren offered the following amendment H-1413 filed by Houser of Pottawattamie and moved its adoption:

H-1413

- 1 Amend House File 582 as follows:
- 2 1. Page 11, by striking lines 20 through 29.
- 3 2. Page 12, by striking line 8, and inserting the
- 4 following: "'services" means services selected by a
- 5 landowner to be provided by the city, including, but
- 6 not limited to, water supply".

Amendment H-1413 was adopted.

Carroll of Poweshiek in the chair at 3:18 p.m.

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. 582)

The ayes were, 99:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Siegrist, Spkr.	Sievers	Smith
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Carroll,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

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 unanimous consent that the following bills be immediately messaged to the Senate: **House Files 582 and 670.**

Objection was raised.

Rants of Woodbury moved that House Files 582 and 670 be immediately messaged to the Senate.

A non-record roll call was requested.

The ayes were 54, nays 41.

The motion to immediately message prevailed.

### EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 3, 2001. Had I been present, I would have voted "aye" on House File 582.

STEVENS of Dickinson

### PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirty 12<sup>th</sup> grade government students from Clarke Community Schools, Osceola, accompanied by Tom Murr and Joe Shelton. By Arnold of Lucas.

Fifty-two students from West High School, Davenport, accompanied by Mr. Barnhill. By Sievers of Scott.

Thirty students from Okoboji. By Stevens of Dickinson.

### CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARGARET A. THOMSON  
Chief Clerk of the House

2001\782 Adam Elliot, Des Moines – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

2001\783 Mr. and Mrs. Bernard Berg, Wellman – For celebrating their 50<sup>th</sup> wedding anniversary.

2001\784 Lenora and Rex Bever, Fremont – For celebrating their 80<sup>th</sup> birthdays.

2001\785 Lottie Baumert, Keota – For celebrating her 90<sup>th</sup> birthday.

2001\786 Sue Acord, What Cheer – For celebrating her 80<sup>th</sup> birthday.

2001\787 Christopher J. Conrad, Davenport – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

### SUBCOMMITTEE ASSIGNMENTS

#### Senate File 289

Environmental Protection: Gipp, Chair; Lensing and Sievers.

#### Senate File 336

Education: Boal, Chair; Eddie and Lensing.

#### Senate File 374

Human Resources: Larson, Chair; Boddicker, Foegel, Hoversten and Kreiman.

#### Senate File 412 Reassigned

Education: Finch, Chair; Bukta and Tymeson.

#### Senate File 429

Commerce and Regulation: Dix, Chair; Falck and Metcalf.

**Senate File 485**

Judiciary: Eichhorn, Chair; Shey and Tremmel.

**Senate File 486**

Judiciary: Shey, Chair; Eichhorn and Kreiman.

**Senate File 494**

Agriculture: Teig, Chair; Klemme and Kreiman.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 247 Ways and Means**

Relating to a community renewal initiative by establishing a community development program to provide tax credits for income tax, franchise tax, and premiums tax for businesses contributing to community development projects to aid certain neighborhoods and communities or contributing to child care benefits for employees and including effective and applicability date provisions.

**H.S.B. 248 Ways and Means**

Establishing a renewable fuel initiative by providing corporate and individual income tax credits for selling certain ethanol blended gasoline and making penalties applicable 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.

MARGARET A. THOMSON  
Chief Clerk of the House

**COMMITTEE ON AGRICULTURE**

**Senate File 209**, a bill for an act providing for the control of paratuberculosis, and providing for penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1421** April 2, 2001.

**Senate File 211**, a bill for an act relating to the powers and duties of the department of agriculture and land stewardship.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1422** April 2, 2001.

**Senate File 465**, a bill for an act creating a fund for the use of the state department of transportation to purchase soydiesel fuel for use in its vehicles and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2001.

**Senate File 470**, a bill for an act relating to the regulation of infectious and contagious diseases in animals, and providing for penalties.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2001.

#### COMMITTEE ON EDUCATION

**Senate File 480**, a bill for an act directing the department of education to establish a task force to conduct a comprehensive review of the licensing of community college faculty.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1426** April 3, 2001.

#### COMMITTEE ON JUDICIARY

**Senate File 222**, a bill for an act relating to the statute of limitations in civil actions arising out of the unsafe or defective condition of an improvement to real property.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2001.

**Senate File 393**, a bill for an act relating to a petition to the court for a hearing on a criminal defendant's restitution plan.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2001.



## COMMITTEE ON STATE GOVERNMENT

**Senate File 323**, a bill for an act relating to the standard for investment of retirement funds by municipal utilities.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2001.

## RESOLUTION FILED

**HR 30**, by Raecker, Ford, Jacobs, Sukup, Hansen, Brunkhorst, Heaton, Rayhons, Eichhorn, Cormack, Boddicker, Garman, Broers, Dix, Metcalf, Boal, De Boef, Alons, Johnson, Van Engelenhoven, Teig, Carroll, Hoffman, Arnold, Hoversten, Eddie, Tyrrell, Klemme, Grundberg, Kettering, Drake, Rekow, Tymeson, Finch, Roberts, Dolecheck, Hahn, Baudler, Weidman, Brauns, Shey, Huseman, Sievers, Jenkins, Boggess, Elgin, Gipp, Myers, Mascher, Fallon, Kuhn, Quirk, Greimann, Hatch, Smith, Kreiman, Jochum, Falck, Richardson, Witt, T. Taylor, Reynolds, Dotzler, Stevens, Mertz, Petersen, Foege, Lensing, Winckler, Larkin, Wise, Bukta, O'Brien, Connors, Cohoon, May, Warnstadt, Huser, and Osterhaus, a resolution honoring the Drake Women's Basketball Team.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-1421	S.F.	209	Committee on Agriculture
H-1422	S.F.	211	Committee on Agriculture
H-1423	H.C.R.	24	Hoversten of Woodbury
H-1424	S.F.	437	Quirk of Chickasaw
H-1426	S.F.	480	Committee on Education
H-1427	S.F.	211	Frevert of Palo Alto
H-1428	H.F.	690	Warnstadt of Woodbury
			Boddicker of Cedar
			Reynolds of Van Buren
			Kreiman of Davis

On motion by Rants of Woodbury the House adjourned at 4:01 p.m., until 8:45 a.m., Wednesday, April 4, 2001.

# JOURNAL OF THE HOUSE

Eighty-seventh Calendar Day - Sixtieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, April 4, 2001

The House met pursuant to adjournment at 8:45 a.m., Speaker Siegrist in the chair.

Prior to convening the House was entertained by the Okoboji High School Jazz Band, accompanied by their director, Greg Forney.

The House rose and expressed its appreciation and welcome.

Prayer was offered by the Honorable David Johnson, state representative from Osceola County.

The Journal of Tuesday, April 3, 2001 was approved.

## 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 3, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 497, a bill for an act relating to the governance of the Iowa public employees' retirement system and providing an effective date.

MICHAEL E. MARSHALL, Secretary

## SPECIAL PRESENTATION

Van Engelenhoven of Mahaska presented to the House, Randa Van Rheenens, Queen of the 2001 Pella Tulip Festival and escorted her and her court to the Speaker's station.

Queen Rheenens presented her attendants, Orpah Schiebout, Jessica Van Zee, Jawnice Vaverka and Molly Vermeer.

Also present from Pella were the parents of the Queen and her court, who wore native Dutch costume and distributed the famous Pella Dutch cookies.

Queen Rheenen addressed the House briefly and invited everyone to attend the Pella Tulip Festival on May 10, 11 and 12, 2001.

The House rose and expressed its welcome.

### ADOPTION OF HOUSE CONCURRENT RESOLUTION 24

Hoversten of Woodbury called up for consideration **House Concurrent Resolution 24**, a concurrent resolution requesting the legislative council to establish a study committee relating to the creation of a statewide central intake unit for receiving child abuse reports, and moved its adoption.

Hoversten of Woodbury offered the following amendment H-1423 filed by him and moved its adoption:

H-1423

- 1 Amend House Concurrent Resolution 24 as follows:
- 2 1. Page 2, line 10, by inserting after the word
- 3 "justice," the following: "the citizens' aide,".

Amendment H-1423 was adopted.

The motion prevailed and the resolution, as amended, was adopted.

### CONSIDERATION OF BILLS Regular Calendar

**House File 663**, a bill for an act repealing the ban on persons or spouses of persons who receive direct or indirect compensation from or who have certain privileges in a county public hospital, from serving as a trustee for that county public hospital, was taken up for consideration.

Sievers 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, 99:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Grundberg	Hahn	Hansen	Hatch
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shoultz	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, none.

Absent or not voting, 1:

Shey

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 647**, a bill for an act relating to the release and use of certain personal information by the state department of transportation, 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?" (H.F. 647)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shoultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Connors	Shay	Tremmel
---------	------	---------

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 663, 647 and House Concurrent Resolution 24.**

The House resumed consideration of **House File 382**, a bill for an act relating to the healthy and well kids in Iowa program, previously deferred on March 22, 2001 and found on pages 823 through 825 of the House Journal. (Amendment H-1288 pending)

Osterhaus of Jackson asked and received unanimous consent to withdraw amendment H-1288 filed by him on March 21, 2001.

Osterhaus of Jackson asked and received unanimous consent to withdraw amendment H-1289 filed by him on March 21, 2001.

Reynolds of Van Buren asked and received unanimous consent that amendment H-1417 be deferred.

Osterhaus of Jackson asked and received unanimous consent to withdraw amendment H-1282, previously deferred, filed by him on March 21, 2001.

Reynolds of Van Buren asked and received unanimous consent to withdraw amendment H-1417, previously deferred, filed by her on April 2, 2001.

Hansen 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. 382)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Grundberg
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shoultz
Sievers	Smith	Stevens	Sukup

Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, none.

Absent or not voting, 2:

Connors

Shey

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 382** 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 April 4, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 32, a bill for an act relating to the discontinuation of gambling operations after a referendum of disapproval and providing an effective date.

Also: That the Senate has on April 4, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 418, a bill for an act relating to unemployment compensation by providing that social security pension payments are nondeductible from unemployment benefits and providing for coverage for employment by an Indian tribe.

MICHAEL E. MARSHALL, Secretary

On motion by Rants of Woodbury, the House was recessed at 10:36 a.m., until 2:00 p.m.

### AFTERNOON SESSION

The House reconvened at 2:04 p.m., Speaker Siegrist in the chair.

## SENATE MESSAGES CONSIDERED

**Senate File 32**, by Rittmer, a bill for an act relating to the discontinuation of gambling operations after a referendum of disapproval and providing an applicability date.

Read first time and referred to committee on **state government**.

**Senate File 418**, by committee on business and labor relations, a bill for an act relating to unemployment compensation by providing that social security pension payments are nondeductible from unemployment benefits and providing for coverage for employment by an Indian tribe and providing an effective date.

Read first time and referred to committee on **labor and industrial relations**.

**Senate File 497**, by committee on state government, a bill for an act relating to the governance of the Iowa public employees' retirement system and providing an effective date.

Read first time and referred to committee on **state government**.

The House stood at ease at 2:06 p.m., until the fall of the gavel.

The House resumed session at 2:10 p.m., Speaker Siegrist in the chair.

## COMMITTEE TO NOTIFY THE SENATE

Finch of Story 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, Finch of Story, Roberts of Carroll and Quirk of Chickasaw.

Finch of Story, 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 and the members of the Senate were seated in the House chamber.

JOINT CONVENTION  
PIONEER LAWMAKERS  
FIFTY-SIXTH BIENNIAL SESSION

In accordance with House Concurrent Resolution 14 duly adopted, the joint convention was called to order, President Kramer presiding.

President Kramer announced a quorum present and the joint convention duly organized.

Iverson of Wright moved that a committee of five be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed and the President appointed as such committee Jensen of Bremer and Kibbie of Palo Alto on the part of the Senate, and Finch of Story, Roberts of Carroll and Quirk of Chickasaw on the part of the House.

The committee escorted the Pioneer Lawmakers into the House chamber.

President Kramer presented Senator Andy McKean, President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Kramer presented Representative Brent Siegrist, Speaker of the House, who welcomed the Pioneer Lawmakers on behalf of the House.

President Kramer presented the Honorable John Connors, member of the House who responded to the welcome.

The Honorable John Connors announced the 1981 class of legislators who were eligible to become members of the Pioneer Lawmakers and introduced the Memorial Choir who sang "On Eagle's Wings."

Honorary members of the 2001 class were the following: Mike Glover, Keith Luchtel, Larry Blixt, Jim Carney and Diane Bolender.

The Honorable John Connors presented the Honorable Arthur Neu, former Lieutenant Governor, who addressed the joint convention as follows:

It seems strange to be back up here today. I remember being here many times from 1973 through 1978, but always to introduce then Governor Bob Ray.

In reading about your problems this session, I was reminded of the General Assembly in 1967. In 1964 there was a sweep by the Democrats in the election which resulted in both houses, the Governor's Office as well as the entire executive council with but one exception, being held by that party. In the 1968 election, the Republicans regained control of the House by a very narrow margin, but the Democrats still controlled the Senate by a three vote margin. Harold Hughes was reelected as Governor.

I was one of the freshmen Senators, and it was an experience. The session was the longest ever and didn't adjourn until early July. A consensus developed as soon as warm weather arrived that the air circulation system in this wonderful old building was woefully inadequate.

What made me think of the '67 session was your struggle with school legislation. Prior to 1967 state aid to schools was minimal. The public school system was largely funded with property tax. There was a consensus that something had to be done but no agreement on how to accomplish this.

The Republicans in the House passed a school aid proposal called "The Petersen Plan", and the Senate passed a plan called "Proportionate Sharing." In addition, there was not nearly enough revenue to fund either plan, so a tax increase was unavoidable if the state was going to provide significant aid to the public schools.

Each House passed its school aid plan and the whole thing ended up in a conference committee. The committee merged the two plans, and, although it did not have authority to decide on what if any taxes were to be increased, acknowledged that the plan depended on increased revenue. The committee met with Governor Hughes and the leadership of both parties in each House. After some posturing, the school aid plan was agreed to as were the taxes to fund the aid.

The proposal was reported out and passed both Houses by a wide margin. A large majority of each party in each House supported the legislation and Iowa had its first significant aid to schools. Ironically the legislation was supported by the ISEA and the farm bureau – a modest miracle in itself I thought.

I recall a guest editorial in the Des Moines Register in 1997 (4-20-97) when California economist Arthur Laffer derided a small tax cut and also noted that "good policies always pass by the skin of their teeth...nothing truly great is ever so clear as to command a massive plurality." This is unadulterated nonsense. Some of the greatest most far reaching legislation passed by the Iowa legislature during my time passed by enormous majorities when the two parties and the legislative and executive branches came together.

The point of all this is that I think there is a consensus in Iowa today that we have to increase teachers' salaries. It may not be possible to do as much as we would like to do this session because of the drop in revenue, but still a consensus does exist. Therefore, given the makeup of state government today, a legislature controlled by one party, but by a very narrow margin, and an executive branch by the other party, the only way legislation will be passed is if both parties play a major role in the drafting of the school legislation and approve the final product. To try to do otherwise is at best misguided and at worst cynical. I can also tell you that there is more cynicism toward government today than there has been for a long time. That cynicism is not lessened by bickering over what the public considers intricate provisions in the proposed legislation. I do not think there is any political advantage to be gained unless you can pass a reasonable bill to increase teachers' salaries and you will not pass it unless there is a consensus among the two parties and the Governor.

I have seen the statistics showing an upcoming shortage of teachers in this state. While increased salaries are certainly the most important ingredient in attracting more young people into the field, it seems to be that other programs should be considered.

For example, rural Iowa has many highly intelligent people who are unable to travel any distance to attend college or university. They are essentially locked into their region by family matters. These people would be excellent teachers. They will not be recruited away and, they will teach in schools in their region.

The University of Northern Iowa and the Des Moines Area Community College have such a program in Carroll where DMACC teaches the first two years following UNI requirements. The second two years are taught by UNI faculty both in person and over the ICN. Of the twenty-five graduates from this program to date, twenty-three are teaching in schools in the region. The program would not require new bricks and mortar and would only involve some additional personnel. They could be taught on community college campuses throughout the state. It will only be successful, however, if both sectors work together in a cooperative fashion, do not try to make the program into a profit center and use bona fide faculty. If the college does not utilize instructors who would qualify to teach on their campus, then the programs become a farce which must be guarded against. I strongly recommend that such a program be put into effect statewide to help address our teacher shortage.

Additionally, I understand that the teacher shortage is more acute for certain subjects. Why not give school boards authority to establish pay differentials? If a board determines that they have a special need for a physics teacher, why shouldn't the board have authority to establish a salary above the level that teacher would receive under the district's salary schedule?

I also note increased discussion for school reorganization. Some schools today are clearly too small. I recommend you to the Great Plains Report which was commissioned by the Legislature in 1964. The last time I checked there was one copy remaining in the Service Bureau Library. The report looked at school districts and concluded that there was an optimum size – that districts could be too large and too small. The per pupil cost was like a bell curve. Districts that were too large or too small could be given incentives beyond what exist today, to merge. You could consider county-like districts in rural areas where several districts would be merged with one superintendent and one board but with multiple attendance centers. Thus, in a rural county with four districts predominantly within the county, they could still retain their four high schools with all the extra-curricular activities remaining in the community but sharing faculty and even facilities. There would be some savings but also some additional transportation costs. Students would have the advantage of more class offerings and better qualified instructors in some instances.

Lastly I find myself perplexed by one action or inaction of this general assembly. Some years ago you created rainy day funds. This was even discussed in antiquity when I was down here and it should have been enacted then. You showed foresight when you created these funds. What I fail to understand is your failure to utilize the funds now that there is a downturn in our economy and the state's revenue has fallen substantially below projections. While some may think this is not an emergency, it certainly seems so to me. Why else create the fund if not to use when revenue dips substantially. When the economy starts to grow again, you can start to replenish the fund.

What you must realize is that state programs can certainly be cut, but when they are, there are repercussions to some of the people. Sometimes it takes years before the total impact is understood but it does have an effect. For example cut funds to prisons and you are encouraging more overcrowding than we now have and a takeover by the federal courts. Cut school aid, and gradually the quality of our schools and the infrastructure will deteriorate. The same is true with our universities and community colleges. I understand that this is gradual but it nonetheless takes place. When we try to encourage new businesses to come to Iowa or existing businesses to expand in Iowa, they all tell me they look at our infrastructure, i.e. schools, hospitals, roads etc. Additionally, when you reduce state programs, invariably costs are shifted to the local property tax which is probably the one Iowa tax that is out of line with surrounding states. By arbitrarily putting limits on local governments beyond what now exists, you are hamstringing the government that is closest to the people. Instead of limiting local government, during the good times of the last ten or so years, you should have been shifting the cost from the property tax to state revenue such as has been done with schools.

I understand that in times such as these your job is difficult. There is a government that is divided politically. You are besieged by outsiders and press who know what you should do but who do not have a consensus among themselves. Whatever you do there will be critics who berate you. Notwithstanding all this, remember that there have been times when under such circumstances some of our best legislation has been passed and that it has stood the test of time. I certainly wish you success with the very difficult issues confronting you today.

The Memorial Choir sang "The Irish Blessing".

On motion by Jacobs of Polk, the joint convention was dissolved at 2:54 p.m.

The House stood at ease at 2:55 p.m., until the fall of the gavel.

The House resumed session at 3:06 p.m., Speaker Siegrist in the chair.

### EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 4, 2001. Had I been present, I would have voted "aye" on House Files 647 and 663.

SHEY of Linn

### PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-nine students from Sully Christian School, Sully, accompanied by Scott Roose. By Carroll of Poweshiek.

Five high school students from Walnut Community School, Walnut, accompanied by Gloria Meyerl. By Drake of Pottawattamie.

Fifty students from Hempstead High School, Dubuque, accompanied by Tom Rawson. By Jochum and Murphy of Dubuque.

### CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARGARET A. THOMSON  
Chief Clerk of the House

2001\788 Forrest Tubbs, Maquoketa – For celebrating his 90<sup>th</sup> birthday.

2001\789 Nellie Franck, Maquoketa – For celebrating her 90<sup>th</sup> birthday.

2001\790 Alice Johnson, Rockwell – For celebrating her 102<sup>nd</sup> birthday.

- 2001\791 Roger Havill, DeWitt – For celebrating his 90<sup>th</sup> birthday.
- 2001\792 Dixie Blair and Cedric Ruggles, Fairfield – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\793 France Walberg, Galva – For celebrating his 80<sup>th</sup> birthday.
- 2001\794 Mae Brookbank, Ida Grove -- For celebrating her 90<sup>th</sup> birthday.
- 2001\795 Gracen Hayworth, Anthon – For celebrating his 98<sup>th</sup> birthday.
- 2001\796 Betty and Joseph Frank, Galva – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\797 Lou and Margaret Handke, Anthon – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\798 Leona Stephenson, Rowley – For celebrating her 90<sup>th</sup> birthday.
- 2001\799 Irene Moroney, Winthrop – For celebrating her 90<sup>th</sup> birthday.
- 2001\800 Etta Widdel, Jesup – For celebrating her 90<sup>th</sup> birthday.
- 2001\801 Eileene Likens, Brandon – For celebrating her 80<sup>th</sup> birthday.
- 2001\802 Alice Foster, Masonville – For celebrating her 80<sup>th</sup> birthday.
- 2001\803 Mildred Boyce, Delhi – For celebrating her 80<sup>th</sup> birthday.
- 2001\804 Elizabeth Rotach, Manchester – For celebrating her 80<sup>th</sup> birthday.
- 2001\805 Bonnie Hocken, La Porte City – For celebrating her 80<sup>th</sup> birthday.
- 2001\806 Fern Girtler, La Porte City – For celebrating her 80<sup>th</sup> birthday.
- 2001\807 Elvera Heckroth, La Porte City – For celebrating her 80<sup>th</sup> birthday.
- 2001\808 Verda Bell Hunt, Earlville – For celebrating her 80<sup>th</sup> birthday.
- 2001\809 A. Hogan, Jesup – For celebrating his 80<sup>th</sup> birthday.
- 2001\810 Margaret Miller, Manchester – For celebrating her 80<sup>th</sup> birthday.
- 2001\811 Alice Cox, Independence – For celebrating her 80<sup>th</sup> birthday.
- 2001\812 Marie Drees, Manchester – For celebrating her 80<sup>th</sup> birthday.
- 2001\813 Paul Kremer, Jesup – For celebrating his 80<sup>th</sup> birthday.

## SUBCOMMITTEE ASSIGNMENTS

**Senate File 84**

Natural Resources: Baudler, Chair; Alons and Frevert.

**Senate File 313**

Local Government: Van Engelenhoven, Chair; Reynolds and Weidman.

**Senate File 339**

Natural Resources: Garman, Chair; Bell and Rekow.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 247**

Ways and Means: Sukup, Chair; Jochum and Shey.

**House Study Bill 248**

Ways and Means: Teig, Chair; Houser and Osterhaus.

## 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.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON COMMERCE AND REGULATION

**Senate File 452**, a bill for an act requiring the use of a uniform prescription drug information card by providers of third-party payment or prepayment of prescription drug expenses.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1431** April 3, 2001.

**Senate File 500**, a bill for an act relating to insurance, by addressing the operation and regulation of insurance companies, mutual insurance associations, the Iowa

insurance guaranty association, and other insurance or risk-assuming entities, including the rights and duties of such entities and the powers and authority of the insurance commissioner; by establishing jurisdiction and venue requirements for actions against the Iowa insurance guaranty association; and providing penalties, repeals, and effective dates.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2001.

#### COMMITTEE ON JUDICIARY

**Senate File 106**, 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.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1432** April 3, 2001.

#### COMMITTEE ON LOCAL GOVERNMENT

**Senate File 165**, a bill for an act enacting the Iowa English language reaffirmation Act of 2001.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1430** April 3, 2001.

#### COMMITTEE ON NATURAL RESOURCES

**Senate File 84**, a bill for an act prohibiting the sale or distribution of purple loosestrife.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1429** April 3, 2001.

**Senate File 339**, a bill for an act relating to scheduled fines for hunting and fishing violations.

Fiscal Note is not required.

Recommended **Do Pass** April 3, 2001.

#### COMMITTEE ON TRANSPORTATION

**Senate File 265**, a bill for an act prohibiting the installation, distribution, or sale of nonoperative air bags and providing a penalty.



Fiscal Note is not required.

Recommended **Do Pass** April 4, 2001.

### RESOLUTIONS FILED

**HCR 29**, by Johnson, a concurrent resolution requesting the legislative council to authorize the personal privacy issues study committee to continue deliberations during the 2001 legislative interim.

Laid over under **Rule 25**.

**HCR 30**, by Tymeson, Finch, Baudler, Metcalf, Boal, Barry, Jacobs, Atteberry, Winckler, Lensing, Bukta, Osterhaus, Petersen, Mascher, Stevens, Mertz, Reynolds, Frevert, De Boef, Grundberg, Jochum, Garman, Boggess, Greimann and Huser, a concurrent resolution encouraging state and local governments, business interests, health care professionals, and individuals with an interest in good health to help educate the public regarding osteoporosis prevention, detection, and treatment, and designating April 12, 2001, as Osteoporosis Awareness Day.

Laid over under **Rule 25**.

**HR 31**, by T. Taylor, a resolution urging the Iowa Department of Public Health to compile and maintain records regarding autism.

Laid over under **Rule 25**.

### AMENDMENTS FILED

H-1429	S.F.	84	Committee on Natural Resources
H-1430	S.F.	165	Committee on Local Government
H-1431	S.F.	452	Committee on Commerce and Regulation
H-1432	S.F.	106	Committee on Judiciary

On motion by Jacobs of Polk the House adjourned at 3:07 p.m., until 8:45 a.m., Thursday, April 5, 2001.

## MEMORIAL SERVICE

Seventy-Ninth General Assembly  
Wednesday, April 4, 2001  
7:00 P.M.

### Program

Representative John Connors, Presiding

**"Home of the Soul"** ..... **Traditional**  
Senator Andy McKean

**Invocation** ..... **Representative Ralph Klemme**

**"Iowa, My Iowa"** ..... **Bartz**  
Senator Merlin Bartz

### MEMORIALS

**READERS: Sen. Dvorsky, Sen. Jensen and Sen. Angelo**

Hon. Burke (S)	Hon. Griffin (S)	Hon. Kosek (H & S)
Hon. Burroughs (S)	Hon. Hester (S)	Hon. Thordsen (H & S)
Hon. Heying (S)		

**"On Eagle's Wings"** ..... **Joncas**  
Memorial Choir: Directed by Senator Mark S. Shearer  
Accompanied by Senator Mary Kramer

### MEMORIALS

**READERS: Sen. Connolly, Rep. Mascher, Rep. Alons and Rep. Heaton**

Hon. Anderson (S)	Hon. Fullmer (H)	Hon. Hansen (H)
Hon. Jesse (H)	Hon. Worthington (H)	Hon. Eppers (S)
Hon. McCormick (H)	Hon. De Koster (S)	Hon. Ware (H)
Hon. Burns (S)		

**"America The Beautiful"** ..... **Ward**  
Memorial Choir

### MEMORIALS

**READERS: Rep. Rayhons, Rep. Frevert and Rep. Johnson**

Hon. Brockett (H)	Hon. Gillette (H)	Hon. Hinkhouse (H)
Hon. Riehm (H)	Hon. Mayberry (H)	Hon. Sokol (H)
Hon. Fogarty (H)		

**"The Irish Blessing"** ..... **Bacak**  
Memorial Choir

\*Senate - (S) and House - (H)

**IN MEMORIAM**  
**SERVED IN THE SENATE**

**Honorable Ted James Anderson** (Black Hawk County): 69<sup>th</sup>, 69<sup>th</sup>X, 69<sup>th</sup>XX and 70<sup>th</sup> (1981-1984)

**Honorable Vincent S. Burke** (Woodbury County): 61<sup>st</sup> (1965)

**Honorable Robert J. Burns** (Johnson County): 61<sup>st</sup> and 62<sup>nd</sup> (1965-1968)

**Honorable Clifford E. Burroughs** (Butler County): 65<sup>th</sup>, 66<sup>th</sup>, 67<sup>th</sup> and 67<sup>th</sup>X (1974-1978)

**Honorable Lucas J. De Koster** (Sioux County): 61<sup>st</sup>, 62<sup>nd</sup>, 63<sup>rd</sup>, 64<sup>th</sup>, 65<sup>th</sup>, 66<sup>th</sup>, 67<sup>th</sup>, 67<sup>th</sup>X, 68<sup>th</sup>, 69<sup>th</sup>, 69<sup>th</sup>X and 69<sup>th</sup>XX (1965-1982)

**Honorable Charles F. Eppers** (Lee County): 58<sup>th</sup> and 59<sup>th</sup> (1959-1962)

**Honorable Charles F. Griffin** (Monona County): 60<sup>th</sup>, 60<sup>th</sup>X and 61<sup>st</sup> (1963-1966)

**Honorable Jack W. Hester** (Pottawattamie County): 68<sup>th</sup>, 69<sup>th</sup>, 69<sup>th</sup>X, 69<sup>th</sup>XX, 70<sup>th</sup>, 71<sup>st</sup>, 72<sup>nd</sup>, 72<sup>nd</sup>X, 72<sup>nd</sup>XX, 73<sup>rd</sup>, 74<sup>th</sup>, 74<sup>th</sup>X, 74<sup>th</sup>XX and 75<sup>th</sup> (1979-1994)

**Honorable Hilarius "Larry" Heying** (Fayette County): 61<sup>st</sup>, 62<sup>nd</sup>, 65<sup>th</sup> and 66<sup>th</sup> (1965-1968) and (1973-1976)

**SERVED IN THE HOUSE OF REPRESENTATIVES  
AND THE SENATE**

**Honorable Ernest Kosek** (Linn County): **House** – 52<sup>nd</sup>, 52<sup>nd</sup>X, 53<sup>rd</sup>, 54<sup>th</sup>, 55<sup>th</sup>, 56<sup>th</sup> and 57<sup>th</sup> (1947-1958) **Senate** – 62<sup>nd</sup> and 63<sup>rd</sup> (1967-1970)

**Honorable Harold A. Thordsen** (Scott County): **House** – 62<sup>nd</sup> (1967-1968) **Senate** – 63<sup>rd</sup> and 64<sup>th</sup> (1969-1972)

**SERVED IN THE HOUSE OF REPRESENTATIVES**

**Honorable Glenn Brockett** (Marshall County): 65<sup>th</sup>, 66<sup>th</sup>, 67<sup>th</sup> and 67<sup>th</sup>X (1973-1978)

**Honorable Daniel P. Fogarty** (Palo Alto County): 70<sup>th</sup>, 71<sup>st</sup>, 72<sup>nd</sup>, 72<sup>nd</sup>X, 72<sup>nd</sup>XX, 73<sup>rd</sup>, 74<sup>th</sup>, 74<sup>th</sup>X, 74<sup>th</sup>XX and 75<sup>th</sup> (1983-1994)

**Honorable Wayne J. Fullmer** (Jasper County): 61<sup>st</sup> (1965-1966)

**Honorable William Riley Gillette** (Clay County): 61<sup>st</sup> (1965-1966)

**Honorable Ingwer L. Hansen** (O'Brien County): 65<sup>th</sup>, 66<sup>th</sup>, 67<sup>th</sup>, 67<sup>th</sup>X, 68<sup>th</sup>, 69<sup>th</sup>, 69<sup>th</sup>X and 69<sup>th</sup>XX (1973-1982)

**Honorable Herbert C. Hinkhouse** (Cedar County): 66<sup>th</sup>, 67<sup>th</sup>, 67<sup>th</sup>X and 68<sup>th</sup> (1975-1980)

**Honorable Norman Jesse** (Polk County): 63<sup>rd</sup>, 64<sup>th</sup>, 65<sup>th</sup>, 66<sup>th</sup>, 67<sup>th</sup>, 67<sup>th</sup>X and 68<sup>th</sup> (1969-1980)

**Honorable D. Vincent Mayberry** (Webster County): 61<sup>st</sup>, 62<sup>nd</sup>, 63<sup>rd</sup> and 64<sup>th</sup> (1965-1972)

**Honorable Harold C. McCormick** (Delaware County): 63<sup>rd</sup>, 64<sup>th</sup> and 65<sup>th</sup> (1969-1974)

**Honorable Curtis G. Riehm** (Hancock County): 56<sup>th</sup> and 57<sup>th</sup> (1955-1958)

**Honorable Howard N. Sokol** (Osceola County): 60<sup>th</sup> and 60<sup>th</sup>X (1963-1964)

**Honorable Harvey W. Ware** (Wapello County): 59<sup>th</sup> (1961-1962)

**Honorable Lorne R. Worthington** (Decatur County): 60<sup>th</sup> and 60<sup>th</sup>X (1963-1964)

### Candlelighters

Senator Jack Kibbie  
Senator Maggie Tinsman  
Representative Patrick Murphy  
Representative Donna Barry

### Hosts

Senator Mary Lou Freeman  
Senator Nancy Boettger  
Kay Kibbie  
Representative Willard Jenkins  
Representative Vicki Lensing  
Representative Jodi Tymeson

### 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

### House Memorial Committee

Honorable Ralph F. Klemme, Chair  
Honorable Carmine Boal  
Honorable William A. Dotzler, Jr.  
Honorable Marcella Frevert

Memorial Page: Teresa Rottinghaus  
Flowers Arranged by The Bloomin' Greenery, Indianola, Iowa  
Piano Furnished by Critchett Piano and Organ Company

# JOURNAL OF THE HOUSE

Eighty-eighth Calendar Day - Sixty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, April 5, 2001

The House met pursuant to adjournment at 8:51 a.m., Speaker Siegrist in the chair.

Prior to convening the House was entertained with the violin music of Curtis Carroll, the son of the Honorable Danny Carroll, state representative from Poweshiek County.

Prayer was offered by Reverend Bill Stewart, pastor of Grace United Methodist Church, Des Moines. He was the guest of Representative J. Scott Raecker of Polk County and Representative Janet Metcalf of Polk County.

The Journal of Wednesday, April 4, 2001 was approved.

## SPECIAL PRESENTATIONS

Rants of Woodbury introduced to the House State Senator Steve Saland of New York. He is the President of the N.C.S.L.

The House rose and expressed its welcome.

The House was entertained by the 2001 Memorial Choir who sang "America The Beautiful" and a solo performed and written by the Honorable Merlin Bartz, state senator from Worth County.

A special thank you from Speaker Siegrist was given to the Honorable Mark Shearer, state senator from Washington County for directing the Memorial Choir.

The House rose and expressed its appreciation.

In honor of their fifty-sixth wedding anniversary, the Honorable John Connors and his wife Marge played the song "I Don't Want to Walk Without You" before the House.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Falck of Fayette on request of Speaker Siegrist.

## CONSIDERATION OF BILLS

### Regular Calendar

**House File 687**, a bill for an act relating to government accountability, by providing for strategic planning, performance measurement and reporting, performance audits, performance contracting, return on investment, and oversight, and providing for its implementation, was taken up for consideration.

Elgin 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. 687)

The ayes were, 80:

Atteberry	Barry	Bell	Boal
Boggess	Brauns	Broers	Brunkhorst
Bukta	Chiodo	Cphoon	Connors
Cormack	Dix	Dolecheck	Dotzler
Drake	Eddie	Elgin	Fallon
Finch	Foege	Frevert	Gipp
Greimann	Hahn	Hansen	Hatch
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Tremmel
Tymeson	Tyrrell	Van Fossen	Warnstadt
Weidman	Winckler	Witt	Mr. Speaker
			Siegrist

The nays were, 15:

Alons	Arnold	Baudler	Boddicker
Bradley	De Boef	Eichhorn	Garman
Heaton	Hoffman	Johnson	Kettering
Klemme	Teig	Van Engelenhoven	

Absent or not voting, 5:

Carroll	Falck	Ford	Grundberg
Wise			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 654**, a bill for an act relating to the amount of contributions to and accumulated increases in the value of certain retirement plans which are exempt from creditors and providing an effective date, was taken up for consideration.

Millage of Scott offered amendment H-1314 filed by him as follows:

H-1314

1 Amend House File 654 as follows:

2 1. Page 1, line 10, by inserting after the word  
3 "either:" the following: "of the following:"

4 2. Page 1, line 22, by inserting after the word  
5 "Code" the following: "to an individual retirement  
6 account or individual retirement annuity established  
7 under section 408(a) of the Internal Revenue Code, or  
8 an individual retirement annuity established under  
9 section 408(b) of the Internal Revenue Code, or a Roth  
10 individual retirement account, or a Roth individual  
11 retirement annuity established under section 408A of  
12 the Internal Revenue Code".

13 3. Page 1, line 34, by inserting after the word  
14 "meet" the following: "all of".

15 4. Page 2, line 29, by striking the words "in a"  
16 and inserting the following: "or".

17 5. Page 3, by striking line 13 and inserting the  
18 following: "pension plans, ~~Keogh plans~~ (also known as  
19 ~~Keogh plans~~ or H.R. 10 plans),".

20 6. Page 3, by striking lines 14 through 16 and  
21 inserting the following: "individual retirement  
22 ~~accounts, Roth individual retirement accounts~~  
23 ~~established under section 408(a) of the Internal~~  
24 ~~Revenue Code, individual retirement annuities~~

25 established under section 408(b) of the Internal  
 26 Revenue Code, savings incentive matched plans for".  
 27 7. Page 3, by striking lines 22 through 24 and  
 28 inserting the following: "~~or two thousand dollars,~~  
 29 ~~whichever is less~~ deducted for individual retirement  
 30 accounts established under section 408 of the Internal  
 31 Revenue Code. The exemption for accumulated earnings  
 32 and".  
 33 8. By renumbering as necessary.

Millage of Scott offered the following amendment H-1350, to amendment H-1314, filed by him and moved its adoption:

H-1350

1 Amend the amendment, H-1314, to House File 654 as  
 2 follows:  
 3 1. Page 1, line 6, by inserting after the word  
 4 "established" the following: "under section 408(d)(3)  
 5 of the Internal Revenue Code, or an individual  
 6 retirement account established".  
 7 2. Page 1, by striking lines 27 through 32 and  
 8 inserting the following:  
 9 "\_\_\_ Page 3, line 21, by inserting after the  
 10 word "contribution" the following: "deducted for  
 11 individual retirement accounts and annuities  
 12 established under section 408 of the Internal Revenue  
 13 Code"."

Amendment H-1350 was adopted.

On motion by Millage of Scott amendment H-1314, as amended, was adopted.

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. 654)

The ayes were, 95:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Chiodo	Cphoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie



Eichhorn	Elgin	Fallon	Finch
Foege	Frevert	Garman	Gipp
Greimann	Hahn	Hansen	Hatch
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Witt	Mr. Speaker	
		Siegrist	

The nays were, none.

Absent or not voting, 5:

Carroll	Falck	Ford	Grundberg
Wise			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 653**, a bill for an act relating to the imposition of a conditional discharge or a deferred judgment in a criminal sentence, was taken up for consideration.

Tremmel of Wapello offered the following amendment H-1296 filed by him and moved its adoption:

H-1296

- 1 Amend House File 653 as follows:
- 2 1. Page 1, by striking lines 3 through 5.
- 3 2. Page 1, by striking lines 6 through 8.
- 4 3. Page 1, by striking lines 16 through 18.
- 5 4. By renumbering as necessary.

Amendment H-1296 was adopted.

Tremmel 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. 653)

The ayes were, 93:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Finch	Foege
Ford	Frevert	Garman	Gipp
Greimann	Hahn	Hansen	Hatch
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Mr. Speaker			
Siegrist			

The nays were, 3:

Fallon	Raecker	Witt
--------	---------	------

Absent or not voting, 4:

Carroll	Falck	Grundberg	Wise
---------	-------	-----------	------

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 653, 654 and 687.**

HOUSE FILES PLACED ON THE  
UNFINISHED BUSINESS CALENDER

Rants of Woodbury asked and received unanimous consent that the following House Files be placed on the unfinished business calendar:

House File 401	House File 638
House File 402	House File 649
House File 436	House File 657
House File 453	House File 672
House File 456	House File 673
House File 593	House File 688
House File 614	House File 696

Gipp of Winneshiek in the chair at 10:00 a.m.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 4, 2001, he approved and transmitted to the Secretary of State the following bills:

House File 194, an act relating to nonsubstantive Code corrections and including effective and retroactive applicability provisions.

House File 549, an act providing for agricultural liens.

## PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty-six eighth grade students from Odebolt-Arthur Middle School, Odebolt, accompanied by Bob Mollhoff, Pippa Fineran and Bill Stehr. By Kettering of Sac.

Sixty eighth grade students from Urbandale Middle School, Urbandale, accompanied by Mrs. Houser, Mrs. Markway and Mrs. Raker. By Metcalf of Polk and Raecker of Polk.

### COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

#### DEPARTMENT OF NATURAL RESOURCES

A report regarding the status of Solid Waste Comprehensive Planning Areas and the State in attaining the July 1, 2000 fifty percent waste reduction and recycling goal, pursuant to Chapter 455D.3(3)(a), 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\814 Brij Patnaik, Denison – For being on the Academic All-State Team.
- 2001\815 Virgil Pickrell, Bloomfield – For celebrating his 80<sup>th</sup> birthday.
- 2001\816 Barb and Dean Birkenholtz, Newton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\817 Wilma and Bob Mott, Newton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\818 Joann and Bud Wall, Marshalltown – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\819 Rose and Edward Babinat, Marshalltown – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\820 Emmett Wickersham, Marshalltown – For celebrating his 102<sup>nd</sup> birthday.
- 2001\821 Wendell St. Clair, Marshalltown – For celebrating his 92<sup>nd</sup> birthday.
- 2001\822 Margaret Olson, Marshalltown – For celebrating her 90<sup>th</sup> birthday.
- 2001\823 Beulah Elliott, Marshalltown – For celebrating her 85<sup>th</sup> birthday.

- 2001\824 Evelyn Middleton, Marshalltown – For celebrating her 84<sup>th</sup> birthday.
- 2001\825 Irene Finders, Marshalltown – For celebrating her 80<sup>th</sup> birthday.
- 2001\826 Laura Samuelson, Stanhope – For celebrating her 90<sup>th</sup> birthday.
- 2001\827 Eveline and Gene Hixson, Toledo – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\828 David Hingstman, Iowa City – For being the director of the winning University of Iowa team at the National Debate Team Tournament.
- 2001\829 Rebecca Kobos, Coralville – For winning the 2001 Western Elementary Art Educator of the Year Award.
- 2001\830 Barbara Barnard Stein, Iowa City – For being named Iowa Media Professional of the Year by the Iowa Educational Media Association.
- 2001\831 Andrew Ryan, Iowa City – For winning the National Debate Team Tournament and the Top Individual Speaker Award.
- 2001\832 Candice Bellows, Dubuque – For being a State Finalist in the National Geographic Bee Contest.
- 2001\833 Allison Boardman, Dubuque – For being a State Finalist in the National Geographic Bee Contest.

### SUBCOMMITTEE ASSIGNMENTS

#### Senate Joint Resolution 3

Judiciary: Kettering, Chair; Broers and Kreiman.

#### Senate File 32

State Government: Bradley, Chair; Larkin and Metcalf.

#### Senate File 418

Labor and Industrial Relations: Horbach, Chair; Hoffman and T. Taylor.

#### Senate File 497

State Government: Gipp, Chair; Larkin and Metcalf.

### 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.

MARGARET A. THOMSON  
Chief Clerk of the House

COMMITTEE ON COMMERCE AND REGULATION

**Senate File 168**, a bill for an act relating to the granting of additional cable television franchises by a city.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1433** April 4, 2001.

COMMITTEE ON ECONOMIC DEVELOPMENT

**Senate File 81**, a bill for an act relating to limitations on the disbursement of economic development financial assistance moneys by state agencies.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1438** April 4, 2001.

COMMITTEE ON EDUCATION

**Senate File 240**, a bill for an act providing for a school investment partnership pilot program.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1437** April 4, 2001.

**Senate File 336**, a bill for an act relating to the authority of the state board of educational examiners to develop a code of professional rights and responsibilities, practices, and ethics for practitioners.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1439** April 4, 2001.

COMMITTEE ON ENVIRONMENTAL PROTECTION

**Senate File 410**, a bill for an act relating to the application of certain air quality requirements to indoor emission units or air contaminant sources.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1436** April 4, 2001.

**Senate File 462**, a bill for an act relating to the energy loan fund administered by the department of natural resources.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2001.

#### COMMITTEE ON HUMAN RESOURCES

**Senate File 99**, a bill for an act relating to the billing and accounting of charges for the state resource centers and mental health institutes administered by the department of human services.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2001.

**Senate File 114**, a bill for an act relating to the composition of the medical assistance advisory council.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1442** April 4, 2001.

#### COMMITTEE ON JUDICIARY

**House File 693**, a bill for an act to legalize certain ordinances and amendments considered and passed by the city of Davenport in accordance with procedures no longer valid, and providing an effective date and for retroactive applicability.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2001.

**Senate File 354**, a bill for an act relating to limitations on filing medical assistance claims against a decedent's estate.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2001.

**Senate File 392**, a bill for an act relating to appeals filed in juvenile court proceedings.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2001.

#### COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

**Senate File 418**, a bill for an act relating to unemployment compensation by providing that social security pension payments are nondeductible from unemployment benefits and providing for coverage for employment by an Indian tribe and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2001.

#### COMMITTEE ON LOCAL GOVERNMENT

**Senate File 313**, a bill for an act relating to removal of county board of supervisor appointees.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2001.

#### COMMITTEE ON STATE GOVERNMENT

**Senate File 242**, a bill for an act relating to the rules regarding the authentication of practitioners' medication and standing orders in hospitals.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2001.

**Senate File 342**, a bill for an act requiring voters to present identification containing a photograph to poll workers prior to voting.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1444** April 4, 2001.

**Senate File 349**, a bill for an act relating to certain filings relating to executive and legislative ethics.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1440** April 4, 2001.

#### COMMITTEE ON TRANSPORTATION

**Senate File 350**, a bill for an act making transportation-related Code changes relating to temporary restricted permits and temporary entry and exit permits, railroad crossings, the content of driver's licenses and nonoperator's identification cards, child restraint devices in motor vehicles, hours of service, unsatisfied judgments, and bulk liquid transport.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1443** April 5, 2001.



## RESOLUTIONS FILED

**HR 32**, by Boal, Finch, Baudler, Tymeson, Huseman, Jacobs, Elgin, Jenkins, Boggess, Roberts, Weidman, Gipp, Arnold, Teig, Eddie, Horbach, Tyrrell, Alons, Rekow, Drake, Cormack, Rayhons, Dolecheck, Hahn, Kettering, Hoffman, Dix, Eichhorn, Garman, Johnson, Heaton, Raecker, Brunkhorst, Brauns, Van Fossen, Hansen, Carroll, Van Engelenhoven, Sukup, Larson, Metcalf, Atteberry, Bradley, Grundberg, De Boef, Broers, Frevert, and Greimann, a resolution congratulating the Iowa State Cyclones Women's Basketball Team.

Laid over under **Rule 25**.

**HR 33**, by Reynolds, Alons, Arnold, Atteberry, Barry, Baudler, Bell, Boal, Boddicker, Boggess, Bradley, Brauns, Broers, Brunkhorst, Bukta, Carroll, Chiodo, Cohoon, Connors, Cormack, De Boef, Dix, Dolecheck, Dotzler, Drake, Eddie, Eichhorn, Elgin, Falck, Fallon, Finch, Foege, Ford, Frevert, Garman, Gipp, Greimann, Grundberg, Hahn, Hansen, Hatch, Heaton, Hoffman, Horbach, Houser, Hoversten, Huseman, Huser, Jacobs, Jenkins, Jochum, Johnson, Kettering, Klemme, Kreiman, Kuhn, Larkin, Larson, Lensing, Manternach, Mascher, May, Mertz, Metcalf, Millage, Murphy, Myers, O'Brien, Osterhaus, Petersen, Quirk, Raecker, Rants, Rayhons, Rekow, Richardson, Roberts, Scherrman, Schrader, Seng, Shey, Shoultz, Siegrist, Sievers, Smith, Stevens, Sukup, D. Taylor, T. Taylor, Teig, Tremmel, Tymeson, Tyrrell, Van Engelenhoven, Van Fossen, Warnstadt, Weidman, Winckler, Wise, and Witt, a resolution honoring the Des Moines Register's 2001 Academic All-State Team.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-1433	S.F.	168	Committee on Commerce and Regulation
H-1434	H.F.	661	Lensing of Johnson
H-1435	S.F.	437	Cormack of Webster
H-1436	S.F.	410	Committee on Environmental Protection
H-1437	S.F.	240	Committee on Education

H-1438	S.F.	81	Committee on Economic Development
H-1439	S.F.	336	Committee on Education
H-1440	S.F.	349	Committee on State Government
H-1441	S.F.	458	Kreiman of Davis
H-1442	S.F.	114	Committee on Human Resources
H-1443	S.F.	350	Committee on Transportation
H-1444	S.F.	342	Committee on State Government

On motion by Rants of Woodbury the House adjourned at 10:43 a.m., until 9:30 a.m., Friday, April 6, 2001.

# JOURNAL OF THE HOUSE

Eighty-ninth Calendar Day - Sixty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, April 6, 2001

The House met pursuant to adjournment at 9:22 a.m., Foege of Linn in the chair.

Prayer was offered by the Honorable Ro Foege, state representative from Linn County.

The Journal of Thursday, April 5, 2001 was approved.

## EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 5, 2001. Had I been present, I would have voted "aye" on House Files 653, 654 and 687.

CARROLL of Poweshiek

## BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 5, 2001, he approved and transmitted to the Secretary of State the following bill:

House File 89, an act relating to the supervision of curriculum received via the Iowa communications network.

## SUBCOMMITTEE ASSIGNMENT

**Senate File 425**  
**(Committee of the Whole)**

Commerce and Regulation: Metcalf, Chair; Bradley, Chiodo, Dix, Hansen, Hoffman, Jacobs, Jenkins, Johnson, Kettering, Osterhaus, Petersen, Quirk, Raecker, Schrader, Seng, Shey, Van Fossen and Wise.

## 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.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON COMMERCE AND REGULATION

**Senate File 425**, a bill for an act relating to standards of and participation in the title guaranty program.

Fiscal Note is not required.

**Recommended Amend and Do Pass with amendment H-1447** April 5, 2001.

**Senate File 473**, a bill for an act relating to the regulation of securities, by defining the terms "agent" and "security", providing registration requirements, providing for disciplinary actions, imposing fees and civil penalties, providing for testimony and the production of evidence, authorizing cooperation with law enforcement entities, providing criminal penalties, and eliminating reporting requirements.

Fiscal Note is not required.

**Recommended Amend and Do Pass with amendment H-1448** April 5, 2001.

## COMMITTEE ON HUMAN RESOURCES

**Senate File 394**, a bill for an act relating to hospital and birth center licensure, including licensing fees, and providing an effective date.

Fiscal Note is not required.

**Recommended Amend and Do Pass with amendment H-1445** April 5, 2001.

**Pursuant to Rule 31.7, Senate File 394 was referred to the committee on ways and means.**

**Senate File 466**, a bill for an act relating to child care and protection public policy provisions involving children.

Fiscal Note is not required.

**Recommended Amend and Do Pass with amendment H-1446** April 5, 2001.

## COMMITTEE ON JUDICIARY

**Senate Joint Resolution 3**, a joint resolution authorizing the sixth judicial district department of correctional services to extend a lease-purchase agreement and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2001.

**Senate File 419**, a bill for an act providing for protection from domestic abuse for persons in an intimate relationship.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2001.

**Senate File 486**, a bill for an act relating to the assessment of a law enforcement initiative surcharge on certain criminal offenses.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2001.

**Pursuant to Rule 31.7, Senate File 486 was referred to the committee on ways and means.**

## COMMITTEE ON STATE GOVERNMENT

**Senate File 344**, a bill for an act restricting the exemption in the public records law for communications made to government bodies.

Fiscal Note is not required.

Recommended **Do Pass** April 5, 2001.

**Senate File 497**, a bill for an act relating to the governance of the Iowa public employees' retirement system and providing an effective date.

Fiscal Note is required.

Recommended **Do Pass** April 5, 2001.

## AMENDMENTS FILED

H-1445	S.F.	394	Committee on Human Resources
H-1446	S.F.	466	Committee on Human Resources
H-1447	S.F.	425	Committee on Commerce and Regulation

H-1448      S.F.      473      Committee on Commerce and  
Regulation

On motion by Dotzler of Black Hawk the House adjourned at 9:24 a.m., until 1:00 p.m., Monday, April 9, 2001.

# JOURNAL OF THE HOUSE

Ninety-second Calendar Day - Sixty-third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, April 9, 2001

The House met pursuant to adjournment at 1:09 p.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Jim Morris, pastor of the United Methodist Church, Emmetsburg. He was the guest of Representative Marcie Frevert of Palo Alto County.

The Journal of Friday, April 6, 2001 was approved.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Grant Wood All City Drum Corps, directed by Slayton Thompson, Cedar Rapids. A medallion was presented to the Speaker by members of the Drum Corps.

The House rose and expressed its welcome.

## 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, 2001, adopted the following resolution in which the concurrence of the Senate was asked:

House Joint Resolution 11, a joint resolution to nullify administrative rules of the department of natural resources requiring a harvest report of wild turkeys by resident and nonresident hunters, and providing an effective date.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 225, a bill for an act providing for the reorganization of districts for the election of Iowa state fair board directors, and providing for an election.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 272, a bill for an act relating to felonious misconduct by a public officer or employee and providing a penalty.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 293, a bill for an act relating to the duties of the board of directors of a school district prior to a regular school election.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 353, a bill for an act relating to the amount of classroom instruction offered in an approved driver education course as programmed by the department of education.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 400, a bill for an act relating to the regulation of real estate appraisers.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 451, a bill for an act regulating the practice of accounting, establishing fees, providing penalties, and providing an effective date.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 462, a bill for an act relating to the reimbursement of administrative costs of an area education agency for services provided by the agency under part C of the federal Individuals With Disabilities Education Act, and providing an effective date.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 481, a bill for an act relating to the establishment of city precincts and providing an effective date.

Also: That the Senate has on April 9, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 560, a bill for an act relating to child foster care regulatory requirements and providing an effective date.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the Senate was asked:



House File 566, a bill for an act relating to the terms "registered voter", "eligible elector", and "qualified voter" for purposes of elections, voter registration, statutory petition requirements, absentee voting by armed forces, and drainage district elections.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 624, a bill for an act relating to the appointment and dismissal of a police chief or marshal under a mayor-council form of city government.

Also: That the Senate has on April 9, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 8, a concurrent resolution urging United States Congressional support for the Railroad Retirement and Survivors Improvement Act.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 259, a bill for an act relating to the victim rights compensation fund.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 511, a bill for an act to legalize certain ordinances and amendments considered and passed by the city of Davenport in accordance with procedures no longer valid, and providing an effective date and for retroactive applicability.

MICHAEL E. MARSHALL, Secretary

Speaker pro tempore Sukup in the chair at 1:17 p.m.

### SPECIAL PRESENTATION

Alons of Sioux introduced faculty, coaches and the men's and women's basketball team members from Northwestern College of Orange City.

The House rose and expressed its welcome.

### ADOPTION OF HOUSE RESOLUTION 27

Alons of Sioux called up for consideration **House Resolution 27**, a resolution congratulating the Men's and Women's Basketball Teams of Northwestern College of Orange City, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 1:26 p.m., until the fall of the gavel.

The House resumed session at 3:44 p.m., Carroll of Poweshiek in the chair.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Falck of Fayette on request of Myers of Johnson; Grundberg of Polk on request of Speaker Siegrist.

### 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 9, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 256, a bill for an act relating to health care facility regulation, including information to be included in a notice of a deficiency and including the consultation of the department of inspections and appeals and the state fire marshal in promulgating rules.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 309, a bill for an act to legalize participation in an instructional support program by the West Bend-Mallard Community School District and providing an effective and retroactive applicability date.

Also: That the Senate has on April 9, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 567, a bill for an act providing for a legal risk waiver in interstate adoptions.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 569, a bill for an act relating to the proposed uniform computer information transactions Act.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 628, a bill for an act relating to the regulation of grain dealers by providing an exception for limited liability companies that produce renewable fuel.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 636, a bill for an act relating to the reporting of underground storage tanks and to benefits provided through funds administered by the Iowa comprehensive petroleum underground storage tank fund board.

Also: That the Senate has on April 9, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 515, a bill for an act providing for the crossing of railroad rights-of-way by public utilities, and providing applicability dates.

MICHAEL E. MARSHALL, Secretary

## SENATE MESSAGES CONSIDERED

**Senate File 259**, by committee on judiciary, a bill for an act relating to the victim rights compensation fund.

Read first time and **passed on file**.

**Senate File 511**, by Tinsman and Deluhery, a bill for an act to legalize certain ordinances and amendments considered and passed by the city of Davenport in accordance with procedures no longer valid, and providing an effective date and for retroactive applicability.

Read first time and **passed on file**.

## CONSIDERATION OF BILLS Unfinished Business Calendar

**House File 402**, a bill for an act eliminating filing and service fees for plaintiffs seeking relief from domestic abuse, was taken up for consideration.

## QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-three members present, twenty-seven absent.

Kreiman of Davis offered the following amendment H-1202 filed by him and Broers of Cerro Gordo and moved its adoption:

H-1202

- 1 Amend House File 402 as follows:
- 2 1. Page 1, line 4, by inserting after the word
- 3 "fee" the following: "and court costs".
- 4 2. Page 1, lines 5 and 6, by striking the words
- 5 "court administrator" and inserting the following:
- 6 "clerk of court".
- 7 3. Page 1, by striking line 9 and inserting the
- 8 following: "the petitioner. When an order for
- 9 protection is entered by the court, the court may
- 10 direct the defendant to pay to".
- 11 4. Page 1, by striking line 10 and inserting the
- 12 following: "the clerk of court the plaintiff's filing
- 13 fees and".
- 14 5. Page 1, line 15, by inserting after the word
- 15 "amended" the following: "to read".
- 16 6. Title page, line 1, by inserting after the
- 17 word "eliminating" the following: "court costs and".
- 18 7. By renumbering as necessary.

Amendment H-1202 was adopted.

### SENATE FILE 347 SUBSTITUTED FOR HOUSE FILE 402

Broers of Cerro Gordo asked and received unanimous consent to substitute Senate File 347 for House File 402.

**Senate File 347**, a bill for an act eliminating court costs and filing and service fees for plaintiffs seeking relief from domestic abuse, was taken up for consideration.

Broers 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. 347)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Fallon	Finch
Foege	Ford	Frevert	Garman

Gipp	Greimann	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Siegrist, Spkr.	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Carroll, Presiding			

The nays were, none.

Absent or not voting, 3:

Falck	Grundberg	Houser
-------	-----------	--------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 402 WITHDRAWN

Broers of Cerro Gordo asked and received unanimous consent to withdraw House File 402 from further consideration by the House.

**House File 401**, a bill for an act relating to charitable gift annuities, by providing for notice and filing requirements and providing for penalties, was taken up for consideration.

### SENATE FILE 102 SUBSTITUTED FOR HOUSE FILE 401

Hoffman of Crawford asked and received unanimous consent to substitute Senate File 102 for House File 401.

**Senate File 102**, a bill for an act relating to charitable gift annuities, by providing for notice and filing requirements and providing for penalties, 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. 102)

The ayes were, 95:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Siegrist, Spkr.	Sievers
Smith	Stevens	Sukup	Taylor, D.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Warnstadt	Weidman	Winckler
Wise	Witt	Carroll,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Falck	Grundberg	Houser	Taylor, T.
Van Fossen			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 401 WITHDRAWN

Hoffman of Crawford asked and received unanimous consent to withdraw House File 401 from further consideration by the House.

## IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 102 and 347.**

**House File 436**, a bill for an act creating a new criminal offense of escape from custody by a sexually violent predator civilly committed to confinement and providing a penalty, was taken up for consideration.

## SENATE FILE 94 SUBSTITUTED FOR HOUSE FILE 436

Broers of Cerro Gordo asked and received unanimous consent to substitute Senate File 94 for House File 436.

**Senate File 94**, a bill for an act creating a new criminal offense of escape from custody by a sexually violent predator civilly committed to confinement and providing a penalty, was taken up for consideration.

Broers 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. 94)

The ayes were, 95:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus

Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Siegrist, Spkr.	Sievers
Smith	Stevens	Sukup	Taylor, D.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Warnstadt	Weidman	Winckler
Wise	Witt	Carroll,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Falck	Grundberg	Houser	Taylor, T.
Van Fossen			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 436 WITHDRAWN

Broers of Cerro Gordo asked and received unanimous consent to withdraw House File 436 from further consideration by the House.

### IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that **Senate File 94** be immediately messaged to the Senate.

### EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 5, 2001. Had I been present, I would have voted "aye" on House Files 654 and 687.

FORD of Polk

I was necessarily absent from the House chamber on April 9, 2001. Had I been present, I would have voted "aye" on Senate Files 94 and 102.

T. TAYLOR of Linn



## COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

### AUDITOR OF STATE

The Independent Auditor's Report, pursuant to Chapter 11.25(2), Code of Iowa.

### DEPARTMENT OF TRANSPORTATION

The Quadrennial Need Study Report on Highways, Roads, and Streets for Study Years 1998-2017, pursuant to Chapter 307A.2(14)(a), 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.

**MARGARET A. THOMSON**  
Chief Clerk of the House

- 2001\834 Ron Worley, Graettinger – For his 35 years of dedicated service to Graettinger High School, especially to the Government and History departments.
- 2001\835 Cecil and Hazel Brim, Grinnell – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\836 Leo and Nellie Vande Krol, Sully – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\837 Frank and Gladys Strovers, Grinnell – For celebrating their 71<sup>st</sup> wedding anniversary.
- 2001\838 Vern and Mary Welch, Brooklyn – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\839 Neita Banta, Grinnell – For celebrating her 85<sup>th</sup> birthday.
- 2001\840 Charles McDaniel, Grinnell – For celebrating his 80<sup>th</sup> birthday.
- 2001\841 Andrew Peterson, Iowa City – For being the winner of the National Debate Team Tournament.
- 2001\842 Alice Heitmann, Holstein – For celebrating her 80<sup>th</sup> birthday.
- 2001\843 Edith Krohn, Sac City – For celebrating her 80<sup>th</sup> birthday.

- 2001\844 Myrtle Johnson, Sac City – For celebrating her 91<sup>st</sup> birthday.
- 2001\845 Bill and Karen Symonds, Clear Lake – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\846 Buford and Violet Christensen, Mason City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\847 Bertha and Robert Smith, Adair – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\848 Jean and Gerald Reed, Greenfield – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\849 Martelle and Ward Kraft, Yale – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\850 Ward Kraft, Yale – For celebrating his 90<sup>th</sup> birthday.
- 2001\851 Minnie Shoesmith, Guthrie Center – For celebrating her 91<sup>st</sup> birthday.
- 2001\852 Helen Keesey, Winterset – For celebrating her 90<sup>th</sup> birthday.
- 2001\853 Detective Dave Hinton, Keokuk – For being named "Policeman of the Year" by the Keokuk Kiwanis Club.

### 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.

MARGARET A. THOMSON  
Chief Clerk of the House

### COMMITTEE ON AGRICULTURE

**Senate File 494**, a bill for an act relating to disputes in mediation involving agricultural operations.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1452** April 5, 2001.

Pursuant to Rule 31.7, **Senate File 494** was referred to the committee on judiciary.

## COMMITTEE ON EDUCATION

**Senate File 348**, a bill for an act relating to the establishment of Iowa charter schools and providing for a conditional effective date.

Fiscal Note is not required.

**Recommended Amend and Do Pass with amendment H-1450** April 5, 2001.

**Senate File 412**, a bill for an act relating to the compulsory attendance age and attendance at school during the regular school calendar by a child who has reached the age of sixteen.

Fiscal Note is not required.

**Recommended Do Pass** April 5, 2001.

## COMMITTEE ON HUMAN RESOURCES

**Senate File 428**, a bill for an act requiring the department of human services to establish a statewide central intake unit for receiving reports of child abuse.

Fiscal Note is not required.

**Recommended Amend and Do Pass with amendment H-1451** April 5, 2001.

**Pursuant to Rule 31.7, Senate File 428 was referred to the committee on appropriations.**

## COMMITTEE ON JUDICIARY

**Senate File 346**, a bill for an act relating to the department of corrections by providing for the use of deadly force by correctional or peace officers, for submission of presentence investigation reports to the department, for establishing a training fund in the department, for transcription and recording of testimony for certain investigations conducted by the department of corrections, and for purchases by a department or agency from Iowa state industries.

Fiscal Note is not required.

**Recommended Amend and Do Pass with amendment H-1461** April 4, 2001.

**Senate File 485**, a bill for an act relating to jurisdiction in criminal forfeiture proceedings.

Fiscal Note is not required.

**Recommended Amend and Do Pass with amendment H-1459** April 5, 2001.

## COMMITTEE ON TRANSPORTATION

**Senate File 341**, a bill for an act making modifications to certain transportation-related fines, penalties, and registration fees for vehicles nine model years old or older, and providing an effective date.

Fiscal Note is not required.

Committee Action: **Failed to Pass** April 4, 2001.

## RESOLUTIONS FILED

**HR 34**, by Raecker, Grundberg, Myers, Mascher, Fallon, Kuhn, Quirk, Greimann, Hatch, Smith, Kreiman, Jochum, Falck, Richardson, Witt, T. Taylor, Reynolds, Dotzler, Mertz, Stevens, Foege, Petersen, Lensing, Winckler, Larkin, Wise, Bukta, O'Brien, Cohoon, May, Huser, Osterhaus, Jacobs, Teig, Van Engelenhoven, Johnson, Alons, De Boef, Boal, Metcalf, Dix, Broers, Garman, Boddicker, Cormack, Eichhorn, Rayhons, Heaton, Brunkhorst, Hansen, Eddie, Gipp, Tyrrell, Klemme, Kettering, Drake, Rekow, Tymeson, Finch, Roberts, Dolecheck, Hahn, Baudler, Weidman, Brauns, Shey, Huseman, Sievers, Hoffman, Jenkins, Boggess, and Elgin, a resolution honoring the University of Iowa Women's Basketball Team and Coach Lisa Bluder.

Laid over under **Rule 25**.

**HR 35**, by Tymeson, Warnstadt, Alons, Hoffman, and Kettering, a resolution recognizing Task Force Charlie of the Iowa Army National Guard for its dedication and outstanding performance of duty.

Laid over under **Rule 25**.

**SCR 8**, by Iverson, Drake, Rittmer, Horn, Dearden, and Gronstal, a concurrent resolution urging United States Congressional support for the Railroad Retirement and Survivors Improvement Act.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-1449	H.F.	560	Senate Amendment
H-1450	S.F.	348	Committee on Education
H-1451	S.F.	428	Committee on Human Resources
H-1452	S.F.	494	Committee on Agriculture
H-1453	H.F.	567	Senate Amendment
H-1454	S.F.	342	Jacobs of Polk
H-1455	S.F.	355	Eichhorn of Hamilton
H-1456	S.F.	372	Petersen of Polk
H-1457	H.F.	324	Huser of Polk
			Brauns of Muscatine
H-1458	S.F.	410	Schrader of Marion
H-1459	S.F.	485	Committee on Judiciary
H-1460	S.F.	499	Committee on Judiciary
H-1461	S.F.	346	Committee on Judiciary
H-1462	S.F.	419	Millage of Scott

On motion by Rants of Woodbury the House adjourned at 4:13 p.m., until 8:45 a.m., Tuesday, April 10, 2001.

# JOURNAL OF THE HOUSE

Ninety-third Calendar Day - Sixty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, April 10, 2001

The House met pursuant to adjournment at 8:48 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Nancy Solomonson, pastor of Our Savior's Lutheran Church, Cedar Rapids. She was the guest of Representative Bob Osterhaus of Jackson County.

The Journal of Monday, April 9, 2001 was approved.

## SENATE MESSAGE CONSIDERED

**Senate File 515**, by Iverson and Gronstal, a bill for an act providing for the crossing of railroad rights-of-way by public utilities, and providing applicability dates.

Read first time and referred to committee on **commerce and regulation**.

## SPECIAL PRESENTATION

Speaker Siegrist introduced to the House the Honorable Joe Ertl, former state representative from Dubuque County.

The House rose and expressed its welcome.

## CONSIDERATION OF BILL

Regular Calendar

**Senate File 114**, a bill for an act relating to the composition of the medical assistance advisory council, with report of committee recommending amendment and passage, was taken up for consideration.

Hoversten of Woodbury offered the following amendment H-1442 filed by the committee on human resources and moved its adoption:

H-1442

- 1 Amend Senate File 114, as passed by the Senate, as
- 2 follows:
- 3 1. Page 5, line 27, by inserting after the word
- 4 "physicians," the following: "the Iowa chapter of the
- 5 American academy of pediatrics,".
- 6 2. Page 6, line 27, by inserting after the word
- 7 "director;" the following: "the dean of Des Moines
- 8 university-osteopathic medical center, or a
- 9 representative designated by the dean;".

Speaker pro tempore Sukup in the chair at 9:02 a.m.

The committee amendment H-1442 was adopted.

Rants of Woodbury asked and received unanimous consent that Senate File 114 be deferred and that the bill retain its place on the calendar.

On motion by Rants of Woodbury, the House was recessed at 9:08 a.m., until 3:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 3:25 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 eighty members present, twenty 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 10, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 178, a bill for an act applying child in need of assistance and child abuse provisions to a child whose parent or guardian or the person responsible for the child's care has manufactured or possessed a dangerous substance in a child's presence.

Also: That the Senate has on April 10, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 259, a bill for an act relating to the duties and office of the secretary of state in commissioning notarial officers.

Also: That the Senate has on April 10, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 270, a bill for an act striking certain filing requirements related to campus crime statistics and sexual abuse policies.

Also: That the Senate has on April 10, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 469, a bill for an act requiring agricultural equipment suppliers to repurchase certain items upon termination of an agricultural equipment dealership agreement.

MICHAEL E. MARSHALL, Secretary

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Falck of Fayette on request of Myers of Johnson; Grundberg of Polk on request of Rants of Woodbury.

### HOUSE FILES REREFERRED TO COMMITTEE

Rants of Woodbury asked and received unanimous consent that the following bills be rereferred to the committees as listed:

House File 42	State Government
House File 81	State Government
House File 116	Human Resources
House File 141	State Government
House File 184	Natural Resources
House File 193	State Government
House File 239	Economic Development
House File 244	Judiciary
House File 268	Transportation
House File 350	Economic Development
House File 434	Transportation
House File 450	Human Resources
House File 452	Human Resources



House File 457	Local Government
House File 517	Human Resources
House File 525	Judiciary
House File 578	Education
House File 588	Judiciary
House File 589	Judiciary
House File 591	Human Resources
House File 613	Judiciary
House File 615	Judiciary
House File 617	Agriculture
House File 618	Natural Resources
House File 642	Natural Resources
House File 645	Judiciary
House File 646	Judiciary
House File 648	Human Resources
House File 661	Environmental Protection
House File 682	Human Resources
House File 689	Human Resources
House File 690	Human Resources
House File 691	Human Resources

The House stood at ease at 3:33 p.m., until the fall of the gavel.

The House resumed session at 4:21 p.m., Speaker Siegrist in the chair.

### MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 10, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 294, a bill for an act relating to contracts and compensation that benefit a member of the board of directors of a school district.

MICHAEL E. MARSHALL, Secretary

### CONSIDERATION OF BILLS Regular Calendar

**Senate File 410**, a bill for an act relating to the application of certain air quality requirements to indoor emission units or air

contaminant sources, with report of committee recommending amendment and passage, was taken up for consideration.

Bradley of Clinton offered amendment H-1436 filed by the committee on environmental protection as follows:

H-1436

- 1 Amend Senate File 410, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 5 through 7, and
- 4 inserting the following: "directly exhausted to the
- 5 outside atmosphere. "Indoor source" includes,".
- 6 2. Page 3, line 14, by striking the word
- 7 "Division" and inserting the following: "Except as
- 8 provided in section 455B.133, subsection 6, paragraph
- 9 "e", division".

Schrader of Marion offered the following amendment H-1458, to the committee amendment H-1436, filed by him and moved its adoption:

H-1458

- 1 Amend the amendment, H-1436, to Senate File 410, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 3 through 5.

Roll call was requested by Schrader of Marion and Myers of Johnson.

On the question "Shall amendment H-1458, to the committee amendment H-1436 be adopted?" (S.F. 410)

The ayes were, 36:

Arnold	Bukta	Cohoon	Connors
Dotzler	Fallon	Foege	Ford
Frevert	Garman	Greimann	Hatch
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	Murphy	Myers
Osterhaus	Petersen	Reynolds	Richardson
Scherrman	Schrader	Seng	Shoultz
Smith	Stevens	Taylor, D.	Taylor, T.
Tremmel	Warnstadt	Winckler	Witt

The nays were, 62:

Alons	Atteberry	Barry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Carroll	Chiodo	Cormack	De Boef
Dix	Dolecheck	Drake	Eddie
Eichhorn	Elgin	Falck	Finch
Gipp	Hahn	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Johnson
Kettering	Klemme	Larson	Manternach
May	Mertz	Metcalf	Millage
O'Brien	Quirk	Raecker	Rants
Rayhons	Rekow	Roberts	Shey
Sievers	Sukup	Teig	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Wise	Mr. Speaker		
	Siegrist		

Absent or not voting, 2:

Grundberg                  Hansen

Amendment H-1458 lost.

Jochum of Dubuque offered the following amendment H-1472, to the committee amendment H-1436, filed by her from the floor and moved its adoption:

H-1472

- 1 Amend the amendment, H-1436, to Senate File 410, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by inserting after line 5 the
- 5 following:
- 6 "\_\_\_\_. Page 2, by inserting after line 18 the
- 7 following:
- 8 "Sec.\_\_\_\_. Section 455B.133, Code 2001, is amended
- 9 by adding the following new subsection:
- 10 NEW SUBSECTION. 10. Develop comprehensive plans
- 11 and programs for the abatement, control, and
- 12 prevention of airborne pollutants originating from
- 13 confinement feeding operations. The plans may include
- 14 schedules for compliance. The standards may vary
- 15 based on the animal weight capacity of the confinement
- 16 feeding operation and the distance from an object or
- 17 location for which a separation distance is required
- 18 pursuant to section 455B.162. The standards, to every

- 19 extent practicable, shall apply to gases that may have  
 20 a deleterious effect upon human health, including but  
 21 not limited to hydrogen sulfide, ammonia, methane, and  
 22 any class of mercaptan. The standards shall not apply  
 23 to small animal feeding operations.""  
 24 2. By renumbering as necessary.

Amendment H-1472 lost.

On motion by Bradley of Clinton the committee amendment H-1436 was adopted, placing out of order amendment H-1463 filed by Jochum of Dubuque from the floor.

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. 410)

The ayes were, 78:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Cormack	De Boef	Dix
Dolecheck	Drake	Eddie	Eichhorn
Elgin	Falck	Finch	Foege
Ford	Garman	Gipp	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Johnson
Kettering	Klemme	Larkin	Larson
Manternach	May	Mertz	Metcalf
Millage	Myers	O'Brien	Quirk
Raecker	Rants	Rayhons	Rekow
Richardson	Roberts	Seng	Shey
Sievers	Smith	Stevens	Sukup
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, 21:

Connors	Dotzler	Fallon	Frevert
Greimann	Jochum	Kreiman	Kuhn
Lensing	Mascher	Murphy	Osterhaus
Petersen	Reynolds	Scherrman	Schrader

Shultz  
Winckler

Taylor, D.

Taylor, T.

Tremmel

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.

## SENATE AMENDMENT CONSIDERED

Huser of Polk called up for consideration **House File 324**, a bill for an act relating to transportation, including provisions on road projects, vehicle sales, movement, and reports, and mailing of notices, and providing a penalty and an effective date, amended by the Senate amendment H-1380 as follows:

H-1380

- 1 Amend House File 324, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 2, line 19, by striking the words
- 4 "improvement, or repair or maintenance" and inserting
- 5 the following: "or improvement".
- 6 2. Page 3, line 3, by striking the words
- 7 "improvement, or repair or maintenance" and inserting
- 8 the following: "or improvement".
- 9 3. Page 4, line 19, by inserting after the figure
- 10 "384.96" the following: ", as modified by the bid
- 11 threshold subcommittee pursuant to section 314.1B.".
- 12 4. Page 4, line 23, by inserting after the words
- 13 "excess of" the following: "a threshold of".
- 14 5. Page 4, line 23, by inserting after the word
- 15 "dollars," the following: "as modified by the bid
- 16 threshold subcommittee pursuant to section 314.1B.".
- 17 6. By striking page 4, line 35, through page 5,
- 18 line 15, and inserting the following: "reject any or
- 19 all bids, or. The agency may readvertise and relet
- 20 the project without conducting an additional public
- 21 hearing if no substantial changes are made to the
- 22 project's plans or specifications. The agency may let
- 23 by private contract or build by day labor, at a cost
- 24 not in excess of the lowest bid received."
- 25 7. Page 6, by inserting after line 9 the
- 26 following:
- 27 "Sec. \_\_\_\_ NEW SECTION. 314.1B BID THRESHOLD
- 28 SUBCOMMITTEE - ADJUSTMENTS - NOTICE.
- 29 1. The director of the department shall appoint,

30 from the members of the advisory committee established  
31 under section 314.1A, a bid threshold subcommittee.  
32 The subcommittee shall consist of seven members, three  
33 of whom shall be representatives of local public  
34 sector agencies, three of whom shall be  
35 representatives of private sector contractor  
36 organizations, and with the remaining member being the  
37 director or the director's designee, who shall serve  
38 as chairperson of the subcommittee. a vacancy in the  
39 membership of the subcommittee shall be filled by the  
40 director.  
41 2. a. The subcommittee shall review the  
42 competitive bid thresholds applicable to city and  
43 county highway, bridge, and culvert projects. The  
44 subcommittee shall review price adjustments for all  
45 types of city and county highway, bridge, and culvert  
46 construction, reconstruction, and improvement  
47 projects, based on changes in the construction price  
48 index from the preceding year. Upon completion of the  
49 review the subcommittee may make adjustments in the  
50 applicable bid thresholds for types of work based on

## Page 2

1 the price adjustments.  
2 b. A bid threshold shall not be adjusted to an  
3 amount that is less than the bid threshold applicable  
4 to a city or county on the effective date of this  
5 section of this Act, as provided in section 73A.18,  
6 309.40, 310.14, 314.1, or 384.96. An adjusted bid  
7 threshold shall take effect as provided in subsection  
8 3, and shall remain in effect until a new adjusted bid  
9 threshold is established and becomes effective as  
10 provided in this section.  
11 3. The subcommittee shall meet to conduct the  
12 review and make the adjustments described in this  
13 section on or before August 1 of every other year, or  
14 of every year if determined necessary by the  
15 subcommittee, with the first meeting occurring on or  
16 before August 1, 2002. By September 1 of each year in  
17 which the subcommittee makes adjustments in the bid  
18 thresholds, the director shall cause an advisory  
19 notice to be published in the Iowa administrative  
20 bulletin and in a newspaper of general circulation in  
21 this state, stating the adjusted bid thresholds to be  
22 in effect on January 1 of the following year, as  
23 established by the subcommittee under this section."  
24 8. Page 6, by striking lines 10 through 24.  
25 9. Page 7, line 6, by inserting after the word  
26 "USE" the following: " – RULES".  
27 10. Page 7, by striking lines 7 through 12 and  
28 inserting the following:

29 " \_\_\_\_\_. The rules adopted by the department pursuant  
30 to section 314.1A, as enacted in this Act, shall be in  
31 draft form prior to December 31, 2001, and shall  
32 specifically define the terms "construction",  
33 "reconstruction", "improvement", and "repair or  
34 maintenance" as such terms relate to highway, bridge,  
35 and culvert projects."

36 11. Page 7, line 14, by striking the word  
37 "purchase" and inserting the following:  
38 "procurement".

39 12. Page 7, line 18, by striking the word  
40 "purchase" and inserting the following:  
41 "procurement".

42 13. Page 7, line 21, by striking the word  
43 "purchasing" and inserting the following:  
44 "procurement".

45 14. Page 7, by inserting before line 23, the  
46 following:

47 "Sec. 101. DISPLACEMENT OF EMPLOYEES – OTHER  
48 EMPLOYMENT – RECALL. If a city or county employee is  
49 displaced from employment as a result of a city's or  
50 county's compliance with the provisions of this

### Page 3

1 division of this Act, which enact section 314.1,  
2 subsection 2, and amend section 314.1, unnumbered  
3 paragraph 2, and redesignate that unnumbered paragraph  
4 as section 314.1, subsection 3, the city or county  
5 shall offer the displaced employee other available  
6 employment with the city or county, as applicable. A  
7 city or county employee who is placed in such other  
8 employment or who elected to be laid off shall be  
9 eligible for recall to the position held by the  
10 employee at the time of displacement. This provision  
11 shall not supersede the provisions of any applicable  
12 collective bargaining agreement."

13 15. Page 7, by inserting after line 30, the  
14 following:

15 " \_\_\_\_\_. The provision enacting section 314.1B.

16 \_\_\_\_\_. Section 101 of this Act relating to the  
17 displacement of employees."

18 16. Page 18, by inserting after line 26 the  
19 following:

20 "Sec. 101. RETROACTIVE APPLICABILITY. The  
21 following provisions of this Act shall apply  
22 retroactively to April 25, 1999:

23 1. Section 34 of this Act, adding section 322A.1,  
24 subsection 9A.

25 2. Section 35 of this Act, amending section  
26 322A.11, unnumbered paragraph 1.

27 3. The provision of section 36 of this Act,

28 amending section 322A.11, subsection 2.  
29 Sec. 102. EFFECTIVE DATE. The following  
30 provisions of this Act, being deemed of immediate  
31 importance, take effect upon enactment:  
32 1. Section 30 of this Act, amending section 322.3,  
33 subsection 14.  
34 2. Section 32 of this Act, amending section  
35 322.28.  
36 3. Section 34 of this Act, adding section 322A.1,  
37 subsection 9A.  
38 4. Section 35 of this Act, amending section  
39 322A.11, unnumbered paragraph 1.  
40 5. The provision of section 36 of this Act,  
41 amending section 322A.11, subsection 2.  
42 6. Section 101 of this Act, providing for  
43 retroactive applicability for the provisions described  
44 in subsections 3 through 5."  
45 17. Page 24, by striking lines 1 through 4.  
46 18. Title page, line 3, by inserting after the  
47 word "penalty" the following: ", a retroactive  
48 applicability date,".  
49 19. By renumbering, relettering, or redesignating  
50 and correcting internal references as necessary.

Huser of Polk offered the following amendment H-1457, to the Senate amendment H-1380, filed by her and Brauns of Muscatine and moved its adoption:

H-1457

1 Amend the Senate amendment H-1380, to House File  
2 324, as amended, passed, and reprinted by the House,  
3 as follows:  
4 1. Page 3, by striking lines 20 through 29 and  
5 inserting the following:  
6 ""Sec. 102. EFFECTIVE DATE. The following".  
7 2. Page 3, by striking lines 41 through 44 and  
8 inserting the following: "amending section 322A.11,  
9 subsection 2.""  
10 3. Page 3, by striking lines 46 through 48.  
11 4. By renumbering, redesignating, and correcting  
12 internal references as necessary.

Amendment H-1457 was adopted.

On motion by Huser of Polk the House concurred in the Senate amendment H-1380, as amended.



Huser of Polk moved that the bill, as amended by the Senate, further amended 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. 324)

The ayes were, 95:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, 4:

Hatch	Kreiman	Seng	Winckler
-------	---------	------	----------

Absent or not voting, 1:

Grundberg

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### Appropriations Calendar

**Senate File 479**, a bill for an act relating to wastewater systems, establishing a fund, appropriating moneys from the fund, and providing an effective date, with report of committee recommending passage, 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?" (S.F. 479)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Dolecheck	Grundberg	Millage
-----------	-----------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## SENATE AMENDMENT CONSIDERED

Carroll of Poweshiek called up for consideration **House File 567**, a bill for an act providing for a legal risk waiver in interstate adoptions, amended by the Senate, and moved that the House concur in the following Senate amendment H-1453:

H-1453

- 1 Amend House File 567, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 2, by inserting after line 16, the
- 4 following:
- 5 "Sec. \_\_\_\_ Section 600.3, subsection 2, Code 2001,
- 6 is amended by adding the following new paragraph:
- 7 **NEW PARAGRAPH.** c. A termination of parental
- 8 rights order is not required prior to the filing of an
- 9 adoption petition if the adoption is a standby
- 10 adoption as defined in section 600.14A.
- 11 Sec. 2. Section 600.6, Code 2001, is amended by
- 12 adding the following new subsection:
- 13 **NEW SUBSECTION.** 5. In the case of a standby
- 14 adoption as defined in section 600.14A, a form
- 15 completed by the terminally ill parent consenting to
- 16 termination of parental rights and adoption of the
- 17 child by a person or persons specified in the consent
- 18 form, effective at a future date when the terminally
- 19 ill parent of the child has died or requests that a
- 20 final adoption decree be issued.
- 21 Sec. 3. Section 600.13, subsection 1, Code 2001,
- 22 is amended by adding the following new paragraph after
- 23 paragraph "b" and relettering the subsequent
- 24 paragraph:
- 25 **NEW PARAGRAPH.** bb. Issue a standby adoption
- 26 decree pursuant to section 600.14A.
- 27 Sec. 4. **NEW SECTION.** 600.14A **STANDBY ADOPTION.**
- 28 1. As used in this section:
- 29 a. "Standby adoption" means an adoption in which a
- 30 terminally ill parent consents to termination of
- 31 parental rights and the issuance of a final adoption
- 32 decree effective upon the occurrence of a future
- 33 event, which is either the death of the terminally ill
- 34 parent or the request of the parent for the issuance
- 35 of a final adoption decree.
- 36 b. "Terminally ill parent" means an individual who
- 37 has a medical prognosis by a licensed physician that

38 the individual has an incurable and irreversible  
39 condition which will lead to death.  
40 2. A terminally ill parent may consent to  
41 termination of parental rights and adoption of a child  
42 under a standby adoption if the other parent of the  
43 child is not living or the other parent has previously  
44 had the parent's parental rights terminated.  
45 3. A person who meets the qualifications to file  
46 an adoption petition pursuant to section 600.4 may  
47 file a petition for standby adoption. A standby  
48 adoption shall comply with the requirements of  
49 sections 600.7 through 600.12. However, the court may  
50 order that the completion of placement investigations

**Page 2**

1 and reports be expedited based on the circumstances of  
2 a particular case. The court may waive the minimum  
3 residence period requirement pursuant to section  
4 600.10 to expedite the standby adoption if necessary.  
5 4. If a consent to a standby adoption is attached  
6 to an adoption petition pursuant to section 600.6, the  
7 court determines that the requirements of this chapter  
8 relative to a standby adoption are met, and the court  
9 determines that the standby adoption is in the best  
10 interest of the child to be adopted, the court shall  
11 issue a standby adoption decree or a final adoption  
12 decree. However, the terminally ill parent's parental  
13 rights shall not be terminated and the standby  
14 adoption shall not be finalized until the death of the  
15 terminally ill parent or the request of the terminally  
16 ill parent for issuance of the final adoption decree.  
17 5. A standby adoption decree shall become final  
18 upon notice of the death of the terminally ill parent  
19 or upon the terminally ill parent's request that a  
20 final adoption decree be issued. If the court  
21 determines at the time of the notice or request that  
22 the standby adoption is still in the best interest of  
23 the child, the court shall issue a final adoption  
24 decree."  
25 2. Title page, line 1, by inserting after the  
26 word "Act" the following: "relating to adoption  
27 including providing for standby adoptions and".  
28 3. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1453.

Carroll of Poweshiek 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. 567)

The ayes were, 92:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boguess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Drake	Eddie
Eichhorn	Elgin	Fallon	Finch
Ford	Frevert	Garman	Gipp
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Mr. Speaker
			Siegrist

The nays were, 7:

Dotzler	Falck	Foege	Greimann
Jochum	Mascher	Shoultz	

Absent or not voting, 1:

Grundberg

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 649**, a bill for an act relating to certain programs and public health issues under the purview of the Iowa department of

public health, and providing a penalty, was taken up for consideration.

### SENATE FILE 433 SUBSTITUTED FOR HOUSE FILE 649

Boddicker of Cedar asked and received unanimous consent to substitute Senate File 433 for House File 649.

**Senate File 433**, a bill for an act relating to certain programs and public health issues under the purview of the Iowa department of public health, and providing a penalty, was taken up for consideration.

Brunkhorst of Bremer offered the following amendment H-1364 filed by him and moved its adoption:

H-1364

- 1 Amend Senate File 433, as passed by the Senate, as
- 2 follows:
- 3 1. By striking page 2, line 27, through page 3,
- 4 line 3.
- 5 2. By renumbering as necessary.

Amendment H-1364 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?" (S.F. 433)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum

Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Dolecheck	Grundberg	Millage
-----------	-----------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 649 WITHDRAWN

Boddicker of Cedar asked and received unanimous consent to withdraw House File 649 from further consideration by the House.

### IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 324 and 567 and Senate Files 410 and 433.**

### 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 10, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 301, a bill for an act establishing a rural fire protection program and limiting the liability of rural water districts and associations in connection with the provision of water for fire protection.

Also: That the Senate has on April 10, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 356, a bill for an act relating to administrative and corrective changes to the workers' compensation law.

Also: That the Senate has on April 10, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 383, a bill for an act relating to the designation of model communities in projects, pilot projects, or similar initiatives undertaken by the governor or the executive branch.

MICHAEL E. MARSHALL, Secretary

### EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 10, 2001. Had I been present, I would have voted "aye" on Senate Files 433 and 479.

MILLAGE of Scott

### BILL ENROLLED, SIGNED AND SENT TO SECRETARY OF STATE

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 Secretary of State for his approval on this 10<sup>th</sup> day of April, 2001: House Joint Resolution 5.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

### CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARGARET A. THOMSON  
Chief Clerk of the House



- 2001\854 Richard Medd, Iowa City – For being the director of the First Place winner at the State Jazz Competition, the West High School Jazz Ensemble.
- 2001\855 Herbert Skoog, Gowrie – For celebrating his 80<sup>th</sup> birthday.
- 2001\856 Helen and Ward Roberts, Moorland – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\857 Bonnie Summy, Vinton – For celebrating her 94th birthday.
- 2001\858 Queen Songer, Winterset – For celebrating her 93<sup>rd</sup> birthday.
- 2001\859 Esther Pilmer, Avondale – For celebrating her 88<sup>th</sup> birthday.
- 2001\860 Esther and Bob Pilmer, Avondale – For celebrating their 62<sup>nd</sup> wedding anniversary.
- 2001\861 Carolyn and Bill Steele, Atlantic – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\862 Shirley and Don Stowell, Winterset – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\863 Victoria Burger, La Porte City – For celebrating her 95th birthday.
- 2001\864 Lucas Lechtenberg, Denison – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\865 Mitch Carlyle, Denison – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\866 Anna Schultz, Charter Oak – For celebrating her 98<sup>th</sup> birthday.
- 2001\867 Erik Warnecke, Walcott – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\868 Ashley Gray, Spirit Lake – For being First Team Academic All-American as a member of Iowa Lakes Community College Women's Basketball Team.
- 2001\869 June and Donald Birdsell, Clear Lake – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\870 Kathleen and Leonard Shultz, Independence – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\871 Virginia Finch, Oelwein – For celebrating her 80<sup>th</sup> birthday.
- 2001\872 Eleanor Gehrke, Sumner – For celebrating her 80<sup>th</sup> birthday.
- 2001\873 Edith Jackson, Villisca – For celebrating her 100<sup>th</sup> birthday.

2001\874 Julie Brown, Fairfield – For being on the Academic All-Star Team.

## 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.

MARGARET A. THOMSON  
Chief Clerk of the House

### COMMITTEE ON JUDICIARY

**Senate File 415**, a bill for an act relating to the jurisdiction of district associate judges.

Fiscal Note is not required.

Recommended **Do Pass** April 4, 2001.

**Senate File 499**, a bill for an act making changes to and reorganizing scheduled fines.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1460** April 5, 2001.

Pursuant to Rule 31.7, Senate File 499 was referred to the committee on ways and means.

### RESOLUTION FILED

**HR 36**, by Richardson and Smith, a resolution honoring James "Jimmy" Freeman.

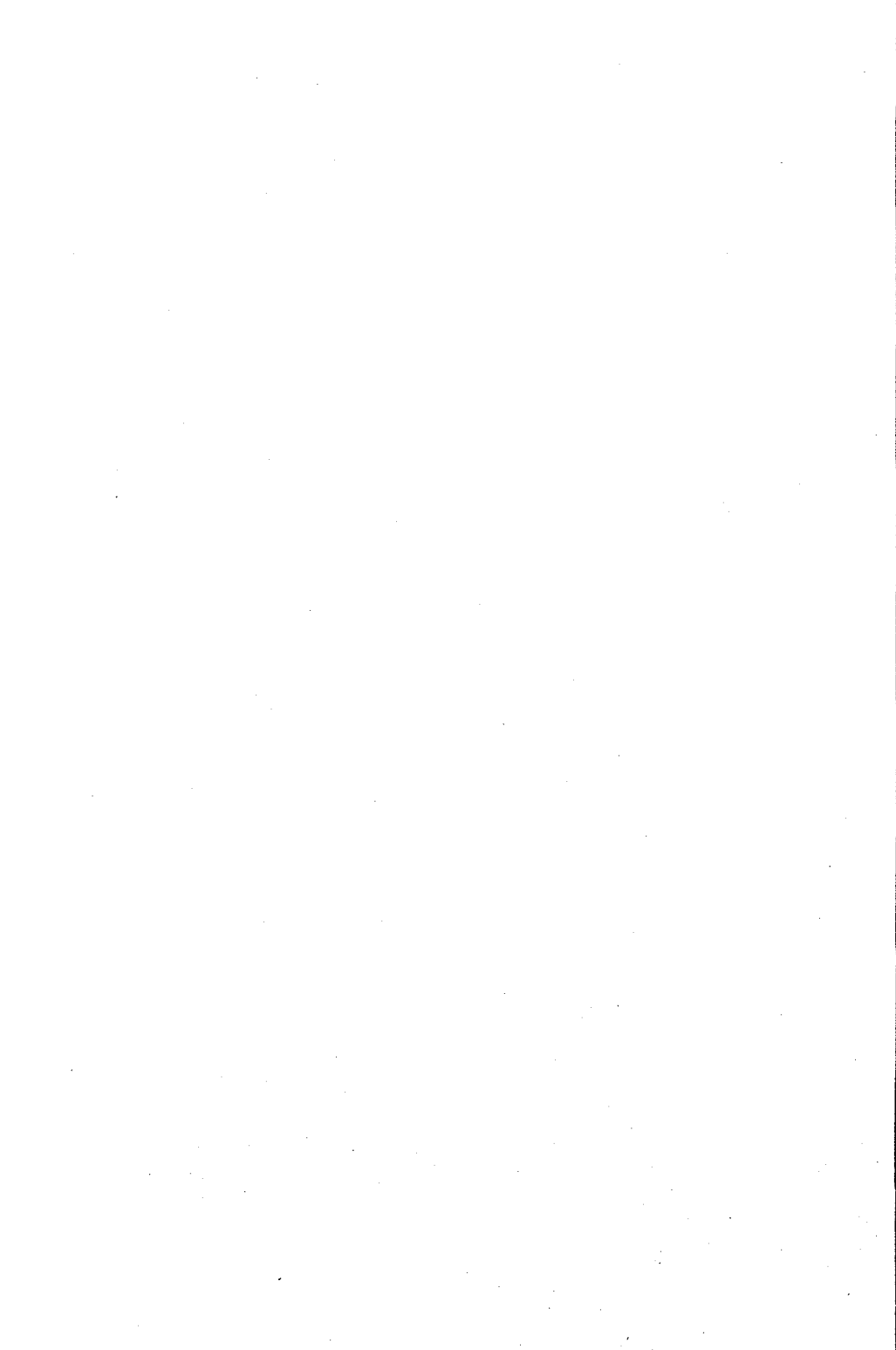
Laid over under **Rule 25**.

### AMENDMENTS FILED

H-1464	S.F.	342	T. Taylor of Linn
H-1465	S.F.	114	Foege of Linn
H-1466	H.F.	696	T. Taylor of Linn
H-1467	S.F.	342	T. Taylor of Linn
H-1468	S.F.	342	T. Taylor of Linn
H-1469	S.F.	342	T. Taylor of Linn

H-1470	S.F.	240	Hansen of Pottawattamie Petersen of Polk
H-1471	S.F.	342	T. Taylor of Linn
H-1473	S.F.	412	Mascher of Johnson
H-1474	S.F.	458	Heaton of Henry Johnson of Osceola
			Foege of Linn
			Houser of Pottawattamie
			Brunkhorst of Bremer
			Hoversten of Woodbury
			Arnold of Lucas
			Broers of Cerro Gordo
H-1475	S.F.	209	Kreiman of Davis
H-1476	S.F.	342	Smith of Marshall
H-1477	S.F.	222	Kreiman of Davis
H-1478	H.F.	356	Senate Amendment

On motion by Rants of Woodbury the House adjourned at 5:35 p.m., until 8:45 a.m., Wednesday, April 11, 2001.



# JOURNAL OF THE HOUSE

Ninety-fourth Calendar Day - Sixty-fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, April 11, 2001

The House met pursuant to adjournment at 8:49 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Judy Flanegin, pastor of Hancock and Silver Creek United Methodist Churches, Hancock. She was the guest of Representative Jack Drake from Pottawattamie County.

The Journal of Tuesday, April 10, 2001 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Grundberg of Polk on request of Rants of Woodbury.

## 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 10, 2001, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:

House File 324, a bill for an act relating to transportation, including provisions on road projects, vehicle sales, movement, and reports, and mailing of notices, and providing a penalty and an effective date.

Also: That the Senate has on April 10, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 458, a bill for an act extending the statute of limitations period for filing a criminal charge of incest.

Also: That the Senate has on April 10, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 561, a bill for an act repealing the requirement to fly a flag or pennant on an all-terrain vehicle or snowmobile when operating on a public road or street.

Also: That the Senate has on April 10, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 581, a bill for an act relating to the size of drainage or levee districts having election districts and requesting an interim study.

MICHEAL E. MARSHALL, Secretary

On motion by Rants of Woodbury, the House was recessed at 9:04 a.m., until 3:00 p.m.

### AFTERNOON SESSION

The House reconvened at 3:11 p.m., Speaker Siegrist in the chair.

### MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 11, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 23, a concurrent resolution encouraging state and local governments, business interests, health care professionals, and individuals with an interest in good health to help educate the public regarding osteoporosis prevention, detection, and treatment, and designating April 12, 2001, as Osteoporosis Awareness Day.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 3:12 p.m., until the fall of the gavel.

The House resumed session at 4:23 p.m., Speaker Siegrist in the chair.

### INTRODUCTION OF BILL

**House File 710**, by committee on ways and means, a bill for an act establishing a new economy employment initiative by providing for a partial deduction under the individual income tax for the capital gain from the sale or exchange of capital stock of a corporation which was acquired by an individual on account of employment with the corporation, limiting the fiscal impact of the partial deductions, and including an effective and retroactive applicability date provision.

Read first time and placed on the ways and means calendar.

CONSIDERATION OF BILLS  
Unfinished Business Calendar

**House File 593**, a bill for an act providing for the transfer of custody and termination of parental rights for certain newborn infants whose parent voluntarily surrenders physical custody at certain health facilities and providing for immunity from prosecution for child abandonment crimes for such parent, establishing confidentiality protections and a penalty, and providing an effective date, was taken up for consideration.

Barry of Harrison offered the following amendment H-1416 filed by her and moved its adoption:

H-1416

1 Amend House File 593 as follows:

2 1. By striking everything after the enacting  
3 clause, and inserting the following:

4 "Section 1. NEW SECTION. 232B.1 NEWBORN SAFE  
5 HAVEN ACT - DEFINITIONS.

6 1. This chapter may be cited as the "Newborn Safe  
7 Haven Act".

8 2. For the purposes of this chapter, unless the  
9 context otherwise requires:

10 a. "Institutional health facility" means a  
11 hospital as defined in section 135B.1, including a  
12 facility providing medical or health services that is  
13 open twenty-four hours per day, seven days per week  
14 and is a hospital emergency room, or a health care  
15 facility as defined in section 135C.1.

16 b. "Newborn infant" means a child who is, or who  
17 appears to be, fourteen days of age or younger.

18 Sec. 2. NEW SECTION. 232B.2 NEWBORN INFANT  
19 CUSTODY RELEASE PROCEDURES.

20 1. A parent of a newborn infant who has not  
21 suffered bodily harm may voluntarily release custody  
22 of the newborn infant by relinquishing physical  
23 custody of the newborn infant, without expressing an  
24 intent to again assume physical custody, at an  
25 institutional health facility or by authorizing  
26 another person to relinquish physical custody on the  
27 parent's behalf. If physical custody of the newborn  
28 infant is not relinquished directly to an individual  
29 on duty at the institutional health facility, the  
30 parent may take other actions to be reasonably sure

31 that an individual on duty is aware that the newborn  
32 infant has been left at the institutional health  
33 facility. The actions may include but are not limited  
34 to making telephone contact with the institutional  
35 health facility or a 911 service. For the purposes of  
36 this chapter and for any judicial proceedings  
37 associated with the newborn infant, a rebuttable  
38 presumption arises that the person who relinquishes  
39 physical custody at an institutional health facility  
40 in accordance with this section is the newborn  
41 infant's parent or has relinquished physical custody  
42 with the parent's authorization.

43 2. a. Unless the parent or other person  
44 relinquishing physical custody of a newborn infant  
45 clearly expresses an intent to return to again assume  
46 physical custody of the newborn infant, an individual  
47 on duty at the facility at which physical custody of  
48 the newborn infant was relinquished pursuant to  
49 subsection 1 shall take physical custody of the  
50 newborn infant. The individual on duty may request

**Page 2**

1 the parent or other person to provide the name of the  
2 parent or parents and information on the medical  
3 history of the newborn infant and the newborn infant's  
4 parent or parents. However, the parent or other  
5 person is not required to provide the names or medical  
6 history information to comply with this section. The  
7 individual on duty may perform reasonable acts  
8 necessary to protect the physical health or safety of  
9 the newborn infant. The individual on duty and the  
10 institutional health facility in which the individual  
11 was on duty are immune from criminal or civil  
12 liability for any acts or omissions made in good faith  
13 to comply with this section.

14 b. If the physical custody of the newborn infant  
15 is relinquished at an institutional health facility,  
16 the state shall reimburse the institutional health  
17 facility for the institutional health facility's  
18 actual expenses in providing care to the newborn  
19 infant and in performing acts necessary to protect the  
20 physical health or safety of the newborn infant. The  
21 reimbursement shall be paid from moneys appropriated  
22 for this purpose to the department of human services.

23 c. The individual on duty or other person  
24 designated by the institutional health facility at  
25 which physical custody of the newborn infant was  
26 relinquished shall submit the certificate of birth  
27 report as required pursuant to section 144.14.

28 3. As soon as possible after the individual on  
29 duty assumes physical custody of a newborn infant



30 released under subsection 1, the individual shall  
31 notify the department of human services and the  
32 department shall take the actions necessary to assume  
33 the care, control, and custody of the newborn infant.  
34 The department shall immediately notify the juvenile  
35 court and the county attorney of the department's  
36 action and the circumstances surrounding the action  
37 and request an ex parte order from the juvenile court  
38 ordering, in accordance with the requirements of  
39 section 232.78, the department to take custody of the  
40 newborn infant. Upon receiving the order, the  
41 department shall take custody of the newborn infant.  
42 Within twenty-four hours of taking custody of the  
43 newborn infant, the department shall notify the  
44 juvenile court and the county attorney in writing of  
45 the department's action and the circumstances  
46 surrounding the action.  
47 4. a. Upon being notified in writing by the  
48 department under subsection 3, the county attorney  
49 shall file a petition alleging the newborn infant to  
50 be a child in need of assistance in accordance with

### Page 3

1 section 232.87 and a petition for termination of  
2 parental rights with respect to the newborn infant in  
3 accordance with section 232.111, subsection 2,  
4 paragraph "a". A hearing on a child in need of  
5 assistance petition filed pursuant to this subsection  
6 shall be held at the earliest practicable time. A  
7 hearing on a termination of parental rights petition  
8 filed pursuant to this subsection shall be held no  
9 later than thirty days after the day the physical  
10 custody of the newborn child was relinquished in  
11 accordance with subsection 1 unless the juvenile court  
12 continues the hearing beyond the thirty days for good  
13 cause shown.  
14 b. Notice of a petition filed pursuant to this  
15 subsection shall be provided to any known parent and  
16 others in accordance with the provisions of chapter  
17 232 and shall be served upon any putative father  
18 registered with the state registrar of vital  
19 statistics pursuant to section 144.12A. In addition,  
20 prior to holding a termination of parental rights  
21 hearing with respect to the newborn infant, notice by  
22 publication shall be provided as described in section  
23 600A.6, subsection 5.  
24 5. Reasonable efforts, as defined in section  
25 232.102, that are made in regard to the newborn infant  
26 shall be limited to the efforts made in a timely  
27 manner to finalize a permanency plan for the newborn  
28 infant.

29 6. An individual on duty at an institutional  
30 health facility who assumes custody of a newborn  
31 infant upon the release of the newborn infant under  
32 subsection 1 shall be provided notice of any hearing  
33 held concerning the newborn infant at the same time  
34 notice is provided to other parties to the hearing and  
35 the individual may provide testimony at the hearing.

36 Sec. 3. NEW SECTION. 232B.3 IMMUNITY.

37 Any person authorized by the parent to assist with  
38 release of custody in accordance with section 232B.2  
39 by relinquishing physical custody of the newborn  
40 infant or to otherwise act on the parent's behalf is  
41 immune from criminal prosecution for abandonment or  
42 neglect of the newborn infant under section 726.3 or  
43 726.6 and civil liability for any reasonable acts or  
44 omissions made in good faith in assisting with the  
45 release.

46 Sec. 4. NEW SECTION. 232B.4 RIGHTS OF PARENTS.

47 Either parent of a newborn infant whose custody was  
48 released in accordance with section 232B.2, may  
49 intervene in the child in need of assistance or  
50 termination of parental rights proceedings held

#### Page 4

1 regarding the newborn infant and request that the  
2 juvenile court grant custody of the newborn infant to  
3 the parent. The requester must show by clear and  
4 convincing evidence that the requester is the parent  
5 of the newborn infant. If the court determines that  
6 the requester is the parent of the newborn infant and  
7 that granting custody of the newborn infant to the  
8 parent is in the newborn infant's best interest, the  
9 court shall issue an order granting custody of the  
10 newborn infant to the parent. In addition to such  
11 order, the court may order services for the newborn  
12 infant and the parent as are in the best interest of  
13 the newborn infant.

14 Sec. 5. NEW SECTION. 232B.5 CONFIDENTIALITY  
15 PROTECTIONS.

16 1. In addition to any other privacy protection  
17 established in law, a record that is developed,  
18 acquired, or held in connection with an individual's  
19 good faith effort to voluntarily release a newborn  
20 infant in accordance with this chapter and any  
21 identifying information concerning the individual  
22 shall be kept confidential. Such record shall not be  
23 inspected or the contents disclosed except as provided  
24 in this section.

25 2. A record described in subsection 1 may be  
26 inspected and the contents disclosed without court  
27 order to the following:

- 28 a. The court and professional court staff,  
29 including juvenile court officers.
- 30 b. The newborn infant and the newborn infant's  
31 counsel.
- 32 c. The newborn infant's parent, guardian,  
33 custodian, and those persons' counsel.
- 34 d. The newborn infant's court-appointed special  
35 advocate and guardian ad litem.
- 36 e. The county attorney and the county attorney's  
37 assistants.
- 38 f. An agency, association, facility, or  
39 institution which has custody of the newborn infant,  
40 or is legally responsible for the care, treatment, or  
41 supervision of the newborn infant.
- 42 g. The newborn infant's foster parent or an  
43 individual providing preadoptive care to the newborn  
44 infant.
- 45 3. Pursuant to court order a record described in  
46 subsection 1 may be inspected by and the contents may  
47 be disclosed to any of the following:
- 48 a. A person conducting bona fide research for  
49 research purposes under whatever conditions the court  
50 may deem proper, provided that no personal identifying

Page 5

- 1 data shall be disclosed to such a person.
- 2 b. Persons who have a direct interest in a  
3 proceeding or in the work of the court.
- 4 4. Any person who knowingly discloses, receives,  
5 or makes use or permits the use of information derived  
6 directly or indirectly from such a record or discloses  
7 identifying information concerning such individual,  
8 except as provided by this section, commits a serious  
9 misdemeanor.
- 10 Sec. 6. NEW SECTION. 232B.6 EDUCATIONAL AND  
11 PUBLIC INFORMATION.
- 12 The department of human services, in consultation  
13 with the Iowa department of public health and the  
14 department of justice, shall develop and distribute  
15 the following:
- 16 1. An information card or other publication for  
17 distribution by an institutional health facility to a  
18 parent who releases custody of a newborn infant in  
19 accordance with this chapter. The publication shall  
20 inform the parent of a parent's rights under section  
21 232B.4, explain the request for medical history  
22 information under section 232B.2, subsection 2, and  
23 provide other information deemed pertinent by the  
24 departments.
- 25 2. Educational materials, public information  
26 announcements, and other resources to develop

27 awareness of the availability of the newborn safe  
28 haven Act, among adolescents, young parents, and  
29 others who might avail themselves of the Act.  
30 3. Signage that may be used to identify the  
31 institutional health facilities at which physical  
32 custody of a newborn infant may be relinquished in  
33 accordance with this chapter.

34 Sec. 7. Section 232.2, subsection 6, Code 2001, is  
35 amended by adding the following new paragraph:  
36 NEW PARAGRAPH. p. Who is a newborn infant whose  
37 parent has voluntarily released custody of the child  
38 in accordance with chapter 232B.

39 Sec. 8. Section 232.111, subsection 2, paragraph  
40 a, subparagraph (3), Code 2001, is amended to read as  
41 follows:

42 (3) The child is less than twelve months of age  
43 and has been judicially determined to meet the  
44 definition of abandonment of a child or the child is a  
45 newborn infant whose parent has voluntarily released  
46 custody of the child in accordance with chapter 232B.

47 Sec. 9. Section 232.116, subsection 1, Code 2001,  
48 is amended by adding the following new paragraph:  
49 NEW PARAGRAPH. bb. The court finds that there is  
50 clear and convincing evidence that the child is a

## Page 6

1 newborn infant whose parent has voluntarily released  
2 custody of the child in accordance with chapter 232B.

3 Sec. 10. Section 232.117, Code 2001, is amended by  
4 adding the following new subsection:

5 NEW SUBSECTION. 9. If a termination of parental  
6 rights order is issued on the grounds that the child  
7 is a newborn infant whose parent has voluntarily  
8 released custody of the child under section 232.116,  
9 subsection 1, paragraph "bb", the court shall retain  
10 jurisdiction to change a guardian or custodian and to  
11 allow a parent whose rights have been terminated to  
12 request vacation or appeal of the termination order  
13 which request must be made within thirty days of  
14 issuance of the granting of the termination order.  
15 The period for request for vacation or appeal by a  
16 parent whose rights have been terminated shall not be  
17 waived or extended and a vacation or appeal shall not  
18 be granted for a request made after the expiration of  
19 this period. The court shall grant the vacation  
20 request only if it is in the best interest of the  
21 child. The supreme court shall prescribe rules to  
22 establish the period of thirty days, which shall not  
23 be waived or extended, in which a parent whose  
24 parental rights have been terminated may request a  
25 vacation or appeal of such a termination order.

26 Sec. 11. Section 726.3, Code 2001, is amended to  
27 read as follows:

28 726.3 NEGLECT OR ABANDONMENT OF A DEPENDENT  
29 PERSON.

30 A person who is the father, mother, or some other  
31 person having custody of a child, or of any other  
32 person who by reason of mental or physical disability  
33 is not able to care for the person's self, who  
34 knowingly or recklessly exposes such person to a  
35 hazard or danger against which such person cannot  
36 reasonably be expected to protect such person's self  
37 or who deserts or abandons such person, knowing or  
38 having reason to believe that the person will be  
39 exposed to such hazard or danger, commits a class "C"  
40 felony. However, a parent or person authorized by the  
41 parent who has, in accordance with section 232B.2,  
42 voluntarily released custody of a newborn infant who  
43 has not suffered bodily harm shall not be prosecuted  
44 for a violation of this section involving abandonment  
45 of that newborn infant.

46 Sec. 12. Section 726.6, Code 2001, is amended by  
47 adding the following new subsection:

48 NEW SUBSECTION. 1A. A parent or person authorized  
49 by the parent who has, in accordance with section  
50 232B.2, voluntarily released custody of a newborn

Page 7

1 infant who has not suffered bodily harm shall not be  
2 prosecuted for a violation of this section involving  
3 abandonment of that newborn infant.

4 Sec. 13. EFFECTIVE DATE. This Act, being deemed  
5 of immediate importance, takes effect upon enactment."

6 2. Title page, by striking lines 1 through 7 and  
7 inserting the following: "An Act providing for the  
8 release of custody and termination of parental rights  
9 for certain newborn infants whose parent or person  
10 authorized to act on the parent's behalf relinquishes  
11 physical custody at certain health facilities and  
12 providing certain immunity from prosecution and civil  
13 liability for such parent or person, establishing  
14 confidentiality protections and a penalty, and  
15 providing an effective date."

Amendment H-1416 was adopted, placing out of order  
amendments H-1279 and H-1280 filed by Smith of Marshall.

## SENATE FILE 355 SUBSTITUTED FOR HOUSE FILE 593

Barry of Harrison asked and received unanimous consent to substitute Senate File 355 for House File 593.

**Senate File 355**, a bill for an act providing for the release of custody and termination of parental rights for certain newborn infants whose parent or person authorized to act on the parent's behalf relinquishes physical custody at certain health facilities and providing certain immunity from prosecution and civil liability for such parent or person, establishing confidentiality protections and a penalty, and providing an effective date, was taken up for consideration.

Smith of Marshall offered the following amendment H-1370 filed by him and moved its adoption:

H-1370

- 1 Amend Senate File 355, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 13, by striking the words
- 4 "fourteen days" and inserting the following: "one
- 5 year".

Amendment H-1370 lost.

Smith of Marshall asked and received unanimous consent that amendment H-1369 be deferred.

Huser of Polk asked and received unanimous consent that amendment H-1412 be deferred.

Eichhorn of Hamilton asked and received unanimous consent to withdraw amendment H-1455 filed by him on April 9, 2001.

Smith of Marshall asked and received unanimous consent to withdraw amendment H-1369 filed by him on March 28, 2001.

Tremmel of Wapello offered the following amendment H-1412 filed by Tremmel, et al., and moved its adoption:

H-1412

- 1 Amend Senate File 355, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, lines 16 and 17, by striking the words
- 4 "who has not suffered bodily harm".
- 5 2. Page 8, line 8, by striking the words "who has
- 6 not suffered bodily harm".
- 7 3. Page 8, by striking lines 15 through 17, and
- 8 inserting the following: "released custody of a
- 9 newborn infant shall not be prosecuted for a violation
- 10 of subsection 1, paragraph "f", relating to
- 11 abandonment."

Amendment H-1412 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?" (S.F. 355)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Hahn
Hansen	Hatch	Heaton	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Mr. Speaker
			Siegrist

The nays were, 1:

Eichhorn

Absent or not voting, 3:

Grundberg

Hoffman

Sievers

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 **Senate File 114**, a bill for an act relating to the composition of the medical assistance advisory council, previously deferred and found on pages 1124 and 1125 of the House Journal.

Foege of Linn offered the following amendment H-1465 filed by him and moved its adoption:

H-1465

- 1 Amend Senate File 114, as passed by the Senate, as
- 2 follows:
- 3 1. Page 5, line 32, by inserting after the word
- 4 "association," the following: "the Iowa psychiatric
- 5 society, the Iowa chapter of the national association
- 6 of social workers,".

Amendment H-1465 was adopted.

Hoversten 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?" (S.F. 114)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann



Hahn	Hansen	Hatch	Heaton
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Grundberg	Hoffman	Sievers
-----------	---------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### Regular Calendar

**Senate File 452**, a bill for an act requiring the use of a uniform prescription drug information card by providers of third-party payment or prepayment of prescription drug expenses, with report of committee recommending amendment and passage, was taken up for consideration.

Metcalf of Polk offered the following amendment H-1431 filed by the committee on commerce and regulation and moved its adoption:

H-1431

- 1 Amend Senate File 452, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by inserting after line 3 the
- 4 following:
- 5 "0A. "Guide" means the most recent national
- 6 council for prescription drug programs pharmacy
- 7 identification card implementation guide, or its
- 8 successor."

- 9 2. Page 1, line 11, by inserting after the word  
 10 and figure "or 514A," the following: "a provider of a  
 11 plan established pursuant to chapter 509A for public  
 12 employees,".
- 13 3. Page 1, line 17, by inserting after the word  
 14 and figure "chapter 514F," the following: "a provider  
 15 of a self-insured multiple employer welfare  
 16 arrangement,".
- 17 4. Page 1, lines 27 and 28, by striking the words  
 18 "including, but not limited to, third-party  
 19 administrators for self-insured plans, pharmacy  
 20 benefits managers, and state-administered plans" and  
 21 inserting the following: "excluding administrators of  
 22 self-funded employer sponsored health benefit plans  
 23 qualified under the federal Employee Retirement Income  
 24 Security Act of 1974".
- 25 5. By striking page 1, line 33, through page 2,  
 26 line 26, and inserting the following: "information  
 27 card or technology applicable to those entities  
 28 subject to regulation by the commissioner of  
 29 insurance. The director of public health shall adopt  
 30 rules for the uniform prescription drug information  
 31 card or technology applicable to organized delivery  
 32 systems. The rules shall require at least both of the  
 33 following regarding the card or technology:
- 34 (1) With respect to the information required, be  
 35 consistent with the guide, except that the address of  
 36 the pharmacy benefits manager shall not be required.
- 37 (2) With respect to the location of the  
 38 information required, be substantially consistent with  
 39 the guide."
- 40 6. By renumbering, relettering, redesignating,  
 41 and correcting internal references as necessary.

The committee amendment H-1431 was adopted.

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?" (S.F. 452)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake

Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Hahn	Hansen	Hatch	Heaton
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Grundberg	Hoffman	Sievers
-----------	---------	---------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 593 WITHDRAWN

Barry of Harrison asked and received unanimous consent to withdraw House File 593 from further consideration by the House.

### IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 114, 355 and 452.**

### COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on April 11, 2001, and is on file in the office of the Chief Clerk:

April 10, 2001

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 15 claims of general nature that were denied by the State Appeal Board during February 2001 through April 2001. This supplements our filing of January 11, 2001.

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.

MARGARET A. THOMSON  
Chief Clerk of the House

DENIED GENERAL CLAIMS BY THE STATE APPEAL BOARD  
SUBMITTED TO THE 79TH GENERAL ASSEMBLY  
February 2001 Through April 2001

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G000266	Paul Grothe d/b/a B and K Trucking	Muscatine, IA	Self Issue Fees	Unspecified
G000347	Judy Ann Rathjen	Wilton, IA	Phone Costs	\$150.00
G000416	TNT Trucking	Eldon, IA	Refund	Unspecified
G000533	Brainard Pig Inc.	Fremont, NE	License Refund	Unspecified
G010042	T & S Ag	Riceville, IA	Refund	\$786.74
G010095	Jerry Nance, Executor of the H. LaVerne Nance Estate	Dallas Center, IA	IRP Refund	Unspecified
G010096	Barbara Coats	Council Bluffs, IA	Penalty Refund	\$103.00

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G010100	Marvin & Sheryl Borcherding	Mason City, IA	Homestead Credit	\$149.00
G010440	UTHE Farms, Inc.	Madrid, IA	Permit	\$150.00
G010890	Anita M. Varme	West Des Moines, IA	Travel Expenses	\$29.00
G011003	Innovative Industries	Creston, IA	Provider Services	\$333.92
G011078	Irene V. & Ronald Wesley	Ames, IA	Penalty Refund	\$758.00
G931087	Linn County Department of Human Resources Management	Cedar Rapids, IA	Outdated Invoice	\$810.00
G931301	Broadlawns Medical Center	Des Moines, IA	Medical Services	\$83.25
G980284	Lauri Ellen Raab	Clinton, IA	License Plate Refund	\$25.00

**BILL ENROLLED, SIGNED AND SENT  
TO SECRETARY OF STATE**

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 Secretary of State for his approval on this 11<sup>th</sup> day of April, 2001: House Joint Resolution 11.

**MARGARET A. THOMSON**  
Chief Clerk of the House

Report adopted.

**CERTIFICATES OF RECOGNITION**

**MR. SPEAKER:** The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

**MARGARET A. THOMSON**  
Chief Clerk of the House

2001\875 Dorothy Panther, Waterloo – For celebrating her 80<sup>th</sup> birthday.

- 2001\876 Doug Carpenter, Waterloo – For celebrating his 80<sup>th</sup> birthday.
- 2001\877 Ruth and Arnold Weltzin, Waterloo – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\878 Jenny and Wayne Gray, Evansdale – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2001\879 Ruth and Harold Zell, Waterloo – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\880 Berniece Seymour, Indianola – For celebrating her 100<sup>th</sup> birthday.
- 2001\881 Maxine and John Totten, Clinton – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\882 Virginia and Glenn Jackson, Clinton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\883 Norma and Ray Holm, Clinton – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2001\884 Helen and Kenneth Smith, DeWitt – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\885 Karl Swanson, Iowa City – For being named to the 2001 Visual Arts All-State Team.
- 2001\886 Hee Jin Lee, Iowa City – For being chosen as a member of the 2001 Iowa Academic All-State Team.
- 2001\887 Anita Kerr, Coralville – For fundraising efforts which resulted in her students raising \$540.00 toward the restoration of the Englert Theater.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 660

Ways and Means: Van Fossen, Chair; Shey and Shoultz.

##### Senate File 184

Ways and Means: Shey, Chair; Houser and D. Taylor.

##### Senate File 428

Appropriations: Heaton, Chair; Alons and Smith.

##### Senate File 450

Ways and Means: Tymeson, Chair; Larson and Winckler.

**Senate File 494**

Judiciary: Eichhorn, Chair; Baudler 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.

**MARGARET A. THOMSON**  
Chief Clerk of the House

**COMMITTEE ON WAYS AND MEANS**

**Committee Bill** (Formerly House Study Bill 244), establishing a new economy employment initiative by providing for a partial deduction under the individual income tax for the capital gain from the sale or exchange of capital stock of a corporation which was acquired by an individual on account of employment with the corporation, limiting the fiscal impact of the partial deductions, and including an effective and retroactive applicability date provision.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 2001.

**RESOLUTIONS FILED**

**HR 37**, by Jenkins, Witt, Alons, Arnold, Atteberry, Barry, Baudler, Bell, Boddicker, Boggess, Bradley, Brauns, Broers, Brunkhorst, Carroll, Chiodo, Connors, De Boef, Dix, Dolecheck, Dotzler, Drake, Eddie, Elgin, Falck, Fallon, Finch, Ford, Frevert, Garman, Gipp, Greimann, Hahn, Hansen, Hatch, Horbach, Houser, Huseman, Huser, Jacobs, Johnson, Kettering, Klemme, Kuhn, Larkin, Lensing, Mascher, May, Mertz, Metcalf, Murphy, O'Brien, Osterhaus, Petersen, Quirk, Raecker, Rants, Rayhons, Rekow, Richardson, Roberts, Scherrman, Schrader, Seng, Shoultz, Siegrist, Sievers, Smith, Stevens, D. Taylor, T. Taylor, Tremmel, Tymeson, Tyrrell, Van Engelenhoven, Warnstadt, Weidman, Winckler, and Wise, a resolution congratulating the University of Northern Iowa Panthers Women's Basketball Team.

Laid over under **Rule 25**.

**SCR 23**, by Johnson, Lundby, Rehberg, Hammond, Freeman, Soukup, Harper, Greiner, Boettger, Tinsman, and Kramer, a concurrent resolution encouraging state and local governments, business interests, health care professionals, and individuals with an interest in good health to help educate the public regarding osteoporosis prevention, detection, and treatment, and designating April 12, 2001, as Osteoporosis Awareness Day.

Laid over under **Rule 25**.

#### AMENDMENTS FILED

H-1479	H.F.	705	Tymeson of Madison
H-1480	H.F.	561	Senate Amendment
H-1481	H.F.	458	Senate Amendment
H-1482	H.F.	581	Senate Amendment
H-1483	S.F.	342	Smith of Marshall
H-1484	S.F.	458	De Boef of Mahaska
			Foege of Linn
			Heaton of Henry
H-1485	S.F.	458	De Boef of Mahaska
			Foege of Linn
			Heaton of Henry
H-1486	S.F.	350	Cphoon of Des Moines
H-1487	S.F.	350	Cphoon of Des Moines
H-1488	S.F.	240	Stevens of Dickinson
H-1489	S.J.R.	3	Kettering of Sac
H-1490	S.F.	348	Stevens of Dickinson
H-1491	S.F.	348	Stevens of Dickinson
H-1492	S.F.	348	Stevens of Dickinson
H-1493	H.F.	696	Dotzler of Black Hawk

On motion by Rants of Woodbury the House adjourned at 6:00 p.m., until 8:45 a.m., Thursday, April 12, 2001.



# JOURNAL OF THE HOUSE

Ninety-fifth Calendar Day - Sixty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, April 12, 2001

The House met pursuant to adjournment at 8:50 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Chuck Landon, Director of Churches United, Rock Island, Illinois. He was the guest of Representative Cindy Winckler from Scott County.

The Journal of Wednesday, April 11, 2001 was approved.

## SPECIAL PRESENTATION

Myers of Johnson introduced to the House the Honorable Michael Moreland former state representative from Wapello County.

The House rose and expressed its welcome.

## CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 30

Tymeson of Madison called up for consideration **House Concurrent Resolution 30**, a concurrent resolution encouraging state and local governments, business interests, health care professionals, and individuals with an interest in good health to help educate the public regarding osteoporosis prevention, detection, and treatment, and designating April 12, 2001, as Osteoporosis Awareness Day.

## SENATE CONCURRENT RESOLUTION 23 SUBSTITUTED FOR HOUSE CONCURRENT RESOLUTION 30

Tymeson of Madison asked and received unanimous consent to substitute Senate Concurrent Resolution 23 for House Concurrent Resolution 30.

**Senate Concurrent Resolution 23**, a concurrent resolution encouraging state and local governments, business interests, health

care professionals, and individuals with an interest in good health to help educate the public regarding osteoporosis prevention, detection, and treatment, and designating April 12, 2001, as Osteoporosis Awareness Day, and moved its adoption.

The motion prevailed and the resolution was adopted.

On motion by Rants of Woodbury, the House was recessed at 9:03 a.m., until 1:00 p.m.

### AFTERNOON SESSION

The House reconvened at 1:12 p.m., Speaker Siegrist in the chair.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Grundberg of Polk on request of Rants of Woodbury; Winckler of Scott on request of Myers of Johnson.

### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-seven members present, twenty-three absent.

### CONSIDERATION OF BILLS

#### Unfinished Business Calendar

**House File 673**, a bill for an act relating to the administrative procedures of certain county officers by authorizing the issuance of checks, providing for the cancellation of warrants and checks, the disposal of tax lists, and the receipt of electronic payments, specifying tax sale costs and the mailing address for changes of titles and deeds, providing for other properly related matters, and providing an effective date, was taken up for consideration.

### SENATE FILE 453 SUBSTITUTED FOR HOUSE FILE 673

Van Engelenhoven of Mahaska asked and received unanimous consent to substitute Senate File 453 for House File 673.

**Senate File 453**, a bill for an act relating to the administrative procedures of certain county officers by authorizing the issuance of checks, providing for the cancellation of warrants and checks, the disposal of tax lists, and the receipt of electronic payments, specifying tax sale costs and the mailing address for changes of titles and deeds, providing for other properly related matters, and providing an effective date, 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?" (S.F. 453)

The ayes were, 95:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Hahn	Heaton	Hoffman	Horbach
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, none.

Absent or not voting, 5:

Grundberg	Hansen	Hatch	Houser
Winckler			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 673 WITHDRAWN

Van Engelenhoven of Mahaska asked and received unanimous consent to withdraw House File 673 from further consideration by the House.

### Regular Calendar

**Senate File 465**, a bill for an act creating a fund for the use of the state department of transportation to purchase soydiesel fuel for use in its vehicles and providing an effective date, 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?" (S.F. 465)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Hahn	Hatch	Heaton	Hoffman
Horbach	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson

Tyrrell  
Weidman

Van Engelenhoven  
Wise

Van Fossen  
Witt

Warnstadt  
Mr. Speaker  
Siegrist

The nays were, none.

Absent or not voting, 4:

Grundberg

Hansen

Houser

Winckler

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 657**, a bill for an act relating to the powers and duties of the county recorder relating to the recording and keeping of documents, was taken up for consideration.

### SENATE FILE 372 SUBSTITUTED FOR HOUSE FILE 657

Van Engelenhoven of Mahaska asked and received unanimous consent to substitute Senate File 372 for House File 657.

**Senate File 372**, a bill for an act relating to the powers and duties of the county recorder relating to the recording and keeping of documents, was taken up for consideration.

Dix of Butler in the chair at 1:53 p.m.

Petersen of Polk asked and received unanimous consent to withdraw amendment H-1456 filed by her on April 9, 2001.

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?" (S.F. 372)

The ayes were, 96:

Alons  
Baudler  
Boggess  
Brunkhorst

Arnold  
Bell  
Bradley  
Bukta

Atteberry  
Boal  
Brauns  
Carroll

Barry  
Boddicker  
Broers  
Chiodo

Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Hahn
Hatch	Heaton	Hoffman	Horbach
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Siegrist, Spkr.	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Wise	Witt	Dix, Presiding

The nays were, none.

Absent or not voting, 4:

Grundberg	Hansen	Houser	Winckler
-----------	--------	--------	----------

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: **Senate Files 372, 453, 465 and Senate Concurrent Resolution 23.**

### HOUSE FILE 657 WITHDRAWN

Van Engelenhoven of Mahaska asked and received unanimous consent to withdraw House File 657 from further consideration by the House.

### SENATE FILES PLACED ON THE UNFINISHED BUSINESS CALENDAR

Rants of Woodbury asked and received unanimous consent that

the following Senate Files be placed on the unfinished business calendar:

Senate Joint Resolution 3	Senate File 339
Senate File 57	Senate File 342
Senate File 62	Senate File 344
Senate File 81	Senate File 346
Senate File 84	Senate File 348
Senate File 98	Senate File 349
Senate File 99	Senate File 350
Senate File 104	Senate File 354
Senate File 106	Senate File 384
Senate File 165	Senate File 392
Senate File 168	Senate File 393
Senate File 169	Senate File 412
Senate File 196	Senate File 415
Senate File 198	Senate File 418
Senate File 209	Senate File 419
Senate File 211	Senate File 425
Senate File 222	Senate File 462
Senate File 240	Senate File 466
Senate File 242	Senate File 470
Senate File 265	Senate File 473
Senate File 313	Senate File 480
Senate File 323	Senate File 485
Senate File 336	Senate File 497
Senate File 337	Senate File 500

The House stood at ease at 2:01 p.m., until the fall of the gavel.

The House resumed session at 2:55 p.m., Speaker Siegrist in the chair.

### INTRODUCTION OF BILLS

**House File 711**, by committee on ways and means, a bill for an act relating to the levy of tax assessments for drainage or levee districts.

Read first time and placed on the **ways and means calendar**.

**House File 712**, by committee on ways and means, a bill for an act relating to the annual filing for the family farm tax credit, to the notification to the assessor of the change in ownership or the person actively engaged in farming the tract of agricultural land for which the family farm tax credit is allowed, providing a penalty, and including effective and applicability date provisions.

Read first time and placed on the **ways and means calendar**.

**House File 713**, by committee on ways and means, a bill for an act relating to the administration of county government by providing for the issuance of certain lease or lease-purchase contracts, the recording of certain property transfers, the striking of a requirement to record returns of marriage with real estate recordings, the imposition of a real estate installment contract fee, and changing the date for reporting and paying agricultural land tax credits and family farm tax credits.

Read first time and placed on the **ways and means calendar**.

### SPECIAL PRESENTATION

Jenkins of Black Hawk introduced to the House coach Tony DiCecco from the University of Northern Iowa who presented the Women's Basketball Team who introduced themselves.

The House rose and expressed its welcome.

### ADOPTION OF HOUSE RESOLUTION 37

Jenkins of Black Hawk and Witt of Black Hawk called up for consideration **House Resolution 37**, a resolution congratulating the University of Northern Iowa Panthers Women's Basketball Team, and moved its adoption.

The motion prevailed and the resolution was adopted.

### HOUSE CONCURRENT RESOLUTION 30 WITHDRAWN

Tymeson of Madison asked and received unanimous consent to withdraw House Concurrent Resolution 30 from further consideration by the House.



## ADOPTION OF HOUSE RESOLUTION 34

Myers of Johnson called up for consideration **House Resolution 34**, a resolution honoring the University of Iowa Women's Basketball Team and Coach Lisa Bluder, and moved its adoption.

The motion prevailed and the resolution was adopted.

## SPECIAL PRESENTATION

Raecker of Polk introduced to the House coach Lisa Bluder and the University of Iowa Basketball Team. Coach Bluder briefly addressed the House thanking the House for the resolution, introduced the team and presented a basketball autographed by the champion team.

The House rose and expressed its welcome.

## EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 11, 2001. Had I been present, I would have voted "aye" on Senate Files 114 and 355.

HOFFMAN of Crawford

## 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 12<sup>th</sup> day of April, 2001: House Files 225, 256, 272, 324, 353, 569, 624 and 628.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

## PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Forty-two fifth grade students from North Cedar Elementary, Lowden, accompanied by Mr. Behrens and Ms. Freeman. By Boddicker of Cedar.

## CERTIFICATE OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that a certificate of recognition has been issued as follows.

MARGARET A. THOMSON  
Chief Clerk of the House

2001\888 Leta Martin, Dubuque – For celebrating her 100<sup>th</sup> birthday.

## SUBCOMMITTEE ASSIGNMENT

### Senate Joint Resolution 7

Administration and Rules: Jacobs, Chair; Bukta and Carroll.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### H.S.B. 249 Appropriations

Appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, and the public employment relations board and making related statutory changes.

### H.S.B. 250 Appropriations

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 nonreversion of certain moneys, and discontinuing driver's license renewal by mail.

## **H.S.B. 251 Appropriations**

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, 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.

**MARGARET A. THOMSON**  
Chief Clerk of the House

#### **COMMITTEE ON WAYS AND MEANS**

**Senate File 186**, a bill for an act providing for a tax levy for the county hospital fund in certain counties and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 2001.

**Committee Bill** (Formerly House File 433), providing for taxes relating to the sale of ethanol blended gasoline, making penalties applicable, and providing for the Act's applicability.

Fiscal Note is not required.

Recommended **Do Pass** April 11, 2001.

**Committee Bill** (Formerly House File 551), relating to the levy of tax assessments for drainage or levee districts.

Fiscal Note is not required.

Recommended **Do Pass** April 10, 2001

**Committee Bill** (Formerly House File 644), relating to the annual filing for the family farm tax credit, to the notification to the assessor of the change in ownership or the person actively engaged in farming the tract of agricultural land for which the family farm tax credit is allowed, providing a penalty, and including effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 10, 2001.

**Committee Bill** (Formerly House File 665), relating to the administration of county government by providing for the issuance of certain lease or lease-purchase contracts, the recording of certain property transfers, the imposition of a real estate installment contract fee, and changing the date for reporting agricultural land tax credits.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 10, 2001.

**Committee Bill** (Formerly House Study Bill 187), 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, sales and use, franchise, hotel and motel, environmental protection charge on petroleum diminution, property, cigarette and tobacco products, and inheritance taxes, local option taxes, and including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 11, 2001.

**Committee Bill** (Formerly House Study Bill 247), relating to a community renewal initiative by establishing a community development program to provide tax credits for income tax, franchise tax, and premiums tax for businesses contributing to community development projects to aid certain neighborhoods and communities or contributing to child care benefits for employees and including effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 11, 2001.

## RESOLUTION FILED

**HCR 31**, by Ford, a concurrent resolution requesting the establishment of a legislative interim study committee to review penalties and sentencing practices for criminal offenses related to cocaine, derivatives of cocaine, and substances containing a cocaine base such as crack cocaine.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-1495	S.F.	348	Mascher of Johnson
H-1496	S.F.	348	Winckler of Scott
H-1497	S.F.	348	Winckler of Scott
H-1498	S.F.	348	Frevert of Palo Alto
H-1499	S.F.	348	Mascher of Johnson
H-1500	S.F.	348	Mascher of Johnson
H-1501	S.F.	348	Winckler of Scott
H-1502	S.F.	348	Lensing of Johnson
H-1503	S.F.	348	Greimann of Story
H-1504	S.F.	348	Lensing of Johnson
H-1505	S.F.	348	Greimann of Story
H-1506	S.F.	348	Bukta of Clinton
H-1507	S.F.	348	Bukta of Clinton
H-1508	S.F.	348	Greimann of Story
H-1509	S.F.	348	Mascher of Johnson
H-1510	S.F.	222	Mascher of Johnson

On motion by Rants of Woodbury the House adjourned at 3:44 p.m., until 8:30 a.m., Friday, April 13, 2001.

# JOURNAL OF THE HOUSE

Ninety-sixth Calendar Day - Sixty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, April 13, 2001

The House met pursuant to adjournment at 8:13 a.m., Gipp of Winneshiek in the chair.

Prayer was offered by Jill Beni, legislative secretary to Representative Heaton of Henry.

The Journal of Thursday, April 12, 2001 was approved.

## INTRODUCTION OF BILLS

**House File 714**, by committee on ways and means, a bill for an act relating to a community renewal initiative by establishing a community development program to provide tax credits for income tax, franchise tax, premiums tax, and moneys and credits tax for businesses contributing to community development projects to aid certain neighborhoods and communities or contributing to child care benefits for employees and including effective and applicability date provisions.

Read first time and placed on the **ways and means calendar**.

**House File 715**, 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, sales and use, franchise, hotel and motel, environmental protection charge on petroleum diminution, property, cigarette and tobacco products, and inheritance taxes, local option taxes, and including effective and retroactive applicability date provisions.

Read first time and placed on the **ways and means calendar**.

**House File 716**, by committee on ways and means, a bill for an act providing for taxes relating to the sale of ethanol blended gasoline, making penalties applicable, and providing for the Act's applicability.

Read first time and placed on the **ways and means calendar**.

**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 13<sup>th</sup> day of April, 2001: House Files 259, 270, 383, 462 and 469.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

**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.

MARGARET A. THOMSON  
Chief Clerk of the House

**COMMITTEE ON WAYS AND MEANS**

**Committee Bill** (Formerly House File 433), providing for taxes relating to the sale of ethanol blended gasoline, making penalties applicable, and providing for the Act's applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 11, 2001.

**AMENDMENTS FILED**

H-1511	S.F.	336	Mascher of Johnson
H-1512	S.F.	336	Mascher of Johnson
H-1513	S.F.	342	Jochum of Dubuque
H-1514	S.F.	342	Jochum of Dubuque

On motion by Heaton of Henry the House adjourned at 8:15 a.m., until 1:00 p.m., Monday, April 16, 2001.

# JOURNAL OF THE HOUSE

Ninety-ninth Calendar Day - Sixty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, April 16, 2001

The House met pursuant to adjournment at 1:04 p.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Steven Teske, pastor of Trinity Lutheran Church, Shenandoah. He was the guest of Representative Effie Lee Bogges of Page County and Representative Hubert Houser of Pottawattamie County.

The Journal of Friday, April 13, 2001 was approved.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Adam Elliott, Eagle Scout from Des Moines. He was the guest of the Honorable Clarence Hoffman, state representative from Crawford County and the Honorable Steve Falck, state representative from Fayette County. He is the son of Judy, legislative secretary to Representative Steve Falck, and Dennis Elliott.

## INTRODUCTION OF BILL

**House File 717**, by Jochum, a bill for an act relating to disclosure of information on use of tax revenues for economic development purposes.

Read first time and referred to committee on **ways and means**.

## 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 12, 2001, passed the following bill in which the concurrence of the Senate was asked:



House File 389, a bill for an act relating to the duties of the board of directors of a school district, including those related to the suspension of a practitioner by the board of directors of a school district.

MICHAEL E. MARSHALL, Secretary

### SPECIAL PRESENTATION

Tymeson of Madison introduced to the House five people from Argentina. They are part of a group exchange and sponsored by the Rotary Club.

The House rose and expressed its welcome.

The House stood at ease at 1:13 p.m., until the fall of the gavel.

The House resumed session at 4:25 p.m., Hansen of Pottawattamie in the chair.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Grundberg of Polk on request of Rants of Woodbury.

### 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 16, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 326, a bill for an act relating to the mediation process in civil rights cases.

Also: That the Senate has on April 16, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 341, a bill for an act relating to informed consent to an abortion and providing a criminal penalty, and providing an effective date.

Also: That the Senate has on April 16, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 550, a bill for an act adding the offense of criminal transmission of human immunodeficiency virus to the list of criminal offenses that require registration under the sex offender registry and providing an effective date.

Also: That the Senate has on April 16, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 24, a concurrent resolution marking the completion of the exterior restoration of the Iowa State Capitol and honoring the contractors, subcontractors, artisans, skilled workers, and state employees who contributed to the effort to complete the restoration.

MICHAEL E. MARSHALL, Secretary

## CONSIDERATION OF BILLS Unfinished Business Calendar

**Senate File 497**, a bill for an act relating to the governance of the Iowa public employees' retirement system and providing an effective date, with report of committee recommending passage, 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?" (S.F. 497)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevrt	Garman	Gipp	Greimann
Hahn	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds

Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Warnstadt
Weidman	Winckler	Wise	Witt
Hansen, Presiding			

The nays were, 1:

Kreiman

Absent or not voting, 2:

Grundberg                  Van Fossen

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 500**, a bill for an act relating to insurance, by addressing the operation and regulation of insurance companies, mutual insurance associations, the Iowa insurance guaranty association, and other insurance or risk-assuming entities, including the rights and duties of such entities and the powers and authority of the insurance commissioner; by establishing jurisdiction and venue requirements for actions against the Iowa insurance guaranty association; and providing penalties, repeals, and effective dates, with report of committee recommending passage, 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. 500)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boguess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford

Frevert	Garman	Gipp	Greimann
Hahn	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Siegrist, Spkr.	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Warnstadt	Weidman	Winckler	Wise
Witt	Hansen, Presiding		

The nays were, none.

Absent or not voting, 2:

Grundberg                Van Fossen

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 168**, a bill for an act relating to the granting of additional cable television franchises by a city, with report of committee recommending amendment and passage, was taken up for consideration.

Jacobs of Polk offered the following amendment H-1433 filed by the committee on commerce and regulation and moved its adoption:

H-1433

- 1 Amend Senate File 168 as follows:
- 2 1. Page 1, by striking lines 3 through 19 and
- 3 inserting the following:
- 4 "NEW PARAGRAPH. g. If a city grants more than one
- 5 cable television franchise, the material terms and
- 6 conditions of any additional franchise shall not give
- 7 undue preference or advantage to the new franchisee.
- 8 A city shall not grant a new franchise that does not
- 9 include the same territory as that of the existing
- 10 franchise. A new franchisee shall be given a
- 11 reasonable period of time to build the new system
- 12 throughout the territory."

The committee amendment H-1433 was adopted.

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. 168)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Hahn	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Siegrist, Spkr.	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Warnstadt	Weidman	Winckler	Wise
Witt	Hansen,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Grundberg                      Van Fossen

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 16, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 655, a bill for an act relating to the establishment of a system of oversight for adult day services.

Also: That the Senate has on April 16, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 663, a bill for an act repealing the ban on persons or spouses of persons who receive direct or indirect compensation from or who have certain privileges in a county public hospital, from serving as a trustee for that county public hospital.

Also: That the Senate has on April 16, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 686, a bill for an act relating to provision of notice prior to the provision of products or services by state agencies or political subdivisions.

Also: That the Senate has on April 16, 2001, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 433, a bill for an act relating to certain programs and public health issues under the purview of the Iowa department of public health, and providing a penalty.

MICHAEL E. MARSHALL, Secretary

## IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 168, 497 and 500.**

## 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 16<sup>th</sup> day of April, 2001: House Files 178, 293, 309, 400, 481 and 636.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

### COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

#### IOWA CIVIL RIGHTS COMMISSION

The Annual Report for Fiscal Year 2000, pursuant to Chapter 216.5(7), 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\889 Raymond and Doris Larsen, Lake View – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\890 Carl and Mildred Smidt, Sac City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\891 Beverly and Bernard Williams, Perry – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\892 Ida Mae and Lyle Cue, Independence – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2001\893 Floraine and Urban Kuennen, Fayette – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\894 Pat and Keith Farley, Clinton – For celebrating their 50<sup>th</sup> wedding anniversary.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

**H.S.B. 252 Appropriations**

Relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources.

**H.S.B. 253 Appropriations**

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 office of drug control policy, and the commission of veterans affairs, and providing an effective date.

## RESOLUTION FILED

**SCR 24**, by Iverson, Kramer, Gronstal and Jensen, a concurrent resolution marking the completion of the exterior restoration of the Iowa State Capitol and honoring the contractors, subcontractors, artisans, skilled workers, and state employees who contributed to the effort to complete the restoration.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H-1515	H.F.	696	Bogges of Page
H-1516	S.F.	336	Greimann of Story
H-1517	S.F.	350	Cphoon of Des Moines
H-1518	S.F.	336	Winckler of Scott
H-1519	H.F.	696	Dotzler of Black Hawk
H-1520	S.F.	348	Winckler of Scott
H-1521	S.F.	348	Winckler of Scott
H-1522	S.F.	342	Metcalf of Polk
H-1523	S.F.	348	Mascher of Johnson
H-1524	S.F.	336	Mascher of Johnson
H-1525	S.F.	336	Mascher of Johnson
H-1526	S.F.	336	Mascher of Johnson
H-1527	S.F.	336	Bukta of Clinton
H-1528	S.F.	240	Bukta of Clinton
H-1529	S.F.	348	Bukta of Clinton



H-1530	S.F.	348	Mascher of Johnson
H-1531	S.F.	412	Mascher of Johnson
H-1532	S.F.	348	Frevert of Palo Alto
H-1533	S.F.	348	Mascher of Johnson
H-1534	S.F.	348	Richardson of Warren
H-1535	S.F.	348	Cohoon of Des Moines
H-1536	S.F.	348	Mascher of Johnson
H-1537	S.F.	240	Witt of Black Hawk
H-1538	S.F.	240	T. Taylor of Linn
H-1539	S.F.	240	T. Taylor of Linn
H-1540	S.F.	240	Scherrman of Dubuque
H-1541	S.F.	240	Quirk of Chickasaw
H-1542	S.F.	240	Warnstadt of Woodbury
H-1543	S.F.	240	Falck of Fayette
H-1544	S.F.	240	Schrader of Marion
H-1545	S.F.	240	Falck of Fayette
H-1546	S.F.	240	Schrader of Marion
H-1547	S.F.	240	Huser of Polk
H-1548	S.F.	240	Huser of Polk
H-1549	S.F.	349	Committee on State Government
H-1550	S.F.	349	Jochum of Dubuque
H-1551	S.F.	240	Witt of Black Hawk
H-1552	H.F.	356	Dotzler of Black Hawk
			Hoffman of Crawford

On motion by Rants of Woodbury the House adjourned at 5:02 p.m., until 8:45 a.m., Tuesday, April 17, 2001.

# JOURNAL OF THE HOUSE

One Hundredth Calendar Day - Sixty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, April 17, 2001

The House met pursuant to adjournment at 8:52 a.m., Speaker Siegrist in the chair.

Prayer was offered by the Honorable Speaker of the House, Brent Siegrist.

The Journal of Monday, April 16, 2001 was approved.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 16, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 73, a bill for an act relating to the powers and duties of the executive director of the commission of veterans affairs by providing for the recognition of honor guard units of veterans organizations to perform honor guard services.

Also: That the Senate has on April 17, 2001, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 355, a bill for an act providing for the release of custody and termination of parental rights for certain newborn infants whose parent or person authorized to act on the parent's behalf relinquishes physical custody at certain health facilities and providing certain immunity from prosecution and civil liability for such parent or person, establishing confidentiality protections and a penalty, and providing an effective date.

Also: That the Senate has on April 17, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 520, a bill for an act relating to the property tax exemption for methane gas and other gas conversion property and providing a retroactive applicability date and an effective date.

MICHAEL E. MARSHALL, Secretary

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Grundberg of Polk on request of Rants of Woodbury; Witt of Black Hawk, until his arrival, on request of Myers of Johnson.

## CONSIDERATION OF BILLS Unfinished Business Calendar

**Senate File 242**, a bill for an act relating to the rules regarding the authentication of practitioners' medication and standing orders in hospitals, with report of committee recommending passage, was taken up for consideration.

Dix of Butler in the chair at 9:41 a.m.

Rants of Woodbury asked and received unanimous consent that Senate File 242 be deferred and that the bill retain its place on the calendar.

## Ways and Means Calendar

**Senate File 141**, a bill for an act relating to the allocation of program job credits to program costs under the accelerated career education program and providing effective and retroactive applicability dates, with report of committee recommending passage, 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. 141)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Cormack	De Boef	Dolecheck
Dotzler	Drake	Eddie	Eichhorn
Elgin	Falck	Fallon	Finch

Foege	Ford	Frevert	Garman
Gipp	Greimann	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Dix, Presiding			

The nays were, none.

Absent or not voting, 3:

Connors                      Grundberg                      Witt

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## SENATE AMENDMENT CONSIDERED

Bradley of Clinton called up for consideration **House File 292**, a bill for an act relating to the financial operations and transactions of the information technology department, amended by the Senate, and moved that the House concur in the following Senate amendment H-1362:

H-1362

- 1 Amend House File 292, as passed by the House, as
- 2 follows:
- 3 1. Page 1, line 2, by striking the word
- 4 "paragraph" and inserting the following:
- 5 "paragraphs".
- 6 2. Page 1, by inserting the following after line
- 7 9:
- 8 "**NEW PARAGRAPH.** 1. Charging a negotiated fee to
- 9 recover a share of the costs related to the research
- 10 and development, initial production, and derivative

11 products of the department's proprietary software and  
 12 hardware, information technology architecture design,  
 13 and proprietary technology applications developed to  
 14 support authorized users, to private vendors and to  
 15 other political entities and subdivisions, including  
 16 but not limited to states, territories, protectorates,  
 17 and foreign countries. The department may enter into  
 18 nondisclosure agreements to protect the state of  
 19 Iowa's proprietary interests. The provisions of  
 20 chapter 23A relating to noncompetition by state  
 21 agencies and political subdivisions with private  
 22 enterprise shall not apply to department activities  
 23 authorized under this paragraph."  
 24 3. Page 1, by inserting after line 21 the  
 25 following:  
 26 "Sec. 4. Section 23A.2, subsection 10, Code 2001,  
 27 is amended by adding the following new paragraph:  
 28 NEW PARAGRAPH. n. The performance of an activity  
 29 authorized pursuant to section 14B.102, subsection 2,  
 30 paragraph "l."

The motion prevailed and the House concurred in the Senate amendment H-1362.

Bradley of Clinton 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. 292)

The ayes were, 95:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Cormack	De Boef	Dolecheck
Dotzler	Drake	Eddie	Eichhorn
Elgin	Falck	Fallon	Foege
Ford	Frevert	Garman	Gipp
Greimann	Hahn	Hansen	Hatch
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus

Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Siegrist, Spkr.	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Warnstadt	Weidman
Winckler	Wise	Dix,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Connors	Finch	Grundberg	Van Fossen
Witt			

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 17, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 694, a bill for an act relating to housing by creating a housing trust fund and a housing trust commission.

Also: That the Senate has on April 17, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 3, 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 and to direct the commission to develop designs incorporating the Old Capitol as a symbol for the state.

Also: That the Senate has on April 17, 2001, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 19, a concurrent resolution urging the Congress of the United States and the United States Department of Agriculture to provide increased federal moneys for purposes of supporting enhanced surveillance expenses as part of a pseudorabies eradication program.

MICHAEL E. MARSHALL, Secretary

## Unfinished Business Calendar

**House File 456**, a bill for an act relating to children's program and juvenile court provisions involving the department of human services in regard to the foster home insurance fund, group child care providers, juvenile delinquency and child in need of assistance dispositions, and termination of parental rights, was taken up for consideration.

## SENATE FILE 458 SUBSTITUTED FOR HOUSE FILE 456

De Boef of Mahaska asked and received unanimous consent to substitute Senate File 458 for House File 456 placing out of order amendments H-1170 filed by Kreiman of Davis and H-1199 filed by Heaton of Henry, et al.

**Senate File 458**, a bill for an act relating to children's program and juvenile court provisions involving the department of human services in regard to the foster home insurance fund, group child care providers, juvenile delinquency and child in need of assistance dispositions, and termination of parental rights, was taken up for consideration.

Kreiman of Davis offered the following amendment H-1441 filed by him and moved its adoption:

H-1441

- 1 Amend Senate File 458, passed by the Senate, as
- 2 follows:
- 3 1. Page 5, line 17, by inserting after the word
- 4 "determines" the following: "by clear and convincing
- 5 evidence that".
- 6 2. Page 12, by inserting after line 15 the
- 7 following:
- 8 "Sec. \_\_\_\_ Section 232.102, subsection 12,
- 9 unnumbered paragraph 1, Code 2001, is amended to read
- 10 as follows:
- 11 If the court determines by clear and convincing
- 12 evidence that aggravated circumstances exist, with
- 13 written findings of fact based upon evidence in the
- 14 record, the court may waive the requirement for making
- 15 reasonable efforts. The existence of aggravated
- 16 circumstances is indicated by any of the following:"
- 17 3. By renumbering as necessary.

Amendment H-1441 was adopted.

Shoultz of Black Hawk offered the following amendment H-1559 filed by him and Boddicker of Cedar from the floor and moved its adoption:

H-1559

- 1 Amend Senate File 458, as passed by the Senate, as
- 2 follows:
- 3 1. Page 8, by inserting after line 35, the
- 4 following:
- 5 "Sec. \_\_\_\_ Section 232.73, unnumbered paragraph 2,
- 6 Code 2001, is amended to read as follows:
- 7 As used in this section and section in sections
- 8 232.77 and 232.78, "medically relevant test" means a
- 9 test that produces reliable results of exposure to
- 10 cocaine, heroin, amphetamine, methamphetamine, or
- 11 other illegal drugs, or combinations or derivatives
- 12 thereof of the illegal drugs, including a drug urine
- 13 screen test.
- 14 Sec. \_\_\_\_ Section 232.78, subsection 1, paragraph
- 15 b, Code 2001, is amended to read as follows:
- 16 b. It appears that the child's immediate removal
- 17 is necessary to avoid imminent danger to the child's
- 18 life or health. The circumstances or conditions
- 19 indicating the presence of such imminent danger shall
- 20 include but are not limited to any of the following:
- 21 (1) The refusal or failure of the person
- 22 responsible for the care of the child to comply with
- 23 the request of a peace officer, juvenile court
- 24 officer, or child protection worker for such person to
- 25 obtain and provide to the requester the results of a
- 26 physical or mental examination of the child. The
- 27 request for a physical examination of the child may
- 28 specify the performance of a medically relevant test.
- 29 (2) The refusal or failure of the person
- 30 responsible for the care of the child or a person
- 31 present in the person's home to comply with a request
- 32 of a peace officer, juvenile court officer, or child
- 33 protection worker for such a person to submit to and
- 34 provide to the requester the results of a medically
- 35 relevant test of the person."
- 36 2. By renumbering as necessary.

Amendment H-1559 was adopted.

Heaton of Henry offered the following amendment H-1474 filed by Heaton, et al., and moved its adoption:



H-1474

- 1 Amend Senate File 458, as passed by the Senate, as  
2 follows:  
3 1. Page 13, by inserting after line 15 the  
4 following:  
5 "Sec. 100. REHABILITATIVE TREATMENT SERVICES STAFF  
6 REQUIREMENTS.  
7 1. Subject to federal requirements, the department  
8 of human services shall act to change the staff  
9 qualification requirements for rehabilitative  
10 treatment services provided under the medical  
11 assistance program that are applicable to those staff  
12 providing therapy and counseling services, and  
13 psychosocial evaluation and behavioral management  
14 services for children in therapeutic foster care.  
15 Under the change, such staff who have graduated from  
16 an accredited four-year college, institute, or  
17 university with a bachelor's degree in social work in  
18 a program that is accredited by the council on social  
19 work education shall not be required to have full-time  
20 experience in social work or experience in the  
21 delivery of human services in a public or private  
22 area.  
23 2. If necessary to implement the change required  
24 by this section, the department shall submit a plan  
25 amendment or otherwise request authorization from the  
26 United States health care financing administration.  
27 In addition, as necessary to quickly implement the  
28 change, the department may adopt emergency rules under  
29 section 17A.4, subsection 2, and section 17A.5,  
30 subsection 2, paragraph "b", to implement the  
31 provisions of this section and the rules shall be  
32 effective immediately upon filing unless a later date  
33 is specified in the rules. Any rules adopted in  
34 accordance with this section shall also be published  
35 as a notice of intended action as provided in section  
36 17A.4.  
37 Sec. \_\_\_\_ EFFECTIVE DATE. Section 100, of this  
38 division of this Act, relating to rehabilitative  
39 treatment services staff requirements, being deemed of  
40 immediate importance, takes effect upon enactment."  
41 2. Title page, line 5, by inserting after the  
42 word "rights" the following: ", and providing an  
43 effective date".  
44 3. By renumbering as necessary.

Amendment H-1474 was adopted.

De Boef of Mahaska offered the following amendment H-1484 filed by De Boef, et al., and moved its adoption:

H-1484

- 1 Amend Senate File 458, as passed by the Senate, as
- 2 follows:
- 3 1. Page 14, by inserting after line 24 the
- 4 following:
- 5 "DIVISION \_\_\_\_
- 6 PSYCHIATRIC MEDICAL INSTITUTIONS FOR CHILDREN
- 7 Sec. \_\_\_\_ Section 135H.10, Code 2001, is amended
- 8 by adding the following new subsection:
- 9 **NEW SUBSECTION.** 4. Unless expressly authorized in
- 10 statute, the department of human services shall not
- 11 include services provided by psychiatric medical
- 12 institutions for children in any managed care
- 13 contract."
- 14 2. Title page, line 5, by inserting after the
- 15 word "dispositions," the following: "psychiatric
- 16 medical institutions for children,".
- 17 3. By renumbering as necessary.

Amendment H-1484 was adopted.

De Boef of Mahaska asked and received unanimous consent to withdraw amendment H-1485 filed by De Boef of Mahaska et al., on April 11, 2001.

De Boef of Mahaska offered the following amendment H-1557 filed by her, Foege of Linn and Heaton of Henry from the floor, and moved its adoption:

H-1557

- 1 Amend Senate File 458, as passed by the Senate, as
- 2 follows:
- 3 1. Page 14, by inserting after line 24 the
- 4 following:
- 5 "DIVISION \_\_\_\_
- 6 PSYCHIATRIC MEDICAL INSTITUTIONS FOR CHILDREN
- 7 Sec. \_\_\_\_ Section 135H.10, Code 2001, is amended
- 8 by adding the following new subsection:
- 9 **NEW SUBSECTION.** 3. The department of human
- 10 services and any other state agency shall not require
- 11 a psychiatric medical institution for children to
- 12 collect client payments or otherwise enforce client
- 13 financial participation for the services provided by
- 14 the psychiatric institution."
- 15 2. Title page, line 5, by inserting after the
- 16 word "dispositions," the following: "psychiatric
- 17 medical institutions for children,".
- 18 3. By renumbering as necessary.

Amendment H-1557 was adopted.

De Boef 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?" (S.F. 458)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Cormack	De Boef	Dolecheck
Dotzler	Drake	Eddie	Eichhorn
Elgin	Falck	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Dix,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Connors

Grundberg

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

## HOUSE FILE 456 WITHDRAWN

De Boef of Mahaska asked and received unanimous consent to withdraw House File 456 from further consideration by the House.

## SENATE AMENDMENT CONSIDERED

Raecker of Polk called up for consideration **House File 458**, a bill for an act extending the statute of limitations period for filing a criminal charge of incest, amended by the Senate, and moved that the House concur in the following Senate amendment H-1481:

H-1481

- 1 Amend House File 458, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Title page, line 2, by inserting after the
- 4 word "incest" the following: "or sexual exploitation
- 5 by a counselor or therapist".

The motion prevailed and the House concurred in the Senate amendment H-1481.

Raecker of Polk 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. 458)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Cormack	De Boef	Dolecheck
Dotzler	Drake	Eddie	Eichhorn
Elgin	Falck	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf

Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Siegrist, Spkr.
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Dix,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Connors

Grundberg

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 693**, a bill for an act to legalize certain ordinances and amendments considered and passed by the city of Davenport in accordance with procedures no longer valid, and providing an effective date and for retroactive applicability, was taken up for consideration.

### SENATE FILE 511 SUBSTITUTED FOR HOUSE FILE 693

Broers of Cerro Gordo asked and received unanimous consent to substitute Senate File 511 for House File 693.

**Senate File 511**, a bill for an act to legalize certain ordinances and amendments considered and passed by the city of Davenport in accordance with procedures no longer valid, and providing an effective date and for retroactive applicability, was taken up for consideration.

Speaker Siegrist in the chair at 11:05 a.m.

Broers 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. 511)

The ayes were, 55:

Atteberry	Bell	Boggess	Bradley
Broers	Bukta	Carroll	Cohoon
Connors	Cormack	Dotzler	Falck
Foege	Frevert	Gipp	Greimann
Hatch	Hoffman	Houser	Huser
Jacobs	Jochum	Johnson	Kreiman
Kuhn	Larkin	Larson	Lensing
Mascher	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Rants	Rekow	Reynolds
Richardson	Scherrman	Schrader	Seng
Shoultz	Sievers	Smith	Stevens
Taylor, D.	Tremmel	Tyrrell	Warnstadt
Winckler	Wise	Mr. Speaker	
		Siegrist	

The nays were, 44:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Brauns	Brunkhorst
Chiodo	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Fallon	Finch	Ford	Garman
Hahn	Hansen	Heaton	Horbach
Hoversten	Huseman	Jenkins	Kettering
Klemme	Manternach	Metcalf	Millage
Raecker	Rayhons	Roberts	Shey
Sukup	Taylor, T.	Teig	Tymeson
Van Engelenhoven	Van Fossen	Weidman	Witt

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 696**, a bill for an act relating to the employment security administrative contribution surcharge, and providing an effective date, was taken up for consideration.

T. Taylor of Linn offered the following amendment H-1466 filed by him and moved its adoption:

H-1466

- 1 Amend House File 696 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 96.7, subsection 12,
- 5 paragraph d, Code 2001, is amended to read as follows:
- 6 d. This subsection is repealed July 1, ~~2001~~ 2004,
- 7 and the repeal is applicable to contribution rates for
- 8 calendar year ~~2002~~ 2005 and subsequent calendar years.
- 9 Sec. 2. EFFECTIVE DATE. This Act, being deemed of
- 10 immediate importance, takes effect upon enactment."

Roll call was requested by Myers of Johnson and T. Taylor of Linn.

Rule 75 was invoked.

On the question "Shall amendment H-1466 be adopted?"  
(H.F. 696)

The ayes were, 45:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Huser	Jenkins
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Reynolds	Richardson
Scherrman	Schrader	Seng	Shoultz
Smith	Stevens	Taylor, D.	Taylor, T.
Tremmel	Warnstadt	Winckler	Wise
Witt			

The nays were, 54:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Finch	Garman	Gipp	Hahn
Hansen	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Jacobs
Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Roberts
Shey	Sievers	Sukup	Teig
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen

Weidman

Mr. Speaker  
Siegrist

Absent or not voting, 1:

Grundberg

Amendment H-1466 lost.

Dotzler of Black Hawk offered amendment H-1493 filed by him as follows:

H-1493

- 1 Amend House File 696 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 96.7, subsection 12,
- 5 paragraphs a, c, and d, Code 2001, are amended to read
- 6 as follows:
- 7 a. An employer other than a governmental entity or
- 8 a nonprofit organization, subject to this chapter,
- 9 shall pay an administrative contribution surcharge
- 10 equal in amount to one-tenth of one percent of federal
- 11 taxable wages, as defined in section 96.19, subsection
- 12 37, paragraph "b". The department shall reduce the
- 13 administrative contribution surcharge established for
- 14 any calendar year proportionate to any federal
- 15 government funding that provides an increased
- 16 allocation of moneys for workforce development
- 17 offices, under the federal employment services
- 18 financing reform legislation. The department shall
- 19 recompute the amount as a percentage of taxable wages,
- 20 as defined in section 96.19, subsection 37, and shall
- 21 add the percentage surcharge to the employer's
- 22 contribution rate determined under this section. The
- 23 percentage surcharge shall be capped at a maximum of
- 24 seven dollars per employee. The department shall
- 25 adopt rules prescribing the manner in which the
- 26 surcharge will be collected. Interest shall accrue on
- 27 all unpaid surcharges under this subsection at the
- 28 same rate as on regular contributions and shall be
- 29 collectible in the same manner. Interest accrued and
- 30 collected under this paragraph and interest earned and
- 31 credited to the fund under paragraph "b" shall be used
- 32 by the department only for the purposes set forth in
- 33 paragraph "c".
- 34 c. Moneys in the fund shall be used by the
- 35 department only upon appropriation by the general
- 36 assembly and only for personnel and nonpersonnel costs



37 of rural and satellite departmental offices in  
38 population centers of less than twenty thousand or for  
39 the department approved training fund funded in  
40 section 8, subsection 2, of 1988 Iowa Acts, chapter  
41 1274. To the extent possible, the department shall  
42 colocate the rural and satellite departmental offices  
43 funded by the surcharge provided for in this  
44 subsection at available community college facilities  
45 throughout the state. Moneys in the fund shall not be  
46 used for purposes other than those identified in this  
47 paragraph or identified in the appropriation of the  
48 moneys in the fund by the general assembly.  
49 d. This subsection is repealed July 1, 2001 2004,  
50 and the repeal is applicable to contribution rates for

## Page 2

1 calendar year 2002 2005 and subsequent calendar years.  
2 Sec. 2. RURAL AND SATELLITE DEPARTMENTAL OFFICES  
3 REVIEW. The department of workforce development shall  
4 establish performance measures for each workforce  
5 development office site based on the job seeker  
6 entered employment rate, the job seeker employment  
7 retention rate, the job seeker average wage at  
8 placement, the job seeker customer satisfaction  
9 rating, the number of employers served, and the  
10 employer customer satisfaction rating, and shall  
11 conduct an annual review of the performance measures.  
12 The department, in the annual departmental offices  
13 review, shall consider the feasibility of  
14 consolidating some of the rural and satellite  
15 departmental offices to better serve the public.  
16 The department shall prepare a report of its annual  
17 departmental offices review findings. The report  
18 shall contain information gathered in the review as  
19 well as information concerning the success of  
20 colocation efforts at community colleges throughout  
21 the state, the services provided to employers with  
22 fifty or fewer employees, the rent or lease costs  
23 associated with each office site and the building  
24 square footage at each office site, and efforts to  
25 pursue other funding sources.  
26 The department shall submit a report of its annual  
27 departmental offices review to the governor and  
28 general assembly by December 21, 2001, by December 21,  
29 2002, and by December 21, 2003.  
30 Sec. 3. EFFECTIVE DATE. This Act, being deemed of  
31 immediate importance, takes effect upon enactment."

Dotzler of Black Hawk offered the following amendment H-1519,  
to amendment H-1493, filed by him and moved its adoption:

H-1519

- 1 Amend the amendment, H-1493, to House File 696 as
- 2 follows:
- 3 1. Page 1, line 49, by striking the figure "2004"
- 4 and inserting the following: "2003".
- 5 2. Page 2, line 1, by striking the figure "2005"
- 6 and inserting the following: "2004".

Amendment H-1519 was adopted.

Dotzler of Black Hawk moved the adoption of amendment H-1493, as amended.

Roll call was requested by Myers of Johnson and Dotzler of Black Hawk.

Rule 75 was invoked.

On the question "Shall amendment H-1493, as amended, be adopted?" (H.F. 696)

The ayes were, 47:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Hoffman	Huser
Jenkins	Jochum	Kreiman	Kuhn
Larkin	Lensing	Manternach	Mascher
May	Mertz	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Reynolds	Richardson	Scherrman	Schrader
Seng	Shoultz	Smith	Stevens
Taylor, D.	Taylor, T.	Tremmel	Warnstadt
Winckler	Wise	Witt	

The nays were, 52:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Finch	Garman	Gipp	Hahn
Hansen	Heaton	Horbach	Houser
Hoversten	Huseman	Jacobs	Johnson
Kettering	Klemme	Larson	Metcalf

Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Sievers
Sukup	Teig	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Mr. Speaker
			Siegrist

Absent or not voting, 1:

Grundberg

Amendment H-1493 lost.

Rants of Woodbury asked and received unanimous consent that House File 696 be deferred and that the bill retain its place on the calendar.

### HOUSE FILE 693 WITHDRAWN

Broers of Cerro Gordo asked and received unanimous consent to withdraw House File 693 from further consideration by the House.

On motion by Rants of Woodbury, the House was recessed at 12:46 p.m., until 3:00 p.m.

### AFTERNOON SESSION

The House reconvened at 3:16 p.m., Speaker Siegrist in the chair.

### SENATE MESSAGE CONSIDERED

**Senate File 520**, by committee on ways and means, a bill for an act relating to the property tax exemption for methane gas and other gas conversion property and providing a retroactive applicability date and an effective date.

Read first time and referred to committee on **ways and means**.

The House stood at ease at 3:17 p.m., until the fall of the gavel.

The House resumed session at 4:30 p.m., Speaker Siegrist in the chair.

## SPECIAL PRESENTATION

Ford of Polk introduced to the House the Drake Women's Basketball Team and coach Lisa Stone who introduced her staff and the team.

The House rose and expressed its welcome.

## ADOPTION OF HOUSE RESOLUTION 30

Raecker of Polk called up for consideration **House Resolution 30**, a resolution honoring the Drake Women's Basketball Team, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS  
Unfinished Business Calendar

The House resumed consideration of **House File 696**, a bill for an act relating to the employment security administrative contribution surcharge, and providing an effective date, previously deferred.

Bogges of Page offered amendment H-1494 filed by her as follows:

H-1494

- 1 Amend House File 696 as follows:
- 2 1. Page 1, line 13, by inserting after the word
- 3 "million" the following: "two hundred fifty
- 4 thousand".
- 5 2. Page 1, line 15, by striking the words "five
- 6 million" and inserting the following: "six million,
- 7 two hundred fifty thousand".
- 8 3. Page 1, by striking lines 21 through 26, and
- 9 inserting the following: "surcharge."
- 10 4. Page 1, line 27, by striking the words "the
- 11 state."

Bogges of Page offered the following amendment H-1515, to amendment H-1494, filed by her and moved its adoption:

H-1515

- 1 Amend the amendment H-1494, to House File 696, as

2 follows:

3 1. Page 1, by inserting after line 11 the

4 following:

5 "\_\_\_\_. Page 2, line 14, by inserting after the

6 word "state." the following: "If colocation at

7 community colleges if not feasible, the department

8 shall attempt, to the extent possible, to colocate

9 offices in the facilities of other government

10 entities."

11 2. By renumbering as necessary.

Amendment H-1515 was adopted.

On motion by Boggess of Page, amendment H-1494, as amended, was adopted.

Boggess of Page 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, 62:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Carroll	Cormack	De Boef
Dolecheck	Drake	Eddie	Eichhorn
Elgin	Fallon	Finch	Frevert
Garman	Gipp	Hahn	Hansen
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Jacobs	Jenkins
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Manternach	Metcalf
Myers	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Roberts
Shey	Shoultz	Sievers	Stevens
Sukup	Teig	Tymeson	Van Engelenhoven
Weidman	Mr. Speaker		
	Siegrist		

The nays were, 37:

Bukta	Chiodo	Cohoon	Connors
Dix	Dotzler	Falck	Foege
Ford	Greimann	Hatch	Huser
Jochum	Larson	Lensing	Mascher
May	Mertz	Millage	Murphy

O'Brien	Osterhaus	Petersen	Richardson
Scherrman	Schrader	Seng	Smith
Taylor, D.	Taylor, T.	Tremmel	Tyrrell
Van Fossen	Warnstadt	Winckler	Wise
Witt			

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.

### Ways and Means Calendar

**House File 703**, a bill for an act exempting property owned and operated by an Indian housing authority from property tax and including an effective date, was taken up for consideration.

### SENATE FILE 449 SUBSTITUTED FOR HOUSE FILE 703

Hoversten of Woodbury asked and received unanimous consent to substitute Senate File 449 for House File 703.

**Senate File 449**, a bill for an act exempting property owned and operated by an Indian housing authority from property tax and including an effective date, was taken up for consideration.

Hoversten 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?" (S.F. 449)

The ayes were, 99:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Hahn	Hansen	Hatch	Heaton

Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Mr. Speaker	
		Siegrist	

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.

### Unfinished Business Calendar

**Senate File 62**, a bill for an act relating to the processing and distribution of honey in residences, with report of committee recommending passage, was taken up for consideration.

Alons of Sioux offered the following amendment H-1309 filed by him and moved its adoption:

H-1309

- 1 Amend Senate File 62, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 24, by striking the word
- 4 "prepared," and inserting the following: "prepared;
- 5 packaged,".

Amendment H-1309 was adopted.

Alons of Sioux 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. 62)

The ayes were, 99:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Mr. Speaker	
		Siegrist	

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.

## 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 17, 2001, amended and passed the following bill in which the concurrence of the House is asked:



House File 229, a bill for an act relating to judicial district departments of correctional services by providing for a restitution lien for supervision fees and for the establishment of a reserve peace officer force.

Also: That the Senate has on April 17, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 310, a bill for an act relating to child support enforcement, including disclosure of certain juvenile court records to the child support recovery unit, and federal tax and nontax setoff payments for accrued support, and providing effective dates.

Also: That the Senate has on April 17, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 526, a bill for an act providing for a study of state law requirements in this state and other states regarding barber reciprocity practices.

Also: That the Senate has on April 17, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 590, a bill for an act relating to the testing of individuals and the release of the results of tests for communicable and infectious diseases and for the human immunodeficiency virus and making penalties applicable.

Also: That the Senate has on April 17, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 519, a bill for an act relating to the assessment for property tax purposes of certain affordable housing for low-income individuals and families.

MICHAEL E. MARSHALL, Secretary

## HOUSE FILE 703 WITHDRAWN

Hoversten of Woodbury asked and received unanimous consent to withdraw House File 703 from further consideration by the House.

## SENATE AMENDMENT CONSIDERED

Hoffman of Crawford called up for consideration **House File 356**, a bill for an act relating to administrative and corrective changes to the workers' compensation law, amended by the Senate amendment H-1478 as follows:

H-1478

- 1 Amend House File 356, as passed by the House, as
- 2 follows:

3 1. Page 4, by inserting after line 31, the  
4 following:  
5 "Sec. \_\_. Section 668.13, subsection 3, Code 2001,  
6 is amended to read as follows:  
7 3. Interest shall be calculated as of the date of  
8 judgment at a rate equal to the coupon issue yield  
9 equivalent, as determined by the United States  
10 secretary of the treasury, of the average accepted  
11 auction price for the last auction of fifty two week  
12 United States treasury bills treasury constant  
13 maturity index published by the federal reserve in the  
14 H15 Report settled immediately prior to the date of  
15 the judgment plus two percent. The state court  
16 administrator shall distribute notice monthly of that  
17 rate and any changes to that rate to all district  
18 courts."

Dotzler of Black Hawk asked and received unanimous consent to withdraw amendment H-1552, to the Senate amendment H-1478, filed by him and Hoffman of Crawford on April 16, 2001.

T. Taylor of Linn offered the following amendment H-1558, to the Senate amendment H-1478, filed by him and Hoffman of Crawford from the floor and moved its adoption:

H-1558

1 Amend the Senate amendment, H-1478, to House File  
2 356, as passed by the House, as follows:  
3 1. Page 1, line 5, by striking the word "Sec.  
4 \_\_." and inserting the following: "Sec. 9."  
5 2. Page 1, by striking line 18 and inserting the  
6 following: ""courts.  
7 Sec. 10. Section 9 of this Act, being deemed of  
8 immediate importance, takes effect upon enactment and  
9 applies retroactively to February 28, 2001."  
10 \_\_. Title page, line 2, by inserting after the  
11 word "law" the following: "and providing an effective  
12 date and retroactive applicability"."

Amendment H-1558 was adopted.

On motion by Hoffman of Crawford the House concurred in the Senate amendment H-1478, as amended.

Hoffman of Crawford moved that the bill, as amended by the Senate, further amended 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. 356)

The ayes were, 99:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Schrader	Seng	Shey
Shoultz	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Mr. Speaker	
		Siegrist	

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, as amended, was agreed to.

### Unfinished Business Calendar

**Senate File 346**, a bill for an act relating to the department of corrections by providing for the use of deadly force by correctional or peace officers, for submission of presentence investigation reports to

the department, for establishing a training fund in the department, for transcription and recording of testimony for certain investigations conducted by the department of corrections, and for purchases by a department or agency from Iowa state industries, with report of committee recommending amendment and passage, was taken up for consideration.

Baudler of Adair offered the following amendment H-1461 filed by the committee on judiciary and moved its adoption:

H-1461

1 Amend Senate File 346, as passed by the Senate, as  
2 follows:

3 1. Page 1, by inserting before line 1, the  
4 following:

5 "Section 1. Section 232.68, subsection 2, Code  
6 2001, is amended by adding the following new  
7 paragraph:

8 NEW PARAGRAPH. g. The commission of bestiality in  
9 the presence of a minor under section 717C.1 by a  
10 person who resides in a home with a child, as a result  
11 of the acts or omissions of a person responsible for  
12 the care of the child."

13 2. Page 1, line 12, by striking the words "may  
14 shall" and inserting the following: "may".

15 3. Page 1, by inserting after line 15, the  
16 following:

17 "Sec. \_\_\_\_ NEW SECTION. 717C.1 BESTIALITY.

18 1. For purposes of this section:

19 a. "Animal" means any nonhuman vertebrate, either  
20 dead or alive.

21 b. "Sex act" means any sexual contact between a  
22 person and an animal by penetration of the penis into  
23 the vagina or anus, contact between the mouth and  
24 genitalia, or by contact between the genitalia of one  
25 and the genitalia or anus of the other.

26 2. A person who performs a sex act with an animal,  
27 is guilty of an aggravated misdemeanor.

28 3. Upon a conviction for a violation of this  
29 section, and in addition to any sentence authorized by  
30 law, the court shall require the person to submit to a  
31 psychological evaluation and treatment at the person's  
32 expense."

33 4. Page 2, by inserting after line 27 the  
34 following:

35 "Sec. \_\_\_\_ Section 904.310, Code 2001, is amended  
36 to read as follows:

37 904.310 CANTEENS.

38 The director may maintain a canteen at an  
39 institution under the director's jurisdiction for the  
40 sale to persons confined in the institution of items  
41 such as toilet articles, candy, tobacco products,  
42 notions, and other sundries, and may provide the  
43 necessary facilities, equipment, personnel, and  
44 merchandise for the canteen. The director shall  
45 specify the items to be sold in the canteen. The  
46 department may establish and maintain a permanent  
47 operating fund for each canteen. The fund shall  
48 consist of the receipts from the sale of commodities  
49 at the canteen and donations designated by inmates for  
50 reimbursement of victims' travel expenses. Any money

Page 2

1 in the fund over the amount needed to do normal  
2 business transactions, and to reimburse any accounts  
3 which have subsidized the canteen fund, and to  
4 reimburse victims' travel expenses, shall be  
5 considered profit. This money may remain in the  
6 canteen fund and be used for any purchase which the  
7 superintendent approves that will directly and  
8 collectively benefit the inmates of the institution or  
9 to reimburse victims' travel expenses."  
10 5. Page 3, line 8, by inserting after the word  
11 "later," the following: "However, a recording of  
12 testimony involving any employee of the department  
13 shall continue to be filed and maintained until the  
14 employee no longer is employed by the department."  
15 6. By striking page 3, line 9, through page 4,  
16 line 4.  
17 7. Title page, line 2, by inserting after the  
18 word "officers," the following: "for the creation of  
19 a new criminal offense with a correctional impact,".  
20 8. By renumbering as necessary.

The committee amendment H-1461 was adopted, placing out of order amendment H-1365 filed by Baudler of Adair.

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. 346)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Finch	Foege	Ford	Frevert
Garman	Gipp	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Mr. Speaker
			Siegrist

The nays were, 2:

Fallon Greimann

Absent or not voting, 2:

Grundberg Johnson

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**Senate File 349**, a bill for an act relating to certain filings relating to executive and legislative ethics, with report of committee recommending amendment and passage, was taken up for consideration.

Gipp of Winneshiek asked and received unanimous consent to withdraw amendment H-1440 filed by the committee on state government on April 5, 2001.

Jochum of Dubuque offered amendment H-1549 filed by the committee on state government as follows:

H-1549

- 1 Amend Senate File 349, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking line 26, and inserting the
- 4 following: "a".
- 5 2. Page 1, by striking lines 31 through 35 and
- 6 inserting the following:
- 7 "A person may initiate a complaint or investigation
- 8 under this section by providing anonymous information
- 9 to the board. The board may also regard any
- 10 information submitted to it as confidential, pursuant
- 11 to section 22.7, subsection 18, until the board
- 12 determines that there is no probable cause to believe
- 13 a violation has occurred, until the board directs
- 14 administrative resolution or informal settlement of
- 15 the matter, or until a notice of a contested case
- 16 proceeding is issued under subsection 9."

Jochum of Dubuque offered the following amendment H-1550, to the committee amendment H-1549, filed by her and moved its adoption:

H-1550

- 1 Amend the amendment, H-1549, to Senate File 349, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 7, by inserting before the word
- 5 "A" the following: "c."

Amendment H-1550 was adopted.

Tremmel of Wapello offered the following amendment H-1556, to the committee amendment H-1549, filed by him from the floor and moved its adoption:

H-1556

- 1 Amend the amendment, H-1549, to Senate File 349, as
- 2 amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 9, by striking the words "may
- 5 also" and inserting the following: "shall".
- 6 2. Page 1, line 9 by inserting after the word

7 "any" the following: "anonymous".

Amendment H-1556 was adopted.

On motion by Gipp of Winneshiek the committee amendment H-1549, as amended, was adopted.

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?" (S.F. 349)

The ayes were, 98:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cphoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevort
Garman	Gipp	Greimann	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Witt	Mr. Speaker		
	Siegrist		

The nays were, none.

Absent or not voting, 2:

Bradley Grundberg



The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 462**, a bill for an act relating to the energy loan fund administered by the department of natural resources, with report of committee recommending passage, was taken up for consideration.

Sievers 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. 462)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Hahn
Hansen	Hatch	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Schrader
Seng	Shey	Shoultz	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 3:

Carroll	Grundberg	Heaton
---------	-----------	--------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 342**, a bill for an act requiring voters to present identification containing a photograph to poll workers prior to voting, with report of committee recommending amendment and passage, was taken up for consideration.

Jacobs of Polk offered amendment H-1444 filed by the committee on state government as follows:

H-1444

1 Amend Senate File 342, as passed by the Senate, as  
2 follows:

3 1. Page 1, lines 1 and 2, by striking the words  
4 and figure "unnumbered paragraph 2,".

5 2. Page 1, by striking lines 3 through 7, and  
6 inserting the following:

7 "3. A precinct election official shall require any  
8 person whose name does not appear on the election  
9 register as an active voter to show identification.

10 Specific documents which are acceptable forms of  
11 identification shall be prescribed by the state  
12 commissioner.

13 A precinct election official ~~may~~ shall require of  
14 the voter ~~unknown to the official, identification upon~~  
15 ~~which the voter's signature or mark appears. in the~~  
16 form of one of the following:

17 a. A valid voter registration card.

18 b. A valid Iowa driver's license.

19 c. A valid nonoperator's identification card.

20 d. A valid identification card issued by a branch,  
21 department, agency, or entity of the state of Iowa or  
22 any other state or the United States authorized to  
23 issue personal identification cards.

24 e. A valid United States passport.

25 f. A valid employee identification card.

26 g. A health insurance membership card.

27 h. A valid student identification card from a  
28 public or private school.

29 i. A valid Iowa hunting or fishing license.

30 j. A valid United States military identification  
31 card.

32 k. United States military discharge or separation  
33 papers.

34 l. A United States military dependent  
35 identification card.

36 m. A certified copy of the voter's birth

37 certificate.  
38 n. A valid pilot's license.  
39 o. A valid Iowa gun permit.  
40 p. A valid social security card.  
41 q. A certified copy of a naturalization document.  
42 r. A marriage license or certificate.  
43 s. A bureau of Indian affairs or Indian treaty  
44 card.  
45 t. A certified copy of a decree of change of name  
46 of the voter.  
47 PARAGRAPH DIVIDED. If identification is  
48 established to the satisfaction of the precinct  
49 election officials, the person ~~may~~ shall then be  
50 allowed to vote."

T. Taylor of Linn offered the following amendment H-1467, to the committee amendment H-1444, filed by him and moved its adoption:

H-1467

1 Amend the amendment, H-1444, to Senate File 342, as  
2 passed by the Senate, as follows:  
3 1. Page 1, by inserting after line 2, the  
4 following:  
5 "\_\_\_\_. Page 1, by inserting before line 1 the  
6 following:  
7 "Section 1. Section 49.53, unnumbered paragraph 1,  
8 Code 2001, is amended to read as follows:  
9 The commissioner shall not less than four nor more  
10 than twenty days before the day of each election,  
11 except those for which different publication  
12 requirements are prescribed by law, publish notice of  
13 the election. The notice shall contain a facsimile of  
14 the portion of the ballot containing the first  
15 rotation as prescribed by section 49.31, subsection 2,  
16 and shall show the names of all candidates or nominees  
17 and the office each seeks, and all public questions,  
18 to be voted upon at the election. The sample ballot  
19 published as a part of the notice may at the  
20 discretion of the commissioner be reduced in size  
21 relative to the actual ballot but such reduction shall  
22 not cause upper case letters appearing on the  
23 published sample ballot to be less than five thirty-  
24 sixths of an inch high in candidates' names or in  
25 summaries of public measures. The notice shall also  
26 state the date of the election, the hours the polls  
27 will be open, the location of each polling place at  
28 which voting is to occur in the election, the location  
29 of the polling places designated as early ballot pick-  
30 up sites, and the names of the precincts voting at  
31 each polling place, but the statement need not set

32 forth any fact which is apparent from the portion of  
33 the ballot appearing as a part of the same notice.  
34 The notice shall also state that the voter must show  
35 identification to be allowed to vote and shall list  
36 the acceptable forms of identification as those forms  
37 are specified in section 49.77. The notice shall  
38 include the full text of all public measures to be  
39 voted upon at the election. The notice shall also  
40 include notice of testing required pursuant to  
41 sections 52.9, 52.35, and 52.38."  
42 2. By renumbering as necessary.

Amendment H-1467 was adopted.

T. Taylor of Linn offered the following amendment H-1471, to the committee amendment H-1444, filed by him and moved its adoption:

H-1471

1 Amend the amendment, H-1444, to Senate File 342, as  
2 passed by the Senate, as follows:  
3 1. Page 1, by inserting after line 2, the  
4 following:  
5 "\_\_\_\_. Page 1, by inserting before line 1, the  
6 following:  
7 "Section 1. Section 49.21, Code 2001, is amended  
8 by adding the following new unnumbered paragraph:  
9 The commissioner shall post a sign at the entrance  
10 to the polling place informing the voters that  
11 identification will be required before being allowed  
12 to vote. The sign shall contain a list of the  
13 acceptable forms of identification as those forms are  
14 specified in section 49.77."  
15 2. By renumbering as necessary.

Amendment H-1471 was adopted.

Smith of Marshall offered the following amendment H-1483, to the committee amendment H-1444, filed by him and moved its adoption:

H-1483

1 Amend the amendment, H-1444, to Senate File 342, as  
2 passed by the Senate, as follows:  
3 1. Page 1, by inserting before line 3, the  
4 following:  
5 "\_\_\_\_. Page 1, by inserting before line 1 the  
6 following:  
7 "Sec. 100. Section 48A.5, Code 2001, is amended by

8 adding the following new subsection:

9 NEW SUBSECTION. 3A. If a person is registering  
10 under the provisions of section 48A.9A, the person  
11 shall be a resident of the county in which the  
12 election is held for ten days immediately preceding  
13 the election, subject to the provisions of subsection  
14 3 and section 48A.27, subsection 2, paragraph "a",  
15 subparagraph (3).

16 Sec. \_\_\_\_ Section 48A.9, subsection 1, Code 2001,  
17 is amended to read as follows:

18 1. Registration closes at five p.m. eleven days  
19 before each election except primary and general  
20 elections. For primary and general elections,  
21 registration closes at five p.m. ten days before the  
22 election. An eligible elector may register during the  
23 time registration is closed in the elector's precinct  
24 but the registration shall not become effective until  
25 registration opens again in the elector's precinct  
26 unless the elector obtains an affidavit of special  
27 late registration as provided in section 48A.9A.

28 Sec. \_\_\_\_ NEW SECTION. 48A.9A SPECIAL LATE  
29 REGISTRATION.

30 1. Notwithstanding the voter registration  
31 deadlines in section 48A.9, an eligible elector may  
32 register to vote on election day if the elector  
33 presents to the precinct election official  
34 identification in the form described in section 49.77,  
35 subsection 3.

36 2. The commissioner shall record the information  
37 required of an eligible elector on the election  
38 register for the county precinct of the eligible  
39 elector or shall provide a separate listing of the  
40 information required of an eligible elector to the  
41 county precinct of the eligible elector who registers  
42 in person at the commissioner's office or at the  
43 elector's precinct polling place on election day.

44 3. If the commissioner is unable to make available  
45 to a county precinct the information required of an  
46 eligible elector who registers through special late  
47 registration procedures, on the election register of a  
48 county precinct or through the provision of a separate  
49 listing of the eligible electors who register through  
50 special late registration procedures, an eligible

## Page 2

1 elector may obtain from the commissioner of  
2 registration a form of affidavit prescribed by the  
3 state commissioner of elections to serve as evidence  
4 of special late registration. If the affidavit is  
5 completed by the elector and notarized by the  
6 commissioner of registration or an employee of the

7 commissioner, the elector is deemed registered under  
8 special late registration procedures and may present  
9 the affidavit at the elector's polling place as proof  
10 that the elector is registered to vote. The election  
11 officials of the elector's precinct shall accept the  
12 elector's affidavit of special late registration and  
13 shall proceed as if the elector's name were listed in  
14 the election register.

15 The election officials shall preserve all  
16 affidavits submitted pursuant to this section and  
17 forward them to the commissioner of registration at  
18 the time the election register is returned. A  
19 registration under this section is subject to  
20 verification as provided in section 48A.26.

21 4. The commissioner may designate the precinct  
22 polling places, in addition to the commissioner's  
23 office, to provide access to special late registration  
24 procedures. If the precinct polling place is  
25 designated as a place to register to vote on election  
26 day, the commissioner or an employee of the  
27 commissioner shall process special late registrations  
28 at a table separate from the precinct election  
29 officials in order to reduce congestion at the polling  
30 place and to avoid discouraging voters from casting a  
31 ballot.

32 Sec. \_\_. Section 48A.11, subsection 1, paragraph  
33 c, Code 2001, is amended to read as follows:  
34 c. The address at which the registrant resides and  
35 claims as the registrant's residence for voting  
36 purposes. The commissioner may require proof of  
37 residency if the registrant is registering pursuant to  
38 section 48A.9A. The state commissioner of elections  
39 shall designate which documents are acceptable to show  
40 proof of residency.

41 Sec. \_\_. Section 48A.26, subsections 1 and 4,  
42 Code 2001, are amended to read as follows:  
43 1. Within seven working days of receipt of a voter  
44 registration form or change of information in a voter  
45 registration record the commissioner shall send an  
46 acknowledgment to the registrant at the mailing  
47 address shown on the registration form. However, in  
48 the case of special late registrations, the  
49 commissioner shall send the acknowledgment within ten  
50 days of receipt of the special late registration. The

1 acknowledgment shall be sent by nonforwardable mail.  
2 4. If the acknowledgment is returned as  
3 undeliverable by the United States postal service, the  
4 commissioner shall follow the procedure described in  
5 section 48A.29, subsection 1. However, if the

6 acknowledgment mailed for a special late registration  
7 is returned as undeliverable by the postal service,  
8 the commissioner shall cancel the registration and  
9 shall immediately notify the state commissioner of  
10 registration and the county attorney.  
11 Sec. \_\_. Section 48A.26, Code 2001, is amended by  
12 adding the following new subsection:  
13 NEW SUBSECTION. 1A. Within ten working days after  
14 receiving a special late registration pursuant to  
15 section 48A.9A, the commissioner shall send an  
16 acknowledgment to the registrant at the mailing  
17 address shown on the registration form. The  
18 acknowledgment shall be sent by nonforwardable mail.  
19 Sec. \_\_. Section 48A.30, subsection 1, Code 2001,  
20 is amended by adding the following new paragraph:  
21 NEW PARAGRAPH. g. The acknowledgment of a voter  
22 who registered to vote under the special late  
23 registration provisions is returned pursuant to  
24 section 48A.29, subsection 1 or 2."  
25 2. Page 1, line 16, by inserting after the word  
26 "following" the following: "if the voter is  
27 requesting to register on election day".  
28 3. Page 1, line 50, by inserting after the words  
29 "allowed to" the following: "register to vote and  
30 to".  
31 4. Page 1, by inserting after line 50, the  
32 following:  
33 " \_\_. Page 1, by inserting before line 8, the  
34 following:  
35 "Sec. \_\_. Section 49.77, Code 2001, is amended by  
36 adding the following new subsection:  
37 NEW SUBSECTION. 6. A person whose name does not  
38 appear on the election register of the precinct who  
39 registers under section 48A.9A shall be allowed to  
40 cast a ballot and the precinct election official is  
41 not under a duty to require that the ballot be cast  
42 under section 49.81.  
43 Sec. \_\_. IMPLEMENTATION OF ACT. Section 25B.2,  
44 subsection 3, shall not apply to this Act.  
45 \_\_. Title page, line 1, by inserting after the  
46 word "Act" the following: "relating to the conduct of  
47 elections by providing for special late voter  
48 registration on election day, by providing a  
49 durational residency requirement for voting, and by".  
50 5. By renumbering as necessary.

Amendment H-1483 lost.

T. Taylor of Linn offered the following amendment H-1469, to the committee amendment H-1444, filed by him and moved its adoption:

H-1469

1 Amend the amendment, H-1444, to Senate File 342, as  
2 passed by the Senate, as follows:  
3 1. Page 1, by striking lines 3 through 50, and  
4 inserting the following:  
5 "\_\_\_ Page 1, by striking lines 3 through 7, and  
6 inserting the following:  
7 "A precinct election official may require of the  
8 voter unknown to the official, identification upon  
9 which the voter's signature or mark appears. If  
10 identification is established to the satisfaction of  
11 the precinct election officials, the person ~~may~~ shall  
12 then be allowed to vote."

Amendment H-1469 lost.

Jochum of Dubuque offered the following amendment H-1513, to the committee amendment H-1444, filed by her and moved its adoption:

H-1513

1 Amend the amendment, H-1444, to Senate File 342, as  
2 passed by the Senate, as follows:  
3 1. Page 1, line 13, by striking the words "may  
4 shall" and inserting the following: "may".  
5 2. Page 1, line 14, by striking the words  
6 "~~unknown to the official,~~" and inserting the  
7 following: "unknown to the official,".

Amendment H-1513 lost.

Rants of Woodbury asked and received unanimous consent that Senate File 342 be deferred and that the bill retain its place on the calendar.

## INTRODUCTION OF BILLS

**House File 718**, 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 effective dates.

Read first time and placed on the **appropriations calendar**.



**House File 719**, 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, 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 April 17, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 384, a bill for an act relating to the elimination of programs and duties of the department of economic development.

Also: That the Senate has on April 17, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 598, a bill for an act establishing a child protection center grant program.

Also: That the Senate has on April 17, 2001, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 114, a bill for an act relating to the composition of the medical assistance advisory council.

MICHAEL E. MARSHALL, Secretary

### IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 292, 356, 458, 696** and **Senate Files 62, 346, 349, 458, 449 and 462**.

The House resumed consideration of Senate File 342.

Carroll of Poweshiek in the chair at 6:36 p.m.

Jacobs of Polk offered the following amendment H-1454, to the committee amendment H-1444, filed by her and moved its adoption:

H-1454

- 1 Amend the amendment, H-1444, to Senate File 342, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, by striking line 45 and inserting the
- 4 following:
- 5 "t. A file-stamped decree of dissolution of
- 6 marriage or change of name".

Amendment H-1454 was adopted.

Mascher of Johnson offered the following amendment H-1570, to the committee amendment H-1444, filed by her from the floor and moved its adoption:

H-1570

- 1 Amend the amendment, H-1444, to Senate File 342, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, by inserting after line 46, the
- 4 following:
- 5 "\_\_\_ . A valid Iowa teaching license."
- 6 2. By relettering and correcting internal
- 7 references as necessary.

Amendment H-1570 lost.

Mascher of Johnson offered the following amendment H-1571, to the committee amendment H-1444, filed by her from the floor and moved its adoption:

H-1571

- 1 Amend the amendment, H-1444, to Senate File 342, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, by inserting after line 46, the
- 4 following:
- 5 "\_\_\_ . Any valid license issued by the state of
- 6 Iowa."
- 7 2. By renumbering, redesignating, and correcting
- 8 internal references as necessary.

Amendment H-1571 lost.

Mascher of Johnson offered the following amendment H-1572, to the committee amendment H-1444, filed by her from the floor and moved its adoption:

H-1572

- 1 Amend the amendment, H-1444, to Senate File 342, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, by inserting after line 46, the
- 4 following:
- 5 "\_\_\_ A valid credit card issued in the name of
- 6 the voter."
- 7 2. By relettering and correcting internal
- 8 references as necessary.

Amendment H-1572 lost.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Raecker of Polk, until his return, on request of Rants of Woodbury.

Mascher of Johnson offered the following amendment H-1573, to the committee amendment H-1444, filed by her from the floor and moved its adoption:

H-1573

- 1 Amend the amendment, H-1444, to Senate File 342, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, by inserting after line 46, the
- 4 following:
- 5 "\_\_\_ A valid bank card or automatic teller
- 6 machine card issued in the name of the voter."
- 7 2. By relettering and correcting internal
- 8 references as necessary.

Amendment H-1573 lost.

Bukta of Clinton offered the following amendment H-1576, to the committee amendment H-1444, filed by her from the floor and moved its adoption:

H-1576

- 1 Amend the amendment, H-1444, to Senate File 342, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, by inserting after line 46, the
- 4 following:
- 5 "\_\_\_ A valid Iowa library card issued to the
- 6 voter."
- 7 2. By relettering, redesignating, and correcting
- 8 internal references as necessary.

Amendment H-1576 lost.

T. Taylor of Linn asked and received unanimous consent to withdraw amendments H-1464 and H-1468, to the committee amendment H-1444, filed by him on April 10, 2001.

Smith of Marshall asked and received unanimous consent to withdraw amendment H-1476, to the committee amendment H-1444, filed by him on April 10, 2001.

Metcalf of Polk offered the following amendment H-1522, to the committee amendment H-1444, filed by her and moved its adoption:

H-1522

- 1 Amend the amendment, H-1444, to Senate File 342, as
- 2 passed by the Senate, as follows:
- 3 1. Page 1, by inserting after line 50, the
- 4 following:
- 5 "\_\_\_ Title page, lines 1 and 2, by striking the
- 6 words "containing a photograph"."

Amendment H-1522 was adopted.

On motion by Jacobs of Polk the committee amendment H-1444, as amended, was adopted.

Jochum of Dubuque asked and received unanimous consent to withdraw amendment H-1514 filed by her on April 13, 2001.

Mascher of Johnson asked and received unanimous consent to withdraw amendment H-1579 filed by her from the floor.

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. 342)

The ayes were, 52:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	De Boef
Dix	Dolecheck	Drake	Eddie
Elgin	Finch	Garman	Gipp
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Metcalf
Millage	Rants	Rayhons	Rekow
Roberts	Shey	Siegrist, Spkr.	Sievers
Sukup	Teig	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Carroll,
			Presiding

The nays were, 45:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Cormack	Dotzler	Eichhorn
Falck	Fallon	Foege	Ford
Frevert	Greimann	Hatch	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	May	Mertz
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Reynolds	Richardson
Scherrman	Schrader	Seng	Shoultz
Smith	Stevens	Taylor, D.	Taylor, T.
Tremmel	Warnstadt	Winckler	Wise
Witt			

Absent or not voting, 3:

Connors	Grundberg	Raecker
---------	-----------	---------

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 342** be immediately messaged to the Senate.

## 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 17, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 525, 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.

**Senate File 222**, a bill for an act relating to the statute of limitations in civil actions arising out of the unsafe or defective condition of an improvement to real property, with report of committee recommending passage, was taken up for consideration.

Speaker Siegrist in the chair at 8:04 p.m.

Tremmel of Wapello offered amendment H-1563 filed by him from the floor as follows:

Division was requested as follows:

H-1563

- 1 Amend Senate File 222, as amended, passed, and
- 2 reprinted by the Senate, as follows:

H-1563B

- 3 1. Page 1, by inserting before line 1, the
- 4 following:
- 5 "Section 1. Section 614.1, subsection 2A,
- 6 paragraph b, subparagraph (2), Code 2001, is amended
- 7 to read as follows:
- 8 (2) As used in this paragraph, "harmful material"
- 9 means silicon gel breast implants, which were
- 10 implanted prior to July 12, 1992; and chemical
- 11 substances commonly known as asbestos, dioxins,
- 12 tobacco, or polychlorinated biphenyls, or any other
- 13 latent disease-causing or injury-causing substances,
- 14 whether alone or as part of any product; or any
- 15 substance which is determined to present an
- 16 unreasonable risk of injury to health or the
- 17 environment by the United States environmental
- 18 protection agency pursuant to the federal Toxic
- 19 Substance Control Act, 15 U.S.C. § 2601 et seq., or by
- 20 this state, if that risk is regulated by the United

H-1563B

21 States environmental protection agency or this state.  
22 Sec.\_\_\_\_. Section 614.1, subsection 9, paragraph  
23 a, Code 2001, is amended to read as follows:  
24 a. Except as provided in paragraph "b", those  
25 founded on injuries to the person or wrongful death  
26 against any physician and surgeon, osteopath,  
27 osteopathic physician and surgeon, dentist, podiatric  
28 physician, optometrist, pharmacist, chiropractor,  
29 physician assistant, or nurse, licensed under chapter  
30 147, or a hospital licensed under chapter 135B,  
31 arising out of patient care, within two years after  
32 the date on which the claimant knew, or through the  
33 use of reasonable diligence should have known, or  
34 received notice in writing of the existence of, the  
35 injury or death for which damages are sought in the  
36 action, whichever of the dates occurs first, but in no  
37 event shall any action be brought more than six years  
38 after the date on which occurred the act or omission  
39 or occurrence alleged in the action to have been the  
40 cause of the injury or death unless a foreign object  
41 unintentionally left in the body, or other latent  
42 disease-causing or injury-causing act, omission, or  
43 occurrence caused the injury or death."

H-1563A

44 2. Page 1, line 15, by inserting after the word  
45 "property." the following: "This subsection does not  
46 apply to an action brought by a municipality, as  
47 defined in section 670.1, or to a subrogation claim  
48 brought on behalf of an insurance company."

H-1563B

49 3. Title page, by striking lines 2 and 3 and  
50 inserting the following: "relating to products and

Page 2

1 improvements to real property."  
2 4. By renumbering as necessary.

Tremmel of Wapello moved the adoption of amendment H-1563A.

A non-record roll call was requested.

The ayes were 37, nays 51.

Amendment H-1563A lost.

Sukup of Franklin rose on a point of order that amendment H-1563B was not germane.

The Speaker ruled the point well taken and amendment H-1563B not germane.

Mascher of Johnson offered the following amendment H-1510 filed by her and moved its adoption:

H-1510

- 1 Amend Senate File 222, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 3, by inserting after the word
- 4 "PROPERTY." the following: "a."
- 5 2. Page 1, line 12, by striking the word
- 6 "subsection" and inserting the following:
- 7 "paragraph".
- 8 3. Page 1, by inserting after line 15, the
- 9 following:
- 10 "b. An action arising out of the unsafe or
- 11 defective condition of an improvement to an
- 12 educational facility owned, leased, operated, or
- 13 administered by a school district, accredited
- 14 nonpublic school, area education agency, community
- 15 college, accredited private institution, or the state
- 16 board of regents, based upon tort and implied warranty
- 17 and for contribution and indemnity, and founded on
- 18 injury to property, real or personal, or injury to the
- 19 person or wrongful death, shall not be brought more
- 20 than fifteen years after the date on which occurred
- 21 the act or omission of the defendant alleged in the
- 22 action to have been the cause of the injury or death.
- 23 However, this paragraph does not bar an action against
- 24 a person solely in the person's capacity as an owner,
- 25 occupant, or operator of an improvement to an
- 26 educational facility owned, leased, operated, or
- 27 administered by a school district, accredited
- 28 nonpublic school, area education agency, community
- 29 college, accredited private institution, or the state
- 30 board of regents."
- 31 4. Title page, line 3, by inserting after the
- 32 word "property" the following: "and an educational
- 33 facility owned, leased, operated, or administered by a
- 34 school district, accredited nonpublic school, area
- 35 education agency, community college, accredited
- 36 private institution, or the state board of regents".



Roll call was requested by Myers of Johnson and Reynolds of Van Buren.

On the question "Shall amendment H-1510 be adopted?" (S.F. 222)

The ayes were, 46:

Atteberry	Bell	Boddicker	Bukta
Chiodo	Cohoon	Dotzler	Eichhorn
Falck	Fallon	Foege	Ford
Frevert	Garman	Greimann	Hatch
Huser	Jochum	Kreiman	Kuhn
Larkin	Lensing	Mascher	May
Mertz	Murphy	Myers	O'Brien
Osterhaus	Petersen	Reynolds	Richardson
Scherrman	Schrader	Seng	Shey
Shoultz	Smith	Stevens	Taylor, D.
Taylor, T.	Tremmel	Warnstadt	Winckler
Wise	Witt		

The nays were, 50:

Alons	Arnold	Barry	Baudler
Boal	Boggess	Bradley	Brauns
Broers	Brunkhorst	Carroll	Cormack
De Boef	Dix	Drake	Eddie
Elgin	Finch	Gipp	Hahn
Hansen	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Jacobs
Jenkins	Johnson	Kettering	Klemme
Larson	Manternach	Metcalf	Millage
Quirk	Rants	Rayhons	Rekow
Roberts	Sievers	Sukup	Teig
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Weidman	Mr. Speaker		
	Siegrist		

Absent or not voting, 4:

Connors	Dolecheck	Grundberg	Raecker
---------	-----------	-----------	---------

Amendment H-1510 lost.

Kreiman of Davis offered amendment H-1477 filed by him and requested division as follows:

H-1477

1 Amend Senate File 222, as amended, passed, and

2 reprinted by the Senate, as follows:

H-1477A

3 1. Page 1, line 10, by striking the word "eight"  
4 and inserting the following: "ten".

H-1477B

5 2. Page 1, by inserting after line 15, the  
6 following:  
7 "This subsection shall not apply to the following:  
8 a. The intentional or reckless disregard of design  
9 plans, specifications, or building codes, including  
10 the substitution of specified materials without the  
11 knowledge of the purchaser.  
12 b. Fraud or misrepresentation.  
13 c. Breach of express warranty or guaranty.  
14 d. Defective products incorporated into the real  
15 property.  
16 e. Waiver of the provisions of this subsection by  
17 contract of the parties.  
18 f. Improvements to real property made prior to the  
19 effective date of this Act."

Kreiman of Davis asked and received unanimous consent that amendment H-1477A be deferred.

Sukup of Franklin offered the following amendment H-1569 filed by him from the floor and moved its adoption:

H-1569

1 Amend Senate File 222, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, line 10, by striking the word "eight"  
4 and inserting the following: "ten".

A non-record roll call was requested.

The ayes were 56, nays 26.

Amendment H-1569 was adopted, placing amendment H-1477A out of order.

Kreiman of Davis moved the adoption of amendment H-1477B.

Roll call was requested by Myers of Johnson and Larkin of Lee.

On the question "Shall amendment H-1477B be adopted?" (S.F. 222)

The ayes were, 47:

Arnold	Atteberry	Bell	Boddicker
Broers	Bukta	Cohoon	Dotzler
Drake	Eichhorn	Falck	Fallon
Foege	Ford	Frevert	Garman
Greimann	Hatch	Houser	Huser
Jochum	Kreiman	Kuhn	Larkin
Lensing	Mascher	Millage	Murphy
Myers	O'Brien	Osterhaus	Petersen
Raecker	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Winckler	Wise	Witt	

The nays were, 51:

Alons	Barry	Baudler	Boal
Boggess	Bradley	Brauns	Brunkhorst
Carroll	Chiodo	Cormack	De Boef
Dix	Dolecheck	Eddie	Elgin
Finch	Gipp	Hahn	Hansen
Heaton	Hoffman	Horbach	Hoversten
Huseman	Jacobs	Jenkins	Johnson
Kettering	Klemme	Larson	Manternach
May	Mertz	Metcalf	Quirk
Rants	Rayhons	Rekow	Roberts
Shey	Sievers	Sukup	Teig
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Mr. Speaker	
		Siegrist	

Absent or not voting, 2:

Connors                      Grundberg

Amendment H-1477B lost.

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. 222)

The ayes were, 52:

Alons	Arnold	Barry	Baudler
Boal	Bogges	Bradley	Brauns
Broers	Brunkhorst	Carroll	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Elgin	Finch	Gipp
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	May
Metcalf	Quirk	Rants	Rayhons
Rekow	Richardson	Roberts	Sievers
Sukup	Teig	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Mr. Speaker
			Siegrist

The nays were, 46:

Atteberry	Bell	Boddicker	Bukta
Chiodo	Cohoon	Dotzler	Eichhorn
Falck	Fallon	Foege	Ford
Frevert	Garman	Greimann	Hatch
Huser	Jochum	Kreiman	Kuhn
Larkin	Lensing	Mascher	Mertz
Millage	Murphy	Myers	O'Brien
Osterhaus	Petersen	Raecker	Reynolds
Scherrman	Schrader	Seng	Shey
Shoultz	Smith	Stevens	Taylor, D.
Taylor, T.	Tremmel	Warnstadt	Winckler
Wise	Witt		

Absent or not voting, 2:

Connors                      Grundberg

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 **Senate File 242**, a bill for an act relating to the rules regarding the authentication of practitioners' medication and standing orders in hospitals, with report of committee recommending amendment and passage, previously deferred and found on page 1193 of the House Journal.

Mascher of Johnson offered the following amendment H-1561 filed by her from the floor and moved its adoption:

H-1561

- 1 Amend Senate File 242, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 1 through 3, and
- 4 inserting the following:
- 5 "Section 1. NEW SECTION. 135B.7A PROCEDURES –
- 6 ORDERS.
- 7 The department shall adopt rules".
- 8 2. Page 1, by inserting after line 7, the
- 9 following:
- 10 "Sec. \_\_\_\_ Section 135B.7A is repealed June 30,
- 11 2007."
- 12 3. Title page, line 2, by inserting after the
- 13 word "hospitals" the following: "and providing for a
- 14 repeal".
- 15 4. By renumbering as necessary.

Amendment H-1561 was adopted.

Elgin 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?" (S.F. 242)

The ayes were, 74:

Alons	Arnold	Atteberry	Barry
Baudler	Boal	Boddicker	Bogges
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Chiodo	Cohoon
Cormack	De Boef	Dix	Dolecheck
Dotzler	Drake	Eddie	Elgin
Falck	Finch	Ford	Frevert
Gipp	Hahn	Hansen	Hatch
Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Johnson	Kettering	Klemme	Kuhn
Larkin	Larson	Manternach	May
Mertz	Metcalf	Millage	Myers
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Seng	Shey	Sievers
Sukup	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Warnstadt
Weidman	Mr. Speaker		
	Siegrist		

The nays were, 24:

Bell	Eichhorn	Fallon	Foege
Garman	Greimann	Heaton	Jochum
Kreiman	Lensing	Mascher	Murphy
O'Brien	Roberts	Scherrman	Schrader
Shoultz	Smith	Stevens	Taylor, D.
Van Fossen	Winckler	Wise	Witt

Absent or not voting, 2:

Connors                      Grundberg

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 222 and 242.**

### SENATE MESSAGES CONSIDERED

**Senate File 519**, by committee on ways and means, a bill for an act relating to the assessment for property tax purposes of certain affordable housing for low-income individuals and families.

Read first time and referred to committee on **ways and means.**

**Senate File 525**, 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.**

**MOTION TO RECONSIDER**  
(Senate File 141)

I move to reconsider the vote by which Senate File 141 passed the House on April 17, 2001.

VAN FOSSEN of Scott

**EXPLANATION OF VOTE**

I was necessarily absent from the House chamber on April 17, 2001. Had I been present, I would have voted "aye" on Senate File 342.

RAECKER 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 17<sup>th</sup> day of April, 2001: House Files 294, 301, 451, 566 and 567.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

**BILLS SIGNED BY THE GOVERNOR**

A communication was received from the Governor announcing that on April 16, 2001, he approved and transmitted to the Secretary of State the following bills:

House File 225, an act providing for the reorganization of districts for the election of Iowa state fair board directors, and providing for an election.

House File 256, an act relating to health care facility regulation, including information to be included in a notice of a deficiency and including the consultation of the department of inspections and appeals and the state fire marshal in promulgating rules.

House File 272, an act relating to felonious misconduct by a public officer or employee and providing a penalty.

House File 324, an act relating to transportation, including provisions on road projects, vehicle sales, movement, and reports, and mailing of notices, and providing a penalty and an effective date.

House File 353, an act relating to the amount of classroom instruction offered in an approved driver education course as programmed by the department of education.

House File 569, an act relating to the proposed uniform computer information transactions Act.

House File 624, an act relating to the appointment and dismissal of a police chief or marshal under a mayor-council form of city government.

House File 628, an act relating to the regulation of grain dealers by providing an exception for limited liability companies that produce renewable fuel.

Senate File 94, an act creating a new criminal offense of escape from custody by a sexually violent predator civilly committed to confinement and providing a penalty.

Senate File 102, an act relating to charitable gift annuities, by providing for notice and filing requirements and providing for penalties.

Also: That on April 17, 2001, he approved and transmitted to the Secretary of State the following bills:

House File 259, an act relating to the duties and office of the secretary of state in commissioning notarial officers.

House File 270, an act striking certain filing requirements related to campus crime statistics and sexual abuse policies.

House File 383, an act relating to the designation of model communities in projects, pilot projects, or similar initiatives undertaken by the governor or the executive branch.

House File 462, an act relating to the reimbursement of administrative costs of an area education agency for services provided by the agency under part C of the federal Individuals With Disabilities Education Act, and providing an effective date.

House File 469, an act requiring agricultural equipment suppliers to repurchase certain items upon termination of an agricultural equipment dealership agreement.

Senate File 479, an act relating to wastewater systems, establishing a fund, appropriating moneys from the fund, and providing an effective date.

## PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:



Sixty fourth grade students from Northeast Elementary School, Ankeny, accompanied by Melissa Jackovin, Chad Larson and Jane Schmidt. By Boal of Polk.

Fifty eighth grade students from Dallas Center-Grimes Middle School, Grimes, accompanied by Mr. 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.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\895 Mark Johnston and the City High School Journalism Department, Iowa City – For placing second in the National Scholastic Journalism Convention's "Best of Show" contest and earning at least eight awards.
- 2001\896 Dilara Yarbrough, Iowa City – For being the Gold Key Winner in the Feature Writing Category.
- 2001\897 Liz Whiston, Iowa City – For being the Gold Key Winner in the In-Depth Story Category.
- 2001\898 Nick Kanellis, Iowa City – For being the Gold Key Winner in the Editorial Cartoon Category.
- 2001\899 Brooke Acarregui, Iowa City – For being awarded "Excellent Rating" in the National Write-Off Competition for Yearbook Caption Writing.
- 2001\900 Maggie Spencer, Iowa City – For being awarded "Excellent Rating" in the National Write-Off Competition for News Magazine Layout and Design.
- 2001\901 Anna Kudsk, Iowa City – For being awarded "Excellent Rating" in the National Write-Off Competition for Sports Writing.
- 2001\902 Casey Wagner, Iowa City – For being awarded Sweepstakes Winner by Quill and Scroll International Honorary Society for High School Journalists.
- 2001\903 Alma and Urban Metz, Riverside – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\904 Dwight Pratt, Clarinda – For celebrating his 90<sup>th</sup> birthday.

- 2001\905 Hazel Greedy, Shenandoah – For celebrating her 94<sup>th</sup> birthday.
- 2001\906 Thelma Larson, Corning – For celebrating her 90<sup>th</sup> birthday.
- 2001\907 Doris Davis, Corning – For celebrating her 90<sup>th</sup> birthday.
- 2001\908 Mr. and Mrs. Donald W. Perry, Shenandoah – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2001\909 Gladys and Clarence Hillyer, Marshalltown – For celebrating their 62<sup>nd</sup> wedding anniversary.
- 2001\910 Carol and Willard Chase, Marshalltown – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\911 Mildred and Bob Wilkens, Marshalltown – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\912 Alia and Paul Neppel, Marshalltown – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\913 Esther Vogel, Independence – For celebrating her 100<sup>th</sup> birthday.
- 2001\914 Eloise and Jack Bertelson, Missouri Valley – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\915 Lucille Meyers, Bagley – For celebrating her 89<sup>th</sup> birthday.
- 2001\916 Monica Phippen, Guthrie Center – For celebrating her 90<sup>th</sup> birthday.
- 2001\917 Ray Leto, Greenfield – For being inducted into the Iowa High School Athletic Directors Hall of Fame.
- 2001\918 Neil Wilson, Guthrie Center – For celebrating his 80<sup>th</sup> birthday.
- 2001\919 Ellsworth Christensen, Adair – For celebrating his 80<sup>th</sup> birthday.
- 2001\920 Alice Blair, St. Charles – For celebrating her 80<sup>th</sup> birthday.
- 2001\921 Gaylene and William Stephens, Winterset – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\922 Mr. Bruce Peiffer and the NM Jazz Band, New Sharon – For winning 3<sup>rd</sup> Place in the State Jazz Contest.
- 2001\923 Delaine and Robert Olson, Spirit Lake – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\924 Dorothy Idso, Milford – For celebrating her 90<sup>th</sup> birthday.
- 2001\925 Opal Mixell, Estherville – For celebrating her 80<sup>th</sup> birthday.

2001\926 Lorraine Bebo, Estherville – For celebrating her 80<sup>th</sup> birthday.

2001\927 Joyce and Roger Overocker, Spirit Lake – For celebrating their 50<sup>th</sup> wedding anniversary.

2001\928 Greg Forney, Spirit Lake – For winning the Karl King Distinguished Service Award for Service to Music Education.

## 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.

MARGARET A. THOMSON  
Chief Clerk of the House

### COMMITTEE ON APPROPRIATIONS

**Committee Bill** (Formerly House Study Bill 249), appropriating funds to the department of economic development, certain board of regents institutions, the department of workforce development, and the public employment relations board and making related statutory changes.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 17, 2001.

**Committee Bill** (Formerly House Study Bill 251), 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, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 17, 2001.

## RESOLUTIONS FILED

**HCR 32**, by Siegrist, Rants, Myers, Alons, Arnold, Atteberry, Barry, Baudler, Bell, Boal, Boddicker, Boggess, Bradley, Brauns, Broers, Brunkhorst, Bukta, Chiodo, Cohoon, Connors, De Boef, Dix, Dolecheck, Dotzler, Drake, Eddie, Eichhorn, Elgin, Falck, Fallon, Finch, Foege, Ford, Frevert, Garman, Gipp, Greimann, Hahn, Hatch, Heaton, Hoffman, Horbach, Houser, Hoversten, Huseman, Huser, Jacobs, Jenkins, Jochum, Johnson, Kettering, Klemme, Kreiman, Kuhn, Larkin, Lensing, Mascher, May, Mertz, Metcalf, Millage,

Murphy, O'Brien, Osterhaus, Petersen, Raecker, Rayhons, Rekow, Reynolds, Richardson, Roberts, Scherrman, Schrader, Seng, Shey, Shoultz, Sievers, Smith, Stevens, Sukup, D. Taylor, T. Taylor, Tremmel, Tymeson, Tyrrell, Van Engelenhoven, Warnstadt, Weidman, Winckler, Wise, and Witt, a concurrent resolution marking the completion of the exterior restoration of the Iowa State Capitol and honoring the contractors, subcontractors, artisans, skilled workers, and state employees who contributed to the effort to complete the restoration.

Laid over under **Rule 25.**

**SCR 3**, by Dvorsky and Bolkcom, 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 and to direct the commission to develop designs incorporating the Old Capitol as a symbol for the state.

Laid over under **Rule 25.**

**SCR 19**, by Kibbie, a concurrent resolution urging the Congress of the United States and the United States Department of Agriculture to provide increased federal moneys for purposes of supporting enhanced surveillance expenses as part of a pseudorabies eradication program.

Laid over under **Rule 25.**

#### AMENDMENTS FILED

H-1553	H.F.	73	Senate Amendment
H-1554	S.F.	350	Lensing of Johnson
H-1555	S.F.	473	Hoffman of Crawford
H-1560	H.F.	694	Senate Amendment
H-1562	S.F.	350	Lensing of Johnson
H-1564	S.F.	240	Falck of Fayette
H-1565	S.F.	350	Tremmel of Wapello
H-1566	S.F.	350	Tremmel of Wapello
			Baudler of Adair
H-1567	S.C.R.	24	Gipp of Winneshiek
H-1568	S.F.	473	Hoffman of Crawford
H-1574	H.F.	590	Senate Amendment

H-1575	H.F.	229	Senate Amendment
H-1577	S.F.	473	Hoffman of Crawford
H-1578	H.F.	598	Senate Amendment
H-1580	S.F.	350	T. Taylor of Linn
H-1581	S.F.	350	Smith of Marshall
H-1582	H.F.	715	Sukup of Franklin

On motion by Rants of Woodbury the House adjourned at 9:49 p.m., until 10:00 a.m., Wednesday, April 18, 2001.

# JOURNAL OF THE HOUSE

One Hundred First Calendar Day - Seventieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, April 18, 2001

The House met pursuant to adjournment at 10:04 a.m., Barry of Harrison in the chair.

Prayer was offered by Reverend Clayton George, pastor of the Apostolic Assembly of Anamosa, Anamosa. He was the guest of Representative Gene Manternach from Jones County.

The Journal of Tuesday, April 17, 2001 was approved.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 18, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 180, a bill for an act relating to exceptions to the required participation in a court-approved course prior to the granting of a final dissolution of marriage decree or the entering of a final custody order.

Also: That the Senate has on April 18, 2001, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 452, a bill for an act requiring the use of a uniform prescription drug information card by providers of third-party payment or prepayment of prescription drug expenses.

MICHAEL E. MARSHALL, Secretary

## CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 32

Gipp of Winneshiek called up for consideration **House Concurrent Resolution 32**, a concurrent resolution marking the completion of the exterior restoration of the Iowa State Capitol and honoring the contractors, subcontractors, artisans, skilled workers, and state employees who contributed to the effort to complete the restoration.

SENATE CONCURRENT RESOLUTION 24 SUBSTITUTED  
FOR HOUSE CONCURRENT RESOLUTION 32

Gipp of Winneshiek asked and received unanimous consent to substitute Senate Concurrent Resolution 24 for House Concurrent Resolution 32.

**Senate Concurrent Resolution 24**, a concurrent resolution marking the completion of the exterior restoration of the Iowa State Capitol and honoring the contractors, subcontractors, artisans, skilled workers, and state employees who contributed to the effort to complete the restoration.

Gipp of Winneshiek offered the following amendment H-1567 filed by him and moved its adoption:

H-1567

- 1 Amend Senate Concurrent Resolution 24, as passed by
- 2 the Senate, as follows:
- 3 1. Page 1, line 6, by inserting after the words
- 4 "honoring the" the following: "architect,".
- 5 2. Page 1, line 29, by striking the word
- 6 "contractors" and inserting the following:
- 7 "architect, contractors,".
- 8 3. Page 2, line 2, by inserting after the word
- 9 "Capitol:" the following: "RDG Bussard Dikis;".

Amendment H-1567 was adopted.

Gipp of Winneshiek moved the adoption of Senate Concurrent Resolution 24, as amended.

The motion prevailed and the resolution, as amended, was adopted.

SPECIAL PRESENTATION

Manternach of Jones introduced to the House the Honorable Jerry Welter, former state representative from Jones County and his wife Ruth.

The House rose and expressed its welcome.

## IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate File 511** and **Senate Concurrent Resolution 24**.

On motion by Rants of Woodbury, the House was recessed at 10:18 a.m., until 4:00 p.m.

## AFTERNOON SESSION

The House reconvened at 4:29 p.m., Speaker Siegrist in the chair.

## INTRODUCTION OF BILLS

**House File 720**, by committee on ways and means, a bill for an act relating to the taking of fish and game by increasing fees for nonresident hunting, fishing, fur harvesting, and related licenses, providing for additional licenses and fees, and providing effective and applicability dates.

Read first time and placed on the **ways and means calendar**.

**House File 721**, by committee on ways and means, a bill for an act excluding certain business property from being considered abandoned property under the state's disposition of unclaimed property law.

Read first time and placed on the **ways and means calendar**.

**House File 722**, by committee on ways and means, a bill for an act relating to tonnage fees and moneys in the solid waste account of the groundwater protection fund, and providing an effective date.

Read first time and placed on the **ways and means calendar**.

**House File 723**, by committee on ways and means, a bill for an act exempting irrigation equipment from 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 724**, by committee on ways and means, a bill for an act relating to the allocation of special fees collected from the sale of Iowa heritage license plates.

Read first time and placed on the **ways and means 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 18, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 529, a bill for an act relating to mandates imposed on political subdivisions by the state.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGE CONSIDERED

**Senate File 529**, by committee on ways and means, a bill for an act relating to mandates imposed on political subdivisions by the state.

Read first time and referred to committee on **ways and means**.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Grundberg of Polk on request of Rants of Woodbury.

### 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.

### SPECIAL PRESENTATION

Myers of Johnson introduced to the House, Christine Grant, former Women's Athletic Director at the University of Iowa.

She addressed the House briefly regarding her career and thanked the House for the honor.

The House rose and expressed its welcome.

### ADOPTION OF HOUSE RESOLUTION 14

Mascher of Johnson and Lensing of Johnson called up for consideration **House Resolution 14**, a resolution honoring Christine Grant, former Women's Athletic Director of the University of Iowa, and moved its adoption.

The motion prevailed and the resolution was adopted.

### CONSIDERATION OF BILLS Ways and Means Calendar

**House File 707**, a bill for an act establishing an interstate distribution center initiative by identifying an activity of a foreign corporation for which a return is not required for state income tax purposes and including effective and retroactive applicability date provisions, was taken up for consideration.

Hoversten of Woodbury asked and received unanimous consent to withdraw amendment H-1586 filed by him from the floor.

Hoversten 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. 707)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Hahn	Hansen	Hatch	Heaton

Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Myers	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Mr. Speaker
			Siegrist

The nays were, none.

Absent or not voting, 4:

Grundberg	O'Brien	Osterhaus	Schrader
-----------	---------	-----------	----------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 186**, a bill for an act providing for a tax levy for the county hospital fund in certain counties and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Shey 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?" (S.F. 186)

The ayes were, 87:

Arnold	Atteberry	Barry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Bukta
Carroll	Chiodo	Cphoon	Connors
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Foege	Ford	Frevert
Gipp	Greimann	Hahn	Hansen
Hatch	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser

Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Lensing	Mascher	May
Mertz	Metcalf	Murphy	Myers
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Seng
Shey	Shoultz	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Mr. Speaker	
		Siegrist	

The nays were, 9:

Alons	Cormack	De Boef	Finch
Garman	Larson	Manternach	Millage
Sievers			

Absent or not voting, 4:

Brunkhorst	Grundberg	O'Brien	Schrader
------------	-----------	---------	----------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 711**, a bill for an act relating to the levy of tax assessments for drainage or levee districts, 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. 711)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Hahn	Hansen	Hatch	Heaton

Hoffman	Horbach	Houser	Hoversten
Huseman	Huser	Jacobs	Jenkins
Jochum	Johnson	Kettering	Klemme
Kreiman	Kuhn	Larkin	Larson
Lensing	Manternach	Mascher	May
Mertz	Metcalf	Millage	Murphy
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Mr. Speaker
			Siegrist

The nays were, none.

Absent or not voting, 4:

Grundberg	Myers	O'Brien	Schrader
-----------	-------	---------	----------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### SPECIAL PRESENTATION

Brauns of Muscatine introduced to the House the Honorable Bill Trent, former state representative from Muscatine County.

The House rose and expressed it welcome.

### IMMEDIATE MESSAGES

Rants of Woodbury asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 707, 711 and Senate File 186.**

### Unfinished Business Calendar

**Senate File 337**, 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, 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. 337)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Mr. Speaker
			Siegrist

The nays were, none.

Absent or not voting, 4:

Grundberg	Hatch	O'Brien	Schrader
-----------	-------	---------	----------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 384**, a bill for an act relating to pay plans for certain employees of the credit union division of the department of commerce, with report of committee recommending passage, was taken up for consideration.

They 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?" (S.F. 384)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevert	Garman	Gipp	Greimann
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Mr. Speaker
			Siegrist

The nays were, none.

Absent or not voting, 4:

Grundberg	Hatch	O'Brien	Schrader
-----------	-------	---------	----------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## SENATE AMENDMENT CONSIDERED

Hoversten of Woodbury called up for consideration **House File 560**, a bill for an act relating to child foster care regulatory requirements and providing an effective date, amended by the

Senate, and moved that the House concur in the following Senate amendment H-1449:

H-1449

- 1 Amend House File 560, as passed by the House, as
- 2 follows:
- 3 1. Page 1, by striking lines 18 through 25 and
- 4 inserting the following:
- 5 "NEW SUBSECTION. 10. The department shall adopt
- 6 rules to administer the exception to the definition of
- 7 child care in section 237A.1, subsection 3, paragraph
- 8 "m", allowing a child care facility, for purposes of
- 9 providing respite care to a foster family home, to
- 10 provide care, supervision, or guidance of a child for
- 11 a period of twenty-four hours or more who is placed
- 12 with the licensed foster family home.
- 13 Sec. \_\_\_\_ Section 237A.1, subsection 3, Code 2001,
- 14 is amended by adding the following new paragraph:
- 15 NEW PARAGRAPH. m. A child care facility providing
- 16 respite care to a licensed foster family home for a
- 17 period of twenty-four hours or more to a child who is
- 18 placed with that licensed foster family home."
- 19 2. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1449.

Hoversten of Woodbury 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. 560)

The ayes were, 96:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dix	Dolecheck	Dotzler	Drake
Eddie	Eichhorn	Elgin	Falck
Fallon	Finch	Foege	Ford
Frevort	Garman	Gipp	Greimann
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum



Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Seng
Shey	Shoultz	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Warnstadt	Weidman
Winckler	Wise	Witt	Mr. Speaker
			Siegrist

The nays were, none.

Absent or not voting, 4:

Grundberg	Hatch	O'Brien	Schrader
-----------	-------	---------	----------

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 File 560** and **Senate Files 337** and **384**.

Dix of Butler in the chair at 5:31 p.m.

### SENATE AMENDMENT CONSIDERED

Broers of Cerro Gordo called up for consideration **House File 352**, a bill for an act relating to the administration and care of the Iowa battle flag collection, amended by the Senate, and moved that the House concur in the following Senate amendment H-1113:

H-1113

- 1 Amend House File 352, as passed by the House, as
- 2 follows:
- 3 1. Page 1, line 5, by inserting after the word
- 4 "with" the following: "the department of veterans
- 5 affairs and".
- 6 2. Page 1, by striking lines 6 and 7 and
- 7 inserting the following: "portion of the battle flag

8 collection shall be on display at the state capitol  
 9 and the state historical building at all times, unless  
 10 on loan approved by the department of cultural  
 11 affairs."  
 12 3. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment H-1113.

Broers of Cerro Gordo 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. 352)

The ayes were, 95:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cphoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Hahn
Hansen	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Huser
Jacobs	Jenkins	Jochum	Johnson
Kettering	Klemme	Kreiman	Kuhn
Larkin	Larson	Lensing	Manternach
Mascher	May	Mertz	Metcalf
Millage	Murphy	Myers	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Seng	Shey
Shoultz	Siegrist, Spkr.	Sievers	Smith
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tremmel	Tymeson	Tyrrell
Van Engelenhoven	Warnstadt	Weidman	Winckler
Wise	Witt	Dix,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Grundberg	Hatch	O'Brien	Schrader
Van Fossen			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### Appropriations Calendar

**House File 684**, a bill for an act relating to the victim rights compensation fund, was taken up for consideration.

Mascher of Johnson asked and received unanimous consent to withdraw amendment H-1304 filed by her on March 22, 2001.

### SENATE FILE 259 SUBSTITUTED FOR HOUSE FILE 684

Horbach of Tama asked and received unanimous consent to substitute Senate File 259 for House File 684.

**Senate File 259**, a bill for an act relating to the victim rights compensation fund, 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?" (S.F. 259)

The ayes were, 94:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Chiodo	Cohoon
Connors	Cormack	De Boef	Dolecheck
Dotzler	Drake	Eddie	Eichhorn
Elgin	Falck	Fallon	Finch
Foege	Ford	Frevert	Garman
Gipp	Greimann	Hahn	Hansen
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	Osterhaus	Petersen
Quirk	Raecker	Rants	Rayhons
Rekow	Reynolds	Richardson	Roberts
Scherrman	Seng	Shey	Shoultz

Siegrist, Spkr.	Sievers	Smith	Stevens
Sukup	Taylor, D.	Taylor, T.	Teig
Tremmel	Tymeson	Tyrrell	Van Engelenhoven
Warnstadt	Weidman	Winckler	Wise
Witt	Dix, Presiding		

The nays were, none.

Absent or not voting, 6:

Carroll	Grundberg	Hatch	O'Brien
Schrader	Van Fossen		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### SENATE AMENDMENT CONSIDERED

Mertz of Kossuth called up for consideration **House File 581**, a bill for an act relating to the size of drainage or levee districts having election districts and requesting an interim study, amended by the Senate, and moved that the House concur in the following Senate amendment H-1482:

H-1482

- 1 Amend House File 581, as passed by the House, as
- 2 follows:
- 3 1. Page 1, by striking lines 21 through 27.
- 4 2. Title page, line 2, by striking the words "and
- 5 requesting an interim study".

The motion prevailed and the House concurred in the Senate amendment H-1482.

Mertz of Kossuth 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. 581)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker

Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Seng
Shey	Shoultz	Siegrist, Spkr.	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Dix,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Grundberg	O'Brien	Schrader
-----------	---------	----------

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 352, 581 and Senate File 259.**

**Senate File 169**, a bill for an act limiting the exemption from regulation of certain persons acting as an attorney in fact regarding certain real estate transactions, with report of committee recommending passage, 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?" (S.F. 169)

The ayes were, 97:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Boggess	Bradley	Brauns	Broers
Brunkhorst	Bukta	Carroll	Chiodo
Cohoon	Connors	Cormack	De Boef
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Elgin	Falck	Fallon
Finch	Foege	Ford	Frevert
Garman	Gipp	Greimann	Hahn
Hansen	Hatch	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
Osterhaus	Petersen	Quirk	Raecker
Rants	Rayhons	Rekow	Reynolds
Richardson	Roberts	Scherrman	Seng
Shey	Shoultz	Siegrist, Spkr.	Sievers
Smith	Stevens	Sukup	Taylor, D.
Taylor, T.	Teig	Tremmel	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Warnstadt
Weidman	Winckler	Wise	Witt
Dix,			
Presiding			

The nays were, none.

Absent or not voting, 3:

Grundberg	O'Brien	Schrader
-----------	---------	----------

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 725**, by committee on appropriations, a bill for an act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources, providing for fees, and providing an effective date.

Read first time and referred to committee on **ways and means**.

## IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **Senate File 169** be immediately messaged to the Senate.

## EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 17, 2001. Had I been present, I would have voted "aye" on Senate File 462.

HEATON of Henry

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 18, 2001, he approved and transmitted to the Secretary of State the following bills:

House File 178, an act applying child in need of assistance and child abuse provisions to a child whose parent or guardian or the person responsible for the child's care has manufactured or possessed a dangerous substance in a child's presence.

House File 293, an act relating to the duties of the board of directors of a school district prior to a regular school election.

House File 309, an act to legalize participation in an instructional support program by the West Bend-Mallard Community School District and providing an effective and retroactive applicability date.

House File 400, an act relating to the regulation of real estate appraisers.

House File 481, an act relating to the establishment of city precincts and providing an effective date.

House File 636, an act relating to the reporting of underground storage tanks and to benefits provided through funds administered by the Iowa comprehensive petroleum underground storage tank fund board.

Senate File 372, an act relating to the powers and duties of the county recorder relating to the recording and keeping of documents.

Senate File 453, an act relating to the administrative procedures of certain county officers by authorizing the issuance of checks, providing for the cancellation of warrants and checks, the disposal of tax lists, and the receipt of electronic payments, specifying tax sale costs and the mailing address for changes of titles and deeds, providing for other properly related matters, and providing an effective date.

## PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Fifty eighth grade students from Dallas Center-Grimes Middle School, Grimes, accompanied by Bill Wineland. By Metcalf and Raecker of Polk.

Fifty-one seniors from Belle Plaine High School, Belle Plaine, accompanied by Mr. Tegeler and Mr. Smith. By Tyrrell of Iowa.

## CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARGARET A. THOMSON  
Chief Clerk of the House

- 2001\929 Robert K. Kriefels, Atlantic – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2001\930 Patricia and Vernon Tarbox, Evansdale – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2001\931 Betty Willasson, Waterloo – For celebrating her 80<sup>th</sup> birthday.
- 2001\932 Margaret Schons, Waterloo – For celebrating her 90<sup>th</sup> birthday.
- 2001\933 Colleen Lens, Burlington – For being recognized as the Hawkeye-Catfish Bend Teacher of the Year.
- 2001\934 Letha Simmons, Fairfield – For celebrating her 90<sup>th</sup> birthday.
- 2001\935 Maurice Davis, Stockport – For celebrating his 90<sup>th</sup> birthday.
- 2001\936 Shirley and James Charbonneau, Evansdale – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\937 Merle Hartley, Fairfield – For celebrating his 90<sup>th</sup> birthday.
- 2001\938 Ernest and Darlene Cory, Mason City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2001\939 Vivian and Leslie Bugbee, Mason City – For celebrating their 60<sup>th</sup> wedding anniversary.



## SUBCOMMITTEE ASSIGNMENT

**Senate File 203 Reassigned**

Appropriations: Brunkhorst, Chair; Jacobs and Wise.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

**House Study Bill 198**

Appropriations: Barry, Chair; Falck and Jacobs.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENT

**H.S.B. 254 Appropriations**

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.

## 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.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON APPROPRIATIONS

**Senate File 525**, 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** April 18, 2001.

**Committee Bill** (Formerly House Study Bill 252), relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 18, 2001.

**Committee Bill** (Formerly House Study Bill 253), 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 office of drug control policy, and the commission of veterans affairs, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 18, 2001.

#### COMMITTEE ON WAYS AND MEANS

**Senate File 450**, a bill for an act extending veterans benefits, preferences, and tax exemptions to certain members of reserve forces of the United States and the Iowa national guard, and providing an effective date for property tax exemption claims.

Fiscal Note is required.

Recommended **Amend and Do Pass with amendment H-1587** April 17, 2001.

**Committee Bill** (Formerly House File 351), relating to the allocation of special fees collected from the sale of Iowa heritage license plates.

Fiscal Note is not required.

Recommended **Do Pass** April 17, 2001.

**Committee Bill** (Formerly House File 545), exempting irrigation equipment from sales and use taxes, providing limited refunds, and including effective and retroactive applicability date provisions.

Fiscal Note is required.

Recommended **Do Pass** April 17, 2001.

**Committee Bill** (Formerly House File 565), relating to the taking of fish and game by increasing fees for nonresident hunting, fishing, fur harvesting, and related licenses, providing for additional licenses and fees, and providing effective and applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 17, 2001.

**Committee Bill** (Formerly House File 668), relating to tonnage fees and moneys in the solid waste account of the groundwater protection fund, and providing an effective date.

Fiscal Note is required.

Recommended **Do Pass** April 17, 2001.

**Committee Bill** (Formerly House Study Bill 110), excluding certain business property from being considered abandoned property under the state's disposition of unclaimed property law.

Fiscal Note is not required.

Recommended **Do Pass** April 17, 2001.

### RESOLUTION FILED

**HR 38**, by Larson, a resolution designating April 14, 2001, as Pan American Day, and the week of April 8 through 14, 2001, as Pan American Week.

Laid over under **Rule 25**.

### AMENDMENTS FILED

H-1583	H.F.	180	Senate Amendment
H-1584	S.F.	209	Kreiman of Davis
H-1585	S.F.	350	Metcalf of Polk
H-1587	S.F.	450	Committee on Ways and Means
H-1588	H.F.	719	Stevens of Dickinson
			Falck of Fayette
			Lensing of Johnson
			Hatch of Polk

On motion by Rants of Woodbury the House adjourned at 6:52 p.m., until 8:45 a.m., Thursday, April 19, 2001.

# JOURNAL OF THE HOUSE

One Hundred Second Calendar Day - Seventy-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, April 19, 2001

The House met pursuant to adjournment at 8:49 a.m., Speaker Siegrist in the chair.

Prayer was offered by Reverend Terry Amaan, pastor of the First Prebysterian Church, Creston. He was the guest of Representative Cecil Dolecheck from Ringgold County.

The Journal of Wednesday, April 18, 2001 was approved.

## INTRODUCTION OF BILL

**House File 726**, 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 office of drug control policy, and the commission of veterans affairs, providing a criminal surcharge increase, and providing an effective date.

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 April 18, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 674, a bill for an act relating to the reorganization or dissolution of an area education agency.

Also: That the Senate has on April 18, 2001, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 62, a bill for an act relating to the processing and distribution of honey in residences.

Also: That the Senate has on April 18, 2001, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 168, a bill for an act relating to the granting of additional cable television franchises by a city.

Also: That the Senate has on April 18, 2001, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 222, a bill for an act relating to the statute of limitations in civil actions arising out of the unsafe or defective condition of an improvement to real property.

Also: That the Senate has on April 18, 2001, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 346, a bill for an act relating to the department of corrections by providing for the use of deadly force by correctional or peace officers, for submission of presentence investigation reports to the department, for establishing a training fund in the department, for transcription and recording of testimony for certain investigations conducted by the department of corrections, and for purchases by a department or agency from Iowa state industries.

MICHAEL E. MARSHALL, Secretary

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Grundberg of Polk on request of Rants of Woodbury; Witt of Black Hawk, until his arrival, on request of Myers of Johnson.

## CONSIDERATION OF BILLS Ways and Means Calendar

**House File 705**, a bill for an act relating to sales and use taxes on the delivery of electricity and natural gas, was taken up for consideration.

Tymeson of Madison offered the following amendment H-1479 filed by her and moved its adoption:

H-1479

- 1 Amend House File 705 as follows:
- 2 1. Page 1, by inserting after line 7 the
- 3 following:
- 4 "\_\_\_, Section 422.45, subsection 61, as enacted by

5 2001 Iowa Acts, House File 1, section 2, is amended to  
6 read as follows:

7 61. a. Subject to paragraph "b", the gross  
8 receipts from the sale, furnishing, or service of  
9 metered gas, and electricity, ~~to provide energy for~~  
10 ~~and fuel, including propane and heating oil to~~  
11 residential customers ~~and the gross receipts from the~~  
12 ~~sale, furnishing, or service of fuel, including~~  
13 ~~propane and heating oil, which is~~ used to provide heat  
14 energy for residential dwellings and units of  
15 apartment and condominium complexes used for human  
16 occupancy.

17 b. The exemption in this subsection shall be  
18 phased in by means of a reduction in the tax rate as  
19 follows:

20 (1) If the date of the utility billing or meter  
21 reading cycle of the residential customer for the  
22 sale, furnishing, or service of metered gas and  
23 electricity is between on or after January 1, 2002,  
24 and through December 31, 2002, or if the sale,  
25 furnishing, or service of fuel for heating purposes  
26 occurs between of residential energy and the delivery  
27 of the fuel occurs on or after January 1, 2002, and  
28 through December 31, 2002, the rate of tax is four  
29 percent of the gross receipts.

30 (2) If the date of the utility billing or meter  
31 reading cycle of the residential customer for the  
32 sale, furnishing, or service of metered gas and  
33 electricity is between on or after January 1, 2003,  
34 and through December 31, 2003, or if the sale,  
35 furnishing, or service of fuel for heating purposes  
36 occurs between of residential energy and the delivery  
37 of the fuel occurs on or after January 1, 2003, and  
38 through December 31, 2003, the rate of tax is three  
39 percent of the gross receipts.

40 (3) If the date of the utility billing or meter  
41 reading cycle of the residential customer for the  
42 sale, furnishing, or service of metered gas and  
43 electricity is between on or after January 1, 2004,  
44 and through December 31, 2004, or if the sale,  
45 furnishing, or service of fuel for heating purposes  
46 occurs between of residential energy and the delivery  
47 of the fuel occurs on or after January 1, 2004, and  
48 through December 31, 2004, the rate of tax is two  
49 percent of the gross receipts.

50 (4) If the date of the utility billing or meter

Page 2

1 reading cycle of the residential customer for the  
2 sale, furnishing, or service of metered gas and  
3 electricity is between on or after January 1, 2005,

4 ~~and through~~ December 31, 2005, or ~~if~~ the sale,  
 5 furnishing, or service of fuel for heating purposes  
 6 ~~occurs between of residential energy and the delivery~~  
 7 ~~of the fuel occurs on or after~~ January 1, 2005, ~~and~~  
 8 ~~through~~ December 31, 2005, the rate of tax is one  
 9 percent of the gross receipts.

10 (5) If the date of the utility billing ~~or meter~~  
 11 ~~reading cycle~~ of the ~~residential~~ customer for the  
 12 sale, furnishing, or service of metered gas and  
 13 electricity is on or after January 1, 2006, or ~~if~~ the  
 14 sale, furnishing, or service of fuel for heating  
 15 ~~purposes of residential energy and the delivery of the~~  
 16 ~~fuel~~ occurs on or after January 1, 2006, the rate of  
 17 tax is zero percent of the gross receipts.

18 c. The exemption in this subsection does not apply  
 19 to local option sales and services tax imposed  
 20 pursuant to chapters 422B and 422E."

21 2. Title page, line 2, by inserting after the  
 22 word "gas" the following: "and to the rate of tax for  
 23 providing metered gas, electricity, and fuel to  
 24 provide energy for residential customers".

Amendment H-1479 was adopted.

Tymeson of Madison 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, 93:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Cphoon	Connors
Cormack	De Boef	Dix	Dolecheck
Dotzler	Eddie	Eichhorn	Elgin
Falck	Fallon	Finch	Foege
Frevert	Garman	Gipp	Greimann
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman

Schrader	Seng	Shey	Shoultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 7:

Boal	Chiodo	Drake	Ford
Grundberg	Houser	Witt	

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### Appropriations Calendar

**House File 706**, 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. 706)

The ayes were, 93:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boddicker	Bogges
Bradley	Brauns	Broers	Brunkhorst
Bukta	Carroll	Cohoon	Connors
Cormack	De Boef	Dix	Dolecheck
Dotzler	Eddie	Eichhorn	Elgin
Falck	Fallon	Finch	Foege
Frevert	Garman	Gipp	Greimann
Hahn	Hansen	Hatch	Heaton
Hoffman	Horbach	Hoversten	Huseman
Huser	Jacobs	Jenkins	Jochum
Johnson	Kettering	Klemme	Kreiman
Kuhn	Larkin	Larson	Lensing
Manternach	Mascher	May	Mertz
Metcalf	Millage	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk



Raecker	Rants	Rayhons	Rekow
Reynolds	Richardson	Roberts	Scherrman
Schrader	Seng	Shey	Shoultz
Sievers	Smith	Stevens	Sukup
Taylor, D.	Taylor, T.	Teig	Tremmel
Tymeson	Tyrrell	Van Engelenhoven	Van Fossen
Warnstadt	Weidman	Winckler	Wise
Mr. Speaker			
Siegrist			

The nays were, none.

Absent or not voting, 7:

Boal	Chiodo	Drake	Ford
Grundberg	Houser	Witt	

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 705 and 706.**

The House stood at ease at 9:17 a.m., until the fall of the gavel.

The House resumed session at 10:16 a.m., Speaker pro tempore Sukup in the chair.

### ADOPTION OF HOUSE RESOLUTION 38

Larson of Linn called up for consideration **House Resolution 38**, a resolution designating April 14, 2001, as Pan American Day, and the week of April 8 through 14, 2001, as Pan American Week, and moved its adoption.

The motion prevailed and the resolution was adopted.

### CONSIDERATION OF BILLS Appropriations Calendar

**House File 719**, 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, and providing an effective date, was taken up for consideration.

### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-six members present, twenty-four absent.

Stevens of Dickinson offered amendment H-1588 filed by him and requested division as follows:

H-1588

1 Amend House File 719 as follows:

H-1588A

2 1. Page 4, by striking lines 18 through 35 and  
3 inserting the following: "the department of education  
4 in developing this initiative."

H-1588B

5 2. Page 5, by inserting after line 10, the  
6 following:  
7 "Of the funds allocated in this paragraph "e", the  
8 treasurer of state, with the approval of the director  
9 of the department of management, is authorized to  
10 enter into a lease-purchase arrangement under section  
11 12.28 for a conversion of transmission facilities for  
12 digital television for Iowa public television, in an  
13 amount, excluding finance costs, not greater than  
14 \$23,500,000. As required under section 12.28,  
15 subsection 6, the general assembly authorizes the  
16 treasurer of state to enter into a lease-purchase  
17 arrangement of greater than \$1,000,000 for this  
18 project. Annual payments for the lease-purchase  
19 agreement shall be appropriated from the pooled  
20 technology account. Gifts, grants, fees, and other  
21 payments associated with this project may be deposited  
22 in the pooled technology account to be applied to the  
23 annual payments for the lease-purchase agreement."

H-1588C

24 3. Page 5, by inserting after line 10, the  
25 following:  
26 "Of the funds allocated in this paragraph "e", the  
27 treasurer of state, with the approval of the director  
28 of the department of management, is authorized to  
29 enter into a lease-purchase arrangement under section  
30 12.28 for a conversion of the Iowa communications  
31 network to asynchronous transfer mode technology in an  
32 amount, excluding finance costs, not greater than  
33 \$10,500,000. As required under section 12.28,  
34 subsection 6, the general assembly authorizes the  
35 treasurer of state to enter into a lease-purchase  
36 arrangement of greater than \$1,000,000 for this  
37 project. Annual payments for the lease-purchase  
38 agreement shall be appropriated from the pooled  
39 technology account. Gifts, grants, fees, and other  
40 payments associated with this project may be deposited  
41 in the pooled technology account to be applied to the  
42 annual payments for the lease-purchase agreement."

H-1588D

43 4. Page 5, by inserting after line 10 the  
44 following:  
45 "Of the funds allocated in this paragraph "e", the  
46 treasurer of state, with the approval of the director  
47 of the department of management, is authorized to  
48 enter into a lease-purchase arrangement under section  
49 12.28 for an enterprise resource planning system in an  
50 amount, excluding finance costs, not greater than

Page 2

1 \$37,300,000. As required under section 12.28,  
2 subsection 6, the general assembly authorizes the  
3 treasurer of state to enter into a lease-purchase  
4 arrangement of greater than \$1,000,000 for this  
5 project. Annual payments for the lease-purchase  
6 agreement shall be appropriated from the pooled  
7 technology account. Gifts, grants, fees, and other  
8 payments associated with this project may be deposited  
9 in the pooled technology account to be applied to the  
10 annual payments for the lease-purchase agreement."

H-1588A

11 5. Page 9, line 3, by inserting after the word  
12 "issues." the following: "The objective of the study  
13 shall be to evaluate the viability of establishing the  
14 state of Iowa as a distance learning center. The

15 study shall identify distance learning technology  
 16 opportunities between interested agencies and entities  
 17 involved in or potentially involved in distance  
 18 learning activities, including but not limited to K-12  
 19 schools, area education agencies, institutions of  
 20 higher learning, the public broadcasting division of  
 21 the department of education, the department of  
 22 education, the Iowa communications network, the  
 23 information technology department, and military and  
 24 private sector institutions or agencies."

Stevens of Dickinson moved the adoption of amendment H-1588A.

Amendment H-1588A lost.

Jenkins of Black Hawk asked and received unanimous consent that amendment H-1590 be deferred.

Carroll of Poweshiek in the chair at 10:44 a.m.

Lensing of Johnson moved the adoption of amendment H-1588B.

Roll call was requested by Warnstadt of Woodbury and Speaker Siegrist of Woodbury.

On the question "Shall amendment H-1588B be adopted?"  
 (H.F. 719)

The ayes were, 43:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Jochum	Kreiman
Kuhn	Larkin	Lensing	Mascher
May	Mertz	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Reynolds	Richardson	Scherrman	Schrader
Seng	Shoultz	Smith	Stevens
Taylor, D.	Taylor, T.	Tremmel	Warnstadt
Winckler	Wise	Witt	

The nays were, 55:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Cormack
De Boef	Dix	Dolecheck	Drake

Eddie	Eichhorn	Elgin	Finch
Garman	Gipp	Hahn	Hansen
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow ✓	Roberts
Shey	Siegrist, Spkr.	Sievers	Sukup
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Carroll,	
		Presiding	

Absent or not voting, 2:

Grundberg	Huser
-----------	-------

Amendment H-1588B lost.

Stevens of Dickinson moved the adoption of amendment H-1588C.

Roll call was requested by Falck of Fayette and Jenkins of Black Hawk.

On the question "Shall amendment H-1588C be adopted?" (H.F. 719)

The ayes were, 44:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Foege	Ford	Frevert	Greimann
Hatch	Hoversten	Huser	Jochum
Kreiman	Kuhn	Larkin	Lensing
Mascher	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Winckler	Wise	Witt

The nays were, 55:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Fallon
Finch	Garman	Gipp	Hahn
Hansen	Heaton	Hoffman	Horbach

Houser	Huseman	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Roberts
Shey	Siegrist, Spkr.	Sievers	Sukup
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Carroll,	
		Presiding	

Absent or not voting, 1:

Grundberg

Amendment H-1588C lost.

Falck of Fayette asked and received unanimous consent to withdraw amendment H-1588D.

Raecker of Polk asked and received unanimous consent to withdraw amendment H-1595 filed by him from the floor.

Metcalf of Polk asked and received unanimous consent to withdraw amendment H-1602 filed by her from the floor.

Horbach of Tama offered amendment H-1590 filed by him and Jenkins of Black Hawk from the floor as follows:

H-1590

- 1 Amend House File 719 as follows:
- 2 1. Page 5, by inserting after line 7, the
- 3 following:
- 4 "e. The next \$624,000 shall be allocated to the
- 5 information technology department. Of this amount,
- 6 \$564,000 shall be utilized for lease-purchase costs
- 7 related to the justice data warehouse technology
- 8 project, and \$60,000 shall be transferred to the
- 9 division of criminal and juvenile justice planning of
- 10 the department of human rights for 1.00 FTE to provide
- 11 support for the justice data warehouse technology
- 12 project."
- 13 2. Page 5, line 8, by striking the figure
- 14 "4,273,000" and inserting the following: "3,649,000".
- 15 3. By lettering as necessary.

Metcalf of Polk asked and received unanimous consent to

withdraw amendment H-1608, to amendment H-1590, filed by her from the floor.

Horbach of Tama moved the adoption of amendment H-1590.

A non-record roll call was requested.

The ayes were 51, nays 36.

Amendment H-1590 was adopted.

Jenkins of Black Hawk offered the following amendment H-1610 filed by him from the floor and moved its adoption:

H-1610

- 1 Amend House File 719 as follows:
- 2 1. Page 5, by inserting after line 24 the
- 3 following:
- 4 "4. Notwithstanding the distribution formula
- 5 contained in section 8.62 for an operational
- 6 appropriation which remains unexpended or unencumbered
- 7 for the fiscal year beginning July 1, 2000, 75 percent
- 8 of the unexpended or unencumbered moneys subject to
- 9 section 8.62 are appropriated to the pooled technology
- 10 account. The remaining 25 percent of such moneys
- 11 shall remain with the entity to which the operational
- 12 appropriation was made. Notwithstanding section 8.33,
- 13 for an appropriation other than an operational
- 14 appropriation as provided in section 8.62 which
- 15 remains unencumbered for the fiscal year beginning
- 16 July 1, 2000, 100 percent of the unexpended or
- 17 unencumbered moneys are appropriated to the pooled
- 18 technology account.
- 19 Notwithstanding this subsection, the first
- 20 \$10,000,000 subject to reversion and appropriation to
- 21 the pooled technology account under this subsection
- 22 shall be deposited in the general fund to be used for
- 23 balancing the state's budget for the fiscal year
- 24 beginning July 1, 2001, and ending June 30, 2002."

Amendment H-1610 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. 719)

The ayes were, 55:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Garman	Gipp	Hahn	Hansen
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Roberts
Shey	Siegrist, Spkr.	Sievers	Sukup
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Carroll,	
		Presiding	

The nays were, 42:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Ford	Frevert	Greimann
Hatch	Huser	Jochum	Kreiman
Kuhn	Larkin	Lensing	Mascher
May	Mertz	Murphy	Myers
O'Brien	Osterhaus	Petersen	Quirk
Reynolds	Richardson	Scherrman	Schrader
Seng	Shoultz	Stevens	Taylor, D.
Taylor, T.	Tremmel	Warnstadt	Winckler
Wise	Witt		

Absent or not voting, 3:

Foege	Grundberg	Smith
-------	-----------	-------

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 19, 2001, concurred in the House amendment to the Senate amendment, and passed the following bill in which the concurrence of the Senate was asked:



House File 356, a bill for an act relating to administrative and corrective changes to the workers' compensation law.

Also: That the Senate has on April 19, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 654, a bill for an act relating to the amount of contributions to and accumulated increases in the value of certain retirement plans which are exempt from creditors and providing an effective date.

Also: That the Senate has on April 19, 2001, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

Senate File 242, a bill for an act relating to the rules regarding the authentication of practitioners' medication and standing orders in hospitals.

Also: That the Senate has on April 19, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 523, a bill for an act relating to the size of an estate that may be distributed by affidavit, making related inheritance tax changes, and providing for the Act's applicability.

Also: That the Senate has on April 19, 2001, concurred in the House amendment and adopted the following resolution in which the concurrence of the Senate was asked:

Senate Concurrent Resolution 24, a concurrent resolution marking the completion of the exterior restoration of the Iowa State Capitol and honoring the contractors, subcontractors, artisans, skilled workers, and state employees who contributed to the effort to complete the restoration.

MICHAEL E. MARSHALL, Secretary

### IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 719** be immediately messaged to the Senate.

### Ways and Means Calendar

**House File 715**, 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, sales and use, franchise, hotel and motel, environmental protection charge on petroleum diminution, property, cigarette and tobacco products, and inheritance taxes, local option taxes, and including effective and retroactive applicability date provisions, was taken up for consideration.

Sukup of Franklin offered the following amendment H-1594 filed by him from the floor and moved its adoption:

H-1594

- 1 Amend House File 715 as follows:
- 2 1. By striking page 1, line 18 through page 3,
- 3 line 14.
- 4 2. Page 14, by striking lines 4 through 8.
- 5 3. By renumbering as necessary.

Amendment H-1594 was adopted.

Sukup of Franklin offered the following amendment H-1582 filed by him and moved its adoption:

H-1582

- 1 Amend House File 715 as follows:
- 2 1. Page 4, by inserting after line 7, the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 421.17, subsection 22A, Code
- 5 2001, is amended to read as follows:
- 6 22A. To develop, modify, or contract with vendors
- 7 to create or administer systems or programs which
- 8 identify nonfilers of returns or nonpayers of taxes
- 9 administered by the department. Fees for services,
- 10 reimbursements, costs incurred by the department, or
- 11 other remuneration ~~paid under contract~~ may be funded
- 12 from the amount of tax, penalty, ~~or interest, or fees~~
- 13 actually collected and shall be paid only after the
- 14 amount is collected. An amount is appropriated from
- 15 the amount of tax, penalty, and interest, ~~and fees~~
- 16 actually collected, not to exceed the amount
- 17 collected, which is sufficient to pay for services,
- 18 reimbursement, costs incurred by the department, or
- 19 other remuneration pursuant to this subsection.
- 20 Vendors entering into a contract with the department
- 21 pursuant to this subsection are subject to the
- 22 requirements and penalties of the confidentiality laws
- 23 of this state regarding tax information. The director
- 24 shall report annually to the legislative fiscal bureau
- 25 and the chairpersons and ranking members of the ways
- 26 and means committees on the amount of costs incurred
- 27 and paid during the previous fiscal year pursuant to
- 28 this subsection."
- 29 2. Page 13, lines 22 and 23, by striking the
- 30 words and figures "33 of section 427.1" and inserting
- 31 the following: "3A of section 427A.1".

Amendment H-1582 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. 715)

The ayes were, 95:

Alons	Arnold	Atteberry	Barry
Baudler	Bell	Boal	Boddicker
Bogges	Bradley	Brauns	Broers
Brunkhorst	Bukta	Chiodo	Cohoon
Connors	Cormack	De Boef	Dix
Dolecheck	Dotzler	Drake	Eddie
Eichhorn	Falck	Fallon	Finch
Ford	Frevert	Garman	Gipp
Greimann	Hahn	Hansen	Hatch
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Huser	Jacobs
Jenkins	Jochum	Johnson	Kettering
Klemme	Kreiman	Kuhn	Larkin
Larson	Lensing	Manternach	Mascher
May	Mertz	Metcalf	Millage
Murphy	Myers	O'Brien	Osterhaus
Petersen	Quirk	Raecker	Rants
Rayhons	Rekow	Reynolds	Richardson
Roberts	Scherrman	Schrader	Seng
Shey	Shoultz	Siegrist, Spkr.	Sievers
Stevens	Sukup	Taylor, D.	Taylor, T.
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Warnstadt	Weidman	Winckler
Wise	Witt	Carroll,	
		Presiding	

The nays were, 1:

Tremmel

Absent or not voting, 4:

Elgin	Foege	Grundberg	Smith
-------	-------	-----------	-------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 715** be immediately messaged to the Senate.

## HOUSE FILE 684 WITHDRAWN

Horbach of Tama asked and received unanimous consent to withdraw House File 684 from further consideration by the House.

## INTRODUCTION OF BILLS

**House File 727**, by committee on ways and means, a bill for an act relating to county mental health, mental retardation, and developmental disabilities services provisions involving capital expenditures and the funding pools in the property tax relief fund for such services expenditures and providing effective and retroactive applicability dates.

Read first time and placed on the **ways and means calendar**.

**House File 728**, by committee ways and means, a bill for an act relating to certain school finance provisions and providing an effective date.

Read first time and placed on the **ways and means calendar**.

On motion by Rants of Woodbury, the House was recessed at 1:14 p.m., until 3:00 p.m.

## AFTERNOON SESSION

The House reconvened at 3:27 p.m., Gipp of Winneshiek in the chair.

The House stood at ease at 3:27 p.m., until the fall of the gavel.

The House resumed session at 4:03 p.m., Speaker Siegrist in the chair.

## MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 19, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 527, a bill for an act relating to and making appropriations to the judicial branch.

MICHAEL E. MARSHALL, Secretary

## SENATE MESSAGE CONSIDERED

**Senate File 523**, by committee on ways and means, a bill for an act relating to the size of an estate that may be distributed by affidavit, making related inheritance tax changes, and providing for the Act's applicability.

Read first time and referred to committee on **ways and means**.

Rants of Woodbury asked and received unanimous consent for the immediate consideration of House File 718.

## CONSIDERATION OF BILLS Appropriations Calendar

**House File 718**, 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 effective dates, was taken up for consideration.

Bogges of Page offered amendment H-1591 filed by her from the floor as follows:

H-1591

- 1 Amend House File 718 as follows:
- 2 1. Page 1, line 16, by striking the figure
- 3 "1,630,619" and inserting the following: "1,649,126".
- 4 2. Page 2, line 3, by striking the figure
- 5 "631,680" and inserting the following: "400,000".
- 6 3. Page 2, line 5, by striking the figure
- 7 "94,000" and inserting the following: "50,000".

- 8 4. Page 9, line 7, by inserting after the word  
9 "and" the following: "the".

Boggess of Page offered the following amendment H-1611, to amendment H-1591, filed by her from the floor and moved its adoption:

H-1611

- 1 Amend the amendment, H-1591, to House File 718, as  
2 follows:  
3 1. Page 1, by inserting after line 7, the  
4 following:  
5 "\_\_\_ Page 3, line 31, by striking the figure  
6 "275,000" and inserting the following: "258,500".  
7 2. By renumbering as necessary.

Amendment H-1611 was adopted.

Boggess of Page offered the following amendment H-1612, to amendment H-1591, filed by her from the floor and moved its adoption:

H-1612

- 1 Amend the amendment, H-1591, to House File 718 as  
2 follows:  
3 1. Page 1, by inserting after line 9 the  
4 following:  
5 "\_\_\_ Page 12, line 3, by inserting after the  
6 figure "2002," the following: "any moneys remaining  
7 in the administrative contribution surcharge fund on  
8 June 30, 2001, and".  
9 2. By renumbering as necessary.

Amendment H-1612 was adopted.

Division on amendment H-1591, as amended, was requested as follows:

Lines 2 through 5 division A  
Lines 6 through 7 division B  
Lines 8 through 9 division A

On motion by Boggess of Page amendment H-1591A, as amended, was adopted.

Boggess of Page asked and received unanimous consent to withdraw amendment H-1591B.

Dotzler of Black Hawk offered the following amendment H-1599 filed by him and Winckler of Scott from the floor and moved its adoption:

H-1599

- 1 Amend House File 718 as follows:
- 2 1. Page 2, line 22, by striking the figure
- 3 "377,156" and inserting the following: "401,230".
- 4 2. Page 2, line 28, by striking the figure
- 5 "3,503,826" and inserting the following: "3,627,474".

Roll call was requested by Dotzler of Black Hawk and Rants of Woodbury.

On the question "Shall amendment H-1599 be adopted?" (H.F. 718)

The ayes were, 44:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevert
Greimann	Hatch	Huser	Jochum
Kreiman	Kuhn	Larkin	Lensing
Mascher	May	Mertz	Murphy
Myers	O'Brien	Osterhaus	Petersen
Quirk	Reynolds	Richardson	Scherrman
Schrader	Seng	Shoultz	Smith
Stevens	Taylor, D.	Taylor, T.	Tremmel
Warnstadt	Winckler	Wise	Witt

The nays were, 54:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Cormack
De Boef	Dix	Dolecheck	Drake
Eddie	Eichhorn	Elgin	Finch
Garman	Gipp	Hahn	Hansen
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Roberts

Shey  
Tymeson  
Weidman

Siegrist, Spkr.  
Tyrrell  
Carroll,  
Presiding

Sievers  
Van Engelenhoven

Teig  
Van Fossen

Absent or not voting, 2:

Grundberg

Sukup

Amendment H-1599 lost.

Kuhn of Floyd asked and received unanimous consent to withdraw amendment H-1600 filed by him and Mertz of Kossuth from the floor.

Bogges of Page offered amendment H-1609 filed by her from the floor as follows:

H-1609

1 Amend House File 718 as follows:

2 1. Page 3, by inserting after line 17 the  
3 following:

4 "For deposit in the value-added agricultural  
5 products and processes financial assistance fund:  
6 \$ 2,850,000"

7 2. Page 17, by inserting after line 2 the  
8 following:

9 "Sec. \_\_\_\_ Section 321.52A, subsection 2, Code  
10 2001, is amended to read as follows:

11 2. For the fiscal year beginning July 1, 1996, the  
12 treasurer of state shall deposit one million five  
13 hundred thousand dollars of moneys received under  
14 subsection 1 in the waste tire management fund created  
15 in section 455D.11C, and deposit the remainder in the  
16 general fund of the state. For the fiscal year  
17 beginning July 1, 1997, the treasurer of state shall  
18 deposit two million five hundred thousand dollars of  
19 moneys received under subsection 1 in the waste tire  
20 management fund, and deposit the remainder in the  
21 general fund of the state. For the fiscal year  
22 beginning July 1, 1998, and the fiscal year beginning  
23 July 1, 1999, the treasurer of state shall deposit  
24 three million five hundred thousand dollars of moneys  
25 received under subsection 1 in the waste tire  
26 management fund, and deposit the remainder in the  
27 general fund of the state. For the fiscal year  
28 beginning July 1, 2000, the treasurer of state shall  
29 deposit two million five hundred thousand dollars of  
30 the moneys received under subsection 1 in the waste  
31 tire management fund, and one million dollars in the



32 road use tax fund, with the remainder deposited in the  
33 general fund of the state. For the fiscal year  
34 beginning July 1, 2001, the treasurer of state shall  
35 deposit one million five hundred thousand dollars of  
36 moneys received under subsection 1 in the waste tire  
37 management fund, ~~and three million dollars in the road~~  
38 ~~use tax fund,~~ with the remainder deposited in the  
39 general fund of the state. For the fiscal year  
40 beginning July 1, 2002, and each subsequent fiscal  
41 year, the treasurer of state shall deposit the entire  
42 amount of moneys received under subsection 1 in the  
43 road use tax fund."  
44 3. By renumbering as necessary.

Amendment H-1609 was adopted.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Osterhaus of Jackson, for the remainder of the day, on request of Myers of Johnson.

Reynolds of Van Buren offered the following amendment H-1601 filed by her from the floor and moved its adoption:

H-1601

- 1 Amend House File 718 as follows:
- 2 1. Page 4, line 10, by striking the figure
- 3 "409,161" and inserting the following: "435,278".
- 4 2. Page 5, line 13, by striking the figure
- 5 "396,035" and inserting the following: "421,314".

Roll call was requested by Reynolds of Van Buren and Bukta of Clinton.

On the question "Shall amendment H-1601 be adopted?" (H.F. 718)

The ayes were, 43:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Fallon	Foege	Ford	Frevort
Greimann	Hatch	Huser	Jochum
Kreiman	Kuhn	Larkin	Lensing
Mascher	May	Mertz	Murphy

Myers	O'Brien	Petersen	Quirk
Reynolds	Richardson	Scherrman	Schrader
Seng	Shoultz	Smith	Stevens
Taylor, D.	Taylor, T.	Tremmel	Warnstadt
Winckler	Wise	Witt	

The nays were, 53:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Bogges	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Drake
Eddie	Eichhorn	Elgin	Finch
Garman	Gipp	Hahn	Hansen
Heaton	Hoffman	Horbach	Houser
Hoversten	Huseman	Jacobs	Jenkins
Johnson	Kettering	Klemme	Larson
Manternach	Metcalf	Millage	Raecker
Rants	Rayhons	Rekow	Roberts
Shey	Sievers	Teig	Tymeson
Tyrrell	Van Engelenhoven	Van Fossen	Weidman
Mr. Speaker			
Siegrist			

Absent or not voting, 4:

Dolecheck	Grundberg	Osterhaus	Sukup
-----------	-----------	-----------	-------

Amendment H-1601 lost.

Petersen of Polk offered the following amendment H-1606 filed by her, Winckler of Scott, and Dotzler of Black Hawk from the floor and moved its adoption:

H-1606

- 1 Amend House File 718 as follows:
- 2 1. Page 8, line 11, by striking the figure
- 3 "1,147,192" and inserting the following: "1,220,417".
- 4 2. Page 8, line 17, by striking the figure
- 5 "362,155" and inserting the following: "385,271".
- 6 3. Page 8, line 23, by striking the figure
- 7 "4,205,662" and inserting the following: "4,474,108".
- 8 4. Page 9, line 26, by striking the figure
- 9 "320,560" and inserting the following: "341,021".
- 10 5. Page 9, line 31, by striking the figure
- 11 "259,262" and inserting the following: "275,811".
- 12 6. Page 10, line 13, by striking the figure
- 13 "166,249" and inserting the following: "176,861".
- 14 7. Page 10, line 19, by striking the figure

15 "711,672" and inserting the following: "757,098".

Roll call was requested by Dotzler of Black Hawk and Seng of Scott.

On the question "Shall amendment H-1606 be adopted?" (H.F. 718)

The ayes were, 42:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Foege	Ford	Frevert	Greimann
Hatch	Huser	Jochum	Kreiman
Kuhn	Larkin	Lensing	Mascher
May	Mertz	Murphy	Myers
O'Brien	Petersen	Quirk	Reynolds
Richardson	Scherrman	Schrader	Seng
Shoultz	Smith	Stevens	Taylor, D.
Taylor, T.	Tremmel	Warnstadt	Winckler
Wise	Witt		

The nays were, 55:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boguess	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Fallon	Finch	Garman	Gipp
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Sievers
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Mr. Speaker	
		Siegrist	

Absent or not voting, 3:

Grundberg	Osterhaus	Sukup
-----------	-----------	-------

Amendment H-1606 lost.

Dotzler of Black Hawk offered the following amendment H-1603 filed by him and T. Taylor of Linn from the floor and moved its adoption:

H-1603

- 1 Amend House File 718 as follows:
- 2 1. Page 10, line 31, by striking the figure
- 3 "3,290,446", and inserting the following:
- 4 "3,604,474".
- 5 2. Page 11, line 6, by striking the figure
- 6 "2,235,187", and inserting the following:
- 7 "2,478,147".

Roll call was requested by Dotzler of Black Hawk and Petersen of Polk.

On the question "Shall amendment H-1603 be adopted?" (H.F. 718)

The ayes were, 42:

Atteberry	Bell	Bukta	Chiodo
Cohoon	Connors	Dotzler	Falck
Foege	Ford	Frevert	Greimann
Hatch	Huser	Jochum	Kreiman
Kuhn	Larkin	Lensing	Mascher
May	Mertz	Murphy	Myers
O'Brien	Petersen	Quirk	Reynolds
Richardson	Scherrman	Schrader	Seng
Shultz	Smith	Stevens	Taylor, D.
Taylor, T.	Tremmel	Warnstadt	Winckler
Wise	Witt		

The nays were, 55:

Alons	Arnold	Barry	Baudler
Boal	Boddicker	Boggess	Bradley
Brauns	Broers	Brunkhorst	Carroll
Cormack	De Boef	Dix	Dolecheck
Drake	Eddie	Eichhorn	Elgin
Fallon	Finch	Garman	Gipp
Hahn	Hansen	Heaton	Hoffman
Horbach	Houser	Hoversten	Huseman
Jacobs	Jenkins	Johnson	Kettering
Klemme	Larson	Manternach	Metcalf
Millage	Raecker	Rants	Rayhons
Rekow	Roberts	Shey	Sievers
Teig	Tymeson	Tyrrell	Van Engelenhoven
Van Fossen	Weidman	Mr. Speaker	
		Siegrist	

Absent or not voting, 3:

Grundberg

Osterhaus

Sukup

Amendment H-1603 lost.

T. Taylor of Linn offered the following amendment H-1604 filed by him from the floor and moved its adoption:

H-1604

- 1 Amend House File 718 as follows:
- 2 1. Page 13, line 24, by striking the figure
- 3 "857,489", and inserting the following: "912,222".

Gipp of Winneshiek in the chair at 5:34 p.m.

Amendment H-1604 lost.

Dotzler of Black Hawk offered the following amendment H-1605 filed by him and Winckler of Scott from the floor and moved its adoption:

H-1605

- 1 Amend House File 718 as follows:
- 2 1. Page 14, line 1, by striking the words "Iowa
- 3 finance authority" and inserting the following:
- 4 "general fund of the state".
- 5 2. Page 14, by striking lines 12 through 17, and
- 6 inserting the following:
- 7 "Sec. \_\_\_\_ COMMUNITY DEVELOPMENT BLOCK GRANT
- 8 ACCOUNT. There is appropriated from the general fund
- 9 of the state to the department of economic development
- 10 for the fiscal year beginning July 1, 2001, and ending
- 11 June 30, 2002, the following amount, or so much
- 12 thereof as is necessary, to be used for the purpose
- 13 designated:
- 14 For deposit in the community development block
- 15 grant account to be used as state matching funds for
- 16 the federal HOME program:
- 17 ..... \$ 1,200,000"
- 18 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 40, nays 50.

Amendment H-1605 lost.

Boggess of Page 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. 718)

The ayes were, 56:

Alons	Arnold	Barry	Baudler
Bell	Boal	Boddicker	Boggess
Bradley	Brauns	Broers	Brunkhorst
Carroll	Chiodo	Cormack	De Boef
Dix	Dolecheck	Drake	Eddie
Eichhorn	Elgin	Finch	Hahn
Hansen	Heaton	Hoffman	Horbach
Houser	Hoversten	Huseman	Jacobs
Jenkins	Johnson	Kettering	Klemme
Larson	Manternach	Metcalf	Millage
Raecker	Rants	Rayhons	Rekow
Reynolds	Roberts	Shey	Siegrist, Spkr.
Sievers	Teig	Tymeson	Tyrrell
Van Engelenhoven	Van Fossen	Weidman	Gipp,
			Presiding

The nays were, 41:

Atteberry	Bukta	Cohoon	Connors
Dotzler	Falck	Fallon	Foege
Ford	Frevert	Garman	Greimann
Hatch	Huser	Jochum	Kreiman
Kuhn	Larkin	Lensing	Mascher
May	Mertz	Murphy	Myers
O'Brien	Petersen	Quirk	Richardson
Scherrman	Schrader	Seng	Shoultz
Smith	Stevens	Taylor, D.	Taylor, T.
Tremmel	Warnstadt	Winckler	Wise
Witt			

Absent or not voting, 3:

Grundberg	Osterhaus	Sukup
-----------	-----------	-------

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## IMMEDIATE MESSAGE

Rants of Woodbury asked and received unanimous consent that **House File 718** be immediately messaged to the Senate.

## INTRODUCTION OF BILLS

**House File 729**, by committee on appropriations, a bill for an act relating to the linked investments for tomorrow Act and providing effective dates.

Read first time and placed on the **appropriations calendar**.

**House File 730**, by committee on ways and means, a bill for an act relating to duties of the county sheriff by increasing the fees and expenses collected by the county sheriff for various services and the release of a garnishment.

Read first time and placed on the **ways and means calendar**.

**House File 731**, by committee on ways and means, a bill for an act regarding certain changes relating to the utility replacement tax, and providing for the Act's applicability.

Read first time and placed on the **ways and means calendar**.

**House File 732**, 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**.

## 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 19, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 528, 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 nonreversion of certain moneys, and discontinuing driver's license renewal by mail.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGE CONSIDERED

**Senate File 527**, by committee on appropriations, a bill for an act relating to and making appropriations to the judicial branch.

Read first time and referred to committee on **appropriations**.

### SPECIAL PRESENTATION

Raecker of Polk introduced to the House the Honorable Steve Churchill, former state representative from Polk County.

The House rose and expressed its welcome.

Speaker Siegrist in the chair at 6:27 p.m.

### EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on April 19, 2001. Had I been present, I would have voted "aye" on House Files 705 and 706.

BOAL of Polk

I was necessarily absent from the House chamber on April 19, 2001. Had I been present, I would have voted "aye" on House Files 705 and 706.

CHIODO of Polk

I was necessarily absent from the House chamber on April 19, 2001. Had I been present, I would have voted "aye" on House Files 705 and 706.

DRAKE of Pottawattamie

I was necessarily absent from the House chamber on April 18, 2001. Had I been present, I would have voted "aye" on House Files 352, 560, 581, 707, 711 and Senate Files 169, 186, 259, 337 and 384.

O'BRIEN of Boone



## 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 19<sup>th</sup> day of April, 2001: House Files 384, 389, 458, 655, 663 and 686.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 18, 2001, he approved and transmitted to the Secretary of State the following bill:

Senate File 347, an act eliminating court costs and filing and service fees for plaintiffs seeking relief from domestic abuse.

Also: That on April 19, 2001, he approved and transmitted to the Secretary of State the following bills:

House File 294, an act relating to contracts and compensation that benefit a member of the board of directors of a school district.

House File 301, an act establishing a rural fire protection program and limiting the liability of rural water districts and associations in connection with the provision of water for fire protection.

House File 451, an act regulating the practice of accounting, establishing fees, providing penalties, and providing an effective date.

House File 566, an act relating to the terms "registered voter", "eligible elector", and "qualified voter" for purposes of elections, voter registration, statutory petition requirements, absentee voting by armed forces, and drainage district elections.

Senate File 465, an act creating a fund for the use of the state department of transportation to purchase soydiesel fuel for use in its vehicles and providing an effective date.

## PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirty-six sixth grade students from NW Webster School, Manson, accompanied by Mr. Kevin Henrichs. By Eichhorn of Hamilton.

Sixty-two fifth grade students from Pocahontas Area Community School, Pocahontas, accompanied by Margie Bloom Camp, Marty Hart and Lori Horner. By Eddie of Buena Vista.

Sixty-five eighth grade students from Boone Middle School, Boone, accompanied by Tim Hartwig and other school chaperones. By O'Brien of Boone.

## SUBCOMMITTEE ASSIGNMENTS

### House File 196 Reassigned

Ways and Means: Sievers, Chair; Jochum and Teig.

### Senate File 515

Commerce and Regulation: Hansen, Chair; Chiodo and Hoffman.

## 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.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON APPROPRIATIONS

**Senate File 203**, a bill for an act extending the regular program district cost guarantee for school districts, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1614** April 19, 2001.

**Committee Bill** (Formerly House Study Bill 198), repealing the linked investments for tomorrow Act.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 19, 2001.

**Committee Bill** (Formerly House Study Bill 254), 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 **Do Pass** April 19, 2001.

#### COMMITTEE ON WAYS AND MEANS

**House File 725**, a bill for an act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources, providing for fees, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1615** April 19, 2001.

**House File 726**, 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 office of drug control policy, and the commission of veterans affairs, providing a criminal surcharge increase, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** April 19, 2001.

**Senate File 499**, a bill for an act making changes to and reorganizing scheduled fines.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1598** April 18, 2001.

**Senate File 519**, a bill for an act relating to the assessment for property tax purposes of certain affordable housing for low-income individuals and families.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 2001.

**Committee Bill** (Formerly House File 371), relating to duties of the county sheriff by increasing the fees and expenses collected by the county sheriff for various services and the release of a garnishment.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 2001.

**Committee Bill** (Formerly House File 568), relating to the Iowa individual health benefit reinsurance association and the Iowa comprehensive health insurance association, by changing the board of directors, membership, assessment, and premium tax offset related to the associations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 19, 2001.

**Committee Bill** (Formerly House File 576), relating to certain school finance provisions and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 18, 2001.

**Committee Bill** (Formerly House File 671), relating to county mental health, mental retardation, and developmental disabilities services provisions involving capital expenditures and the funding pools in the property tax relief fund for such services expenditures and providing effective and retroactive applicability dates.

Fiscal Note is not required.

Recommended **Do Pass** April 18, 2001.

**Committee Bill** (Formerly House Study Bill 175), regarding certain changes relating to the utility replacement tax, and providing for the Act's applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 18, 2001.

### AMENDMENTS FILED

H-1589	S.F.	209	Rekow of Allamakee
H-1592	H.F.	674	Senate Amendment
H-1593	H.F.	698	Jenkins of Black Hawk
			Hansen of Pottawattamie
H-1596	S.F.	140	Jochum of Dubuque
H-1597	H.F.	590	Carroll of Poweshiek
H-1598	S.F.	499	Committee on Ways and Means
H-1607	S.F.	412	Mascher of Johnson
H-1613	H.F.	726	Atteberry of Delaware
H-1614	S.F.	203	Committee on Appropriations
H-1615	H.F.	725	Committee on Ways and Means

H-1616	S.F.	470	Kreiman of Davis
H-1617	H.F.	725	Baudler of Adair
H-1618	H.F.	726	Bell of Jasper
H-1619	H.F.	726	Bell of Jasper Ford of Polk
H-1620	H.F.	726	Shoultz of Black Hawk
H-1621	H.F.	726	T. Taylor of Linn
H-1622	S.F.	140	Alons of Sioux Eichhorn of Hamilton

On motion by Rants of Woodbury the House adjourned at 6:30 p.m., until 9:30 a.m., Friday, April 20, 2001.

# JOURNAL OF THE HOUSE

One Hundred Third Calendar Day - Seventy-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, April 20, 2001

The House met pursuant to adjournment at 9:30 a.m., Gipp of Winneshiek in the chair.

Prayer was offered by Jill Beni, legislative secretary to Representative Heaton of Henry.

The Journal of Thursday, April 19, 2001 was approved.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 19, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 271, a bill for an act adding specified document preparation and modification to the list of acts defining the activities of a real estate broker.

Also: That the Senate has on April 19, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 535, a bill for an act allowing cities to issue general obligation bonds, revenue bonds, or loan agreements to fund the construction and equipping of child care centers and providing an effective date.

Also: That the Senate has on April 19, 2001, amended and passed the following bill in which the concurrence of the House is asked:

House File 582, a bill for an act relating to the division and development of land by amending provisions relating to subdivision plats and plats of survey and relating to annexation and other boundary adjustments, and providing for the Act's applicability.

Also: That the Senate has on April 19, 2001, passed the following bill in which the concurrence of the Senate was asked:

House File 647, a bill for an act relating to the release and use of certain personal information by the state department of transportation.

Also: That the Senate has on April 19, 2001, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

Senate File 349, a bill for an act relating to certain filings relating to executive and legislative ethics.

Also: That the Senate has on April 19, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 512, a bill for an act relating to state sales and use taxes on admittance fees for city or county swimming pools, providing limited refunds, and including effective and retroactive applicability date provisions.

Also: That the Senate has on April 19, 2001, passed the following bill in which the concurrence of the House is asked:

Senate File 531, a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

MICHAEL E. MARSHALL, Secretary

## SENATE MESSAGES CONSIDERED

**Senate File 512**, by committee on ways and means, a bill for an act relating to state sales and use taxes on admittance fees for city or county swimming pools, providing limited refunds, and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **ways and means**.

**Senate File 528**, 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 nonreversion of certain moneys, and discontinuing driver's license renewal by mail.

Read first time and referred to committee on **appropriations**.

**Senate File 531**, 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, and other properly related matters.

Read first time and referred to committee on **appropriations**.

## 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 20<sup>th</sup> day of April, 2001: House Files 292, 326, 526 and 550.

MARGARET A. THOMSON  
Chief Clerk of the House

Report adopted.

## AMENDMENTS FILED

H-1623	H.F.	726	Wise of Lee Reynolds of Van Buren
H-1624	H.F.	271	Senate Amendment
H-1625	H.F.	582	Senate Amendment

On motion by Finch of Story the House adjourned at 9:36 a.m., until 1:00 p.m., Monday, April 23, 2001.