

State of Iowa  
2006

# JOURNAL OF THE HOUSE

## 2006 REGULAR SESSION EIGHTY-FIRST GENERAL ASSEMBLY

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**THOMAS J. VILSACK, Governor**  
**CHRISTOPHER RANTS, Speaker of the House**  
**JOHN P. KIBBIE, Co-President of the Senate**  
**JEFF LAMBERTI, Co-President of the Senate**

Published by the  
STATE OF IOWA

Des Moines

EIGHTY-FIRST GENERAL ASSEMBLY  
2006 Regular Session  
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JERRY ORMAN, <i>Assistant Sergeant-at-Arms</i> .....	Windsor Heights
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GARY D. LYNCH, <i>Doorkeeper</i> .....	Mitchellville
HOWARD H. SCOTT, <i>Senior Doorkeeper</i> .....	Des Moines
ROBERT YEAGER, <i>Doorkeeper</i> .....	Windsor Heights
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MARK S. LUNDBERG, <i>Conservation/Restoration Specialist II</i> .....	Des Moines

ELECTED OFFICERS, SUPREME COURT JUSTICES AND  
IOWA COURT OF APPEALS JUDGES

ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

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CHET CULVER, <i>Secretary of State</i> .....	West Des Moines
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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

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MARK S. CADY, <i>Justice</i> .....	Fort Dodge
JAMES H. CARTER, <i>Justice</i> .....	Cedar Rapids
J. L. LARSON, <i>Justice</i> .....	Harlan
MICHAEL J. STREIT, <i>Justice</i> .....	Chariton
MARSHA K. TERNUS, <i>Justice</i> .....	Des Moines
DAVID WIGGINS, <i>Justice</i> .....	West Des Moines

IOWA COURT OF APPEALS JUDGES

ROSEMARY S. SACKETT, <i>Chief Judge</i> .....	Okoboji
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DARYL L. HECHT, <i>Judge</i> .....	Sioux City
TERRY L. HUITINK, <i>Judge</i> .....	Ireton
ROBERT E. MAHAN, <i>Judge</i> .....	Waterloo
JOHN C. MILLER, <i>Judge</i> .....	Burlington
ANURADHA VAITHESWARAN, <i>Judge</i> .....	Des Moines
GAYLE NELSON VOGEL, <i>Judge</i> .....	Knoxville
VAN D. ZIMMER, <i>Judge</i> .....	Vinton

## MEMBERS OF THE HOUSE—EIGHTY—FIRST GENERAL ASSEMBLY – 2006 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Alons, Dwayne.....	Hull .....	60	Farmer .....	4th— <i>Sioux</i> , Lyon .....	78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Anderson, Richard.....	Clarinda .....	50	Attorney .....	97th— <i>Page</i> , Fremont, Mills .....	81 (2 <sup>nd</sup> ), 81X
Arnold, Richard .....	Russell .....	61	Farmer .....	72nd— <i>Lucas</i> , Mahaska, Marion, Monroe .....	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81(2 <sup>nd</sup> ), 81X
Baudler, Clel .....	Greenfield .....	67	Retired State Trooper/Farmer.....	58th— <i>Adair</i> , Audubon, Cass, Guthrie .....	78, 79, 79X, 79XX, 80, 80X, 80XX, 81(2 <sup>nd</sup> ), 81X
Bell, Paul.....	Newton .....	56	Police Lieutenant.....	41st— <i>Jasper</i> .....	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Berry, Deborah L.....	Waterloo.....	48	State Representative .....	22nd— <i>Blackhawk</i> .....	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Boal, Carmine.....	Ankeny .....	50	Legislator .....	70th— <i>Polk</i> .....	78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Bukta, Polly.....	Clinton .....		Retired Educator .....	26th— <i>Clinton</i> .....	77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Carroll, Danny.....	Grinnell.....	53	Community Relations.....	75th— <i>Poweshiek</i> , Mahaska.....	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Chambers, Royd E.....	Sheldon .....	45	Educator.....	5th— <i>O'Brien</i> , Clay, Osceola, Sioux .....	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Cohon, Dennis M. ....	Burlington.....		Special Education Teacher.....	88th— <i>Des Moines</i> .....	72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Dandekar, Swati A.....	Marion.....	55	Community Leader.....	36th— <i>Linn</i> .....	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Davitt, Mark.....	Indianola .....	54	Communications Consultant.....	74th— <i>Warren</i> .....	80, 80x, 80XX, 81 (2 <sup>nd</sup> ), 81X
De Boef, Betty R.....	What Cheer.....	55	Partner in farming and wood grinding operation .....	76th— <i>Keokuk</i> , Iowa, Poweshiek, Tama .....	79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Dix, Bill.....	Shell Rock .....	44	Farmer .....	17th— <i>Butler</i> , Bremer .....	77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Dolecheck, Cecil.....	Mount Ayr.....	55	Farmer .....	96th— <i>Ringgold</i> , Adams, Montgomery, Taylor, Union .....	77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X

MEMBERS OF THE HOUSE—EIGHTY-FIRST GENERAL ASSEMBLY – 2006 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Drake, Jack .....	Lewis .....	72	Farmer .....	57th— <i>Pottawattamie</i> , Cass, Shelby ..	75, 76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Eichhorn, George S. ....	Stratford.....	52	General Counsel .....	9th— <i>Hamilton</i> , Webster, Wright.....	79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Elgin, Jeffrey C.....	Cedar Rapids .....	55	Businessman.....	37th— <i>Linn</i> .....	79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Fallon, Ed.....	Des Moines.....	48	State Legislator .....	66th— <i>Polk</i> .....	75, 76, 77, 78, 79, 79X, 79XX 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Foege, Ro .....	Mount Vernon .....	68	Social Worker-Retired .....	29th— <i>Linn</i> , Johnson .....	77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Ford, Wayne W.....	Des Moines.....	53	Exec. Director Urban Dreams .....	65th— <i>Polk</i> .....	77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Freeman, Mary Lou .....	Alta.....	65	Education .....	52nd— <i>Buena Vista</i> , Sac .....	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Frevert, Marcella R.....	Emmetsburg .....	68	Retired Teacher .....	7th— <i>Palo Alto</i> , Emmet, Kossuth ..	77, 78, 79, 79X, 79XX 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Gaskill, Mary.....	Ottumwa .....	65	Retired County Auditor .....	93rd— <i>Wapello</i> .....	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Gipp, Chuck.....	Decorah .....	59	Farmer .....	16th— <i>Winneshiek</i> , Allamakee .....	74, 74X, 74XX, 75, 76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Granzow, Polly .....	Eldora.....	65	Farmer .....	44th— <i>Hardin</i> , Marshall.....	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Greiner, Sandra H.....	Keota.....	61	Farmer .....	89th— <i>Washington</i> , Jefferson, .....	75, 76, 77, 78, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Heaton, Dave.....	Mt. Pleasant.....	61	Restaurant Owner .....	91st— <i>Henry</i> , Lee .....	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X

## MEMBERS OF THE HOUSE—EIGHTY—FIRST GENERAL ASSEMBLY – 2006 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Heddens, Lisa K.	Ames	42	Family Support Coordinator	46th— <i>Story, Boone</i>	80, 80X, 80XX, 81 (2 <sup>nd</sup> ) 81X
Hoffman, Clarence C.	Charter Oak	73	Insurance	55th— <i>Crawford, Ida, Monona, Woodbury</i>	78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> )
Hogg, Robert M.	Cedar Rapids	38	Attorney	38th— <i>Linn</i>	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Horbach, Lance J.	Tama	48	Insurance Agent	40th— <i>Tama, Grundy</i>	78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Hunter, Bruce	Des Moines		IA Student Loan Counselor	62nd— <i>Polk</i>	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Huseman, Daniel A.	Aurelia	54	Farmer	53rd— <i>Cherokee, Plymouth, Woodbury</i>	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Huser, Geri D.	Altoona		Lawyer/Social Worker	42nd— <i>Polk, Jasper</i>	77, 78, 79, 79X, 79XX 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Hutter, Joseph I.	Bettendorf	69	Retired Police Officer	82nd— <i>Scott</i>	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Jacobs, Elizabeth "Libby" S.	West Des Moines	50	Community Relation Director	60th— <i>Polk</i>	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
*Jacoby, Dave	Coralville	50	Program Director	30th— <i>Johnson</i>	80 (2 <sup>nd</sup> ), 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Jenkins, G. Willard	Waterloo	69	Engineer	20th— <i>Black Hawk</i>	77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Jochum, Pam	Dubuque		Instructor for NICC	27th— <i>Dubuque</i>	75, 76, 77, 78, 79, 79X 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> )
**Jones, Gerald D.	Silver City	73	Property Management	98th— <i>Mills, Pottawattamie</i>	79X, 79XX, 79, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X

\* Elected in Special Election August 26, 2003

\*\*Elected in Special Election June 12, 2001

MEMBERS OF THE HOUSE—EIGHTY—FIRST GENERAL ASSEMBLY – 2006 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Kaufmann, Jeffrey A.	Wilton	43	Teacher/Livestock Operator	79th Cedar, Johnson, Muscatine	81 (2 <sup>nd</sup> ), 81X
Kressig, Bob	Cedar Falls	51	Retired (John Deere)	19th Black Hawk	81 (2 <sup>nd</sup> ), 81X
Kuhn, Mark A.	Charles City	56	Family Farmer	14th—Floyd, Cerro Gordo, Mitchell	78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Kurtenbach, James M.	Nevada	49	ISU Faculty Member	10th—Story, Hamilton	80, 80X, 80XX, 81 (2 <sup>nd</sup> ) 81X
Lalk, David	Westgate	57	Farmer/Retired Deere Employee	18th—Fayette, Black Hawk, Bremer	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Lensing, Vicki	Iowa City		Funeral Home Owner	78th—Johnson	79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Lukan, Steven F.	New Vienna	28	Tire Technician	32nd—Dubuque, Delaware	80, 80X, 80XX, 81 (2 <sup>nd</sup> )
Lykam, Jim D.	Davenport		Small Business Owner	85th—Scott	73, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Maddox, O. Gene	Clive	68	Lawyer	59th—Polk	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Mascher, Mary	Iowa City	51	Teacher	77th—Johnson	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> )
May, Mike	Spirit Lake	61	Retired Teacher/Resort Owner	6th—Dickinson, Clay	81 (2 <sup>nd</sup> ), 81X
McCarthy, Kevin M.	Des Moines	35	Attorney	67th—Polk	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Mertz, Dolores M.	Ottosen	78		15th—Kossuth, Humboldt, Pocahontas, Webster	73, 74, 74X, 74XX, 75, 76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Miller, Helen	Fort Dodge	61	Attorney/Arts Educator	49th—Webster	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
*Murphy, Patrick J.	Dubuque	47	Democratic Leader	28th—Dubuque	73, 74, 74X, 74XX, 75, 76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X

\*Elected in Special Election September 26, 1989

## MEMBERS OF THE HOUSE—EIGHTY—FIRST GENERAL ASSEMBLY – 2006 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Oldson, Jo	Des Moines	50		61st— <i>Polk</i>	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Olson, Donovan	Boone	41	Distance Education Coordinator	48th— <i>Boone, Dallas</i>	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Olson, Rick L.	Des Moines	55	Attorney	68th— <i>Polk</i>	81 (2 <sup>nd</sup> ), 81X
Olson, Steven N.	DeWitt	59	Farmer	83rd— <i>Clinton, Scott</i>	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Paulsen, Kraig	Hiawatha	42	Attorney	35th— <i>Linn</i>	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Petersen, Janet	Des Moines	36	Marketing Communications Consultant	64th— <i>Polk</i>	79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Pettengill, Dawn E.	Mt. Auburn	51	Retirement /Investor Services	39th— <i>Benton, Iowa</i>	81 (2 <sup>nd</sup> ), 81X
Quirk, Brian J.	New Hampton	33	Electrical Contractor	15th— <i>Chickasaw, Howard, Winneshiek</i>	79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Raecker, J. Scott	Urbandale	41	Exec. Director-Institute for Character Development	63rd— <i>Polk</i>	78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Rants, Christopher C.	Sioux City	39	Self Employed	54th— <i>Woodbury</i>	75, 76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Rasmussen, Daniel J.	Independence	59	Exe. Land Improvement Contractor Cont. Assn.	23rd— <i>Buchanan, Black Hawk</i>	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Rayhons, Henry V.	Garner	70	Farmer	11th— <i>Hancock, Winnebago, Worth</i>	77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Reasoner, Michael J.	Creston	46	State Legislator	95th— <i>Union, Clark, Decatur</i>	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Reichert, Nathan	Muscatine	36	Allsteel Customer Support	80th— <i>Muscatine</i>	81 (2 <sup>nd</sup> ), 81X
Roberts, Rod	Carroll	49	Dev. Dir./Christian Churches/Church of Christ in Iowa	51st— <i>Carroll, Crawford, Sac</i>	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Sands, Thomas R.	Columbus Junction	52	Banker/Farmer/Appraiser	87th— <i>Louisa Des Moines, Muscatine</i>	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Schickel, Bill	Mason City	55	Radio Station Gen. Manager	13th— <i>Cerro Gordo</i>	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X



MEMBERS OF THE HOUSE—EIGHTY—FIRST GENERAL ASSEMBLY – 2006 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Schueller, Thomas J.....	Maquoketa .....	51	Contractor.....	25th— <i>Jackson</i> , Clinton, Dubuque .....	81 (2 <sup>nd</sup> ), 81X
Shomshor, Paul C., Jr.....	Council Bluffs .....	39	Certified Public Accountant .....	100th— <i>Pottawattamie</i> .....	81 (2 <sup>nd</sup> ), 81X
Shultz, Don.....	Waterloo.....	70	.....	21st— <i>Black Hawk</i> .....	70, 71, 72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Smith, Mark D. ....	Marshalltown.....	54	Director Special Projects .....	43rd— <i>Marshall</i> .....	79, 79X, 79XX, 80, 80X 80XX, 81 (2 <sup>nd</sup> ), 81X
Soderberg, Chuck .....	LeMars .....	49	VP Planning & Legis Services,..... NW Power Cooperative	3rd— <i>Plymouth</i> , Sioux.....	81 (2 <sup>nd</sup> ), 81X
Struyk, Douglas L.....	Council Bluffs .....	36	Small Business Owner/Attorney .....	99th— <i>Pottawattamie</i> .....	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Swaim, Kurt .....	Bloomfield .....	56	Attorney .....	94th— <i>Davis</i> Appanoose, Wayne .....	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
*Taylor, Dick .....	Cedar Rapids .....	73	Electrician/Project Manager.....	33rd— <i>Linn</i> .....	78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
**Taylor, Todd.....	Cedar Rapids .....	39	Union Representative.....	34th— <i>Linn</i> .....	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Thomas, Roger.....	Elkader.....	56	Farmer/Paramedic.....	24th— <i>Clayton</i> , Delaware, Fayette.....	77, 78, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Tjepkes, David A.....	Gowrie.....	62	Retired State Trooper.....	50th— <i>Webster</i> , Calhoun, Greene, .....	80, 80X, 80XX, 81 (2 <sup>nd</sup> )
Tomenga, F. Walter.....	Johnston.....	60	Management Consultant.....	69th— <i>Polk</i> .....	81 (2 <sup>nd</sup> ), 81X
Tymeson, Jodi S. ....	Winterset .....	51	Natl. Brigadier General in Iowa ... National Guard/ Licensed Teacher	73rd— <i>Madison</i> , Dallas, Warren .....	79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X

\*Elected in Special Election January 4, 2000

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

## MEMBERS OF THE HOUSE—EIGHTY—FIRST GENERAL ASSEMBLY — 2006 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Upmeyer, Linda L.	Garner	54	Nurse Practitioner	12th— <i>Hancock</i> , Cerro Gordo, Franklin	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Van Engelenhoven, James L.	Pella		Farmer	71st— <i>Marion</i> , Jasper	78, 79, 79X, 79XX, 80 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Van Fossen, Jamie	Davenport	46	Economic Development Analyst-Mid-American Energy	81st— <i>Scott</i>	76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Van Fossen, James "Jim" R.	Davenport	66	Retired Police Captain	84th— <i>Scott</i>	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Watts, Ralph C.	Adel	62	Engineer, Business Mgmt. Retired	47th— <i>Dallas</i> , Boone	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Wendt, Roger F.	Sioux City	73	Retired School Administrator	2nd— <i>Woodbury</i>	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Wessel-Kroeschell, Beth	Ames	47		45th— <i>Story</i>	81 (2 <sup>nd</sup> ), 81X
Whitaker, John R.	Hillsboro		Family Farmer	90th— <i>Van Buren</i> , Jefferson, Wapello	80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Whitead, Wesley E.	Sioux City	73		1st— <i>Woodbury</i>	77, 78, 80, 80X, 80XX 81 (2 <sup>nd</sup> ), 81X
*Wildurdyke, Paul A.	Woodbine	63	Community Relations	56th— <i>Harrison</i> , Monona, Pottawattamie	79XX, 79, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Winckler, Cindy Lou	Davenport	56	Instruction Facilitator	86th— <i>Scott</i>	79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X

\*Elected in Special Election November 6, 2001

MEMBERS OF THE HOUSE—EIGHTY—FIRST GENERAL ASSEMBLY – 2006 REGULAR SESSION

Name	Residence	Age	Occupation	Representative District	Former Legislative Service
Wise, Philip .....	Keokuk .....	60	Consultant, Retired Educator .....	92nd— <i>Lee</i> .....	72, 72X, 72XX, 73, 74, 74X, 74XX, 75, 76, 77, 78, 79, 79X, 79XX, 80, 80X, 80XX, 81 (2 <sup>nd</sup> ), 81X
Zirkelbach, Raymond .....	Monticello .....	28	Correctional Officer/ Soldier.....	31st— <i>Jones, Dubuque</i> .....	81 (2 <sup>nd</sup> ), 81X

\*Elected in Special Election November 6, 2001

# JOURNAL OF THE HOUSE

First Calendar Day - First Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, January 9, 2006

Pursuant to chapter two (2), section two point one (2.1), Code of Iowa, the House of Representative of the Eighty-first General Assembly of Iowa, 2006 Regular Session, convened at 10:00 a.m., Monday, January 9, 2006.

The House was called to order by the Honorable Christopher Rants, Speaker of the House.

Prayer was offered by Reverend Ron Burcham, pastor of Gloria Dei Lutheran Church, Urbandale. He was the guest of Representative Scott Raecker of Polk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Speakers Page, Elizabeth Johnson from Stratford.

The Journal of Friday, May 20, 2005 was approved.

## COMMITTEE TO NOTIFY THE GOVERNOR

Kurtenbach of Story 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: Kurtenbach of Story, Lalk of Fayette and Bukta of Clinton.

## COMMITTEE TO NOTIFY THE SENATE

Jenkins of Black Hawk 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: Jenkins of Black Hawk, Boal of Polk and Foege of Linn.

### ADOPTION OF HOUSE CONCURRENT RESOLUTION 101

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

1           House Concurrent Resolution 101  
 2           By Rants and Murphy  
 3   *Be It Resolved by the House of Representatives, The*  
 4 *Senate Concurring,* That a joint convention of the two  
 5 houses of the 2006 session of the Eighty-first General  
 6 Assembly be held on Tuesday, January 10, 2006, at  
 7 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 Co-Presidents 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 102

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

1           House Concurrent Resolution 102  
 2           By Rants and Murphy  
 3   *Be It Resolved by the House of Representatives, The*  
 4 *Senate Concurring,* That a joint convention of the two  
 5 houses of the 2006 session of the Eighty-first General  
 6 Assembly be held on Wednesday, January 11, at  
 7 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 MESSAGES

Gipp of Winneshiek asked and received unanimous consent that **House Concurrent Resolutions 101 and 102** be immediately messaged to the Senate.

## REMARKS BY THE SPEAKER

Speaker Rants addressed the House as follows:

Good morning and welcome back. I trust that everyone rested up over the holiday season, so that you are ready to roll up your sleeves and go to work.

I think we all already know this, but I want to call to your attention two members of our House who are not with us today. Representative Zirklebach will not be with us this year. Ray is currently stationed with the 1<sup>st</sup> of the 133 Infantry Battalion of the Iowa Army National Guard Unit on duty in Iraq. His empty seat will be a constant reminder to us all of the sacrifices that over 1,000 Iowa guardsmen and women from the Mississippi to the Missouri make on our behalf everyday. I know that every member of this chamber will say a prayer for his safe return home to his family.

Also missing this morning is Representative Freeman. Mary Lou underwent breast cancer surgery last week. I spoke with Mary Lou last night. She sounded great, she told me the surgery was a success and was very optimistic about her prognosis. She assured me that she'd be back at her desk very shortly and that I wasn't to re-assign any bills or committees. Again, I know that every member of this chamber will say a prayer for her healing, and a healthy return to this chamber.

If you've followed the news leading up to this morning, you've seen a common thread running through most of the stories. All of these folks along press row have said it a dozen different ways, and it goes something like this – the conventional wisdom is that the approaching election means very little will get done this year.

Shortly after hearing that, one of the members of the press asked me what Teddy Roosevelt quote I was going to use this morning, and I thought "Balderdash" would be a pretty succinct response to this supposed conventional wisdom. But I think this Teddy-ism is more apt...

"It is hard to fail, but it is worse never to have tried to succeed."

I am confident this House shall do neither – fail, nor fail to try.

Election years don't offer any respite to Iowa's employers, and so they come to us with high expectations that we will improve our economy and their business climate. They are concerned that their efforts to expand their businesses and job opportunities are thwarted by three key factors – high cost of health insurance, students entering the workforce without today's requisite skills, and an overwhelming property tax burden.

Already, members of this House have been working on various plans to make health insurance more accessible and more affordable. Some have focused on group purchasing plans, modeling their reforms after what has been enacted in states like Texas. Others have worked in the area of re-insurance to help existing carriers hold down their cost like the New York model. Regardless of the scenario, Iowa's employers, and their workers are looking to us this year for action – pending elections are no excuse for lack of effort. To be sure, this is a vexing and difficult problem, but I'm confident that working together we can tackle it and come away with the results Iowans are looking for.

Iowa's recently minted quarter reminds us that our foundation is in education and that we must build on that foundation. Yet Grant Wood's one room schoolhouse depiction of that foundation is no longer sufficient to meet the demands placed on today's students. Today's modern workforce requirements demand that we raise the bar in the areas of math and science. To ensure that happens, student performance indicators must be made current and relevant. Successful students need positive parental involvement so we must find more opportunities for parents to be involved in their youngsters' learning. The community stakeholders of education; the taxpayers and employers, need more information about what is taking place in today's classrooms, and how their investments are being spent. We should act to provide that accountability at the local level. For those that have their noses to the grindstone, their education in an Iowa high school must not be a limiting factor, and we must provide them opportunities to get a jumpstart on their college or associates degree to prepare them for their own place in Iowa's workforce.

When it comes to property taxes, last year this House passed in bi-partisan fashion House File 847 – a bill whose aim was to stop the piling on of property taxes on those that we expect to create jobs in this state. While we did our job in this chamber, our colleagues in the Senate have chosen to bottle it up in committee. We must not be content to say that we did our part, and there is nothing more to do. Instead we must return again to this issue. It's uncommon to pass the same bill twice in a General Assembly, but I believe that we must. Small business owners across Iowa say that this issue is too important to let die. So let us take this opportunity to start this legislation again, and work to encourage our counterparts to build the same bi-partisan coalition that was successful here.

Those three areas of high expectations are only the start when it comes to energizing our economy. There is more that we can do. This fall's interim study committee on border city taxation gave its unanimous endorsement of a plan to create two pilot projects in the state – we should enact that proposal as swiftly as possible.

Due to a pending sunset clause, we must re-visit our enterprise zone legislation. We should use this opportunity to expand this highly successful initiative to create intermodal enterprise zones where highways, navigable waterways, rail, and air transportation all come together to capitalize on these unique offerings to create hubs of commerce.

Jobs and prosperity can be returned to the oldest parts of our communities if we encourage redevelopment of their historic property. This can be accomplished by changing to an income based assessment of qualified historic properties, eliminating the cap for qualified historic preservation efforts in an enterprise zone and freezing the base valuation of such a project during its reconstruction. By reclaiming buildings rather than tearing them down, we can rebuild the downtown districts of our cities that are all too often looking down – rather than looking up.

The pundits have questioned whether or not we can do the job this year. Roosevelt admonished, "When you are asked if you can do a job, tell 'em, 'Certainly I can!' Then get busy and find out how to do it." I believe that we already know how – so now its time to get busy.

I wish for all of you, a busy and successful year. Thank you.

## REPORT OF THE COMMITTEE TO NOTIFY THE GOVERNOR

Kurtenbach of Story, Chair of the committee to notify the Governor that the House was duly organized and ready to receive any communication he might desire to transmit, reported that the committee had performed its duty.

The report was accepted and the committee discharged.

## REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Jenkins of Black Hawk, Chair of the committee to notify the Senate that the House was duly organized and ready to receive any communication that the Senate might desire to transmit, reported that the committee had performed its duty.

The report was accepted and the committee discharged.

## REMARKS BY THE MINORITY LEADER

Minority Leader Murphy addressed the House as follows:

Good morning and welcome back to the Capitol. It is good to see everyone again. This is the third year that I've been honored to stand as Democratic Leader to address the House on opening day, and I want to thank the members of the Democratic caucus for their continued trust and support.

I want to begin by making note of two members of my caucus. First, I'd like to welcome back Representative. Mark Kuhn. Mark suffered a farm accident last fall that caused serious injury to his legs and he will be rehabilitating and recuperating as the session goes on. We are glad you could be here for opening day, Mark, and we wish you a speedy recovery.

Another Democrat, Ray Zirkelbach, is not here today. Ray's National Guard unit is scheduled to be deployed soon to Iraq and he will miss the entire legislative session. We want to extend our best wishes to Ray for a safe tour of duty, and to his wife, Emily, who is expecting their first child this spring.

To honor Ray's service to his country and to remind us daily of the sacrifices made by all of our servicemen and women, I would like to ask Representative Gipp to join Senator Tom Hancock and me in placing an American flag on Ray's desk.

Since we last met in this chamber, America suffered one of its worst natural disasters when Hurricane Katrina devastated large parts of Louisiana and Mississippi. Our hearts went out to the people who lost loved ones and saw their homes and possessions literally washed away.



The rest of America was affected, too. We saw gasoline prices rise to unprecedented highs. We were told it was because of hurricane-related damage to oil facilities in the gulf. But we later found out that oil companies used the disaster to rip-off the American public and reap the record profits they reported last fall.

It rightfully angers and frustrates us when someone takes advantage of us and we feel powerless to hold them accountable. It's not just the oil companies; it's a major problem throughout America today. People simply refuse to accept responsibility when they don't live up to their obligations. There is always an excuse or someone else to blame when something goes wrong.

In Iowa, we are raised learning to take personal responsibility for our families and our lives. At our core, we still believe in doing the right thing even when no one is looking. And when we make mistakes, we understand the consequences.

Iowans believe that if we work hard and play by the rules we will prosper, but we expect others to live by those rules as well. Democrats share that belief. As we enter the 2006 session, Iowa House Democrats are pursuing a bold agenda that demands greater accountability, sets higher standards, and requires more personal responsibility from every Iowan. By working together, we can create greater economic opportunity, improve education, make health care more affordable, and attract good-paying jobs to Iowa.

America's energy future is at the mercy of price-gouging oil companies and volatile Middle East governments who are accountable to no one. But Iowa is uniquely positioned to break their stranglehold on our economy. Iowa has energy alternatives – corn-based ethanol, soy-based diesel, and wind energy - that can reduce our dependence on fossil fuels. Democrats want to bring our universities together with the bio-tech industry to make Iowa a world leader in the research and development of alternative fuels and renewable energy. Let's make alternative energy a key focus of the Iowa Values Fund. And let's encourage more sales of 85% ethanol blended gasoline.

Iowans who work hard and demonstrate personal responsibility deserve a fair wage. But the minimum wage hasn't been increased in over ten years. It is still \$5.15 an hour. A worker putting in 50 hours a week at the minimum wage still only earns \$13,000 a year. That's not enough for a responsible Iowan who is trying to make enough to get off welfare. Last year, leadership didn't allow the minimum wage bill to be debated. This session, we should reward hard work by raising the minimum wage in Iowa by a dollar an hour.

We need to raise standards and demand greater accountability from our public schools, too. Teachers must be certified as proficient in the subjects they teach. Teachers need more authority to enforce discipline in the classroom so children learn personal responsibility and accountability at an early age. Students must meet higher standards in reading, math, science and history before they're allowed to graduate.

And it is disgraceful that Iowa has slipped in national teacher pay rankings. You get what you pay for, and Iowa can't continue to attract and retain top quality teachers if their pay is not competitive. We need to raise teacher pay this year.

Most small businesses, farmers and self-employed Iowans want to take responsibility and provide health insurance for themselves, their families and their

employees, but high costs make it nearly impossible. Democrats want to create health care insurance purchasing pools that allow individuals, farmers and small businesses to join together to leverage their buying power and negotiate for lower health insurance premiums.

Democrats support the Iowa Values Fund that is helping attract high-tech jobs that pay good wages and benefits – the kind of jobs that can support a family. And we will insist that companies receiving state economic assistance are accountable for holding up their end of their job-creating bargain. But we must also reward workers who take personal responsibility to learn the skills they need to get a new or better job. We should work with our community colleges and local businesses to expand vocational education programs to give workers the technical skills they need to compete in this new economy.

This is an ambitious but realistic set of goals. As lawmakers, we have the opportunity and the strength to stand up to the powerful interests that impose their will on our lives and our livelihoods with impunity. What Iowans feel powerless to accomplish as individuals can be and must be achieved by Iowans working in concert through their legislators. We have to act, and we have to act now.

In simple terms, it's about choosing sides. Either you take the side of middle class families who demand and deserve accountability in energy costs, health insurance, school quality, and economic growth, or you cave in to the special interests that bully Iowans without fear of penalty or consequence.

Democrats believe that hardworking Iowans who play by the rules should be rewarded with the prosperity they've earned. Let's remove the roadblocks to success that the irresponsibility of others places in Iowans' way. Let's stop getting pushed around by the special interests and start to push back. This is our state. It's time to restore order and put Iowans back in charge.

## REMARKS BY THE MAJORITY LEADER

Majority Leader Gipp addressed the House as follows:

Thank You Mr. Speaker!

Mr. Speaker. Ladies and Gentlemen of the House! Welcome back to the Capitol for the 2<sup>nd</sup> session of the 81<sup>st</sup> General Assembly.

It is my sincere hope that you were able to find some time to relax and be reacquainted with family and friends. If not, it is too late because we have serious work to do, beginning today!

Many observers of the legislative process expect little to be accomplished this session---You know it is an election year; the Senate is deadlocked and the House nearly so. Naysayers surmise that we will simply "slop together a budget"; get some key political votes on hot button issues and then sneak out of town in order to campaign for the November elections.

Let me remind you that that is the same thing that was being said prior to the last session. The House responded with a very productive year:

We passed a balanced budget that funded our shared priorities of public safety, education and healthcare.

- \* a far reaching Medicaid reform bill
- \* a prescription drug clearinghouse
- \* mental health parity
- \* pseudo ephedrine control bill which has sharply reduced meth labs
- \* improvements to sex offender registry
- \* telephone deregulation
- \* alternative energy
- \* deer reduction
- \* expansion of the child dependent tax credit
- \* and reauthorization of the Values Fund which allows us to compete for business expansion with other states, funds research at our universities as well as job training at the community colleges.

That is just some of the issues that this body passed last session. I expect that we will put forth the same effort this session in spite of expectations to the contrary!

We will once again pass a balanced budget that funds our priorities of education and public safety. As always, all levels of education will get "the lions share" of new revenue. But unlike last year, we must provide for a budget that is sustainable. Last year's spending increases approached 7½ percent over the previous year. If we pass a similar budget this year, we are setting ourselves up for tax increases and or across-the-board cuts in the immediate future.

I have been a member of this body long enough to experience the ups and downs of economic cycles. Historically, Iowa's economy will support a 2½ to 3 percent revenue growth. That is what the Revenue Estimating Conference is predicting again for this year. To spend more than that will be irresponsible and is not sustainable. Those of you who wish to spend more on your priorities had better come with corresponding reductions or better yet, elimination of other budget line items and that is not the sole responsibility of the majority party. Failure to do so will once again usher in another era of raids on nearly empty reserve funds and trust accounts, slashed budgets or tax increases.

Remember--it is our constitutional as well as statutory responsibility to pass a balanced budget. It is our moral responsibility to pass a budget that is sustainable!

In the end, we must experience growth in population as well as in income producing businesses if we are to become a vibrant state. While a Values Fund provides a tool to promote economic expansion, it is only one tool. We must continue to improve our job creation climate through our tax code as well as our regulatory climate.

That is why we must pass a phase-out of our tax on pensions and social security!

One of the obstacles to growth in small businesses in Iowa is the lack of entrepreneurial wealth in our state. By some standards, we are 50<sup>th</sup> out of all 50 states for wealth available to invest in start-up companies. It should come as no surprise

since we continue to chase retirees out of Iowa to states with more favorable tax treatment of retirement income. It is happening in all of our communities! You know it and I know it. Accountants are disclosing to retirees that they can save enough on taxes to pay for a residence in a state that does not tax this income. The result is that our seniors are leaving and taking their investment capital with them—this at a time when other states are realizing the economic benefit of keeping or attracting this generation of baby boomers to stay within their borders.

A bill to begin the phase out will be assigned in Ways and Means Committee this afternoon. I expect that bill to come to the floor yet in January.

For the same reason, we need to pass a bill again that offers incentives to farmers reaching retirement age to pass their land on to a younger operator. As farm operators continue to grey, this will help insure that Iowa will remain a force in agricultural production.

We have had several studies conducted on property taxes—all conclude that our property taxes are stifling economic growth—especially commercial and industrial. The House passed a measure last year that would begin to address this issue by slowing the growth of commercial property taxes, House File 847. It is now in the Senate. Senators, please pass this bill! If it is not to your liking and you have a better solution, amend the bill and send it back. We can ill afford to do nothing about property taxes this session.

With high-energy costs affecting everyone's budget, we will once again focus on renewable energy, specifically ethanol and bio-diesel.

As you can see, we have much to do. I invite you to join me in getting to work on these and other issues important to all Iowans.

Thank you, Mr. Speaker!

## RULE 57 SUSPENDED

Gipp of Winneshiek asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for committee meetings today.

## COMMITTEE FROM THE SENATE

Senator Shull of Warren appeared and notified the House that the Senate was duly organized and ready to receive any communication that the House might desire to transmit.

## INTRODUCTION OF BILLS

**House File 2001**, by Tymeson, Eichhorn, Hutter, Granzow, Chambers, Alons, De Boef, Watts, Carroll, Heaton, Drake, Hoffman, Freeman, Wilderdyke and Upmeyer, a bill for an act exempting the

sale of certain school supplies from the sales and use taxes during a specified time.

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

**House File 2002**, by Raecker and Kuhn, a bill for an act increasing the standing amount required to be appropriated, reverted, or transferred to the credit of the senior living trust fund and including effective and retroactive applicability date provisions.

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

**House File 2003**, by Hutter, a bill for an act relating to the regulation of payday loans and lenders, including the establishment of fees and civil penalties, and providing for an impact study by the superintendent of banking.

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

**House File 2004**, by Roberts, a bill for an act concerning the allocation of gambling tax revenues to the county endowment fund.

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

**House File 2005**, by Heddens and Wessel-Kroeschell, a bill for an act relating to the number of eligible electors' signatures necessary in a school district to propose at a regular election the question of providing free textbooks for the use of the school district's pupils.

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

**House File 2006**, by Schueller, a bill for an act requiring the school budget review committee to grant transportation assistance aid to school districts under certain circumstances and providing a future statutory appropriation.

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

**House File 2007**, by Zirkelbach, a bill for an act concerning dram shop liability for injuries sustained by an intoxicated person.

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

**House File 2008**, 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 2009**, by Sands, a bill for an act relating to increasing the gross weight classification of a motor vehicle during an unexpired registration year and providing for proration of the annual fee.

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

**House File 2010**, by Smith, a bill for an act relating to and making an appropriation for the office of substitute decision maker under the department of elder affairs.

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

**House File 2011**, by Lykam, a bill for an act providing for reassignment of a salvage certificate of title for a motor vehicle.

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

**House File 2012**, by Zirkelbach, a bill for an act providing an appropriation to establish a gulf war veterans memorial.

Read first time and referred to committee on **veterans affairs**.

**House File 2013**, by Tjepkes, a bill for an act authorizing the use of revenue derived from the physical plant and equipment levy and the local option sales tax for school infrastructure purposes for the procurement of biodiesel fuel, and including an applicability provision.

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

**House File 2014**, by Murphy, a bill for an act relating to the recycling property tax exemption and including an applicability date provision.

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

**House File 2015**, by D. Olson, a bill for an act increasing the number of years for which supplementary weighting for limited English proficient students may be obtained, and providing an effective and applicability date.

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

**House File 2016**, by D. Olson, a bill for an act increasing the amount of supplementary weighting granted to school districts for at-risk pupils, and providing an effective and applicability date.

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

**House File 2017**, by D. Olson, a bill for an act providing for an increase in the amount of supplementary weighting granted to school districts for at-risk pupils, and providing an effective and applicability date.

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

**House File 2018**, by Gaskill and Swaim, a bill for an act relating to an increase in the personal needs allowance for residents of nursing facilities under the medical assistance program.

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

**House File 2019**, by Zirkelbach, a bill for an act making the use of credit information for underwriting or rating risks for personal insurance an unfair insurance practice and providing penalties and an applicability date.

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

**House File 2020**, by Heddens, a bill for an act relating to the characteristics of a victim of a hate crime and making a penalty applicable.

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

**House File 2021**, by Heddens, a bill for an act relating to the costs of services provided to persons with mental retardation whose service costs are a state responsibility.

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

**House File 2022**, by Tomenga and R. Olson, a bill for an act increasing the taxes imposed on cigarettes and tobacco products and providing for deposit of the increased revenue generated in the senior living trust fund, and providing an applicability date and an effective date.

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

**House File 2023**, by Tomenga, a bill for an act providing a credit for a buyback of service under the Iowa public employees' retirement system.

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

**House File 2024**, by Boal, a bill for an act relating to the naming of a national bank or a federal savings association and including a retroactive applicability provision.

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

**House File 2025**, by Heddens, Whitead, Schueller and Petersen, a bill for an act relating to the expansion of the healthy and well kids in Iowa program to parents of eligible children.

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



**House File 2026**, by Paulsen, a bill for an act relating to the property tax exemption for certain dwelling units owned by a nonprofit organization and providing a retroactive applicability date.

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

**House File 2027**, by Wise, a bill for an act establishing an economic enterprise area infrastructure fund and making appropriations.

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

**House File 2028**, by D. Olson, a bill for an act specifying the time period within which the Iowa department of veterans affairs shall comply with a request for veteran status from a health care facility.

Read first time and referred to committee on **veterans affairs**.

**House File 2029**, by Swaim, a bill for an act relating to cases of child abuse that are determined to be confirmed or founded by requiring the county attorney to be notified of the determination.

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

#### HOUSE AND SENATE FILES REREFERRED TO COMMITTEES

Under the provisions of House Rule 45, the following House and Senate Files were rereferred to the committees listed:

House Joint Resolution 3	Ways and Means
House File 461	Ways and Means
House File 606	Ways and Means
House File 829	Government Oversight
House File 843	Ways and Means
House File 846	Government Oversight
House File 848	Ways and Means
House File 849	Government Oversight
House File 851	Ways and Means
House File 852	Ways and Means

House File 863	Ways and Means
House File 865	Ways and Means
House File 867	Ways and Means
House File 874	Ways and Means
Senate File 123	State Government
Senate File 220	Education
Senate File 383	Public Safety

### STANDING COMMITTEES APPOINTED

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

#### ADMINISTRATION AND RULES – 14 Members

Roberts, Chair	Dolecheck	Miller	Reasoner
Boal*	Gipp	Murphy	Whitaker
Bukta**	Heddens	Olson, S.	
Carroll	Jacobs	Rants	

#### AGRICULTURE – 21 Members

Drake, Chair	De Boef	Kaufmann	Reasoner
Lalk*	Dolecheck	Kuhn	Struyk
Mertz**	Frevvert	Miller	Swaim
Alons	Greiner	Olson, S.	Thomas
Baudler	Huseman	Rayhons	Whitaker
Davitt			

#### APPROPRIATIONS – 25 Members

Raecker, Chair	De Boef	Jenkins	Petersen
Watts*	Heaton	Lukan	Reichert
Kuhn**	Horbach	Mascher	Roberts
Alons	Huseman	May	Sands
Bell	Jacobs	Mertz	Smith
Chambers	Jacoby	Miller	Thomas
Dandekar			

#### COMMERCE, REGULATION AND LABOR – 23 Members

Jenkins, Chair	Horbach	Pettengill	Taylor, T.
Struyk*	Jacobs	Quirk	Tomenga
Petersen**	Jacoby	Sands	Watts
Dix	Kressig	Shomshor	Wildurdyke
Freeman	May	Soderberg	Wise
Hoffman	Oldson	Taylor, D.	

## ECONOMIC GROWTH— 21 Members

Hoffman, Chair	Granzow	Miller	Schueller
Soderberg*	Jenkins	Olson, D.	Struyk
Thomas**	Lalk	Olson, S.	Swaim
Anderson	Lukan	Reichert	Wilderdyke
Dandekar	May	Schickel	Wise
Fallon			

## EDUCATION — 23 Members

Tymeson, Chair	Chambers	Hogg	Schickel
Kaufmann*	Cohoon	Mascher	Soderberg
Wendt**	Dolecheck	Oldson	Tomenga
Boal	Foege	Paulsen	Winckler
Bukta	Ford	Raecker	Wise
Carroll	Granzow	Roberts	

## ENVIRONMENTAL PROTECTION — 21 Members

Greiner, Chair	Gaskill	Kuhn	Pettengill.
Anderson*	Heddens	Kurtenbach	Sands
Shoultz**	Horbach	Maddox	Van Fossen, JK
De Boef	Huseman	Olson, D.	Watts
Drake	Kressig	Olson, S.	Wessel-Kroeschell
Fallon			

## ETHICS — 6 Members

Schickel, Chair	Mascher**	McCarthy	Tymeson
Raecker*	Cohoon		

## GOVERNMENT OVERSIGHT — 9 Members

Alons, Chair	Baudler	Thomas	Whitead
Hutter*	Eichhorn	Van Fossen, JK	Winckler
Lensing**			

## HUMAN RESOURCES — 21 Members

Upmeyer, Chair	Ford	Hunter	Petersen
Wilderdyke*	Freeman	Hutter	Roberts
Smith**	Granzow	Jacoby	Tomenga
Berry	Heaton	Kurtenbach	Tymeson
Carroll	Heddens	Lukan	Wendt
Foege			

## JUDICIARY — 21 Members

Paulsen, Chair	Boal	Hutter	Smith
Maddox*	Carroll	Jochum	Tymeson
Swaim**	Eichhorn	Kaufmann	Van Fossen, JR
Alons	Foege	Lensing	Wessel-Kroeschell
Anderson	Heaton	Olson, R.	Winckler
Berry			

## LOCAL GOVERNMENT – 21 Members

Van Engelenhoven, Chair	Fallon	Maddox	Tjepkes
Schickel*	Hoffman	Olson, D.	Van Fossen, JK
Gaskill**	Huser	Pettengill	Watts
Arnold	Jones	Rasmussen	Wessel-Kroeschell
Boal	Kressig	Schueller	Whitead
Elgin			

## NATURAL RESOURCES – 21 Members

Rayhons, Chair	Freeman	Rasmussen	Van Engelenhoven
May*	Frevert	Reichert	Van Fossen, JR
Bell**	Lukan	Taylor, D.	Whitaker
Arnold	Lykam	Tjepkes	Whitead
Baudler	Olson, R.	Upmeyer	Wilderdike
Davitt			

## PUBLIC SAFETY – 21 Members

Baudler, Chair	Chambers	Horbach	Reasoner
Van Fossen, J.R.*	De Boef	Hunter	Sands
McCarthy**	Dolecheck	Lykam	Shultz
Alons	Eichhorn	Olson, R.	Tjepkes
Bell	Heddens	Rayhons	Van Engelenhoven
Berry			

## STATE GOVERNMENT – 21 Members

Elgin, Chair	Ford	Jochum	Roberts
Tomenga*	Gaskill	Jones	Taylor, T.
Quirk**	Greiner	Kurtenbach	Upmeyer
Boal	Hutter	Lensing	Wendt
Bukta	Jacobs	Paulsen	Whitead
Drake			

## TRANSPORTATION – 21 Members

Arnolds, Chair	Elgin	Lukan	Reasoner
Rayhons*	Hunter	McCarthy	Schickel
Lykam**	Huseman	Mertz	Tjepkes
Bukta	Huser	Olson, S.	Van Fossen, JK
Cohoon	Jones	Rasmussen	Whitaker
Dolecheck			

## VETERANS AFFAIRS – 15 Members

Freeman, Chair	Hutter	Quirk	Watts
Kaufmann*	May	Taylor, D.	Wendt
Zirkelbach**	Miller	Thomas	Whitead
Alons	Paulsen	Tymeson	

## WAYS AND MEANS – 25 Members

Van Fossen, J.K., Chair	Eichhorn	Lalk	Soderberg
Kurtenbach*	Frevert	Paulsen	Struyk
Shomshor**	Hogg	Quirk	Tomenga
Boal	Huser	Reasoner	Tymeson
Carroll	Jochum	Schueller	Upmeyer
Davitt	Kaufmann	Shoultz	Winckler
Drake			

## HOUSE APPROPRIATIONS SUBCOMMITTEES

## ADMINISTRATION AND REGULATION – 9 Members

Sands, Chair	Elgin	Lalk	Struyk
Watts*	Gaskill	Pettengill	Taylor, D.
Hunter**			

## AGRICULTURE AND NATURAL RESOURCES – 9 Members

De Boef, Chair	Anderson	Drake	Mertz
Rasmussen*	Bell	Greiner	Schueller
Olson, D.**			

## ECONOMIC DEVELOPMENT – 9 Members

Lukan, Chair	Freeman	Hogg	Kressig
Schickel*	Hoffman	Jacoby	Soderberg
Dandekar**			

## EDUCATION – 9 Members

Chambers, Chair	Davitt	Jenkins	Tymeson
May*	Frevert	Kaufmann	Wessel-Kroeschell
Oldson**			

## HEALTH AND HUMAN SERVICES – 9 Members

Heaton, Chair	Berry	Mascher	Upmeyer
Granzow*	Kurtenbach	Smith	Wildurdyke
Foege**			

## JUSTICE SYSTEMS – 9 Members

Horbach, Chair	Maddox	Paulsen	Van Fossen, JR
Tjepkes.*	Olson, R.	Swain	Wendt
Taylor, T.**			

## TRANSPORTATION, INFRASTRUCTURE AND CAPITALS – 9 Members

Huseman, Chair	Arnold	Rayhons	Shomshor
Jones*	Quirk	Reichert	Van Engelenhoven
Cohoon**			

\* Vice Chair

\*\* Ranking Member

## COMMUNICATIONS RECEIVED

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

### AUDITOR OF STATE

Report on procedures performed for the County Recorders Electronic Transaction Fees for period July 1, 2003 through September 30, 2005, pursuant to Chapter 421.70, Code of Iowa.

Report of the County Real Estate Electronic Government Advisory Committee, pursuant to Chapter 8.23, Code of Iowa.

### BOARD OF REGENTS

Annual report of the College Bound and IMAGES programs, pursuant to Chapters 262.92 and 269.93, Code of Iowa.

Report on studies relating to cost-effective methods of recognizing the efforts of faculty to achieve commercialization, pursuant to Chapter 15.103, Code of Iowa.

Report on patents and licenses held by the universities and their respective research foundations, pursuant to Chapter 15.115, Code of Iowa.

Report of study to determine the feasibility of establishing a graduate school in western Iowa, pursuant to Chapter 15.103, Code of Iowa.

Annual report on the operation of the Veterinary Diagnostic Laboratory, pursuant to Chapter 265.1, Code of Iowa.

### DEPARTMENT OF ADMINISTRATIVE SERVICES

Fiscal year 2005 annual report, pursuant to Chapter 19B.5, Code of Iowa.

### DEPARTMENT FOR THE BLIND

Fiscal year 2005 Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

### DEPARTMENT OF CORRECTIONS

#### Electronic Monitoring

Report to address the number of persons being electronically monitored by offense committed, pursuant to Chapter 174.8, 2005 Iowa Acts.

DEPARTMENT OF DEFENSE  
Iowa National Guard

Fiscal report of savings for Iowa Communications Network (ICN), for 2005, pursuant to Chapter 8D.10, Code of Iowa.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Report on activities of the Microenterprise Organization, pursuant to Chapter 15.114(4), Code of Iowa.

Annual update of the five-year agricultural commodities and products promotion program and plan, pursuant to Chapter 15.203(2), Code of Iowa.

Semi-annual report on the progress in Value-Added Agricultural Products and Processes Financial Assistance Program, pursuant to Chapter 15E.111(8), Code of Iowa.

2005 Business Training Services annual report, pursuant to Chapter 15.113, Code of Iowa.

Iowa Commission on Volunteer Service

New commissioner orientation and fiscal year 2006 strategic retreat to develop volunteer services, pursuant to Chapter 15.107, Code of Iowa.

Iowa Life Changing

Report on activities of the eligible business receiving the exemption from land ownership restrictions for nonresident aliens provided under this program, pursuant to Chapter 15.331B(4), Code of Iowa.

DEPARTMENT OF EDUCATION

Fiscal year 2005 usage report of the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

DEPARTMENT OF HUMAN RIGHTS

Report of savings gained by use of the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

DEPARTMENT OF HUMAN SERVICES

Annual report of savings through the use of the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

Mental Health, Mental Retardation, Developmental Disability and Brain Injury  
Commission

Progress report on system redesign, pursuant to Chapter 225C.6A, Code of Iowa.

Annual Report of independent living services, pursuant to Chapter 234.35(4), Code of Iowa.

#### DEPARTMENT OF INSPECTION AND APPEALS

Annual report for electrical and mechanical amusement devices, pursuant to Chapter 99B, Code of Iowa.

#### DEPARTMENT OF JUSTICE

Report of actual costs of time expended enforcing the Iowa competition law, pursuant to Chapter 13.34, Code of Iowa.

Prosecutor Intern Program annual report for 2005, pursuant to Chapter 13.2(12), Code of Iowa.

#### DEPARTMENT OF MANAGEMENT

Savings report on the use of the Iowa Communications Network (ICN), pursuant to chapter 8D.10, Code of Iowa.

Report regarding savings associated with the agency's use of the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

#### DEPARTMENT OF NATURAL RESOURCES

Annual report of Oil Overcharge Restitution Programs covering expenditures of Petroleum Violation Escrow (PVE) funds, pursuant to Chapter 458A, Code of Iowa.

#### DEPARTMENT OF PUBLIC HEALTH

Stillbirth Evaluation Report, pursuant to Chapter 136A, Code of Iowa.

#### DEPARTMENT OF REVENUE

Report documenting progress in developing a system to track and analyze tax credits, pursuant to Chapter 7A.11A, Code of Iowa.

#### DEPARTMENT OF TRANSPORTATION

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

Annual report of the office of Contract Letting, pursuant to Chapter 307.12(14), Code of Iowa.

Annual report of highway division, highway research and development, pursuant to Chapters 310.36 and 312.3A, Code of Iowa.

Annual report of the Secondary Road Research Fund and Street Research Fund, pursuant to Chapters 310.36 and 312.3A, code of Iowa.



**IOWA CIVIL RIGHTS COMMISSION**

Fiscal year 2005 annual savings report on Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

**IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD**

Fiscal year 2005 Iowa Communications Network (ICN) savings report, pursuant to Chapter 8D.10, Code of Iowa.

**IOWA LAND RECORDS**

Report of security audit of the county land record information system, pursuant to chapter 331.605C, Code of Iowa.

**IOWA LOTTERY**

Report on the use of the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

**IOWA MEDICAID PHARMACEUTICAL AND THERAPEUTIC COMMITTEE**

Options for increasing savings relative to psychotropic drugs, while maintaining patient care quality, pursuant to Chapter 249A.20A, Code of Iowa.

**IOWA PUBLIC EMPLOYEES' RETIREMENT SYSTEM**

Fiscal year 2005 Iowa Communications Network (ICN) report, pursuant to Chapter 8D.10, Code of Iowa.

**IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION**

Five-year fiscal plan, pursuant to Chapter 8D.3(3)(f), Code of Iowa.

**IOWA VETERAN'S HOME**

2005 Cost-Savings report on Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

**IOWA VOCATIONAL REHABILITATION SERVICES**

Annual report for cost savings related to holding Iowa Communications Network (ICN) meetings, pursuant to Chapter 8D.10, Code of Iowa.

**IOWA'S CENTER FOR AGRICULTURAL SAFETY AND HEALTH (I-CASH)**

2005 annual report, pursuant to Chapter 262.78(6), Code of Iowa.

**OFFICE OF DRUG CONTROL POLICY**

Comprehensive blueprint for addressing substance abuse annual report, pursuant to Chapter 80E.2, Code of Iowa.

2006 Iowa Drug Control Strategy, pursuant to Chapter 80E.1(b), Code of Iowa.

PUBLIC EMPLOYMENT RELATIONS BOARD

Annual report for the fiscal year 2005, pursuant to Chapter 7E.3(4), Code of Iowa.

STATE LIBRARY OF IOWA

Annual report on usage of the Iowa Communications network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

TREASURER OF STATE  
Tobacco Settlement Authority

Annual report regarding activities for the previous fiscal year, pursuant to Chapter 12E.15, 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

- |        |   |
|--------|---|
| 2006\1 | Gladys Corkery, Independence – For celebrating her 80 <sup>th</sup> birthday.                         |
| 2006\2 | Marie Gray, LaPorte City – For celebrating her 86 <sup>th</sup> birthday.                             |
| 2006\3 | Charles and Pauline Pheiffer, Davenport – For celebrating their 69 <sup>th</sup> wedding anniversary. |
| 2006\4 | Pauline Pheiffer, Davenport – For celebrating her 90 <sup>th</sup> birthday.                          |
| 2006\5 | Josephine Marie Johnson, Iowa Falls – For celebrating her 90 <sup>th</sup> birthday.                  |
| 2006\6 | John and Ida Maletta, Centerville – For celebrating their 60 <sup>th</sup> wedding anniversary.       |
| 2006\7 | Charlie Rupe, Bloomfield – For his 50 years of involvement with Little League Baseball.               |
| 2006\8 | Colleen and Gil Copper, Fort Dodge – For celebrating their 56 <sup>th</sup> wedding anniversary.      |
| 2006\9 | Torry and Leona Antimuro, Webster City – For celebrating their 60 <sup>th</sup> wedding anniversary.  |

- 2006\10 H. Dean and Evelyn Simpson, Webster City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\11 Helen and Don Utter, Webster City – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\12 Don and Leah Meyers, Webster City – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\13 Keith and LaVonne Draper, Webster city – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\14 Marge and Paul Sheesley, Stanhope – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2006\15 Ruby Mason, Hampton – For celebrating her 90<sup>th</sup> birthday.
- 2006\16 Mary Behr, Rockwell – For celebrating her 93<sup>rd</sup> birthday.
- 2006\17 Agnes Lage, Meservey – For celebrating her 95<sup>th</sup> birthday.
- 2006\18 Jay Cook, Slater – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\19 Harvey Jordan, Huxley – For celebrating his 95<sup>th</sup> birthday.
- 2006\20 Wayne and Delores Kern, Woolstock – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\21 Jim and Glenda Monson, Stratford – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\22 Noel and Wilma Westrum, Stratford – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\23 Arliss and Jacque Nielsen, Woolstock – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\24 Jack and Phyllis Hill, Stanhope – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\25 Fred and Regina Madison, Goldfield – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\26 Melvin and Ellen Timm, Webster City – For celebrating their 50<sup>th</sup> wedding anniversary.

### SUBCOMMITTEE ASSIGNMENT

#### House File 2002

Appropriations: Heaton, Chair; Kuhn and Raecker.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 500 State Government**

Relating to maintenance of a voter registration system separate from the state voter registration system and providing an effective date.

### **H.S.B. 501 State Government**

Relating to elections by making changes concerning requirements for entrances to certain polling places, arrangement of names on the ballot for nonpartisan offices, and election registers, and including effective and applicability date provisions.

### **H.S.B. 502 Ways and Means**

Phasing out the state income tax on social security benefits and on pension and retirement income and including effective and applicability date provisions.

## RESOLUTION FILED

**HR 101**, by Wilderdyke, a resolution to honor Whiting High School on being awarded the 2004-2005 No Child left Behind Blue Ribbon School Award.

Laid over under **Rule 25**.

On motion by Gipp of Winneshiek the House adjourned at 10:48 a.m., until 8:45 a.m., Tuesday, January 10, 2006.

# JOURNAL OF THE HOUSE

Second Calendar Day - Second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, January 10, 2006

The House met pursuant to adjournment at 8:47 a.m., Speaker pro tempore Carroll in the chair.

Prayer was offered by Reverend Marvin Arnpriester, pastor of the Broadway United Methodist Church, Council Bluffs. He was the guest of Representative Paul Shomshor of Pottawattamie County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jessica Crawford a Page from Grinnell and guest of Speaker pro tempore Carroll from Poweshiek County.

The Journal of Monday, January 9, 2006 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 January 9, 2006, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 101, a concurrent resolution for a joint convention on Tuesday, January 10, 2006, at 10:00 a.m. for Governor Thomas J. Vilsack to deliver his condition of the budget message.

Also: That the Senate has on January 9, 2006, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 102, a concurrent resolution for a joint convention on Wednesday, January 11, 2006, at 10:00 a.m. for Chief Justice Louis A. Lavorato to deliver his condition of the judicial branch message.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILLS

**House File 2030**, by Shultz, a bill for an act providing an exemption from massage therapy licensure requirements for

graduates of an approved curriculum of massage education under specified circumstances.

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

**House File 2031**, by Wendt and Whitead, a bill for an act relating to the establishment of small business development centers and making appropriations.

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

**House File 2032**, by Petersen, Murphy, D. Taylor, Bukta, D. Olson, Berry, Davitt, Frevert, Gaskill, Swaim, Hogg, Thomas, Whitaker, Heddens, Wendt, Kressig, Wise, Schueller, Reasoner, Cohoon, Whitead, Lykam, Pettengill, Shoultz, Mertz, Foege, Lensing, Kuhn, Smith, Bell, Fallon, Jochum, Mascher, R. Olson, Reichert, Shomshor, T. Taylor, Miller, Wessel-Kroeschell, Dandekar, Quirk, Oldson, Ford, Huser, Jacoby, Hunter, McCarthy, Winckler and Zirkelbach, a bill for an act increasing the state minimum hourly wage rate requirement.

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

**House File 2033**, by Swaim, a bill for an act relating to the use of a cellular telephone by a motor vehicle operator with an instruction permit or intermediate driver's license issued under the graduated driver licensing program and making penalties applicable.

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

**House File 2034**, by Wessel-Kroeshell, Wise and Heddens, a bill for an act increasing the number of charter school applications the state board of education may approve.

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

The House stood at ease at 8:56 a.m., until the fall of the gavel.

The House resumed session at 9:43 a.m., Speaker Rants in the chair.

### COMMITTEE TO NOTIFY THE SENATE

Watts of Dallas 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 Watts of Dallas, Upmeyer of Hancock and Heddens of Story.

### REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Watts of Dallas, 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 101, duly adopted, the joint convention was called to order at 9:51 a.m., President Lamberti presiding.

Senator Gronstal of Pottawattamie 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 Lamberti announced a quorum present and the joint convention duly organized.

Senator Gronstal of Pottawattamie moved that a committee of seven, consisting of four 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 Ragan of Cerro Gordo, Ward of Polk, Johnson of Osceola and McCoy of Polk, on the part of the Senate, and Representatives Schickel of Cerro Gordo, Sands of Louisa and Smith of Marshall, 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, David Vautd and Attorney General, Tom Miller were escorted into the House chamber.

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

Lieutenant Governor Sally Pederson was escorted into the House chamber.

Mrs. Christie Vilsack, wife of the Governor, and their sons, Jess and Doug, were escorted into the House chamber.

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

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

During the holidays I traveled to my hometown of Mount Pleasant. At home I decided to go for a run around the high school track at the Mapleleaf Athletic Complex. Built in 1978, the complex serves as the athletic and band fields for the Mount Pleasant Community School District and Iowa Wesleyan College. As I ran around the track, my thoughts kept returning to how we built the complex and the amazing power and value of strong community.

Prior to 1978, the school district attempted to pass several bond issues to improve the facilities without success. Several of us decided to do something about the poor conditions of our facilities. We teamed up with a group of high school students from the fellowship of Christian athletes, we conducted a marathon telethon over the local



radio station and we encouraged people to call in pledges. We set a high goal – to raise \$100,000 in a single weekend. We surpassed the goal and raised over \$200,000. Children brought in jars of pennies while others called in pledges of a thousand dollars or more. The project grew as carpenters, bricklayers, steelworkers and other construction workers gave of their time and talent. Businesses followed suit with in-kind and cash contributions. Together we built a state-of-the-art facility where later I would enjoy watching my sons perform in the band and play football. From that experience I learned a valuable lesson about the value and power of strong community – that in a strong community, people working together with a shared goal and common purpose can make the impossible - possible.

Mr. President, Mr. Speaker, my friends in the General Assembly, today I want to visit about the condition of our community, the great state of Iowa. How our work has strengthened our community and how by continuing to work together we can make Iowa the best place to live, work, and raise a family.

Before I begin I want to acknowledge the Chief Justice, members of our Supreme Court and Court of Appeals, statewide elected officials, and members of the General Assembly for the dedicated service each of you provides to the people of Iowa. I want to especially recognize our Lieutenant Governor Sally Pederson for her extraordinary effort on behalf of all Iowans – particularly those with disabilities. I also want to recognize my first lady and our first lady, Christie Vilsack, for her full-time volunteer work promoting literacy and libraries – which has had a positive impact on the young readers of Iowa. Please join me in acknowledging each of these Iowans for their contributions to our state.

A strong community honors service. Joining us today are two Iowans that deserve our thanks for their service. Several weeks ago Christie and I traveled to Walter Reed Hospital to visit Sergeant Bobby Briggs and his wife, Michelle Briggs. Bobby is a proud member of the 224<sup>th</sup> Engineering Battalion of our National Guard from southeast Iowa. The 224<sup>th</sup> distinguished itself with incredible bravery and effectiveness in Iraq. During their tour of duty, the Army National Guard's 224<sup>th</sup> Engineer Battalion lost four brave men in Iraq; Second Lieutenant Brian Gienau, Sergeant Seth Garceau, Specialist John Wayne Miller, and Sergeant Casey Byers. Our thoughts and prayers go to the families of those four soldiers and all who have lost loved ones during this war.

While Bobby Briggs was in Iraq he sustained serious injuries after a rocket was fired into the base camp. During our brief visit Bobby bravely talked of his hope for the future while Michelle shared her feelings about Bobby's service, his deployment, his injury and the impact on her family. Michelle gave up her job in Mount Pleasant to have the time to take care of Bobby and their children, and to insure he got the care he deserved. She pointed out how expensive the travel was for trips to and from hospitals in and out of state. She gave me a sheet of paper with an outline of a plan in Minnesota to provide a one-time payment of up to \$10,000 to those in the National Guard and Reserve who were seriously injured in combat. I made a promise to them that I would ask the General Assembly to adopt a similar plan for Iowa. Today, I keep that promise. The National Guard and Reserve are all about community. Our guard and reserve members dedicate themselves to protecting us. They do it to make our state, our community safer and more secure. A strong community values that service. When a member of the community hurts, a strong community helps. That is why the first bill passed and signed into law should be Bobby and Michelle's bill to help injured

soldiers and their families. Please acknowledge Bobby and Michelle who are seated in the gallery for their service and as representatives of all who sacrifice for us.

A strong community supports quality schools and depends upon well educated citizens. In this grand capitol we dedicated much of our work and effort to improving learning in Iowa.

When we focused on reducing class sizes and emphasized better reading and math skills for our early learners, our children reversed an eight-year decline in Iowa Basic Skills Test scores. Today we take pride in five straight years of improved scores. We should expect even greater gains in the future as a result of our "Strong Start," early childhood efforts that now provide more help to parents as their child's first and best teacher, improves the quality of childcare, and expands preschool opportunities.

A strong community recognizes that access to health care remains a right and should never be recognized as a privilege. As a result of our work, more of our children, more of our seniors, more of our veterans, more of those struggling to make ends meet and more of those coping with mental illness receive health care as their right and not as a result of privilege.

A strong community creates opportunity. We worked hard on the Values Fund, venture capital, and utility regulation to create more jobs and increase incomes for Iowans. Today, a record number of Iowans are at work and incomes rose here at rates higher than all other states in the nation. Iowans should be encouraged by the fact that our economy is the fastest growing economy in the Midwest and 8<sup>th</sup> fastest in the nation.

A strong community appreciates quality of life. Vision Iowa, Enrich Iowa, and Great Places represent examples of the best work of state government in partnering with local communities to expand cultural and recreational opportunities and to improve library services. These efforts brought a renewed sense of hope and optimism to cities and towns across our great state.

A strong community protects its people. When we focused on safety and security we cracked down on drunk drivers, sex offenders, and meth makers. Our efforts combined with the dedication of law enforcement means our highways are safer, our communities are more secure, and our children are better protected. Our efforts must continue in the area of Homeland Security from support for a new hygienic lab to creating a greater awareness in the private sector of risks and responsibilities. Additional efforts must also be made to insure that when prisoners go to prison, they stay in prison.

A strong community preserves its natural resources. God blessed us with rich soil, abundant water, and clean air. Iowans value good stewardship. Iowa's national leadership in clean energy and renewable fuel combined with our recent efforts at soil conservation and improved water quality reflect that preservation ethic. These efforts must be continued and expanded this year, with an additional \$50 million dollar commitment to improve water quality.

Working together we've made a difference. Iowa changed and lives improved. Iowa is a stronger community and became an even better place to live, work, and raise a family. But our work is not finished. A strong community never stops striving to be stronger.

While Iowans worked hard to improve, so did the rest of the world.

Thomas Friedman, columnist for the New York Times, wrote a best selling book last year entitled *The World Is Flat*. He wrote of the convergence of three technologies that will forever change most of what we do and how we do it. The combination of the personal computer, the worldwide web, and compatible software packages meant that anyone or everyone could instantaneously transmit unlimited information to anywhere or everywhere. The rules of the game have forever changed. Friedman's advice to his readers and to all of us is that opportunity and success in the future will belong to the most creative and innovative among us.

In the future strong communities must be creative and innovative. Our effort this session must help to prepare Iowa for that future. Strong communities, through innovation and creativity will help to create a pathway to our future. We have work to do, and no time to waste.

For Iowa's communities to be creative, innovative and strong, we must continue to improve our children's education.

One of the greatest gifts God gives to children is a vivid imagination. Children depend upon parents, teachers, and others to nurture it. Several months ago, I visited a preschool center in Ames. I will never forget the four-year-old child I met there who used large Lego's to build a structure taller than him. When I asked him what he was building, he quickly told me a skyscraper on wheels. Imagine a skyscraper on wheels. If we do our job at improving education, can you imagine what his future will be? Can you imagine what our future will be?

Last year we launched Strong Start – a coordinated early childhood effort with the goal that every child starts school healthy and ready to learn. This year we must build upon that effort. Investment in Strong Start insures that we will always have the new discoveries that our state and country need to create opportunity and support community.

To meet this important responsibility, every four-year-old child should have access to quality preschool. Last year we helped more children access that important opportunity, but we can not rest until all of our children have that opportunity. During this session we must increase our investment in Strong Start until quality preschool is accessible to all. For all of our children who have dreams bigger than a skyscraper on wheels -- a strong start will make those dreams their reality.

I am blessed. I married a classroom teacher and consider it a great privilege. I watched for years as Christie worked hard to teach and reach every child in the middle school in Mount Pleasant, and later college students at Iowa Wesleyan College. I learned a valuable lesson –dedicated teachers are an invaluable community resource and deserve our respect.

But, our respect is not enough when our teacher compensation ranks 41<sup>st</sup> in the nation.

Several years ago we embarked on an effort to improve teacher quality and teacher compensation. We worked in a bipartisan effort to establish a real mentoring program

for beginning teachers, quality standards for teachers, a career pathway focused on professional development, and better professional evaluations coupled with the opportunity to earn more. The fiscal challenges of several years ago slowed down our effort. We must finish this important work.

Strong communities rely on great schools, and great teachers make great schools. Let us commit this year to an effort over the next five years to raise salaries to the national average – moving Iowa from the bottom half of the class to the top half of the class. Our teachers deserve it, and more importantly, our children's future depends on it.

In a future dependent upon creativity and innovation, what more needs to be done in education that is not being done? Now is not the time and Iowa is not the place for complacency. Schools more than ever before must be creative learning centers where innovation and experimentation are encouraged.

Children from all over the world spend more time learning during the school day and school year than our children. Students in many lands use computers for personalized study. Creative school districts in other states expand music and art instruction and hire certified teacher librarians. Schools experiment with class and school size, by consolidating or developing schools within schools, as an effort to find the optimum size for best learning. One state, Delaware, is now being encouraged to restructure its entire k-12 system.

Recently, I met with Kevin Johnson, former NBA star who played for the Phoenix Suns. Kevin retired and moved back to Sacramento, his hometown, to start several charter schools. Kevin understood that parental involvement is key to student success. His charter schools developed an innovative way to engage parents, particularly parents of poorer performing students. This example of innovation in education should permeate our efforts in Iowa.

We must not rest on the fact that our children score higher on ACT and SAT than most students or that Iowa graduates a higher percentage from high school. We must press forward.

Districts longing to extend the school day or school year to individualize learning, to consolidate or to create schools within schools, to recruit teachers in shortage areas, to bring back music and art classes, or to staff libraries with certified teacher – librarians should be encouraged to do so.

Iowa should be the first state in the country to explore research and development for the k-12 system. We should create a Vanguard Schools Grant program that should empower our state Board of Education to do for schools what the Vision Iowa board did with cities and towns – spur transformation. Strong communities never fear the challenge of change. Strong communities embrace it.

The future will challenge us. Finishing our work in early childhood and teacher compensation and instilling innovation in education will equip our children to meet that challenge. Our work here will enable our children to shape a brighter and better future for themselves, their state, and their nation. We have no more important work.

A strong community shapes its own future and never stops working to grow. Iowa must continue its economic transformation if we are to shape our future and continue our recent growth.

Our national leader's position in clean energy and renewable fuel production in Iowa provides a solid foundation for that effort. I pledge to work with members of the General Assembly to expand ethanol and bio-diesel use and production in Iowa. Let us dedicate ourselves to make E85 and bio-diesel the future fuel of Iowa and America.

As important as that is we must expand our efforts to support innovation and creativity in more areas.

Our strategic plan for continued transformation and growth focuses on the areas of most potential for the state: agriculture and chemical biotechnology, advanced manufacturing and information solutions, and financial services, while emphasizing the important role that higher education will play. Specifically, the plan crafted by the Battelle Group, encourages us to invest in the human capital and physical infrastructure necessary for innovation. Endowed Chairs and faculty recruitment efforts would enable our Regents Universities to attract the brightest and the best to our campuses. Building and equipping more labs and incubators would enable the ideas from those bright minds to become new products and new opportunities.

Higher Education: Our colleges, universities and community colleges have made great strides over the last few years to increase their commitment to the economic well-being of all of us. An additional \$50 million investment from the restructured tobacco settlement and additional investments from the Rebuild Iowa Infrastructure Fund should be invested in the human capital and physical infrastructure needed to grow our economy and continue our momentum.

A strong community embraces change. New discoveries require new approaches. One area that calls for a new approach is the area of medical research. Several years ago we limited medical research involving nuclear cell transplants at the University of Iowa Hospitals and Clinics. At the time we never dreamt that new treatments dependent upon such transplants would be developed so quickly. Well they have been, and as a result we should revisit our ban on nuclear cell transplants. We should remove the restrictions and allow life saving treatments to be administered to Iowans here in Iowa rather than forcing them to leave our state. A strong community would never do otherwise.

A strong community depends on small business for most of its new jobs. Small business remains the lifeblood of our Iowa economy. Innovation and opportunity intersect at small business. Small business owners in Iowa face unprecedented challenges from competitors around the globe. We should do more to help them effectively compete.

Many small business owners confront the dilemma of choosing either to competitively price their products or pay for health insurance for employees. There are steps we can take and should take to avoid our small business owners from having to make this false choice.

The key concept of insurance is the sharing and spreading of risk. The more people who shoulder the risk, the less each pays. Small steps were taken last year to spread

the risk and more fairly allocate it. More must be done this year. If we allowed small business to pool their risk, we will lower costs and make their businesses more competitive.

We must also recognize that when a small business owner wants to provide his or her employees with health insurance, the cost of treatment for a serious illness or injury is allocated among a very small number of people. In a strong community we all have a stake in making sure that good, hard-working people get the help they need without bankrupting their family or their employer. By creating a state reinsurance fund, patterned after successful efforts in New York and Arizona, we can help small businesses better shoulder the burden of catastrophic illness or injury, keep their costs down, make them more competitive and make our community stronger.

The budget we submit to the General Assembly proposes a \$30 million a year reinsurance effort funded from an increase in the fees on cigarettes and tobacco products. While I appreciate that some may not agree with the increase, the public supports it. The research is clear. When the cost of cigarettes goes up, fewer young people start smoking. Your vote will save lives, allow thousands of young people to enjoy a full and complete life, make our small businesses more competitive, and our community stronger.

Too many of our young people also die tragic deaths -- car crashes that could have been avoided. Our children, fresh from getting their driver's licenses, distracted by friends in the car or a ringing cell phone lose control and lose their lives. High school students growing up too fast think they can buck the odds by drinking and driving. We must do all we can to prevent these tragedies from repeating themselves year in and year out.

One of those youngsters needlessly killed was Nick Bisignano, son of former senator Tony Bisignano and his wife, Kim Bisignano. My first encounter with Nick was when Tony and I were sworn in as state senators in 1993. On that day Nick and the rest of the Bisignano family sat behind my family in the senate balcony. He proudly pointed out his dad on the senate floor. For many years later I heard stories from a proud father about his hopes for his son. My heart ached when I heard of his loss.

The Department of Public Safety, the Department of Transportation and the Department of Public Health in conjunction with local law enforcement prepared the "Keep Young Drivers Safe" (KYDS) program that proposes to improve our graduated driver's license program and stiffen penalties for those providing alcohol to minors.

In honor of Nick and all of those we lost too soon, let us limit the use of cell phones and the number of passengers driving in a car with a young person operating under the graduated license. In honor of Nick and all of those we lost too soon, let us do a better job of educating young drivers about the deadly consequences of drinking and driving. In honor of Nick and all of those we lost too soon, let us toughen the penalties for those who make alcohol available to minors.

Tony and Kim are with us today. I want to thank them for their efforts to keep our kids safe after losing one of theirs. They are here today representing all the parents of children we lost too soon.

Let us, by our actions, keep our kids safe and honor the memory of those no longer here. A strong community never forgets.

Joseph Stephen Akwharti of Tanzania was a world class runner. He trained and won the right to represent his country in the Olympic Games in the marathon. The marathon covers 26.2 miles, and is a race that tests the determination of all who run it. When the race began, he hoped to medal. Early in the race Joseph stayed near the lead. About midway in the race he suffered a severe and disabling injury that slowed him to a jog. He kept on competing. He fell behind. He fell way behind. An hour after all other racers finished, Joseph entered the stadium and crossed the finish line to the cheers of those still in the stadium. After the race the press asked him why he finished. He had no need to prove himself. He responded, "My country did not send me 5,000 miles to start the race, they sent me to finish the race." He understood that his community counted on him to give his best effort.

So it is with us. The citizens of this state expect us to give our best effort. They want us to put aside partisanship and dedicate our efforts to solving the people's problems and strengthen our community. People are counting on us.

Children with dreams are counting on us. Families with needs are counting on us. Small business owners with high hopes are counting on us. Patients in need of cures are counting on us. Parents protecting their children are counting on us. For all those counting on us, let us finish what we started to strengthen our community and make Iowa the best place to live, work and raise a family. May God bless us in this work and may God bless the great state of Iowa and these United States.

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

On motion by Jacobs of Polk, the joint convention was dissolved at 10:50 a.m.

The House resumed session at 11:02 a.m., Speaker Rants in the chair.

#### HOUSE FILE 572 REREFERRED

The Speaker announced that House File 572, previously referred to committee on **transportation** was rereferred to committee on **natural resources**.

#### HOUSE FILE 2007 REREFERRED

The Speaker announced that House File 2007, previously referred to committee on **state government** was rereferred to committee on **judiciary**.

## COMMUNICATIONS RECEIVED

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

### AUDITOR OF STATE

Report on driver's license issuance costs at the Department of Transportation and certain County Treasurers' offices, pursuant to Chapter 321M.9, Code of Iowa.

### BOARD OF REGENTS

Estimate of increased costs in association with the use of the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

### IOWA UTILITIES BOARD

Annual report on the status of utility customer contribution funds, pursuant to Chapter 476.66(6), Code of Iowa.

### IOWA VETERANS HOME

Cost savings report on the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

## CERTIFICATES OF RECOGNITION

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

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

- |         |   |
|---------|---|
| 2006\27 | Silverius and Mariann Muenchrath, Earling – For celebrating their 60 <sup>th</sup> wedding anniversary.                   |
| 2006\28 | Beth Ellen Doran, Hull – For being named 2005 Woman of the Year by the Iowa Cattlemen's Association.                      |
| 2006\29 | Lester and Katherine Woltersdorf, Sibley – For celebrating their 70 <sup>th</sup> wedding anniversary.                    |
| 2006\30 | Gert Hoekstra, Sanborn – For celebrating her 105 <sup>th</sup> birthday.  |
| 2006\31 | Alexander Douglas Rowe, Gladbrook – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 2006\32 | Louie and Marge Paustian, Toledo – For celebrating their 60 <sup>th</sup> wedding anniversary.                            |



- 2006\33 Alvin "Shorty" and Velma Peterson, Anita – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006/34 Arlene Peterson, Grinnell – For celebrating her 80<sup>th</sup> birthday.
- 2006/35 Dorothea Lang, Brooklyn – For celebrating her 80<sup>th</sup> birthday.
- 2006/36 Sylvia Bruxvoort, Oskaloosa – For celebrating her 80<sup>th</sup> birthday.
- 2006/37 Donald and Norma Jean McKee, Montezuma – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006/38 Velda VanZee, Oskaloosa – For celebrating her 85<sup>th</sup> birthday.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

##### House Study Bill 502

Ways and Means: Boal, Chair; Huser, Shultz, Soderberg and Struyk.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

##### **H.S.B. 503 Judiciary**

Relating to exemptions for certain personal property from execution by creditors in state court debt collection and federal bankruptcy actions.

##### **H.S.B. 504 Judiciary**

Relating to landlord liens associated with agricultural production.

##### **H.S.B 505 Judiciary**

Relating to the information required to be included in an adoption petition.

##### **H.S.B. 506 Judiciary**

Relating to the payment of costs of reasonable attorney fees and other expenses related to certain paternity and adoption proceedings.

**H.S.B. 507 Judiciary**

Relating to a locksmith assisting a person in entering a residency, and providing a penalty.

**H.S.B. 508 Government Oversight**

Relating to state bidding requirements for purchases.

**H.S.B. 509 Commerce, Regulation and Labor**

Relating to coverage of losses caused by terrorism in fire insurance policies and providing effective and applicability dates.

**H.S.B. 510 State Government**

Providing for the process of congressional and legislative redistricting.

**RESOLUTION FILED**

**HR 102**, by Upmeyer and Jacobs, a resolution to recognize and honor photographer Robert Nandell.

Laid over under **Rule 25**.

On motion by Jacobs of Polk the House adjourned at 11:03 a.m., until 8:45 a.m., Wednesday, January 11, 2006.

# JOURNAL OF THE HOUSE

Third Calendar Day - Third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, January 11, 2006

The House met pursuant to adjournment at 8:50 a.m., Speaker Rants in the chair.

Prayer was offered by the Most Reverend Frank Griswold the presiding Bishop of the Episcopal Church, USA. He was the guest of Representative Robert Hogg of Linn County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, January 10, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2035**, by Thomas, a bill for an act providing for eligibility to receive retirement benefits under the Iowa public employees' retirement system by establishing what constitutes a bona fide retirement for teachers in a teacher shortage area.

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

**House File 2036**, by Jenkins, a bill for an act relating to the amount of the charitable deduction for host families of foreign exchange and other students under the individual income tax and including a retroactive applicability date provision.

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

**House File 2037**, by Thomas, a bill for an act relating to financial assistance for projects in targeted state parks, banner parks, and destination parks and making appropriations.

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

**House File 2038**, by Jacobs, a bill for an act prohibiting the department of administrative services from establishing a motor pool and providing for the disposition and sale of motor pool vehicles and making an appropriation.

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

**House File 2039**, by Bell and Huser, a bill for an act allowing fishing without a license for certain persons who fish in a supervised group.

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

**House File 2040**, by Swaim and Gaskill, a bill for an act relating to services reimbursed under a medical assistance home and community-based services waiver for the elderly.

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

**House File 2041**, by Bukta, a bill for an act increasing the scheduled fine for placing litter or debris on a highway.

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

**House File 2042**, by Carroll, a bill for an act relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability.

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

**House File 2043**, by Wise, a bill for an act relating to criteria for economic enterprise areas.

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

**House File 2044**, by Dolecheck, a bill for an act relating to construction requirements for publicly owned water treatment works.

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

Jacobs of Polk asked and received unanimous consent to consider House Resolution 102.

#### ADOPTION OF HOUSE RESOLUTION 102

Upmeyer of Hancock called up for consideration **House Resolution 102**, a resolution to recognize and honor photographer Robert Nandell, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House stood at ease at 9:00 a.m., until the fall of the gavel.

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

#### COMMITTEE TO NOTIFY THE SENATE

Huseman of Cherokee 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 Huseman of Cherokee, De Boef of Keokuk and Thomas of Clayton.

#### REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

Huseman of Cherokee, 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 102, duly adopted, the joint convention was called to order at 9:51 a.m., President Kibbie 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 Kibbie announced a quorum present and the joint convention duly organized.

Senator Iverson of Wright moved that a committee of seven, consisting of four 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 Beall of Webster, Behn of Boone, Larson of Linn and Stewart of Jackson on the part of the Senate, and Representatives Tymeson of Madison, Anderson of Page and Mertz of Kossuth on the part of the House.

Senator Iverson of Wright moved that a committee of seven, consisting of four members from the Senate and three members from the House of Representatives be appointed to notify Chief Justice Louis A. Lavorato that the joint convention was ready to receive him.

The motion prevailed and the President appointed as such committee Senators McKibben of Marshall, Kreiman of Davis, Quirnbach of Story and Miller of Jefferson, on the part of the Senate, and Representatives Horbach of Tama, Paulsen of Linn and Quirk of Chickasaw on the part of the House.

Treasurer of State, Michael Fitzgerald; Secretary of Agriculture and Land Stewardship, David Vaudt; and Attorney General, Tom Miller were escorted into the House chamber.

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

Mrs. Janis Lavorato, the wife of the Chief Justice; his son and daughter-in-law, Nick and Lori Lavorato; his step daughter, Jenna Green; his mother-in-law, Rachel Busing; his sister-in-law, Delayne Johnson; his brother-in-law, Edward Busing; his nephews, Jacob Johnson and Matt Johnson with his friend, Meghan Sullivan, 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 Kibbie presented Chief Justice Louis A. Lavorato who delivered the following Condition of the Judicial Branch Message:

On behalf of the court and all judges and court personnel across Iowa, I want to thank you for the invitation to speak about the State of the Iowa Judiciary. The court regards this annual report as the best opportunity to provide you, as well as the people of Iowa, with our assessment of the state's justice system.

This is the sixth time I've had the great privilege to speak to you from this podium, and it is my last. Later this year I will retire. Serving as Iowa's chief justice has been the honor of my life. Today, standing at this podium, I feel as I did five years ago, a genuine sense of humility and awe.

This is the perfect occasion to reflect back over the years, take stock of our accomplishments, and confront our greatest challenges. My first thought was to use 1979 as the starting point for this review. That was the year I began my career as a judge, and the changes since that time have been dramatic. But then I remembered that you want to adjourn by April 18.

## Administration of Justice

With this in mind, the starting point for my review will be 2001, the year of my first report to you. In that report I outlined steps that would make the court system more accessible, more convenient, and more accountable. So much has happened since that day: events that remind us time and time again that the only thing certain is uncertainty.

For the past five years, we've struggled with many problems, but the problem that stands out, of course, is the state's serious financial difficulties that brought about drastic budget cuts. These have been tough years for all of us. My reason for mentioning this now is not to dredge up bad times, but to observe with pride that we pulled through. In the face of unprecedented budget cuts, the Iowa Judicial Branch managed to fulfill its mission to the people.

Last year, I reported that the years of fiscal austerity were taking a toll. Court resources were spread painfully thin and the quality of justice was at stake. We are grateful to you for heeding our concerns. The resources you provided were enough to return the courts to near normal operations. We believe we can maintain the current level of service with only a modest increase in our operating budget and sufficient salary adjustment funds to cover rising personnel expenses.

Despite the financial hardships of the past five years, we've achieved many of the goals I presented to you in 2001—and we've achieved more. Today, I will highlight some of those achievements. I will also discuss some of our present concerns.

I'll begin with our continuous efforts to expand access to justice.

## Access to Justice

Our mission is to administer justice under the law, equally to all people. To fulfill this mission courts must be accessible to the people they serve. Access means more than having a courthouse with convenient parking nearby. It also means such things as providing interpreters, facilitating self-representation, and making courthouses safe.

## Interpreters

Iowa's population is becoming much more diverse as a result of steady growth in the state's immigrant population. As I said in my first state of the judiciary message, we must be vigilant to provide access to all who come to the courts regardless of the language they speak.

Today, I'm proud to report we've made progress in this regard. Over the past few years, we have adopted a series of measures to ensure quality language interpretation for litigants. For example, our courts now have:

- A code of professional conduct and a professional oath for court interpreters;
- A partnership with colleges and agencies to provide orientation training and to test potential court interpreters on the code of conduct;
- Standardized application forms and screening questions;
- A statewide roster of trained court interpreters; and
- Membership in a national consortium that develops and provides test materials for certification of language interpreters.



These measures were relatively easy and inexpensive to implement. They are just the beginning. Our next goal is to establish a certification process for interpreters.

### **Assisting Pro Se Litigants**

Another necessary corollary to achieving equal access to justice is self-representation. Courts throughout the nation, including Iowa, are experiencing more and more cases in which litigants represent themselves, a practice known as "pro se representation." There are several reasons for this trend, but whatever the reasons, self-representation in court is a right.

In today's complicated world, however, merely acknowledging the right of litigants to represent themselves in court is not enough. The vast majority of pro se litigants are ill equipped to represent themselves effectively. They are typically unfamiliar with intricate but necessary court procedures; uninformed about the precise meaning and implications of controlling legal authority; and unaware of the potential for adverse legal consequences resulting from their actions.

Their lack of knowledge and skill affects more than the outcome of their cases. Pro se litigation places additional burdens on an already overtaxed court system. Pro se litigants frequently expect judges and court employees to help them with their lawsuits. This takes time away from other cases and court services. It also places judges and court employees in the awkward position of trying to be helpful public servants without giving legal advice or creating the appearance of favoring a pro se litigant over other litigants.

In line with what other states have done, our court recently established a new committee to develop easy-to-use-forms and instructions to facilitate pro se litigation. We have directed the committee to focus its efforts in family law because this area draws the most pro se litigants.

### **Unbundled Legal Services**

Although do-it-yourself forms and instructions are helpful, they will never be a substitute for professional legal advice. Even limited legal representation is better than none at all. Therefore, we encourage people to obtain, at a minimum, legal help for some of the more complicated aspects of their case. This piecemeal approach is commonly referred to as "unbundled legal services." Our old rules prohibited this practice and required an all or nothing approach to legal representation. Our new rules now permit unbundled legal services.

Both steps I have just described, self-help forms and unbundled legal services, are significant policy shifts that will benefit litigants and the public immensely. These steps will:

- Facilitate pro se litigation;
- Encourage more people to secure professional legal help;
- Lessen pro se litigants' dependence on judges and court staff;
- Eliminate delays in court proceedings involving pro se litigants; and
- Hopefully, encourage more pro bono work by attorneys.

I want to acknowledge and commend the joint task force of the Iowa Judges Association and the Iowa State Bar Association that provided the impetus and ideas for these policies.

### **Safe and Secure Courts**

All of our efforts to expand access to the justice system mean little if our courthouses are unsafe, and court participants and personnel are targets of intimidation, threats, and violence. Last year, our nation experienced a number of murders of court officials, litigants, and, in one incident, the husband and mother of a federal judge.

These senseless tragedies shatter our complacency and shake us to the core. Incidents such as these jeopardize several crucial principles of America's justice system:

- Our courts, like other governmental institutions, must operate in the open;
- Participation of jurors and witnesses must not be checked or influenced by intimidation; and
- Judges must operate independently.

We, therefore, must do our utmost to ensure the safety of every person who comes to, and works in, the courthouse.

In Iowa, county governments have a large stake in courthouse security. The vast majority of courthouses throughout the state contain county government offices along with the courts. Iowa law requires counties to provide and maintain physical facilities for local court operations and to provide the courts with bailiff and other law enforcement services upon the request of a judicial officer.

Earlier this year, an Iowa State Bar Association task force observed that the growth in "pro se litigation, the explosion of domestic relations and domestic violence cases, and the onslaught of drug-related criminal prosecutions" combine to "heighten volatility within courthouses." The task force concluded that security in most courthouses is insufficient.

Let's face it: most counties outside of Iowa's urban centers do not have the financial resources to install and staff sophisticated security equipment, retrofit old courthouses, or provide deputies around the clock—nor should counties shoulder the responsibility alone. The incidents I mentioned earlier clearly demonstrate that it's time for the three branches of state government to join with the counties in a meaningful discussion about strengthening courthouse security throughout the state. This is of paramount importance. Let's act before a tragedy occurs in Iowa.

### **Efficient and Convenient Court Services**

As I mentioned earlier, access to justice takes different forms. Access to justice now comes in a variety of media thanks to modern technology. Technology also adds convenience and efficiency. In my first state of the judiciary message, I discussed a number of new initiatives that would make the courts more convenient and efficient. Since then, we've made steady and solid progress in this direction.

### **Online Court Records**

In 2002 we began our online records service. This service provides public access to court dockets from all ninety-nine counties and the appellate courts. The docket contains a summary of information such as criminal charges and dispositions, child support payments, judgments and liens, scheduled violations, fines, and court costs. Our docket information is up-to-the-minute. Most of the information is accessible free of charge. This online service is tremendously popular. It attracts an average of 500,000 hits a day from a broad range of users—private citizens to insurance companies, lawyers to private investigators, and government agencies to private employers.

### **E-Pay**

In 2003 we added another online service: E-pay. E-pay enables people to pay their fines and court costs online. As many people have discovered, this service is highly convenient. Consequently, last year the judicial branch collected nearly five million dollars through this service.

Our online services bring tremendous advantages. They enable us to serve the public with remarkable speed and efficiency, expand access to the courts beyond the courthouse walls, and allow busy court officials to devote more time to other important court duties. But the online records and E-Pay are only the beginning.

### **Electronic Data Management**

In my first state of the judiciary message, I told you of another online service—electronic data management, or EDMS. In 2001 we were ready to test EDMS, but then the state's budget woes prevented us from doing so. Now, we're gearing up again, and we plan to launch a pilot project later this year. EDMS will enable people to file their court documents and access complete documents, indeed entire court files, electronically. It is likely our most ambitious undertaking ever.

### **Accountability**

So far I have addressed access to justice as well as convenient and efficient service. Now I want to turn your attention to accountability—in other words, our duty to maintain the integrity of our courts. Because accountability involves the judiciary as well as attorneys, with whom the courts are closely linked, I will discuss both.

### **The Legal Profession**

As the supervisory head of the judicial branch, our court is responsible for regulating the practice of law in Iowa. The practice of law is a privilege, and lawyers, as officers of the court, have a duty to their clients, to the court, and to the public.

This is the first time I have ever talked with you about this aspect of our responsibilities. I mention this today because last year we approved several reforms aimed at raising the already high standards of professionalism possessed by Iowa lawyers.

## **Code of Conduct**

Last year, we updated our attorney rules of ethical conduct so that they closely follow the American Bar Association Model Rules. This was an enormously time-consuming undertaking, but well worth the effort. Our new rules of conduct:

- Provide lawyers and the court clear and detailed guidance for each ethical standard;
- Address the complexities of the modern day practice of law; and
- Increase ethical standards in many respects, and thus, better protect the public.

## **Reform of Disciplinary System**

At the same time that we approved the new rules of conduct, we overhauled our attorney disciplinary system. Among other things, we strengthened the procedures for investigating and prosecuting complaints, and added more enforcement alternatives.

The Iowa Supreme Court Attorney Disciplinary Board is responsible for investigating and prosecuting complaints alleging unethical conduct on the part of attorneys. For years, local bar associations around the state assisted the disciplinary board with the intake and initial investigation of complaints. Our new disciplinary procedures consolidate control of investigations and prosecutions in our board alone. Local bar associations and other bar groups are no longer authorized to receive and dispose of complaints through dismissal or private admonition.

We also added some new enforcement alternatives in addition to our traditional disciplinary sanctions of reprimand, license suspension, and license revocation. These new procedures are intended to cure problems affecting a lawyer's practice before they lead to more serious disciplinary infractions.

For example, one new procedure enables the disciplinary board to intervene when there is probable cause to believe an attorney's drug or alcohol addiction, or mental health condition, is impairing the attorney's discharge of his or her professional responsibilities. The rule authorizes the board to require the attorney to submit to evaluation and treatment.

Through all of these reforms we hope to strengthen the integrity of our attorney disciplinary system, and thereby assure the public that the system is effective and beyond reproach.

## **The Judiciary**

I cannot cover the state of the judiciary without talking about our judges.

Iowa's judiciary is recognized as among the best in the nation. In surveys conducted by the Harris Poll for the United States Chamber of Commerce, our state judiciary has consistently ranked in the top five state court systems in terms of fairness, competence, and creating a fair and reasonable litigation environment.

Iowa's high standing is, in large part, a result of its merit selection process for appointing judges. Because merit selection emphasizes professional qualifications

above all else, Iowa's judges possess the attributes most valued in judges—fairness, integrity, legal excellence, civility, diligence, and prudence.

Two other factors contribute to the state's top-rated bench: our ability to draw the most qualified attorneys into judicial service and our efforts to make sure they stay. Naturally, lawyers become judges for many reasons, including professional satisfaction, interest in public service, and quality of life issues. But, as with all professions—doctors, lawyers, engineers, professors, and others—compensation is of utmost importance.

Judicial compensation should reflect the vital and difficult role judges play in our society. It should be sufficient to attract the best lawyers to the bench and to keep our first-rate judiciary motivated and committed for the long term. We believe the salary levels recommended by the Iowa State Bar Association's Judicial Compensation Task Force would achieve these important goals.

We are pleased and grateful that you approved the first phase of the task force plan to raise judges' salaries over a period of three years. We hope you will follow through this year with the second phase of the plan.

I would be remiss if I did not talk about the role of judges and judicial independence, given the present climate surrounding the judiciary. In recent years, we've seen an escalating national discourse about judges and judicial decisions.

I'm all for vigorous public debate regarding the merits of judicial decisions and the role of the courts. But the quality of discourse about the courts has degenerated. Rather than legitimate criticism and thoughtful commentary intended to inform and enlighten, the public is barraged with rash generalizations, loaded sound bites, and alarmist overstatements, intended to exploit and inflame. The sole purpose of these tactics is to politicize our courts so that judges are servants of popular ideologies rather than servants of the law. These attacks are designed to weaken the very institution Americans rely on to uphold the Constitution and protect their rights. It's time to replace the excessive rhetoric with plain facts and measured responses.

### **Judicial Independence Means Fair and Impartial Courts**

Our government is not only one of checks and balances between the three branches, but also one of limitations and constraint between the individual citizen and the government. The indispensable role of an independent judiciary is to preserve this vital balance. By judicial independence, I mean fair and impartial courts that uphold the Constitution and laws free from intimidation and interference. Former Chief Justice William Rehnquist referred to judicial independence as "the crown jewel of our system of government."

### **Independent Courts Protect Our Rights**

Independent courts protect the rights of the powerless. The drafters of our Constitution were keenly aware of the dangers and excesses that can occur when the majority in government controls virtually all matters, a situation James Madison referred to as the "tyranny of the majority." To prevent those dangers, our founders

painstakingly designed a balanced government with a wall of separation between the branches, an independent judiciary, and a Constitution that is supreme in all respects.

Today happens to be the birthday of Alexander Hamilton, one of the founders of our government and the first Secretary of the Treasury. Hamilton was a brilliant constitutional lawyer and one of the authors of *The Federalist*, a series of 85 essays that explain and defend the Constitution. *The Federalist* is considered one of the world's most important pieces of political theory. Hamilton recognized the need for judges to be insulated from political intimidation and interference when he wrote, "There is no liberty if the power of judging be not distinct from both the legislative and executive powers."

### **Independent Courts Follow the Rule of Law**

Independent courts guarantee that judges follow the rule of law, the foundation of our civilized society. Under the rule of law, judicial decisions are based strictly on our statutes and constitutions as well as prior judicial decisions known as legal precedent. The rule of law creates predictability in the application of our laws.

If you followed the confirmation process of Chief Justice Roberts, you heard or read statements by members of Congress, the president, and Chief Justice Roberts himself about the duty of judges to render decisions based upon the rule of law, not personal views or the views of politicians or special interest groups. This is how the judiciary works.

Although it may be appropriate for politicians to consider public opinion and the views of special interest groups when drafting laws and regulations, it is never appropriate for judges to do so when deciding cases. In this respect, the judiciary is very different from the other two branches of government. Judges are accountable to the Constitution and the law—not political pressure.

### **Independent Courts Foster Respect for the Law**

Independent courts foster respect for the law. As journalist Theodore Olson explains: "[I]n this country we accept decisions of judges, even when we disagree on the merits, because the process itself is vastly more important than any individual decision. . . . Americans understand that no system is perfect and no judge immune from error, but also that our society would crumble if we did not respect the judicial process and the judges who make it work."

Surely, respect for the work of all government is critical to the continued vitality of our society. The current popular sport of lodging spurious and vitriolic attacks against the nation's judiciary threatens not only to diminish respect for our courts, but also to further diminish the public's opinion of government.

### **Independent Courts are Accountable Courts**

Some detractors of our fair and impartial courts would like people to believe that courts are not accountable. This is wrong. Our system of government is carefully designed to foster fair and impartial courts while maintaining strict judicial accountability through a series of checks on judicial power. Let me give you several examples of established procedures that keep courts accountable.

State court judges issue nearly all of the millions of judicial decisions in this country every year. On occasion, when a trial court judge renders a controversial decision, supporters of the losing side will express alarm that the ruling sets “bad precedent.” First, I want to make it clear that trial court decisions are not legal precedent. Setting precedent is the function of appellate courts. More important, however, if a party believes a trial court judge made an error, the party may appeal to a higher court to review the judge’s ruling. This is an appropriate and effective check on judicial power.

Here’s another example.

Every day judges are called upon to construe the meaning of statutes—a fundamental function of the courts. If the legislature disagrees with the way a court has applied or interpreted a law, it may pass legislation to amend the law and prospectively change the impact of the court decision. In a manner of speaking, you get to critique our work. And on certain occasions, I’ve observed that you have proven yourself quite able, even eager to do this. This is another appropriate and effective check on judicial power.

I have one other example.

Courts are frequently called upon to determine whether a statute violates the Constitution. As Hamilton recognized, this is the most important function of the courts. When analyzing a statute in this context, courts strive to construe a statute broadly in order to avoid declaring it unconstitutional. This is a cardinal rule of constitutional interpretation. But there are well-defined limits to how far courts may go to save a statute.

Naturally, there are times when people disagree with our conclusions. When they do, the people have the power to amend the Constitution to undo our interpretation. Without question, amending the Constitution is an appropriate check on judicial power and on legislative power as well.

The examples I have mentioned clearly illustrate some of the many ways in which courts are accountable. Courts are accountable to the laws, and above all else, to the Constitution. And in this way the courts are always accountable to the people.

## **Conclusion**

Accountability—this is one of our most important values. It’s why we are here today—to account to the people of Iowa about the condition of their justice system.

Certainly, we have done everything in our power to assure the effective delivery of justice. Despite recent budget cuts and prolonged fiscal hardships, the judicial branch has continued to perform its constitutional responsibilities. The remarkable resilience and unwavering dedication of Iowa’s judges and court employees make this possible. Their profound commitment to justice is truly gratifying.

We also forged ahead, making Iowa’s court system more accessible, more efficient, and more accountable. While we are proud of our achievements, we will not rest on our laurels. We will continue to anticipate and attend to the changing needs of Iowans.

We will also continue to identify and address problems that threaten to impede the delivery of justice. A looming problem that we must deal with now is courthouse

security. Citizens must feel confident that they can come to court without risking their safety or the safety of their families.

Finally, nothing matters more than safeguarding the independence of our courts. Americans must believe that their courts are fair and impartial, accountable only to the law and the Constitution. Yet, these values are under attack. Around the nation there are forces working to undermine judicial independence, a principle that has served the people well for over two hundred years.

Thankfully, Iowa's far-sighted constitutional merit selection process ensures that we have high-caliber judges of utmost integrity, who are selected based upon their professional qualifications—not ideologies. Judicial independence ensures that our judges base their decisions on the law and the Constitution and nothing else. Ultimately, however, the preservation of our fair, impartial, and independent court system requires more than the integrity and fortitude of individual judges, it requires the fervent and steadfast support of the people.

Thank you.

Chief Justice 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 Gipp of Winneshiek, the joint convention was dissolved at 10:46 a.m.

The House resumed session at 10:50 a.m., Speaker Rants in the chair.

## INTRODUCTION OF BILLS

**House File 2045**, by committee on ways and means, a bill for an act phasing out the state income tax on social security benefits and on pension and retirement income and including effective and applicability date provisions.

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

**House File 2046**, by Heddens, Miller and Kressig, a bill for an act relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

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



## COMMUNICATIONS RECEIVED

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

### DEPARTMENT OF ADMINISTRATIVE SERVICE Technology Governance Board

Annual Report, pursuant to Chapter 8A.204, Code of Iowa.

### DEPARTMENT OF ECONOMIC DEVELOPMENT

2005 Business Training Services annual report, pursuant to Chapter 15.113, Code of Iowa.

### DEPARTMENT OF NATURAL RESOURCES Energy and Waste Management Bureau

Summarization of accomplishments of Toxic Cleanup Days and Regional Collection Centers, pursuant to Chapter 455F.8, Code of Iowa.

### DEPARTMENT OF TRANSPORTATION

Quarterly progress report of building project for the Motor Vehicle Division, pursuant to Chapter 321.1(20A), Code of Iowa.

### OFFICE OF DRUG CONTROL POLICY

Fiscal year 2005 report of savings with the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

### MUNICIPAL FIRE AND POLICE RETIREMENT SYSTEM OF IOWA

Annual report, pursuant to Chapter 411.5, 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

- |         |  |
|---------|--|
| 2006\39 | Clint Sellers, Chariton – For being named the Ohio Valley Conference Defensive Player of the Year. |
| 2006\40 | Maurice Skinner, Chariton – For celebrating his 86 <sup>th</sup> birthday.                         |

- 2006\41 Don and Altha Exley Offenburger, Chariton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\42 Richard and Janice Allison, Albia – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\43 Jonathan Thayer, Casey – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\44 Maxine Allen, Yale – For celebrating her 85<sup>th</sup> birthday.
- 2006\45 Max and Beverly Uhlman, Anita – For celebrating their 50<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 63

Natural Resources: May, Chair; Frevert and Rayhons.

##### House File 154 Reassigned

Judiciary: Tymeson, Chair; Carroll and Smith.

##### House File 241 Reassigned

Judiciary: Boal, Chair; Kaufmann and R. Olson.

##### House File 243

Judiciary: Kaufmann, Chair; Boal and Lensing.

##### House File 282

Natural Resources: Freeman, Chair; Bell, Lykam, May and Van Engelenhoven.

##### House File 286 Reassigned

Natural Resources: Rayhons, Chair; Bell and Upmeyer.

##### House File 315 Reassigned

Judiciary: Tymeson, Chair; Maddox and Smith.

##### House File 324 Reassigned

Judiciary: Tymeson, Chair; Alons and Foege.

**House File 361 Reassigned**

Judiciary: Tymeson, Chair; Boal and Swaim.

**House File 377 Reassigned**

Judiciary: Hutter, Chair; Berry and J.R. Van Fossen.

**House File 379 Reassigned**

Judiciary: Heaton, Chair; Alons and Smith.

**House File 383 Reassigned**

Natural Resources: Baudler, Chair; Reichert and Van Engelenhoven.

**House File 471 Reassigned**

Judiciary: Tymeson, Chair; Kaufmann and Wessel-Kroeschell.

**House File 498 Reassigned**

Judiciary: Hutter, Chair; Berry and Eichhorn.

**House File 555 Reassigned**

Natural Resources: J.R. Van Fossen, Chair; Baudler and Davitt.

**House File 596**

Judiciary: Carroll, Chair; Alons and Wessel-Kroeschell.

**House File 652**

Judiciary: Kaufmann, Chair; Hutter and R. Olson.

**House File 653**

Judiciary: Tymeson, Chair; Alons and R. Olson.

**House File 657**

Judiciary: Tymeson, Chair; Kaufmann and Swaim.

**House File 659**

Judiciary: Carroll, Chair; Boal and R. Olson.

**House File 678**

Judiciary: Tymeson, Chair; Kaufmann and R. Olson.

**House File 681**

Judiciary: Eichhorn, Chair; Carroll and Swaim.

**House File 696**

Commerce, Regulation and Labor: Struyk, Chair; Hoffman, Oldson, Pettengill, Quirk, Sands, Soderberg, Tomenga and Wise.

**House File 704 Reassigned**

Judiciary: Paulsen, Chair; Jochum and Tymeson.

**House File 705**

Commerce, Regulation and Labor: Horbach, Chair; Jacoby and May.

**House File 707**

Commerce, Regulation and Labor: Watts, Chair; Horbach, T. Taylor, Wilderdyke and Wise.

**House File 719**

Commerce, Regulation and Labor: Horbach, Chair; Freeman and Quirk.

**House File 765**

Commerce, Regulation and Labor: Petersen, Chair; Jenkins and Struyk.

**House File 2007**

Judiciary: Kaufmann, Chair; Eichhorn and Jochum.

**House File 2012**

Veterans Affairs: Alons, Chair; Kaufmann and Quirk.

**House File 2020**

Judiciary: Tymeson, Chair; Berry and Carroll.

**House File 2028**

Veterans Affairs: May, Chair; Tymeson and Wendt.

**House File 2035**

State Government: Drake, Chair; Elgin, Jochum, Kurtenbach, T. Taylor, Tomenga and Wendt.

**House File 2038**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

**House Concurrent Resolution 10**

Judiciary: Paulsen, Chair; Swaim and Tymeson.

**Senate File 345 Reassigned**

Judiciary: Kaufmann, Chair; Hutter and Winckler.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 500**

State Government: Jacobs, Chair; Boal, Gaskill, Greiner, T. Taylor, Upmeyer and Wendt.

**House Study Bill 501**

State Government: Jacobs, Chair; Boal, Gaskill, Greiner, T. Taylor, Upmeyer and Wendt.

**House Study Bill 508**

Government Oversight: Alons, Chair; Hutter and Lensing.

**House Study Bill 509**

Commerce, Regulation and Labor: May, Chair; Hoffman and Oldson.

**House Study Bill 510**

State Government: Jacobs, Chair; Boal, Gaskill, Greiner, T. Taylor, Upmeyer and Wendt.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 511 Administration and Rules**

A concurrent resolution to approve and confirm the appointment of the Citizens' Aide.

**H.S.B. 512 State Government**

Creating a defined contribution pension option for employees covered by the Iowa public employees' retirement system.

**H.S.B. 513 State Government**

Concerning the purchase of creditable service for members of the Iowa department of public safety peace officers' retirement, accident, and disability system for certain prior service as a peace officer in the department of public safety.

**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**

**House File 2002**, a bill for an act increasing the standing amount required to be appropriated, reverted, or transferred to the credit of the senior living trust fund and including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** January 10, 2006.

**COMMITTEE ON WAYS AND MEANS**

**Committee Bill** (Formerly House Study Bill 502), phasing out the state income tax on social security benefits and on pension and retirement income and including effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** January 10, 2006.

On motion by Gipp of Winneshiek the House adjourned at 10:56 a.m., until 8:45 a.m., Thursday, January 12, 2006.

# JOURNAL OF THE HOUSE

Fourth Calendar Day - Fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, January 12, 2006

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

Prayer was offered by David Miller, secretary of Representative Brian Quirk of Chickasaw County. He was the guest of Minority Leader Pat Murphy of Dubuque County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Lacey Pagel, the Chief Clerk's Page from Westgate.

The Journal of Wednesday, January 11, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2047**, by Kurtenbach, a bill for an act establishing the racing and gaming commission as the board of directors for the Iowa lottery authority.

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

**House File 2048**, by Granzow, a bill for an act relating to school reorganization and dissolution by allowing certain landowners in a reorganizing or dissolving school district to petition to join a contiguous school district.

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

**House File 2049**, by Bukta, a bill for an act relating to the reduction in the assessed values of homesteads of persons sixty-five years of age or older below a specified income level, providing a penalty, and including applicability date provisions.

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:

BOARD OF REGENTS

Report on patents and licenses held by the universities and their respective research foundations, pursuant to Chapter 260C.14(7), Code of Iowa.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Report on the activities of the community college job retention program, pursuant to Chapter 15.343(3), Code of Iowa.

DEPARTMENT OF HUMAN RIGHTS  
Division of Persons With Disabilities

Annual report, pursuant to Chapter 216A.71, Code of Iowa.

DEPARTMENT OF PUBLIC HEALTH

Annual report, pursuant to Chapter 135.11(17), Code of Iowa.

Annual report of access to obstetrical care in Iowa, pursuant to Chapter 197.1(18A), Code of Iowa.

Anatomical gifts annual donation and compliance report, pursuant to Chapter 142C.17, Code of Iowa.

Report of sharing of administrative, clerical and investigative staff, pursuant to Chapter 147.80, Code of Iowa.

DEPARTMENT OF TRANSPORTATION

Quarterly report for the Motor Vehicle Division, pursuant to Chapter 321.1, Code of Iowa.

INSTITUTE FOR TOMORROW'S WORKFORCE

First annual report along with audit of first six months, pursuant to Chapter 7K.1.6, Code of Iowa.

IOWA LEGISLATIVE SERVICES AGENCY FISCAL SERVICES

Review of property tax used to fund education with the effects on school property taxes, pursuant to Chapter 257.3, 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

- |         |  |
|---------|--|
| 2006\46 | Anthony Rohr, Hiawatha – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.                         |
| 2006\47 | Harold and Waneitta Henderson, Coggon – For celebrating their 60 <sup>th</sup> wedding anniversary.                                    |
| 2006\48 | David Carlson, M.D., West Burlington – For being named Iowa Family Physician of the Year.  |
| 2006\49 | Vivian M. Jennings, Columbus Junction – For receiving the 2005 American Society of Agronomy Monsanto Professional Certification Award. |
| 2006\50 | Ethan Jones, West Burlington – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.                   |
| 2006\51 | Joel Walker, Burlington – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.                        |
| 2006\52 | Sophia Kolokithas Lagios, Mason City – For celebrating her 100 <sup>th</sup> birthday.   |
| 2006\53 | Ann Marsh, Mason City – For celebrating her 85 <sup>th</sup> birthday.   |
| 2006\54 | Verna Dobel, Mason City – For celebrating her 80 <sup>th</sup> birthday.   |
| 2006\55 | Verne and Kathryn Henson, Whapeton – For celebrating their 60 <sup>th</sup> wedding anniversary.                                       |
| 2006\56 | Dr. Bill and Claudia Boles, Okoboji – For celebrating their 60 <sup>th</sup> wedding anniversary.                                      |
| 2006\57 | Carl and Marj Abel, Spencer – For celebrating their 60 <sup>th</sup> wedding anniversary.  |
| 2006\58 | Mae Weaver, Spirit Lake – For celebrating her 80 <sup>th</sup> birthday.   |
| 2006\59 | Ada Lauck, Spencer – For celebrating her 80 <sup>th</sup> birthday.  |
| 2006\60 | Mae Brown, Spirit Lake – For celebrating her 101 <sup>st</sup> birthday.   |

- 2006\61 Wilbur and Helen Kunze, Mapleton – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\62 Ted Aldag, Schleswig – For celebrating his 90<sup>th</sup> birthday.
- 2006\63 Jack Kreutzbender, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\64 Christine Snyder, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\65 Eileen Hendricks, Ottumwa – For celebrating her 90<sup>th</sup> birthday.
- 2006\66 Dorothy Devlin, Ottumwa – For celebrating her 90<sup>th</sup> birthday.
- 2006\67 Carl Townsend, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\68 Dorothy Schaub, Ottumwa – For celebrating her 90<sup>th</sup> birthday.
- 2006\69 Dorothy Zimmerman, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\70 Ruby Walker, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\71 Darrell Clark, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\72 Franklin Worrell, Ottumwa – For celebrating his 85<sup>th</sup> birthday.
- 2006\73 Irene Pauk, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\74 Iris Wilkinson, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\75 Cecil Zollars, Ottumwa – For celebrating his 85<sup>th</sup> birthday.
- 2006\76 Dorothy Wickenkamp – For celebrating her 85<sup>th</sup> birthday.
- 2006\77 Jerald Owens, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\78 Esther Ades, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\79 Margaret Swanson, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\80 Donald Mason, Ottumwa – For celebrating his 85<sup>th</sup> birthday.
- 2006\81 Marilyn and Don Bertell, Spirit Lake – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\82 Irv and Marilyn Stevenson, Spencer – For celebrating their 50<sup>th</sup> anniversary.
- 2006\83 Virg and Avis Hoffman, Milford – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\84 August and Maxine Burdette, Dickens – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\85 Donald Olson, Spencer – For celebrating his 95<sup>th</sup> birthday.

2006\86 Thomas Bedell, Spirit Lake – For being inducted into the Iowa Business Hall of Fame.

2006\87 Berkley Bedell, Spirit Lake – For being inducted into the Iowa Business Hall of Fame.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 118 Reassigned**

Education: Granzow, Chair; Boal and Cohoon.

##### **House File 454 Reassigned**

Education: Tymeson, Chair; Dolecheck and Mascher.

##### **House File 526**

Education: Roberts, Chair; Chambers and Winckler.

##### **House File 572**

Natural Resources: Tjepkes, Chair; Arnold and Davitt.

##### **House File 732**

Education: Tymeson, Chair; Oldson and Paulsen.

##### **House File 2039**

Natural Resources: Lukan, Chair; Bell and May.

##### **Senate File 220 Reassigned**

Education: Tymeson, Chair; Kaufmann and Wendt.

##### **Senate File 367**

Natural Resources: Baudler, Chair; Bell and Rasmussen.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

##### **House Study Bill 511**

Administration and Rules: S. Olson, Chair; Boal, Bukta, Carroll, Dolecheck, Gipp, Heddens, Jacobs, Miller, Murphy, Rants, Reasoner, Roberts and Whitaker.

##### **House Study Bill 512**

State Government: Drake, Chair; Elgin, Jochum, Kurtenbach, T. Taylor, Tomenga and Wendt.

**House Study Bill 513**

State Government: Drake, Chair; Elgin, Jochum, Kurtenbach, T. Taylor, Tomenga and Wendt.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENT****H.S.B. 514 State Government**

Relating to the statewide fire and police retirement system.

**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 STATE GOVERNMENT**

**Committee Bill** (Formerly House Study Bill 500), relating to maintenance of a voter registration system separate from the state voter registration system and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** January 10, 2006.

**Committee Bill** (Formerly House Study Bill 501), relating to elections by making changes concerning requirements for entrances to certain polling places, arrangement of names on the ballot for nonpartisan offices, and election registers, and including effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** January 10, 2006.

**RESOLUTION FILED**

**HR 103**, by Wendt, Whitead, Soderberg and Rants, a resolution requesting that the United States Postal Service retain the area mail processing center in Sioux City, Iowa.

Laid over under **Rule 25**.

## AMENDMENT FILED

H—8001      H.F.      2045      Hogg of Linn

On motion by Gipp of Winneshiek the House adjourned at 8:54 a.m., until 9:00 a.m., Friday, January 13, 2006.

# JOURNAL OF THE HOUSE

Fifth Calendar Day - Fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, January 13, 2006

The House met pursuant to adjournment at 9:00 a.m., Watts of Dallas in the chair.

Prayer was offered by the Honorable Ralph Watts, state representative from Dallas County.

The Journal of Thursday, January 12, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2050**, by committee on state government, a bill for an act relating to elections by making changes concerning requirements for entrances to certain polling places, arrangement of names on the ballot for nonpartisan offices, and election registers, and including effective and applicability date provisions.

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

**House File 2051**, by committee on state government, a bill for an act relating to maintenance of a voter registration system separate from the state voter registration system and providing an effective date.

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

**House File 2052**, by S. Olson, a bill for an act providing an income tax deduction for the purchase of an automobile that operates on E-85 gasoline and including retroactive and applicability date provisions.

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

**House File 2053**, by Frevert, a bill for an act concerning the purchase of creditable service for members of the Iowa department of public safety peace officers' retirement, accident, and disability

system for certain prior service as a peace officer in the department of public safety and for city fire fighters and police officers under the statewide fire and police retirement system.

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

**House File 2054**, by Whitaker and Arnold, a bill for an act allowing certain landowners and their tenants to use certain wild turkey hunting licenses during any spring or fall wild turkey hunting season.

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

**House File 2055**, by Frevert, a bill for an act relating to an income tax deduction for costs of long-term care insurance contracts and including an effective and retroactive applicability date provision.

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

**House File 2056**, by Lykam, J.R. Van Fossen and Hutter, a bill for an act allowing private landowners limited immunity from premises liability during urban deer control hunts.

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

**House File 2057**, by Kaufmann, Heaton, Greiner, J.K. Van Fossen, Baudler, Hutter, Eichhorn, Tjepkes, De Boef, Carroll, Lukan, Boal, Anderson, Tymeson, Tomenga, Granzow, Drake, Struyk, Rayhons, J.R. Van Fossen, S. Olson, Dolecheck, Horbach, Roberts, Alons, May, Freeman, Sands, Rasmussen, Lalk, Watts, Jenkins, Upmeyer, Chambers, Foege, Kurtenbach, Quirk, and Paulsen, a bill for an act relating to the personal needs allowance amount for residents of nursing facilities under the medical assistance program.

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

**House File 2058**, by Frevert, a bill for an act relating to increased criminal and civil penalties for alcoholic beverage licensees, permittees, and employees who serve alcohol to persons under legal age.

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

**House File 2059**, by Petersen, a bill for an act relating to residential property and property taxation within a self-supported municipal improvement district and providing that related notices may be sent by first class mail.

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

**House File 2060**, by Huser, Petersen, Pettengill, Swaim, Wise, Jacoby, Ford, Frevert, Thomas, Berry, Hogg, Whitaker, Shomshor, Heddens, Hunter, Kressig, Davitt, Dandekar, T. Taylor, D. Olson, Winckler, Reichert, Murphy, Lensing, Wessel-Kroeschell, Mascher, Reasoner and Foege, a bill for an act relating to the personal needs allowance for residents of nursing facilities.

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

**House File 2061**, by Shomshor, a bill for an act establishing a fresh fruits and vegetables pilot program for schools to be administered by the department of education, making an appropriation, and providing an effective date.

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

**House File 2062**, by Huser, Petersen, Wise, Ford, Jacoby, Frevert, Thomas, Gaskill, Berry, Whitaker, Shomshor, Heddens, Hunter, Dandekar, Kressig, Davitt, T. Taylor, D. Olson, Pettengill, Winckler, Reichert, Lensing, Murphy, Wessel-Kroeschell, Mascher, Reasoner and Foege, a bill for an act relating to services for which reimbursement may be provided under a medical assistance home and community-based services waiver for the elderly.

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

**House File 2063**, by Ford, a bill for an act relating to fundraising activities conducted for a group or organization of public officials or public employees and making penalties applicable.

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

**House File 2064**, by Huser and Petersen, a bill for an act relating to standardized requirements for long-term care insurance policies.



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

**House File 2065**, by Shomshor, a bill for an act relating to the compulsory school attendance age and providing an effective date.

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

**House File 2066**, by Petersen, a bill for an act relating to the time period for holding involuntary hospitalization hearings for chronic substance abusers and mentally ill persons.

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

**House File 2067**, by Murphy, Jochum, Bell, Berry, Bukta, Cohoon, Dandekar, Davitt, Fallon, Foege, Ford, Frevert, Gaskill, Heddens, Hogg, Hunter, Huser, Jacoby, Kressig, Kuhn, Lensing, Lykam, Mascher, McCarthy, Mertz, Miller, Oldson, D. Olson, R. Olson, Petersen, Pettengill, Quirk, Reasoner, Reichert, Schueller, Shomshor, Shoultz, Smith, Swaim, D. Taylor, T. Taylor, Thomas, Wendt, Wessel-Kroeschell, Whitaker, Whitead, Winckler and Wise, a bill for an act relating to the time of service for a member of the armed services for purposes of the military service tax exemption and credit and including an effective date.

Read first time and referred to committee on **veterans affairs.**

**House File 2068**, by Huser, Petersen, Wise, Jacoby, Ford, Frevert, Gaskill, Thomas, Berry, Whitaker, Shomshor, Heddens, Hunter, Kressig, Dandekar, Davitt, T. Taylor, Hogg, D. Olson, Pettengill, Winckler, Reichert, Lensing, Wessel-Kroeschell, Mascher, Reasoner and Foege, a bill for an act relating to the senior living trust fund and providing for appropriation of the moneys in the fund.

Read first time and referred 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

- 2006\88 Lionel and Alice McGuire, Webster City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\89 Robert and Sharon Crosby, Webster City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\90 Don and Karen Kusian, Belmond – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\91 Norman and Shirley Lacey, Webster City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\92 Bill and Bea McCurry, Webster City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\93 Kenneth and Lorna Rebhuhn, Webster City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\94 Maynard and Marilyn Eittreim, Eagle grove – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\95 Jim and Alberta Toillion, Eagle Grove – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\96 Kenneth and Thelma Quick, Webster City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\97 Paul and Vonnie Pruisman, Webster City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\98 Dean and Ellen Ahrens, Stratford – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\99 Bill and Louise Mock, Clarion – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\100 Bob and Mary Jean Hocraffer, Clarion – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\101 Vern and Viola Ratcliff, Clarion – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\102 Gordon and Marjorie Laing, Humboldt – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\103 Charlie and Bert Anderson, Humboldt – For celebrating their 50<sup>th</sup> wedding anniversary.

- 2006\104 Lyle and Mildred Lewellyn, Clarion – For celebrating their 65<sup>th</sup> wedding anniversary and Lyle celebrating his 90<sup>th</sup> birthday.
- 2006\105 Bob and Donna Pearson, Fort Dodge – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2206\106 Eldo and Marilyn Harder, Fort Dodge – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\107 Richard and Louise Bowden, Williams – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2006\108 Phillip and Joanne McHale, Clarion – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\109 Adam Westrum, Stratford – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\110 Joshua Larson, Stratford – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\111 Trevor Seela, Stratford – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\112 Don Crawford, Grinnell – For celebrating his 80<sup>th</sup> birthday.
- 2006\113 Margaret VanDerKamp, Grinnell – For celebrating her 80<sup>th</sup> birthday.
- 2006\114 Rena Van Donselaar, Oskaloosa – For celebrating her 90<sup>th</sup> birthday.
- 2006\115 Don and Mary Mattix, Oskaloosa – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2006\116 Bob and BeaAnn Zeigler, Oskaloosa – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2006\117 Alfreda Wolver, Seymour – For celebrating her 80<sup>th</sup> birthday.

On motion by Tymeson of Madison the House adjourned at 9:05 a.m., until 10:00 a.m., Tuesday, January 17, 2006.

# JOURNAL OF THE HOUSE

Ninth Calendar Day - Sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, January 17, 2006

The House met pursuant to adjournment at 10:04 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Greg Davison, pastor of Trinity Lutheran Church, Marshalltown. He was the guest of Representative Mark Smith of Marshall County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Friday, January 13, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2069**, by Bell, a bill for an act exempting certain environmental test laboratory services from the state sales and use taxes.

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

**House File 2070**, by Huser, Dandekar and Struyk, a bill for an act enhancing the penalty for a simple misdemeanor assault against a sports official.

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

## SPECIAL PRESENTATION

Miller of Webster introduced to the House, Iowa's poet laureate Robert Dana, whom read his poem entitled "A Short History of the Middle West."

The House rose and expressed its appreciation.

## COMMUNICATIONS RECEIVED

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

### BOARD OF REGENTS International Relations Committee

Annual report on general international relations activities, pursuant to Chapter 2D.1, Code of Iowa.

Annual economic development and technology transfer report, pursuant to Chapter 15E, Code of Iowa.

### DEPARTMENT OF ECONOMIC DEVELOPMENT

Report on provisions of regulatory assistance by state agencies, pursuant to Chapter 15E.19, Code of Iowa.

### DEPARTMENT OF EDUCATION

Annual report of schools that participated in Iowa Public Television sponsored Iowa Communications Network video field trip sessions, pursuant to Chapter 8D.10, Code of Iowa.

### DEPARTMENT OF HUMAN RIGHTS Iowa Sex Offender Treatment and Supervision Task Force

Annual report from the task force, pursuant to Chapter 915.45, Code of Iowa.

### DEPARTMENT OF PUBLIC HEALTH Iowa Child Death Review Team

Annual report of child deaths for calendar year 2004, pursuant to Chapter 135.43, Code of Iowa.

### DEPARTMENT OF TRANSPORTATION

Biodiesel Fuel Revolving Fund report, pursuant to Chapter 307.20, Code of Iowa.

### GOVERNMENT OVERSIGHT COMMITTEE Iowa County Recorders Association

Iowa land records security audit, pursuant to Chapter 9.1, Code of Iowa.

### IOWA PUBLIC EMPLOYEES RETIREMENT SYSTEM (IPERS) Iowa Hospital Association

Report of shortened retirement waiting period for licensed health care workers, pursuant to Chapter 249I.3, Code of Iowa.

## IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

Annual report of the Iowa Telecommunications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

## CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

- |          |   |
|----------|---|
| 2006\118 | Kyle Steffen, Indianola – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 2006\119 | Marie Hilmer, LaPorte City – For celebrating her 80 <sup>th</sup> birthday.                                     |
| 2006\120 | Kathleen Halford, Winthrop – For celebrating her 80 <sup>th</sup> birthday.                                     |
| 2006\121 | Leo Bearboswer, Brandon – For celebrating his 90 <sup>th</sup> birthday.  |
| 2006\122 | Mr. and Mrs. Everett Holland, Davenport – For celebrating their 50 <sup>th</sup> wedding anniversary.           |
| 2006\123 | Dwayne and Gayle Miille, Sioux City – For celebrating their 50 <sup>th</sup> wedding anniversary.               |
| 2006\124 | Dorothy Peterson, Sioux City – For celebrating her 80 <sup>th</sup> birthday.                                   |
| 2006\125 | Paul Mesbelunas, Sioux City – For celebrating his 87 <sup>th</sup> birthday.                                    |
| 2006\126 | Neva Bauer, Sioux City – For celebrating her 90 <sup>th</sup> birthday.   |
| 2006\127 | Pearl Bowman, Sioux City – For celebrating her 92 <sup>nd</sup> birthday.                                       |
| 2006\128 | Hazel Cleghorn, Sioux City – For celebrating her 93 <sup>rd</sup> birthday.                                     |
| 2006\129 | Marjorie Killinger, Sioux City – For celebrating her 100 <sup>th</sup> birthday.                                |
| 2006\130 | Ruth Hancock, Ottumwa – For celebrating her 85 <sup>th</sup> birthday.  |
| 2006\131 | Darlene Richards, Ottumwa – For celebrating her 80 <sup>th</sup> birthday.                                      |
| 2006\132 | Lola Moss, Ottumwa – For celebrating her 80 <sup>th</sup> birthday.   |
| 2006\133 | John McDermott, Ottumwa – For celebrating his 85 <sup>th</sup> birthday.  |
| 2006\134 | Arminta Anderson, Ottumwa – For celebrating her 90 <sup>th</sup> birthday.                                      |

- 2006\135 Blanche Barcus, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\136 Robert Axtell, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\137 Velma Swaim, Blakesburg – For celebrating her 90<sup>th</sup> birthday.
- 2006\138 Doris Johnson, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\139 Beatrice Jones, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\140 Evelyn Schaefer, Davenport – For celebrating her 80<sup>th</sup> birthday.
- 2006\141 I. Zelma Brown, Davenport – For celebrating her 85<sup>th</sup> birthday.
- 2006\142 Howard Howe, Ottumwa – For celebrating his 85<sup>th</sup> birthday.
- 2006\143 Warren Lowenberg, Ottumwa – For celebrating his 85<sup>th</sup> birthday.
- 2006\144 Francis Lint, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\145 Dora Arp, Davenport – For celebrating her 80<sup>th</sup> birthday.
- 2006\146 Anna Brondyke, Dubuque – For receiving 1<sup>st</sup> place for her poster in the Kindergarten Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\147 Alexia Kelly, Dubuque – For receiving 2<sup>nd</sup> place for her poster in the Kindergarten Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\148 Michael Banwarth, Dubuque – For receiving 1<sup>st</sup> place for his poster in the First Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\149 Emily Wiezorek, Dubuque – For receiving 2<sup>nd</sup> place for her poster in the First Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\150 Jessalyn Roling, Dubuque – For receiving 1<sup>st</sup> place for her essay/poster in the Second Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\151 Ryan Fisher, Dubuque – For receiving 2<sup>nd</sup> place for his essay/poster in the Second Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\152 Gabrielle Waddick, Dubuque – For receiving 1<sup>st</sup> place for her essay in the Third Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.

- 2006\153 Ashley Edminster, Dubuque – For receiving 2<sup>nd</sup> place for her poster in the Third Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\154 Ryan McCaffery, Dubuque – For receiving 1<sup>st</sup> place for his essay in the Fourth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\155 Taiana Butler, Dubuque – For receiving 1<sup>st</sup> place for her poster in the Fourth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\156 David Kim, Dubuque – For receiving 2<sup>nd</sup> place for his poster/essay in the Fourth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\157 Bayleigh Brimeyer, Dubuque – For receiving 1<sup>st</sup> place for her poster in the Fifth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\158 Brittany Merz, Dubuque – For receiving 2<sup>nd</sup> place for her poster in the Fifth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\159 Quinn Meyer, Dubuque – For receiving 2<sup>nd</sup> place for his essay in the Fifth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\160 Katie Evans, Dubuque – For receiving 1<sup>st</sup> place for Media/CD in the Sixth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\161 Natalie Blasen, Dubuque – For receiving 1<sup>st</sup> place for Media/CD in the Sixth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\162 Emily Stender, Dubuque – For receiving 1<sup>st</sup> place for Media/CD in the Sixth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\163 Kelsie VonHollen, Dubuque – For receiving 1<sup>st</sup> place for her poster in the Sixth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\164 Ashleigh Domeyer, Dubuque – For receiving 1<sup>st</sup> place for her essay in the Sixth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\165 Alexis Esser, Dubuque – For receiving 2<sup>nd</sup> place for her essay in the Sixth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.



- 2006\166 Nolan Gallery, Dubuque – For receiving 1<sup>st</sup> place for his essay in the Seventh Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\167 Angel Thoma, Dubuque – For receiving 2<sup>nd</sup> place for her essay in the Seventh Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\168 Andrei Kramer, Dubuque – For receiving 1<sup>st</sup> place for her essay in the Eighth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\169 Jillian Stumpf, Dubuque – For receiving 2<sup>nd</sup> place for her poster in the Eighth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\170 John Uhal, Dubuque – For receiving 1<sup>st</sup> place for his CD in the Ninth-Twelfth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\171 Margaret Nicholson, Dubuque – For receiving 2<sup>nd</sup> place for her poster in the Ninth-Twelfth Grade Division of the 2005 Martin Luther King, Jr., Tribute Contest.
- 2006\172 Martha De Bruin, Rock Valley – For celebrating her 90<sup>th</sup> birthday.
- 2006\173 Ceel and Nadine Vanden Brink, Alvord – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\174 Gerrit and Henrietta Hoogland, Sioux Center – For celebrating their 60<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House Joint Resolution 3**

Ways and Means: Paulsen, Chair; Carroll, Hogg, Kaufmann and Shoultz.

##### **House File 368 Reassigned**

Education: Roberts, Chair; Foege and Paulsen.

##### **House File 623**

Agriculture: Drake, Chair; Lalk and Mertz.

##### **House File 701**

Agriculture: Struyk, Chair; Mertz and S. Olson.

**House File 762**

Agriculture: Mertz, Chair; Drake and Lalk.

**House File 843**

Ways and Means: Struyk, Chair; Jochum and Kurtenbach.

**House File 848**

Ways and Means: Paulsen, Chair; Tymeson and Winckler.

**House File 851**

Ways and Means: Tomenga, Chair; Boal and Davitt.

**House File 852**

Ways and Means: Soderberg, Chair; Lalk and Schueller.

**House File 874**

Ways and Means: Drake, Chair; Huser and Kaufmann.

**House File 2005**

Education: Schickel, Chair; Dolecheck and Foege.

**House File 2006**

Education: Chambers, Chair; Boal and Oldson.

**House File 2008**

Education: Boal, Chair; Kaufmann and Winckler.

**House File 2013**

Education: Tymeson, Chair; Paulsen and Wise.

**House File 2015**

Education: Dolecheck, Chair; Kaufmann and Wendt.

**House File 2016**

Education: Tymeson, Chair; Paulsen and Wise.

**House File 2017**

Education: Tymeson, Chair; Paulsen and Wise.

**House File 2034**

Education: Soderberg, Chair; Hogg and Paulsen.

**House File 2048**

Education: Granzow, Chair; Cohoon and Roberts.

**House File 2053**

State Government: Drake, Chair; Elgin, Jochum, Kurtenbach, T. Taylor, Tomenga and Wendt.

**House File 2061**

Education: Chambers, Chair; Bukta and Dolecheck.

**Senate File 123**

State Government: Jacobs, Chair; Boal, Gaskill, Greiner, T. Taylor, Upmeyer and Wendt.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 508 Reassigned**

Government Oversight: Alons, Chair; Lensing and J.K. Van Fossen.

**House Study Bill 514**

State Government: Drake, Chair; Elgin, Jochum, Kurtenbach, T. Taylor, Tomenga and Wendt.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 515 Appropriations**

Revising and making appropriations involving veterans programs for the fiscal year beginning July 1, 2005, and providing an effective date.

**H.S.B. 516 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. 517 Commerce, Regulation and Labor**

Relating to the payment of wages by payroll card and making penalties applicable.

**H.S.B. 518 Local Government**

Relating to county board of supervisor vacancies.

On motion by Gipp of Winneshiek the House adjourned at 10:15 a.m., until 8:45 a.m., Wednesday, January 18, 2006.

# JOURNAL OF THE HOUSE

Tenth Calendar Day - Seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, January 18, 2006

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

Prayer was offered by Chaplin Tom Lovig, Chaplin of Marketplace Ministries. He was the guest of Representative Libby Jacobs of Polk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, January 17, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2071**, by Swaim, a bill for an act relating to access to certain burial sites located on private property.

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

**House File 2072**, by Alons, Lalk, Chambers, Soderberg, Kaufmann, Drake, De Boef, Dolecheck, Upmeyer, Watts, Tjepkes, Huseman, Hutter, Jones, Baudler, Wilderdyke, Greiner, Rayhons, J.K. Van Fossen, Struyk, S. Olson, Sands, Huser, J.R. Van Fossen, Paulsen, Kurtenbach, Horbach, Jacobs, Granzow, Eichhorn, May, Anderson, Roberts, Boal, Tymeson, Carroll, Heaton, Kuhn, Mertz, Whitaker, Frevert, Dix, Rasmussen, Swaim, Davitt, Hogg, Shomshor, Schueller, Elgin, Jenkins, Miller, Hoffman and Lukan, a bill for an act relating to financial transactions associated with agricultural production, by providing for a tax credit to facilitate the transfer of assets, and including an effective and applicability date.

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

**House File 2073**, by Huser and Bukta, a bill for an act providing that the state elevator code supersedes conflicting provisions of building codes.

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

**House File 2074**, by Wilderdyke, a bill for an act relating to the number and geographical distribution of charter schools approved by the state board of education.

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

**House File 2075**, by Thomas, a bill for an act concerning limitations on business interests for spouses of persons engaged in the business of manufacturing, bottling, or wholesaling alcohol.

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

**House File 2076**, by Wendt, a bill for an act making an appropriation for purposes of the student achievement and teacher quality program, providing for allocations of the funds appropriated, and providing effective and retroactive applicability dates.

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

**House File 2077**, by Huser, Lukan, Horbach, Reichert, Cohoon, Quirk, Mertz, Struyk, Kaufmann and Thomas, a bill for an act relating to the exclusion of stipends or remuneration paid to volunteer fire fighters from 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 2078**, by Thomas, a bill for an act relating to enterprise zone certification requirements for certain cities and counties.

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

**House File 2079**, by Huser and Bukta, a bill for an act relating to energy conservation standards included in the state building code for new single-family or two-family residential construction.

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

**House File 2080**, by committee on appropriations, a bill for an act revising and making appropriations involving veterans programs for the fiscal year beginning July 1, 2005, and providing an effective date.

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

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Freeman of Buena Vista until her return; Maddox of Polk until his arrival, on request of Gipp of Winneshiek.

#### SPECIAL PRESENTATION

Jenkins of Black Hawk introduced to the House, Nur Mohamed of the Meridian International Center, U.S. Department of State International Visitor Leadership Program, from Malaysia whom addressed the House briefly regarding his stay in Iowa.

The House rose and expressed its welcome.

#### 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 515), revising and making appropriations involving veterans programs for the fiscal year beginning July 1, 2005, and providing an effective date.

Fiscal Note is not required.

Recommendation **Amend and Do Pass** January 17, 2006.

Gipp of Winneshiek asked and received unanimous consent for the immediate consideration of House File 2080.

CONSIDERATION OF BILL  
Appropriations Calendar

**House File 2080**, a bill for an act revising and making appropriations involving veterans programs for the fiscal year beginning July 1, 2005, and providing an effective date, was taken up for consideration.

Chambers of O'Brien moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2080)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shultz



Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 5:

Ford	Freeman	Maddox	Olson, R.
Zirkelbach			

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

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2080** be immediately messaged to the Senate.

### 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:

Associated Press .....	Mike Glover, Dave Pitt, Amy Lurentzen
Cedar Rapids Gazette.....	Rod Boshart, James Lynch
The Des Moines Register.....	Tim Higgins, Jonathan Roos, Kathie Obradovich, Perry Beeman, Tony Leys, Lee Rood, Bill Petroski, Thomas Beaumont
The HawkEye.....	Aimee Tabor, John Gaines
IFPC Radio Network .....	Rachel Cunningham
Iowa City Press-Citizen .....	Gregg Hennigan, Jason Cook, Matt Hoist, Mike McWilliams, Brian Morelli
Iowa Legislative News.....	Thomas Hent, Jack Hunt, John Kuer, Kathi Marts Foster, Barbara Hunt
Iowa State Daily .....	Fred Love, Jared Taylor, Jeff Lewis, Joe Crimmings, Alison Sickelka
KCCI-TV .....	Eric Hanson, Michelle Parker, Geoff Greenwood, Emily Givens, ToddMages

KIMT News Channel Three .....	Justin Foss, Erin Leach, Anthony Welsh, Ayrie Manthey, Brandon Bankston, Megan Strader
KMEG-TV .....	Jackie Shutack, Joel Rische
KTIV-TV .....	Matt Breen, Nate Burdine
KTVOTV3.....	Ben Lawson, Danielle Wagner, Carlos Correa, Andrew Grove
KUNI Public Radio .....	Jeneane Beck
Lee Newspapers .....	Todd Dorman, Charlotte Eby, Dan Gealino
Radio Iowa.....	O. Kay Henderson, Dan Danielson
Telegraph Herald.....	Mary Rae Bragg
WHO Radio .....	Richard Lee, Dan Welk, Pat Curtis
WOI Radio.....	Joyce Russell
WOI TV Channel 5 News .....	Jay Villwock, Bobbi Bergman, Sunni Layne, Wes Dorsch, Don Schmith

HOUSE FILE 330 REREFERRED

The Speaker announced that House File 330, previously referred to committee on **transportation** was rereferred to committee on **state government**.

HOUSE FILE 2058 REREFERRED

The Speaker announced that House File 2058, previously referred to committee on **state government** was rereferred to committee on **judiciary**.

HOUSE FILE 2075 REREFERRED

The Speaker announced that House File 2075, previously referred to committee on **state government** was rereferred to committee on **commerce, regulation and labor**.

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on Wednesday, January 18, 2006. Had I been present, I would have voted "aye" on House File 2080.

FORD of Polk

I was necessarily absent from the House chamber on Wednesday, January 18, 2006. Had I been present, I would have voted "aye" on House File 2080.

R. OLSON of Polk

## COMMUNICATIONS RECEIVED

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

### DEPARTMENT OF ELDER AFFAIRS Office of the State Long-Term Care Ombudsman

2005 annual report, pursuant to Chapter 8.5(2)e, Code of Iowa.

2005 senior living coordinating unit annual report, pursuant to Chapter 231.58, 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

- |          |   |
|----------|---|
| 2006\175 | Ray and Ruth Frohwein, State Center – For celebrating their 62 <sup>nd</sup> wedding anniversary. |
| 2006\176 | Lee and Laureen Bausman, Ackley – For celebrating their 60 <sup>th</sup> wedding anniversary.     |
| 2006\177 | Mildred Zeisneiss, State Center – For celebrating her 94 <sup>th</sup> birthday.                  |
| 2006\178 | Paul and Colleen Welch, St. Anthony – For celebrating their 60 <sup>th</sup> wedding anniversary. |
| 2006\179 | Alvena Gildemeister, Hubbard – For celebrating her 101 <sup>st</sup> birthday.                    |
| 2006\180 | LeRoy (Bud) and Betty Dill, Adair – For celebrating their 55 <sup>th</sup> wedding anniversary.   |
| 2006\181 | Dorothy Foresman, Guthrie Center – For celebrating her 90 <sup>th</sup> birthday.                 |
| 2006\182 | Helen Richey, Bagley – For celebrating her 80 <sup>th</sup> birthday.                             |
| 2006\183 | Bob Branson, Panora – For celebrating his 80 <sup>th</sup> birthday.                              |
| 2006\184 | Verla Amdahl, West Union – For celebrating her 80 <sup>th</sup> birthday.                         |
| 2006\185 | Mildred Lohr, West Union – For celebrating her 90 <sup>th</sup> birthday.                         |
| 2006\186 | Hattie Cibula, Toledo – For celebrating her 98 <sup>th</sup> birthday.                            |

- 2006\187 Geneva Kucera, Tama – For celebrating her 90<sup>th</sup> birthday.
- 2006\188 Opal Jacobson, Greenfield – For celebrating her 90<sup>th</sup> birthday.
- 2006\189 Rhoda Dankel, Hubbard – For celebrating her 95<sup>th</sup> birthday.
- 2006\190 Josephine Johnson, Iowa Falls – For celebrating her 90<sup>th</sup> birthday.
- 2006\191 Marlyn and Wilma Peters, Eldora – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\192 Robert and Lorraine Eldridge, Maynard – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\193 Evelyn Leonard, Holstein – For celebrating her 85<sup>th</sup> birthday.
- 2006\194 George and Johanna Braaksma, Sibley – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\195 Marilyn Dowdey, Hawarden – For celebrating her 80<sup>th</sup> birthday.
- 2006\196 Alberta Faulkner, Akron – For celebrating her 80<sup>th</sup> birthday.
- 2006\197 Wayne and Esther Hamilton, Merrill – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\198 Jim and Pat Woods, Le Mars – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\199 Martin and Marie Schreiner, Maurice – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\200 Evon and Ann Puetz, Le Mars – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\201 Eugene and Leola Te Grotenhuis, Orange City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\202 Luke Weyer, Hawarden – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\203 Blaine Eilts, Hawarden – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\204 Derek Nolan, Hawarden – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\205 Patrick White, Hawarden – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\206 Robert (Bob) and Barbara Queck, Orient – For celebrating their 50<sup>th</sup> wedding anniversary.

- 2006\207      Violetta Moser, Guttenburg – For celebrating her 86<sup>th</sup> birthday.
- 2006\208      Myrtle Niemeier, Elkader – For celebrating her 90<sup>th</sup> birthday.
- 2006\209      Clarion and Darlene Mathys, Wadena – For celebrating their 61<sup>st</sup> wedding anniversary.
- 2006\210      Clayton Ridge Drill Team, Guttenburg – For receiving a 1<sup>st</sup> Place State Award.
- 2006\211      Mildred Johnson, Milford – For celebrating her 90<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House Joint Resolution 5**

State Government: Jochum, Chair; Paulsen and Upmeyer.

##### **House File 16**

Natural Resources: Arnold, Chair; Davitt and Rayhons.

##### **House File 59 Reassigned**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

##### **House File 174**

Human Resources: Lukan, Chair; Granzow and Petersen.

##### **House File 196 Reassigned**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

##### **House File 372**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

##### **House File 461**

Ways and Means: J.K. Van Fossen, Chair; Kurtenbach and Shomshor.

##### **House File 477**

Human Resources: Granzow, Chair; Ford and Lukan.

##### **House File 551 Reassigned**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

**House File 606**

Ways and Means: Kaufmann, Chair; Huser and Tomenga.

**House File 618**

Human Resources: Wilderdyke, Chair; Granzow and Wendt.

**House File 648**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

**House File 723**

Human Resources: Lukan, Chair; Granzow and Heddens.

**House File 727**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

**House File 728**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

**House File 747**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

**House File 752**

Human Resources: Roberts, Chair; Carroll and Hunter.

**House File 775**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

**House File 800**

Economic Growth: Hoffman, Chair; Soderberg and Thomas.

**House File 829**

Government Oversight: Alons, Chair; Baudler and Lensing.

**House File 846**

Government Oversight: Eichhorn, Chair; J.K. Van Fossen and Whitead.

**House File 849**

Government Oversight: Alons, Chair; Baudler and Whitead.

**House File 863**

Ways and Means: J.K. Van Fossen, Chair; Kurtenbach and Shomshor.

**House File 865**

Ways and Means: J.K. Van Fossen, Chair; Kurtenbach and Shomshor.

**House File 867**

Ways and Means: J.K. Van Fossen, Chair; Kurtenbach and Shomshor.

**House File 2004**

State Government: Elgin, Chair; Greiner, Jacobs, Quirk, Roberts, T. Taylor and Whitead.

**House File 2009**

Transportation: Schickel, Chair; Rasmussen and Whitaker.

**House File 2023**

State Government: Drake, Chair; Elgin, Jochum, Kurtenbach, T. Taylor, Tomenga and Wendt.

**House File 2033**

Transportation: Tjepkes, Chair; Bukta and Rasmussen.

**House File 2042**

Human Resources: Carroll, Chair; Foege, Heaton, Smith and Upmeyer.

**House File 2047**

State Government: Elgin, Chair; Greiner, Jacobs, Quirk, Roberts, T. Taylor and Whitead.

**House File 2063**

State Government: Hutter, Chair; Boal and Ford.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 153**

Transportation: Schickel, Chair; Bukta and Lukan.

**House Study Bill 515**

Appropriations: Chambers, Chair; Alons, Bell, Dandekar, De Boef, Heaton, Horbach, Huseman, Jacobs, Jacoby, Jenkins, Kuhn, Lukan, Mascher, May, Mertz, Miller, Petersen, Raecker, Reichert, Roberts, Sands, Smith, Thomas and Watts.

**House Study Bill 516**

Education: Tymeson, Chair; Kaufmann and Wendt.

**House Study Bill 517**

Commerce, Regulation and Labor: Jacobs, Chair; Sands and Shomshor.

**House Study Bill 518**

Local Government: Schickel, Chair; Arnold and D. Olson.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**

**H.S.B. 519 Education**

Directing the state board of regents to conduct a study of the admissions requirements common to the state universities.

**H.S.B. 520 Education**

Providing supplementary weighting for district-to-community college sharing programs for children residing in state mental health institutes or institutions.

**H.S.B. 521 Education**

Relating to rules of the state board of education regarding the use of telecommunications as the exclusive means to provide any course required by the minimum educational standards for accreditation.

**H.S.B. 522 Education**

Relating to public access to school district financial information, providing for the establishment and distribution of a financial report card by school districts, and providing for the posting of information relating to outstanding school district levies.



**H.S.B. 523 Education**

Requiring the board of directors of a school district to adopt a parent and guardian involvement policy.

**H.S.B. 524 Education**

Relating to high school graduation, dropout, and equivalency reporting requirements.

**H.S.B. 525 Education**

Relating to the core curriculum plan developed by a school district in cooperation with a student.

**H.S.B. 526 Education**

Creating the Iowa proprietary tuition grant program and providing an appropriation.

**H.S.B. 527 Public Safety**

Concerning the length of suspension of alcohol sales licenses and permits after selling alcohol to minors.

**H.S.B. 528 Public Safety**

Relating to the operation of a motor vehicle by a person with a special minor's license, and providing penalties.

**H.S.B. 529 Public Safety**

Relating to the disposal of a controlled substance.

**H.S.B. 530 Economic Growth**

Relating to a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas.

**H.S.B. 531 Economic Growth**

Relating to a rural economic development program and fund and making appropriations.

On motion by Gipp of Winneshiek the House adjourned at 9:12 a.m., until 8:45 a.m., Thursday, January 19, 2006.

# JOURNAL OF THE HOUSE

Eleventh Calendar Day - Eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, January 19, 2006

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

Prayer was offered by Reverend Tim Diehl, pastor of Zion Evangelical and Reformed Church, Garner. He was the guest of Representative Linda Upmeyer of Hancock County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, January 18, 2006 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 January 18, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2080, a bill for an act revising and making appropriations involving veterans programs for the fiscal year beginning July 1, 2005, and providing an effective date.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILLS

**House File 2081**, by Dix, Paulsen, Alons, Anderson, Arnold, Baudler, Boal, Carroll, Chambers, De Boef, Dolecheck, Drake, Eichhorn, Elgin, Freeman, Gipp, Granzow, Greiner, Heaton, Hoffman, Horbach, Huseman, Hutter, Jacobs, Jenkins, Jones, Kaufmann, Kurtenbach, Lalk, Lukan, Maddox, May, S. Olson, Quirk, Raecker, Rants, Rasmussen, Rayhons, Roberts, Sands, Schickel, Soderberg, Struyk, Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer, Van Engelenhoven, J.K. Van Fossen, J.R. Van Fossen, Watts,

Whitaker and Wilderdyke, a bill for an act relating to eligibility for the military service property tax credit and exemption and including effective and applicability date provisions.

Read first time and referred to committee on **veterans affairs**.

**House File 2082**, by Heaton, a bill for an act requiring financial education for family investment program participants.

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

**House File 2083**, by Hoffman, Tjepkes, J.R. Van Fossen, Baudler, Hutter, Jacobs, Drake, Rayhons, Greiner, Maddox, Whitaker, Granzow, De Boef, Huseman, Anderson, Watts, Alons, Carroll, Schickel, May, Chambers, Lukan, Upmeyer, Boal, Kaufmann, S. Olson, Jenkins, Soderberg, Rasmussen, Lalk, Horbach, Dolecheck, Jones, Wilderdyke, Struyk, Elgin, and Gipp, a bill for an act prohibiting a person or club holding a liquor control license or retail wine or beer permit from distributing alcohol in a vaporized form and making penalties applicable.

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

**House File 2084**, by Heaton, a bill for an act requiring a seller of property to provide the buyer with a statement regarding property tax credits.

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

**House File 2085**, by Kurtenbach, Paulsen, S. Olson, Sands, Boal, Elgin, J.R. Van Fossen, Dolecheck, Jones, Chambers, May, Schickel, Carroll, Alons, Jacobs, Heaton, Drake, Rayhons, Hoffman, Greiner, Maddox, Whitaker, Eichhorn, Granzow, Hutter, De Boef, Baudler, Huseman, Tjepkes, Anderson, Watts, Tymeson, Upmeyer, Soderberg, Kaufmann, Huser, Struyk, Dandekar, Lalk, Swaim, Schueller and Thomas, a bill for an act relating to the state of Iowa scholarship program administered by the college student aid commission and providing an effective date.

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

**House File 2086**, by Wendt and Whitead, a bill for an act relating to enterprise zone certifications.

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

**House File 2087**, by Heaton, a bill for an act relating to the requirements for electronic prescriptions issued by practitioners and filled by pharmacies.

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

**House File 2088**, by Kurtenbach, Paulsen, Dix, J.K. Van Fossen and Kaufmann, a bill for an act exempting active duty pay of members of the armed forces, armed forces military reserve, and national guard and including a retroactive applicability date provision.

Read first time and referred to committee on **veterans affairs**.

**House File 2089**, by Heaton, a bill for an act relating to adult persons with mental retardation or other developmental disabilities who pose a severe and persistent threat to themselves or others by authorizing the creation of an expert mobile team and specialized treatment unit, establishing a commitment process for placements in the specialized unit, and including a contingent effective date.

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

**House File 2090**, by Shoultz, a bill for an act relating to funding for local emergency management and providing an applicability date.

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

**House File 2091**, by Wise, a bill for an act relating to county distress criteria and certification limits under the enterprise zone program and including an effective date provision.

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

**House File 2092**, by Thomas, a bill for an act concerning the veterans trust fund.

Read first time and referred to committee on **veterans affairs**.

**House File 2093**, by Rants, Wendt and Whitead, a bill for an act relating to the election of mayor and city council members in a city governed by the council-manager-at-large form of city government.

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

### ADOPTION OF HOUSE RESOLUTION 103

Wendt of Woodbury called up for consideration **House Resolution 103**, a resolution requesting that the United States Postal Service retain the area mail processing center in Sioux City, Iowa, 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

- |          |  |
|----------|--|
| 2006\212 | Philip and Marjorie Hitchler Lane, Newton – For celebrating their 65 <sup>th</sup> wedding anniversary.  |
| 2006\213 | Delmar and Betty Patterson, Atlantic – For celebrating their 55 <sup>th</sup> wedding anniversary.   |
| 2006\214 | Meggie Mapes, Le Mars – For winning the Iowa Policy Debate State Championship in the Two Person Policy Debate division at the State Speech Association Debate Tournament and for being named the tournament's top speaker. |
| 2006\215 | LaCee Groetken, Le Mars – For winning the Iowa Policy Debate State Championship in the Two Person Policy Debate division at the State Speech Association Debate Tournament.  |
| 2006\216 | Andrew Soderberg, Le Mars – For his performance in the Forum Division at the State Speech Association Debate Tournament.   |
| 2006\217 | Brad Bybee, Le Mars – For his performance in the Policy Debate Forum at the State Speech Association Debate Tournament.  |
| 2006\218 | Erik Tonsfeldt, Le Mars – For his performance in the Forum Division at the State Speech Association Debate Tournament.   |

- 2006\219 Anna Jahn, Le Mars – For her performance in the Policy Debate forum at the State Speech Association Debate Tournament.
- 2006\220 Cordelia Anferson, Ames – For celebrating her 104<sup>th</sup> birthday.
- 2006\221 Loya Getz, Ames – For celebrating her 95<sup>th</sup> birthday.
- 2006\222 Ola Brown, Ames – For celebrating her 90<sup>th</sup> birthday.
- 2006\223 Tom Arnold, Ames – For celebrating his 90<sup>th</sup> birthday.
- 2006\224 Albert Goodwin, Ames – For celebrating his 90<sup>th</sup> birthday.
- 2006\225 Dorothy Rademacher, Ames – For celebrating her 90<sup>th</sup> birthday.
- 2006\226 Cora Van Doren, Ames – For celebrating her 90<sup>th</sup> birthday.
- 200\227 Raymond Russell, Ames – For celebrating his 85<sup>th</sup> birthday.
- 2006\228 Dorothy Kizer, Ames – For celebrating her 85<sup>th</sup> birthday.
- 2006\229 Violet Hatch, Ames – For celebrating her 85<sup>th</sup> birthday.
- 2006\230 Phyllis Sayre, Ames – For celebrating her 85<sup>th</sup> birthday.
- 2006\231 Melvin McFarlane, Madrid – For celebrating his 85<sup>th</sup> birthday.
- 2006\232 Harriet Arklie, Ames – For celebrating her 85<sup>th</sup> birthday.
- 2006\233 Mason Vegors, Ames – For celebrating his 85<sup>th</sup> birthday.
- 2006\234 Mildred Shelton, Ames – For celebrating her 85<sup>th</sup> birthday.
- 2006\235 Maxine Samuelson, Madrid – For celebrating her 85<sup>th</sup> birthday.
- 2006\236 Betty Daley, Ames – For celebrating her 85<sup>th</sup> birthday.
- 2006\237 Wallace Schloerke, Ames – For celebrating his 80<sup>th</sup> birthday.
- 2006\238 Norma Tjelmeland, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\239 Margaret Orr, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\240 Maurice Geist, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\241 Betty Ray, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\242 Harrington Brearley, Ames – For celebrating his 80<sup>th</sup> birthday.
- 2006\243 Blanche Marcus, Ames – For celebrating her 80<sup>th</sup> birthday.

- 2006\244 Hazel Soukup, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\245 Anne Charles, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\246 Dean Flummerfelt, Ames – For celebrating his 80<sup>th</sup> birthday.
- 2006\247 Earl Solberg, Ames – For celebrating his 80<sup>th</sup> birthday.
- 2006\248 Betty MacKey, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\249 Violet and Donald Harryman, Douds – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\250 Max and Norma Woods, Fairfield – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\251 Dean and Mary Stocker, Drakesville -- For receiving the Iowa Good Neighbor Award from the Iowa Department of Agriculture and Land Stewardship.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 55 Reassigned**

Education: Paulsen, Chair; Dolecheck and Hogg.

##### **House File 239 Reassigned**

Education: Tymeson, Chair; Dolecheck and Wise.

##### **House File 349 Reassigned**

Education: Tymeson, Chair; Bukta and Roberts.

##### **House File 406 Reassigned**

Education: Chambers, Chair; Ford and Soderberg.

##### **House File 467**

Natural Resources: Rayhons, Chair; Baudler and Davitt.

##### **House File 590**

Natural Resources: Rayhons, Chair; Rasmussen and Whitead.

##### **House File 2014**

Environmental Protection: J.K. Van Fossen, Chair; Kurtenbach and Wessel-Kroeschell.

**House File 2024**

Commerce, Regulation and Labor: Wilderdyke, Chair; Quirk and Sands.

**House File 2041**

Environmental Protection: De Boef, Chair; Anderson and Pettengill.

**House File 2044**

Environmental Protection: Kurtenbach, Chair; D. Olson and Sands.

**House File 2057**

Human Resources: Granzow, Chair; Tomenga and Wendt.

**House File 2058**

Judiciary: Tymeson, Chair; Kaufmann and Winckler.

**House File 2066**

Judiciary: Tymeson, Chair; Foege and Hutter.

**House File 2067**

Veterans Affairs: Paulsen, Chair; D. Taylor and Tymeson.

**House File 2070**

Judiciary: Carroll, Chair; Alons and Berry.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**

**House Study Bill 503**

Judiciary: Anderson, Chair; Swaim and J.R. Van Fossen.

**House Study Bill 504**

Judiciary: Eichhorn, Chair; Hutter and Swaim.

**House Study Bill 505**

Judiciary: Anderson, Chair; Berry and Boal.

**House Study Bill 506**

Judiciary: Heaton, Chair; Tymeson and Winckler.



**House Study Bill 507**

Judiciary: J.R. Van Fossen, Chair; Alons and Lensing.

**House Study Bill 519**

Education: Tomenga, Chair; Dolecheck and Mascher.

**House Study Bill 520**

Education: Granzow, Chair; Boal and Hogg.

**House Study Bill 521**

Education: Schickel, Chair; Cohoon and Roberts.

**House Study Bill 522**

Education: Dolecheck, Chair; Soderberg and Winckler.

**House Study Bill 523**

Education: Soderberg, Chair; Boal and Bukta.

**House Study Bill 524**

Education: Schickel, Chair; Roberts and Wise.

**House Study Bill 525**

Education: Soderberg, Chair; Carroll and Wendt.

**House Study Bill 526**

Education: Chambers, Chair; Dolecheck and Oldson.

**House Study Bill 527**

Public Safety: Chambers, Chair; McCarthy and Sands.

**House Study Bill 528**

Public Safety: Chambers, Chair; Hunter and J.R. Van Fossen.

**House Study Bill 529**

Public Safety: Eichhorn, Chair; R. Olson and Tjepkes.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 532 State Government**

Relating to the filing of reports and statements with the ethics and campaign disclosure board and the use of certain resources for political campaign purposes.

### **H.S.B. 533 State Government**

Relating to the jurisdiction of the ethics and campaign disclosure board and including effective date and retroactive applicability provisions and subjecting violators to remedies and penalties.

### **H.S.B. 534 State Government**

Relating to activities of lobbyists and the ethical conduct of state officials and employees.

### **H.S.B. 535 State Government**

Relating to campaign funding and reporting.

### **H.S.B. 536 State Government**

Concerning the Iowa public employees' retirement system, and providing and effective and retroactive applicability date.

### **H.S.B. 537 Education**

Providing an exception to the age of admission to kindergarten.

### **H.S.B. 538 Education**

Relating to elections for certain bond issuance propositions of a school district.

### **H.S.B. 539 Education**

Requiring school districts to report proficiency and grade equivalency levels to parents or guardians of students administered nationally recognized standardized achievement evaluations.

**H.S.B. 540 Commerce, Regulation and Labor**

Provide that the state elevator code supersedes conflicting provisions of building codes.

**H.S.B. 541 Commerce, Regulation and Labor**

Providing for the adoption of a nationally recognized code specifying standards for minimum plumbing facilities applicable to designated public-use structures.

**H.S.B. 542 Commerce, Regulation and Labor**

Relating to energy conservation standards included in the state building code for new single-family or two-family residential construction.

**H.S.B. 543 Commerce, Regulation and Labor**

Excluding ultimate and extreme fighting from regulation as boxing or wrestling contests.

**H.S.B. 544 Commerce, Regulation and Labor**

Relating to the regulation of state banks and bank holding companies including the disclosure and release of regulatory information, attestation and publication requirements, the removal and service of officers, directors, and employees, and offers to purchase stock, and increasing civil penalties.

**H.S.B. 545 Judiciary**

Relating to the ordering of a postsecondary education subsidy upon a finding of paternity.

**H.S.B. 546 Judiciary**

Relating to the holding period for purposes of certain capital assets under the individual income tax and including effective and applicability date provisions.

**H.S.B. 547 Judiciary**

Prohibiting a donation or contribution to an agency, organization, or political subdivision of the state in a criminal proceeding.

**H.S.B. 548 Judiciary**

Relating to the prosecution of certain criminal offenses and the gathering of evidence for prosecution.

**H.S.B. 549 Judiciary**

Relating to the appointment of a judicial officer, a clerk of the district court, or a chief juvenile court officer.

**H.S.B. 550 Public Safety**

Relating to powers of the governor to grant reprieves, commutations, and pardons including restoration of rights of citizenship, and to remit fines and forfeitures and including effective and retroactive applicability date provisions.

**H.S.B. 551 Public Safety**

Relating to peace officer examinations of logbooks signed by purchasers of pseudoephedrine products.

**H.S.B. 552 Public Safety**

Concerning the appointment and removal of the chief administrative officer of the board of parole.

**H.S.B. 553 Local Government**

Requiring the county auditor to evidence approval of the name of a subdivision plat and requiring such statement for filing the subdivision plat with the county recorder.

**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 516), 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** January 18, 2006.

On motion by Gipp of Winneshiek the House adjourned at 9:20 a.m., until 9:00 a.m., Friday, January 20, 2006.

# JOURNAL OF THE HOUSE

Twelfth Calendar Day - Ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, January 20, 2006

The House met pursuant to adjournment at 9:00 a.m., Gipp of Winneshiek in the chair.

Prayer was offered by the Honorable Chuck Gipp, House Majority Leader.

The Journal of Thursday, January 19, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2094**, by Hogg and Foege, a bill for an act prohibiting amusement devices and monitor vending machines in counties that have defeated a proposal to authorize gambling games on excursion gambling boats or pari-mutuel racetracks in that county.

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

**House File 2095**, 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 the **calendar**.

**House File 2096**, by Horbach, a bill for an act relating to the residency restriction for a sex offender near a school or child care facility.

Read first time and referred to committee on **public safety**.

**House File 2097**, by Mascher, a bill for an act relating to the prohibition of human reproductive cloning and providing penalties.

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

**House File 2098**, by Pettengill, Frevert, D. Taylor, Bell, Thomas, Whitaker, Murphy, T. Taylor, Bukta, Davitt, McCarthy, Hogg, Kressig, D. Olson, Berry, Swaim, Gaskill, Mertz, Reasoner and Heddens, a bill for an act relating to the military service tax exemption and credit and including an applicability date provision.

Read first time and referred to committee on **veterans affairs**.

**House File 2099**, by Kurtenbach, a bill for an act relating to virtual public schools.

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

### 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

2006\252     Annie "Grim" Nordel, Iowa Lakes Area – For celebrating her 90<sup>th</sup> birthday.

### SUBCOMMITTEE ASSIGNMENTS

#### House File 330

State Government: Jacobs, Chair; Elgin and Quirk.

#### House File 593 Reassigned

Education: Tymeson, Chair; Carroll and Mascher.

#### House File 2076

Education: Chambers, Chair; Tymeson and Wendt.

#### House File 2085

Education: Kaufmann, Chair; Chambers and Winckler.

### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

#### House Study Bill 530

Economic Growth: Soderberg, Chair; Jenkins, Miller, D. Olson and Struyk.

**House Study Bill 531**

Economic Growth: S. Olson, Chair; Lukan, Schickel, Swaim and Thomas.

**House Study Bill 532**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

**House Study Bill 533**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

**House Study Bill 534**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

**House Study Bill 535**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

**House Study Bill 536**

State Government: Drake, Chair; Elgin, Jochum, Kurtenbach, T. Taylor, Tomenga and Wendt.

**House Study Bill 537**

Education: Granzow, Chair; Boal and Bukta.

**House Study Bill 538**

Education: Granzow, Chair; Tymeson and Wendt.

**House Study Bill 539**

Education: Kaufmann, Chair; Tymeson and Wise.

**House Study Bill 540**

Commerce, Regulation and Labor: Wilderdyke, Chair; D. Taylor and Watts.

**House Study Bill 541**

Commerce, Regulation and Labor: Wilderdyke, Chair; D. Taylor and Watts.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**

**H.S.B. 554 Natural Resources**

Relating to civil damages payable for unlawful taking of certain animals and fish.



**H.S.B. 555 Natural Resources**

Requiring certain minor children to wear personal flotation devices while on board certain vessels operated on state waters.

**H.S.B. 556 Natural Resources**

Increasing the number of wild turkey and antlered or any sex deer hunting licenses available to nonresidents.

**H.S.B. 557 Natural Resources**

Relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

On motion by Watts of Dallas the House adjourned at 9:02 a.m., until 1:00 p.m., Monday, January 23, 2006.

# JOURNAL OF THE HOUSE

Fifteenth Calendar Day - Tenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, January 23, 2006

The House met pursuant to adjournment at 1:00 p.m., Speaker Rants in the chair.

Prayer was offered by the Honorable Rod Roberts, state representative of Carroll County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Friday, January 20, 2006 was approved.

## INTRODUCTION OF BILL

**House File 2100**, by Wise, a bill for an act providing for the establishment of a high school reform initiative, and making an appropriation.

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

## 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 23<sup>rd</sup> day of January, 2006: House File 2080.

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:

### DEPARTMENT OF ADMINISTRATIVE SERVICES

Fiscal report on E-commerce, pursuant to Chapter 52.9, Code of Iowa.

### DEPARTMENT OF HUMAN SERVICES

Mental Health, Mental Retardation, Developmental Disability and Brain Injury  
Commission

Six-month system design report, pursuant to Chapter 225C.6A, Code of Iowa.

Annual report of activities, pursuant to Chapter 225C.6(1)(h), Code of Iowa.

### DEPARTMENT OF TRANSPORTATION

Annual report concerning the development and operation of the midwest regional rail system, pursuant to Chapter 327J.3(5), Code of Iowa.

Annual report of savings through the use of the Iowa Telecommunications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

### IOWA BOARD OF PAROLE

2005 report of savings with the Iowa Communications Network (ICN), pursuant to Chapter 8D.10, Code of Iowa.

### IOWA HIGHER EDUCATION LOAN AUTHORITY

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

### SENIOR LIVING COORDINATING UNIT

Annual report, pursuant to Chapter 231.58, 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

2006\253      Victor Peterson, Sioux City – For celebrating his 90<sup>th</sup> birthday.

- 2006\254 Jeff and Melissa Beyer, Boyden – For being named 2005 Master Pork Producers by the Iowa Pork Producers Association.
- 2006\255 Edna Randall, Ottumwa – For celebrating her 100<sup>th</sup> birthday.
- 2006\256 Helen Burton, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\257 Erma Shumaker, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\258 Loyal Hepker, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\259 Josephine Kamerick, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\260 Margaret Larkin, Ottumwa -- For celebrating her 85<sup>th</sup> birthday.
- 2006\261 Roberta Sigman, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\262 Margaret Nutter, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\263 Marjorie Clawson, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\264 Ralph Boone, Blakesburg – For celebrating his 95<sup>th</sup> birthday.
- 2006\265 Velda Zollars, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\266 Roberta Loyd, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\267 Richard and Mary Mott, Clear Lake – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\268 Violet Olson, Clear Lake – For celebrating her 80<sup>th</sup> birthday.
- 2006\269 Jim Steward, Garner -- For celebrating his 80<sup>th</sup> birthday.
- 2006\270 Jeane Morton, Coulter – For celebrating her 80<sup>th</sup> birthday.
- 2006\271 Dale Butts, Clear Lake – For celebrating his 82<sup>nd</sup> birthday.
- 2006\272 Vendetta Kragel, Latimer – For celebrating her 85<sup>th</sup> birthday.
- 2006\273 Vernon Davolt, Sheffield – For celebrating his 90<sup>th</sup> birthday.
- 2006\274 Luella Low, Clear Lake – For celebrating her 95<sup>th</sup> birthday.
- 2006\275 Jeanette Cuperus, Hull – For celebrating her 90<sup>th</sup> birthday.
- 2006\276 Peter DeWeerd, Little Rock – For celebrating his 95<sup>th</sup> birthday.
- 2006\277 Joyce Lawrence, Doon – For her 55 years of dedicated service to Iowa's veterans and their families in the Doon American Legion Auxiliary.

- 2006\278 Jennie Ten Braak, Doon – For her 55 years of dedicated service to Iowa’s veterans and their families in the Doon American Legion Auxiliary.
- 2006\279 Shirley Kopsas, Doon – For her 50 years of dedicated service to Iowa’s veterans and their families in the Doon American Legion Auxiliary.
- 2006\280 Mr. and Mrs. Robert Peters, Davenport – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\281 Helen Richey, Bagley – For celebrating her 80<sup>th</sup> birthday.
- 2006\282 John Sunberg, Audubon – For celebrating his 90<sup>th</sup> birthday.
- 2006\283 Carsten Parmenter, North English – For being chosen to attend the People to People World Leadership Forum in Washington, D.C.
- 2006\284 Raychael Garringer, Williamsburg – For being elected to the Mississippi Valley Girl Scout Council.
- 2006\285 Raymond and LaVera Bruns, Sigourney – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\286 Howard and Gladys Stoutner, Washington – For celebrating their 76<sup>th</sup> wedding anniversary.
- 2006\287 Elma Sellers, Sigourney – For celebrating her 90<sup>th</sup> birthday.
- 2006\288 Catherine Merz, Keota – For celebrating her 97<sup>th</sup> birthday.
- 2006\289 Lawrence and Mary Ruhland, Hawarden – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\290 Russ and Geneva Wichers, Sioux Center – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\291 Dave and Pat Murdoch, Kingsley – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\292 Woodrow and Mary Diehl, Indianola – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2006\293 Dale King, Milo – For celebrating his 80<sup>th</sup> birthday.
- 2006\294 Kyle Steffen, Indianola – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\295 Vera Carlin, Blue Grass – For celebrating her 85<sup>th</sup> birthday.
- 2006\296 Ken Nolan, Davenport – For celebrating his 80<sup>th</sup> birthday.

- 2006\297 Don and Margaret Rynearson, Russell – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\298 LaDean Haack, Williamsburg – For celebrating her 91<sup>st</sup> birthday.
- 2006\299 Randy Rhinehart, Williamsburg – For being nominated to the Naval Academy at Annapolis, Md.
- 2006\300 Margaret Callaway, Eldora – For celebrating her 90<sup>th</sup> birthday.
- 2006\301 Virginia Brauchle, Iowa Falls – For celebrating her 100<sup>th</sup> birthday.
- 2006\302 Sharon Fleener, Eldora – For her 25 years of dedicated service with the Hardin County Extension Council.
- 2006\303 Jesse N. Torgeson, Ames – For celebrating his 90<sup>th</sup> birthday.
- 2006\304 Mr. and Mrs. Duane Hoversten, Alden – For celebrating their 50<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 621

Public Safety: Alons, Chair; Baudler and Bell.

##### House File 684

Public Safety: Alons, Chair; Baudler and R. Olson.

##### House File 713

Public Safety: Eichhorn, Chair; Heddens and Tjepkes.

##### House File 778

Public Safety: McCarthy, Chair; Lykam and Tjepkes.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

##### House Study Bill 542

Commerce, Regulation and Labor: Wilderdyke, Chair; Quirk and Watts.

##### House Study Bill 543

Commerce, Regulation and Labor: Wilderdyke, Chair; Jacoby and May.

##### House Study Bill 544

Commerce, Regulation and Labor: Sands, Chair; Quirk and Tomenga.

**House Study Bill 554**

Natural Resources: Tjepkes, Chair; Lukan and Van Engelenhoven.

**House Study Bill 555**

Natural Resources: May, Chair; Frevert and Upmeyer.

**House Study Bill 556**

Natural Resources: Rayhons, Chair; Bell, Freeman, Lukan and Whitaker.

**House Study Bill 557**

Natural Resources: J.R. Van Fossen, Chair; Reichert and Wilderdyke.

**RESOLUTION FILED**

**HR 104**, by Whitaker, Wise, Heaton, Greiner, Gaskill, Sands, Cohoon, Swaim, De Boef, Miller, Thomas, Hutter, D. Taylor, Watts, Baudler, Shomshor, Reasoner, Dolecheck, Kurtenbach, Dandekar, Boal, Heddens, Granzow, Struyk, Lukan, Reichert, Huseman, Hunter, Pettengill, Tymeson, Berry, Eichhorn, Kressig, Davitt, Murphy, D. Olson, Bukta, Petersen, Jacoby and Tjepkes, a resolution to honor the 224<sup>th</sup> Engineering Battalion of the Iowa National Guard for its service and sacrifice in the Iraq War.

Laid over under **Rule 25**.

**AMENDMENT FILED**

H—8002	H.F.	2050	Jacobs of Polk Gaskill of Wapello
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On motion by Gipp of Winneshiek the House adjourned at 1:06 p.m., until 8:45 a.m., Tuesday, January 24, 2006.

# JOURNAL OF THE HOUSE

Sixteenth Calendar Day - Eleventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, January 24, 2006

The House met pursuant to adjournment at 8:55 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Terry Amann, pastor of Windsor Presbyterian Church, Des Moines. He was the guest of Representative Gene Maddox of Polk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, January 23, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2101**, by Petersen, Heddens, Wise, Smith, Swaim, Thomas, Whitaker, Foege, Reasoner, D. Olson, Kuhn, Reichert, Frevert, Gaskill and Pettengill, a bill for an act creating a twenty-first century Iowa scholars program and fund to be administered by the college student aid commission, and requiring the commission to conduct a twenty-first century Iowa scholars program promotion and support study.

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

**House File 2102**, by Hogg, a bill for an act relating to the legal name change of a person required to register as a sex offender.

Read first time and referred to committee on **public safety**.

**House File 2103**, by Whitaker, Kressig, Thomas, Heddens, Frevert, D. Olson, Cohoon, Rayhons, Swaim, Foege, Gaskill, Shoultz, D. Taylor, Kuhn, Reichert and Whitead, a bill for an act to require a



hydrogen production study and pilot project by the Iowa energy center.

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

**House File 2104**, by Petersen, Wendt, Whitead, Hunter, Gaskill, Whitaker, Cohoon, Hogg, Shomshor, Jacoby, Ford, Wise, Bukta, Foege, Schueller, Winckler, Lensing, Pettengill, Wessel-Kroeschell, Oldson, Kressig, Quirk, D. Olson, Smith, Mascher, Jochum, Kuhn, Swaim, Dandekar, Berry, Reichert, Davitt, Mertz and Murphy, a bill for an act prohibiting the sale or rental of violent or sexually explicit video games to minors and providing for civil and criminal penalties.

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

**House File 2105**, by Hogg, a bill for an act relating to restricting the presence of a registered sex offender at a child care facility or child care home, and providing a penalty.

Read first time and referred to committee on **public safety.**

**House File 2106**, by Carroll, a bill for an act relating to the allowed growth factor adjustment funding for county mental health, mental retardation, and developmental disabilities services funds and including effective date and retroactive applicability provisions.

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

**House File 2107**, by Wise, a bill for an act to require notification of a breach of the security of a system of computerized data containing personal information and providing for civil remedies.

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

**House File 2108**, by Heaton, a bill for an act relating to placement of a juvenile in the state training school or other facility.

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

**House File 2109**, by Wise, Carroll and Tymeson, a bill for an act authorizing community colleges and state universities to seek approval to establish charter magnet schools and increasing the number of charter schools that may be approved.

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

**House File 2110**, by Petersen and Jochum, a bill for an act relating to establishing smokefree public places and workplaces, and providing penalties.

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

### CONSIDERATION OF BILLS Regular Calendar

**House File 2051**, a bill for an act relating to maintenance of a voter registration system separate from the state voter registration system and providing an effective date, 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. 2051)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
Mascher	May	McCarthy	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons

Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomonga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 5:

Dix	Greiner	Jones	Mertz
Zirkelbach			

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

**House File 2050**, a bill for an act relating to elections by making changes concerning requirements for entrances to certain polling places, arrangement of names on the ballot for nonpartisan offices, and election registers, and including effective and applicability date provisions, was taken up for consideration.

Jacobs of Polk offered the following amendment H-8002 filed by her and Gaskill of Wapello and moved its adoption:

H-8002

- 1 Amend House File 2050 as follows:
- 2 1. Page 1, line 32, by inserting after the word
- 3 and figure "section 44.4," the following: "If a
- 4 candidate withdraws, dies, or is removed from the
- 5 ballot after the ballot position of names has been
- 6 determined, such candidate's name shall be removed
- 7 from the ballot, and the order of the remaining names
- 8 shall not be changed."

Amendment H-8002 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. 2050)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyeke	Winckler	Wise	Mr. Speaker Rants

The nays were, none.

Absent or not voting, 4:

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

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2050 and 2051.**

### HOUSE FILE 2096 REREFERRED

The Speaker announced that House File 2096, previously referred to committee on **public safety** was rereferred to committee on **judiciary.**

## HOUSE FILE 2104 REREFERRED

The Speaker announced that House File 2104, previously referred to committee on **state government** was rereferred to committee on **judiciary**.

## BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on January 23, 2006, he approved and transmitted to the Secretary of State the following bill:

House File 2080, an Act revisiting and making appropriations involving veterans programs for the fiscal year beginning July 1, 2005, 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

- |          |  |
|----------|--|
| 2006\305 | Dennis and Terese Horras, Fairfield – For celebrating their 50 <sup>th</sup> wedding anniversary.                                |
| 2006\306 | Roy and Joy Roberts, Mt. Sterling – For celebrating their 50 <sup>th</sup> wedding anniversary.                                  |
| 2006\307 | Brace and Rose Oliver, Douds – For celebrating their 50 <sup>th</sup> wedding anniversary.                                       |
| 2006\308 | Sam and Evelyn Dovico, Batavia – For celebrating their 60 <sup>th</sup> wedding anniversary.                                     |
| 2006\309 | Dennis Heiman, Mediapolis – For being named Secondary Principal of the Year in District 16 by the School Administrators of Iowa. |
| 2006\310 | Charles Sells, Burlington – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.                |
| 2006\311 | Robert Sells, Burlington – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.                 |
| 2006\312 | Fred Shettler, Columbus Junction – For receiving the Iowa Lions Foundation Warren Coleman Honorary Award.                        |

- 2006\313 Cecil Rasmussen, Traer – For celebrating his 85<sup>th</sup> birthday.
- 2006\314 Alice Andreae, Elkader – For celebrating her 102<sup>nd</sup> birthday.
- 2006\315 Helen Diers, Elkader – For celebrating her 85<sup>th</sup> birthday.
- 2006\316 Addie Hammel, McGregor – For celebrating her 80<sup>th</sup> birthday.
- 2006\317 Francis and Estella Birkenholtz, Newton – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\318 Harlan and Jan Millang, Sully – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\319 Carroll Louks, Nevada – For celebrating his 91<sup>st</sup> birthday.
- 2006\320 Ray Murray, Nevada – For being named Administrator of the Year by the Iowa High School Athletic Association.
- 2006\321 Erwin and Dorothy Doermann, Tipton – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\322 Ciella Walton, Wilton – For celebrating her 90<sup>th</sup> birthday.
- 2006\323 Elmer and Cuba Flory, Tipton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\324 Ralph Vargason, Tipton – For celebrating his 80<sup>th</sup> birthday.
- 2006\325 Helen Werling, West Liberty – For celebrating her 90<sup>th</sup> birthday.
- 2006\326 Tony and Sophia Slothouber, Sheldon – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\327 Frank and Tena Vogel, Ocheyedan – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\328 Denise Rehmke, Iowa City – For receiving the Glass Apple Individual Award.
- 2006\329 Julie Larson, Iowa City – For receiving the Glass Apple School System Award.
- 2006\330 Margaret McReynolds, Des Moines – For celebrating her 85<sup>th</sup> birthday.
- 2006\331 LaVerne Wegmann, Riverdale – For celebrating his 80<sup>th</sup> birthday.
- 2006\332 Bessie Sierk, Bettendorf – For celebrating her 95<sup>th</sup> birthday.
- 2006\333 Jean Moeller-Ralfs, Davenport – For celebrating her 80<sup>th</sup> birthday.

- 2006\334 Ed and Ruth Kuhlmann, Charter Oak – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\335 Norma Rehan, Denison – For celebrating her 80<sup>th</sup> birthday.
- 2006\336 Marie Hilmer, La Porte City – For celebrating her 80<sup>th</sup> birthday.
- 2006\337 Keith and Mildred Kullmer, La Porte City – For celebrating their 75<sup>th</sup> wedding anniversary.
- 2006\338 Emma Knickerbocker, Jewell – For celebrating her 90<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 2003**

Commerce, Regulation and Labor: Tomenga, Chair; Freeman, Jacobs, Kressig, Petersen, Sands and Wise.

##### **House File 2046**

Commerce, Regulation and Labor: Tomenga, Chair; Freeman, Jacobs, Kressig, Petersen, Sands and Wise.

##### **House File 2082**

Human Resources: Heaton, Chair; Foege and Kurtenbach.

##### **House File 2087**

Human Resources: Tomenga, Chair; Jacoby and Wilderdyke.

##### **House File 2088**

Veterans Affairs: Kaufmann, Chair; Paulsen and D. Taylor.

##### **House File 2089**

Human Resources: Heaton, Chair; Roberts and Smith.

##### **House File 2092**

Veterans Affairs: May, Chair; Thomas and Tymeson.

##### **House File 2094**

State Government: Elgin, Chair; Greiner, Jacobs, Quirk, Roberts, T. Taylor and Whitead.

**House File 2098**

Veterans Affairs: Paulsen, Chair; Watts and Whitead.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**

**House Study Bill 550**

Public Safety: Eichhorn, Chair; Baudler and McCarthy.

**House Study Bill 551**

Public Safety: J.R. Van Fossen, Chair; Chambers and Hunter.

**House Study Bill 552**

Public Safety: Dolecheck, Chair; Shoultz and Tjepkes.

**House Study Bill 553**

Local Government: Tjepkes, Chair; Arnold and Gaskill.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**

**H.S.B. 558 Commerce, Regulation and Labor**

Relating to the provision of consumer loans including requiring certain disclosures for delayed deposit services and title loans, providing for the licensing of credit union service organizations to provide delayed deposit services, and providing for interest rates by supervised financial organizations when engaging in delayed deposit services.

**H.S.B. 559 Human Resources**

Relating to dependent adult abuse including the confidentiality of the access to dependent adult abuse information.

**H.S.B. 560 Human Resources**

Relating to the community empowerment initiative and making an appropriation.

**H.S.B. 561 Human Resources**

Revising the membership requirements for the child advocacy board.



**H.S.B. 562 Human Resources**

Relating to department of human services' technical requirements involving individual development accounts, family investment program limited benefit plans, paternity establishment definitions, and the state child care assistance program, and including effective date and retroactive applicability provisions.

**H.S.B. 563 Appropriations**

Appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

**H.S.B. 564 Education**

Relating to school district transportation, including the approval of public school bus routes by area education agencies and to the transportation of students participating in open enrollment.

**H.S.B. 565 Education**

Permitting the board of educational examiners to retain and carry over a percentage of the licensing fees it collects.

**H.S.B. 566 Education**

Relating to the time for investigation and resolution of complaints accepted by the board of educational examiners.

**H.S.B. 567 Economic Growth**

Relating to the amount of historic preservation and cultural and entertainment district tax credits approved in a fiscal year.

**H.S.B. 568 Public Safety**

Relating to an assault upon an employee of a jail or correctional institution, and providing a penalty.

**H.S.B. 569 State Government**

Relating to the regulation of business organizations including administrative dissolution, registration of agents, authorization of names, the filing, delivery, and service of documents by the secretary of state, and the elimination of certain filing fees.

**H.S.B. 570 Public Safety**

Requiring health professionals to provide peace officers access to certain injured persons involved in motor vehicle accidents.

**H.S.B. 571 Public Safety**

Relating to the use of a peace officer of the department of public safety in an industrial dispute and providing an effective date.

**H.S.B. 572 Veterans Affairs**

Relating to hunting and fishing licenses for certain veterans.

**H.S.B. 573 Veterans Affairs**

Making an annual appropriation to the department of veterans affairs for the state veterans cemetery.

**H.S.B. 574 Veterans Affairs**

Relating to the process utilized in assessing residents of health care facilities for veterans program benefits.

**H.S.B. 575 Judiciary**

Relating to compensation for interpreters in juvenile court proceedings.

**H.S.B. 576 Judiciary**

Relating to involuntary hospitalization proceedings for chronic substance abusers and persons with mental illness.

**H.S.B. 577 Judiciary**

Relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa.

**H.S.B. 578 Commerce, Regulation and Labor**

Relating to the prepayment of agricultural loans secured by a real estate mortgage.

**H.S.B. 579 Judiciary**

Relating to county attorney salaries and providing an applicability date.

**COMMITTEE RECOMMENDATION**

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is are on file in the office of the Chief Clerk.

MARGARET A. THOMSON  
Chief Clerk of the House

**COMMITTEE ON AGRICULTURE**

**House File 701**, a bill for an act relating to animal feeding operations, by providing for chronic complaints.

Fiscal Note is not required.

Recommended **Do Pass** January 18, 2006.

Pursuant to Rule 31.7, House File 701 was referred to the committee on judiciary.

## AMENDMENT FILED

H—8003	H.F.	2095	Wendt of Woodbury
	Berry of Black Hawk		Bukta of Clinton
	Cohoon of Des Moines		Davitt of Warren
	Foege of Linn		Ford of Polk
	Frevert of Palo Alto		Gaskill of Wapello
	Heddens of Story		Hogg of Linn
	Hunter of Polk		Jacoby of Johnson
	Jochum of Dubuque		Kressig of Black Hawk
	Kuhn of Floyd		Lensing of Johnson
	Lykam of Scott		McCarthy of Polk
	Miller of Webster		Murphy of Dubuque
	Oldson of Polk		D. Olson of Boone
	R. Olson of Polk		Petersen of Polk
	Pettengill of Benton		Quirk of Chickasaw
	Reasoner of Union		Reichert of Muscatine
	Schueller of Jackson		Shomshor of Pottawattamie
	Smith of Marshall		Swaim of Davis
	D. Taylor of Linn		T. Taylor of Linn
	Thomas of Clayton		Wessel-Kroeschell of Story
	Whitaker of Van Buren		Whitead of Woodbury
	Winckler of Scott		Wise of Lee

On motion by Gipp of Winneshiek the House adjourned at 9:20 a.m., until 8:45 a.m., Wednesday, January 25, 2006.

# JOURNAL OF THE HOUSE

Seventeenth Calendar Day - Twelfth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, January 25, 2006

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

Prayer was offered by Reverend Ann Rouse, pastor of the First Presbyterian Church, Monroe. She was the guest of Representative Jim Van Engelenhoven of Marion County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, January 24, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2111**, by Bell, a bill for an act relating to dependent adult abuse investigations, findings, and appeals.

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

**House File 2112**, by Hutter, a bill for an act relating to electronically recording an interrogation of a person accused of murder.

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

**House File 2113**, by Swaim and Gaskill, a bill for an act relating to performance and disclosure standards for long-term care insurance.

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

**House File 2114**, by Alons, a bill for an act relating to the confidentiality of the juvenile records of a juvenile sex offender.

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

**House File 2115**, by Lensing, a bill for an act providing for the establishment of an office of suicide prevention within the Iowa department of public health, and making an appropriation.

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

**House File 2116**, by Struyk, a bill for an act providing for termination of the parental rights of a child's parent who has been convicted of certain offenses against a minor.

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

**House File 2117**, by Kaufmann, May, Alons, Quirk, Whitead, Thomas, Lukan and Ford, a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty.

Read first time and referred to committee on **veterans affairs**.

**House File 2118**, by Lensing, Jacoby and Mascher, a bill for an act allowing state employees to utilize at least one week of accrued sick leave for the birth or adoption of a child.

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

**House File 2119**, by Kaufmann, Dix, Tymeson, Struyk, Soderberg, Schueller, Hutter, Carroll, Schickel, Lukan, Wise, Shomshor, Oldson and Quirk, a bill for an act relating to small employer health insurance income tax credits and providing effective and retroactive applicability dates.

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

### SPECIAL PRESENTATION

Carroll of Poweshiek introduced to the House NASCAR driver and champion, Rusty Wallace who is involved in creating the Iowa Motor Speedway in Newton. He addressed the House briefly regarding the progress of the new race track and thanked the House for its support.

The House rose and expressed its welcome.

On motion by Gipp of Winneshiek, the House was recessed at 8:59 a.m., until 4:15 p.m.

### AFTERNOON SESSION

The House reconvened at 4:13 p.m., Speaker Rants in the chair.

### INTRODUCTION OF BILLS

**House File 2120**, by Dix, Paulsen, Struyk, Tymeson, Kurtenbach, S. Olson, Rasmussen, Rayhons, Sands, Huseman, Kaufmann, Drake, Upmeyer, Greiner, Boal, Van Engelenhoven, De Boef, Dolecheck, Lukan, Baudler, Watts, Granzow, May, Lalk, Chambers, J.R. Van Fossen, Heaton, Carroll, Wilderdyke, Horbach, J.K. Van Fossen, Tjepkes, Freeman, Alons, Elgin, Jones, Maddox, Roberts, Hutter, Soderberg, Eichhorn, Quirk, Thomas, Fallon, Huser, Mertz, Foege, Whitaker, D. Taylor, Pettengill and T. Taylor, a bill for an act relating to eminent domain authority and condemnation procedures and including effective and applicability provisions.

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

**House File 2121**, by Boal, a bill for an act relating to a home schooling tax credit under the individual income tax for expenses related to competent private instruction for children in grades kindergarten through twelve and including effective and retroactive applicability date provisions.

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

**House File 2122**, by Maddox, Petersen and Kressig, a bill for an act requiring every insurer offering certain individual or group health

insurance policies to provide coverage for treatment of certain inborn errors of metabolism with a dietary restriction.

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

**House File 2123**, by Paulsen, a bill for an act relating to tool and die recovery enterprise zones.

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

**House File 2124**, by Kaufmann, Dolecheck and Hoffman, a bill for an act relating to an appropriation of moneys for distribution to community colleges for English as a second language programs for adults and new Iowans programs for families.

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

**House File 2125**, by Struyk, a bill for an act making changes to the law relating to eminent domain authority and condemnation procedures, urban renewal, and including effective and applicability date provisions.

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

**House File 2126**, by Foege, a bill for an act requiring certain health insurance policies to provide coverage for colorectal and prostate cancer screening under some circumstances and providing an applicability date.

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

**House File 2127**, by Hunter, a bill for an act repealing the Iowa English language reaffirmation Act.

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

**House File 2128**, by Gaskill, Frevert, Berry, Davitt, Jochum, Kuhn, Kressig, Lensing, Winckler, Thomas, Wessel-Kroeschell, Mascher, Mccarthy, Oldson, Reasoner, Wendt, Schueller, Hunter,



R. Olson, Swaim, Foege, D. Taylor, Quirk, Shomshor, D. Olson, Mertz, Whitaker, Murphy, Pettengill and Heddens, a bill for an act relating to the privacy of social security numbers in public records and creating the Iowa public records privacy commission.

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

**House File 2129**, by Kaufmann, Dolecheck, Sands, Schickel, Hoffman, Hutter and Freeman, a bill for an act providing for an increase in the number of years for which supplementary weighting for limited English proficient students may be obtained, and providing effective and applicability dates.

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

**House File 2130**, by Hutter, a bill for an act relating to the destruction of state agency records and providing for a penalty.

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

**House File 2131**, by Dandekar, Struyk, Huser and J.K. Van Fossen, a bill for an act relating to historic preservation and cultural and entertainment district tax credits.

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

**House File 2132**, by Tjepkes, Watts, De Boef, Huseman, Hutter, Baudler, Tymeson, Chambers, Wilderdyke, Alons, Rayhons, Struyk, Drake, J. K. Van Fossen, Jacobs, Soderberg, Kaufmann, May, Boal, Granzow, Freeman, Sands, S. Olson, Greiner, Roberts, Elgin, Anderson, J. R. Van Fossen, Kurtenbach, Dolecheck, Horbach, Van Engelenhoven, Arnold, Paulsen, Dix, Carroll, Upmeyer, Eichhorn, Hoffman and Huser, a bill for an act relating to committing disorderly conduct near a military funeral, memorial service, funeral procession, or burial, and providing penalties.

Read first time and referred to committee on **veterans affairs**.

**House File 2133**, by Hutter, a bill for an act relating to the filing of a certificate of merit in a medical malpractice action.

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

CONSIDERATION OF BILLS  
Regular Calendar

**House File 2095**, 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.

The House stood at ease at 4:17 p.m., until the fall of the gavel.

The House resumed session at 5:21 p.m., Speaker Rants in the chair.

Wendt of Woodbury offered the following amendment H-8003 filed by Wendt, et al., and moved its adoption:

H-8003

- 1 Amend House File 2095 as follows:
- 2 1. Page 1, line 7, by striking the word "four"
- 3 and inserting the following: "six".

Roll call was requested by Wendt of Woodbury and Reasoner of Union.

On the question "Shall amendment H-8003 be adopted?" (H.F. 2095)

The ayes were, 48:

Bell	Berry	Bukta	Cohon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wildurdyke	Mr. Speaker	
		Rants	

Absent or not voting, 1:

Zirkelbach

Amendment H-8003 lost.

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. 2095)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz

Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2095** be immediately messaged to the Senate.

### HOUSE FILE 2096 REREFERRED

The Speaker announced that House File 2096, previously referred to committee on **judiciary** was rereferred to committee on **public safety**.

### COMMUNICATIONS RECEIVED

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

#### DEPARTMENT OF NATURAL RESOURCES

Report of land application and treatment of septic tank waste, pursuant to Chapter 455B.172, Code of Iowa.

#### IOWA COLLEGE STUDENT AID COMMISSION

Policy recommendations for the protection of educational consumers at institutions that provide Iowa tuition grants, pursuant to Chapter 261.2(2), Code of Iowa.

#### IOWA ENERGY CENTER ADVISORY COUNCIL

Annual report, pursuant to Chapter 266.39C, Code of Iowa.

## LEGISLATIVE OVERSIGHT COMMITTEE

Report of activities during the 2005 Legislative Interim, pursuant to Chapter 1162 Iowa Acts.

## 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

- 2006\339 Spenser Burden, Mt. Pleasant – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\340 Ed Landuyt, Belle Plaine – For celebrating his 80<sup>th</sup> birthday.
- 2006\341 Iola McAteer, Toledo – For celebrating her 90<sup>th</sup> birthday.
- 2006\342 Jim Vawter, Oelwein – For celebrating his 90<sup>th</sup> birthday.
- 2006\343 Clarence and Judy Radtke, Spirit Lake -- For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\344 Mable Wilson, Spirit Lake – For celebrating her 100<sup>th</sup> birthday.

## SUBCOMMITTEE ASSIGNMENTS

**House File 135**

Commerce, Regulation and Labor: Tomenga, Chair; Freeman, Jacobs, Kressig, Petersen, Sands and Wise.

**House File 422**

Commerce, Regulation and Labor: Tomenga, Chair; Freeman, Jacobs, Kressig, Petersen, Sands and Wise.

**House File 643**

Environmental Protection: Kurtenbach, Chair; Anderson and Kuhn.

**House File 669**

Environmental Protection: Anderson, Chair; Pettengill and Watts.

**House File 2011**

Transportation: Schickel, Chair; Lykam and Rasmussen.

**House File 2054**

Natural Resources: Arnold, Chair; Lukan and Whitaker.

**House File 2056**

Natural Resources: J.R. Van Fossen, Chair; Lykam and May.

**House File 2083**

State Government: Hutter, Chair; T. Taylor and Upmeyer.

**House File 2109**

Education: Wise, Chair; Carroll, Dolecheck, Mascher and Tymeson.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**

**House Study Bill 558**

Commerce, Regulation and Labor: Tomenga, Chair; Freeman, Jacobs, Kressig, Petersen, Sands and Wise.

**House Study Bill 559**

Human Resources: Wilderdyke, Chair; Berry, Hutter, Smith and Upmeyer.

**House Study Bill 560**

Human Resources: Tymeson, Chair; Foegen and Heaton.

**House Study Bill 561**

Human Resources: Hutter, Chair; Granzow and Heddens.

**House Study Bill 562**

Human Resources: Wilderdyke, Chair; Hunter and Kurtenbach.

**House Study Bill 563**

Appropriations: May, Chair; Jacobs and Jacoby.

**House Study Bill 564**

Education: Tymeson, Chair; Boal and Cohoon.

**House Study Bill 565**

Education: Chambers, Chair; Dolecheck and Mascher.

**House Study Bill 566**

Education: Tymeson, Chair; Bukta and Chambers.

**House Study Bill 567**

Economic Growth: Wilderdyke, Chair; Reichert and Schickel.

**House Study Bill 568**

Public Safety: Dolecheck, Chair; Reasoner and Tjepkes.

**House Study Bill 569**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

**House Study Bill 570**

Public Safety: Tjepkes, Chair; Eichhorn and R. Olson.

**House Study Bill 571**

Public Safety: Tjepkes, Chair; Baudler and Bell.

**House Study Bill 572**

Veterans Affairs: Hutter, Chair; Alons and Quirk.

**House Study Bill 573**

Veterans Affairs: Hutter, Chair; Quirk and Watts.

**House Study Bill 574**

Veterans Affairs: Alons, Chair; Freeman and Whitead.

**House Study Bill 578**

Commerce, Regulation and Labor: Sands, Chair; Dix and Shomshor.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 580 Education**

Relating to education funding by 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. 581 Veterans Affairs**

Concerning the minimum balance necessary in order to expend funds from the veterans trust fund.

**H.S.B. 582 Transportation**

Relating to scheduled fines for violations of motor carrier safety rules.

**H.S.B. 583 Human Resources**

Providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date.

**H.S.B. 584 Human Resources**

Relating to the medical assistance program, including eligibility requirements for adults and provider overpayment rate adjustments.

**H.S.B. 585 Human Resources**

Relating to income withholding under the child support recovery program.

**H.S.B. 586 Environmental Protection**

Eliminating certain duties of the department of natural resources.

**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 ADMINISTRATION AND RULES

**Committee Bill** (Formerly House Study Bill 511), to approve and confirm the appointment of the Citizens' Aide.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2006.

## COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House File 2085), relating to the state of Iowa scholarship program administered by the college student aid commission and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2006.

## RESOLUTIONS FILED

**HCR 103**, by Committee on Administration and Rules, a concurrent resolution to approve and confirm the appointment of the Citizens' Aide.

Placed on the **Calendar**.

**HR 105**, by Gipp and Murphy, a resolution honoring James L. Brimeyer, the 2005 Iowa Professor of the Year.

Laid over under **Rule 25**.

**HR 106**, by Tymeson, Drake, Gaskill, Wilderdyke, Jacoby, Alons, S. Olson, Kurtenbach, Paulsen, Dandekar, Shomshor, Dix, Upmeyer, De Boef, Heaton, Baudler, Miller, Huser, Hutter, D. Taylor, Watts, Reasoner, Tjepkes, Boal, Hoffman, Jacobs, Granzow, Chambers, Struyk, Dolecheck, Eichhorn, Huseman, Pettengill, Whitaker, Berry, Tomenga, Greiner, Gipp, Rants and Kaufmann, a resolution to recognize and honor Iowa's military veterans band.

Laid over under **Rule 25**.

**HR 107**, by Kaufmann, Gipp, Upmeyer, Frevert, Thomas and Jacoby, a resolution congratulating Iowa's community colleges in their 40<sup>th</sup> anniversary year.

Laid over under **Rule 25**.

**HR 108**, by Wilderdyke, a resolution commending Iowa sheriffs, sheriff's deputies and peace officers for their efforts in the enactment of legislation reducing the number of methamphetamine laboratories in Iowa.

Laid over under **Rule 25**.

AMENDMENT FILED

H—8004      H.F.      2045      Mascher of Johnson

On motion by Gipp of Winneshiek the House adjourned at 5:54 p.m., until 8:45 a.m., Wednesday, January 26, 2006.

# JOURNAL OF THE HOUSE

Eighteenth Calendar Day - Thirteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, January 26, 2006

The House met pursuant to adjournment at 8:46 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Jason Stark, pastor of Point of Grace Church, Waukee. He was the guest of Representative Scott Raecker of Polk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, January 25, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2134**, by Huser and Struyk, a bill for an act relating to county, city, and school board publication of allowed claims.

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

**House File 2135**, by Ford, a bill for an act relating to the payment of wages by electronic funds transfer pursuant to a payroll card and making penalties applicable.

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

**House File 2136**, by Tjepkes, a bill for an act requiring the department of education to conduct a study, in consultation with the department of human services, of the financial and educational relationship between school districts and juvenile facilities.

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

**House File 2137**, by Hutter, a bill for an act exempting active duty military personnel from hunting and fishing license requirements in the state.

Read first time and referred to committee on **veterans affairs**.

**House File 2138**, by Struyk, Dandekar and Huser, a bill for an act increasing the compulsory school attendance age.

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

**House File 2139**, by Struyk, Huser and Dandekar, a bill for an act relating to the review of administrative rules by standing committees of the general assembly.

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

**House File 2140**, by Roberts, a bill for an act relating to the publication of the names, addresses, and criminal convictions of sex offenders in a newspaper of general circulation in a county.

Read first time and referred to committee on **public safety**.

**House File 2141**, by Bell, a bill for an act providing a sales and use tax exemption for certain appliances that meet the energy efficiency rating established for the appliances by the United States environmental protection agency and providing an effective date.

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

**House File 2142**, by Lukan, a bill for an act requiring the issuance of a free lifetime hunting and fishing combined license, hunting license, or fishing license to certain veterans who were disabled or were prisoners of war.

Read first time and referred to committee on **veterans affairs**.

**House File 2143**, by Huser, a bill for an act relating to certain water treatment and supply-related inspections conducted by licensed

commercial septic tank cleaners when certain property is sold or transferred.

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

**House File 2144**, by Kressig, Jenkins, Shoultz and Berry, a bill for an act making a supplemental appropriation for the fiscal year beginning July 1, 2005, for purposes of the restoration of Gilchrist hall at the university of northern Iowa and providing an effective date.

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

**House File 2145**, by Upmeyer, a bill for an act providing for the imposition of food establishment reinspection fees, and making penalties applicable.

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

**House File 2146**, by Upmeyer, a bill for an act relating to requirements for preadmission screening for long-term care services under the medical assistance program.

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

**House File 2147**, by Huser, Swaim, Gaskill, and Petersen, a bill for an act relating to the temporary appointment of a conservator for a dependent adult in an emergency situation.

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

**House File 2148**, by Upmeyer, a bill for an act relating to requirements for consumer-directed attendant care provided under a medical assistance home and community- based services waiver.

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

**House File 2149**, by Upmeyer, a bill for an act relating to expert witness standards in a medical malpractice action.

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

**House File 2150**, by Upmeyer, a bill for an act relating to evidence of regret or apology made by a physician or surgeon, osteopathic physician or surgeon, or a dentist in any civil action for personal injury or death.

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

#### ADOPTION OF HOUSE RESOLUTION 107

Kaufmann of Cedar and Thomas of Clayton called up for consideration **House Resolution 107**, a resolution congratulating Iowa's community colleges in their 40th anniversary year, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### ADOPTION OF HOUSE RESOLUTION 105

Murphy of Dubuque called up for consideration **House Resolution 105**, a resolution honoring James L. Brimeyer, the 2005 Iowa Professor of the Year, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### COMMUNICATIONS RECEIVED

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

##### IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

Annual report of activities, pursuant to Chapter 312.3B, 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

2006\346 Julie Cabeen, Clarinda – For receiving a Glass Apple Award from Iowa's First Lady Christie Vilsack, for her Outstanding Library Services to the Clarinda Elementary and Middle Schools.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 701**

Judiciary: Anderson, Chair; Alons and Swaim.

##### **House File 2096**

Public Safety: Horbach, Chair; Baudler and McCarthy.

##### **House File 2102**

Public Safety: Horbach, Chair; Baudler and McCarthy.

##### **House File 2104**

Judiciary: J.R. Van Fossen, Chair; Heaton and Winckler.

##### **House File 2105**

Public Safety: Horbach, Chair; Baudler and McCarthy.

##### **House File 2134**

Local Government: Schickel, Chair; Huser and Rasmussen.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

##### **House Study Bill 580**

Education: Tymeson, Chair; Kaufmann and Wendt.

##### **House Study Bill 581**

Veterans Affairs: Kaufmann, Chair; Hutter, Paulsen, Quirk and Whitead.

##### **House Study Bill 582**

Transportation: Lukan, Chair; Elgin and Reasoner.

##### **House Study Bill 583**

Human Resources: Upmeyer, Chair; Ford and Roberts.

##### **House Study Bill 584**

Human Resources: Carroll, Chair; Heaton, Petersen, Upmeyer and Wendt.

**House Study Bill 585**

Human Resources: Lukan, Chair; Granzow and Petersen.

**House Study Bill 586**

Environmental Protection: S. Olson, Chair; D. Olson and Sands.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENT****H.S.B. 587 Agriculture**

Relating to the formulation of motor fuel, by providing for renewable fuel including ethanol blended fuel and biodiesel blended fuel, providing incentives for infrastructure used to store and dispense renewable fuel, income tax credits, and an appropriation, providing penalties, making penalties applicable, and providing an applicability date.

**H.S.B. 588 Agriculture**

Relating to confinement feeding operations by providing for manure management plans.

**H.S.B. 589 Education**

Relating to the Iowa early intervention block grant program by requiring school districts to report certain reading assessment results to parents and extending the program's repeal date.

**H.S.B. 590 Education**

Establishing a jump-start grant program for the postsecondary education expenses of Iowa students who receive high school diplomas prior to enrollment as high school seniors.

**H.S.B. 591 Education**

Establishing statewide proficiency levels and definitions for students in reading, mathematics, and science in grades four, eight, and eleven.



## 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 STATE GOVERNMENT

**House Joint Resolution 5**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors.

Fiscal Note is not required.

Recommended **Do Pass** January 26, 2006.

On motion by Gipp of Winneshiek the House adjourned at 9:08 a.m., until 9:00 a.m., Friday, January 27, 2006.

# JOURNAL OF THE HOUSE

Nineteenth Calendar Day - Fourteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, January 27, 2006

The House met pursuant to adjournment at 9:02 a.m., Gipp of Winneshiek in the chair.

The Journal of Thursday, January 26, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2151**, by Upmeyer, a bill for an act creating the home loan protection Act, and providing a penalty.

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

**House File 2152**, by Paulsen, a bill for an act relating to imposition of city taxes against property located in certain annexation areas and including effective and applicability provisions.

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

**House File 2153**, by Thomas, a bill for an act relating to projects identified under the Iowa great places program.

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

**House File 2154**, by Heddens, Thomas, Davitt, Wessel-Kroeschell, Miller, D. Olson, Smith, Hunter, Wendt, Lensing, Gaskill, D. Taylor, Whitead, Bukta, Murphy, Mertz, Reichert, Shomshor, Quirk, T. Taylor, Cohoon, Wise, Petersen, Dandekar, Shoultz, Kressig and Schueller, a bill for an act relating to bioscience financial assistance and making an appropriation.

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

**House File 2155**, by Wise, Berry, Miller, D. Olson, Gaskill, Shomshor, Wessel-Kroeschell, McCarthy, Whitead, Schueller, Bell,

Huser, R. Olson, Cohoon, Dandekar, Swaim, Kuhn, Jochum, Mascher, Winckler, Lensing, Mertz, D. Taylor, Reichert, Bukta, Murphy, Frevert, Whitaker, Lykam, Jacoby, Hunter, Shoultz and Foege, a bill for an act relating to alternative and renewable energy for purposes of economic development.

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

**House File 2156**, by Drake, a bill for an act relating to filling vacancies in certain county and city offices.

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

**House File 2157**, by Heaton, a bill for an act requiring the department of human services to implement an electronic payment system for the state child care assistance program.

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

**House File 2158**, by Alons, a bill for an act relating to certain reimbursements of the expenses of child-placing agencies by the department of human services.

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

**House File 2159**, by Heaton, a bill for an act revising the calendar used for development of the state budget and providing an applicability date provision.

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

**House File 2160**, by Upmeyer, Paulsen, Dolecheck, Elgin, Roberts, Jenkins, Tymeson, Chambers, Wilderdyke, Hoffman and Heaton, a bill for an act relating to the net income limit for eligibility for the early childhood development tax credit.

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

**House File 2161**, by committee on education, a bill for an act relating to the state of Iowa scholarship program administered by the college student aid commission and providing an effective date.

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

**House File 2162**, by Upmeyer, Dix, Paulsen, Dolecheck, Kurtenbach, J.R. Van Fossen, Elgin, Roberts, Jenkins, Huseman, Hutter, Baudler, Tymeson, Chambers, Wilderdyke, Alons, Rayhons, Hoffman and Heaton, a bill for an act relating to the scope of rulemaking authority delegated to an administrative agency.

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

#### HOUSE FILE 2121 REREFERRED

The Speaker announced that House File 2121, previously referred to committee on **education** was rereferred to committee on **ways and means**.

#### 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

- |          |   |
|----------|---|
| 2006\347 | Donald and Beverly Earll, Hiawatha – For celebrating their 50 <sup>th</sup> wedding anniversary.  |
| 2006\348 | Allen and Edith McBurney, Toddville – For celebrating their 50 <sup>th</sup> wedding anniversary. |

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 2074

Education: Carroll, Chair; Mascher and Tymeson.

##### House File 2112

Judiciary: Tymeson, Chair; Kaufmann and R. Olson.

##### House File 2114

Judiciary: Heaton, Chair; Alons and Smith.

##### House File 2116

Judiciary: Heaton, Chair; Anderson and Smith.

**House File 2120**

Judiciary: Kaufmann, Chair; Eichhorn, Jochum, R. Olson, Paulsen, Swaim and Tymeson.

**House File 2124**

Education: Kaufmann, Chair; Chambers and Cohoon.

**House File 2129**

Education: Dolecheck, Chair; Kaufmann and Wendt.

**House File 2133**

Judiciary: Paulsen, Chair; Jochum and Tymeson.

**House File 2149**

Judiciary: Paulsen, Chair; Jochum and Tymeson.

**House File 2150**

Judiciary: Paulsen, Chair; R. Olson and Tymeson.

**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 File 2039), allowing fishing without a license for certain persons who fish in a supervised group.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2006.

On motion by Watts of Dallas the House adjourned at 9:04 a.m., until 1:00 p.m., Monday, January 30, 2006.

# JOURNAL OF THE HOUSE

Twenty-second Calendar Day - Fifteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, January 30, 2006

The House met pursuant to adjournment at 1:08 p.m., Speaker Rants in the chair.

Prayer was offered by Reverend Bob Wallace, pastor of Nazareth Lutheran Church, Cedar Falls. He was the guest of Representative Bob Kressig of Black Hawk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Friday, January 27, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2163**, by Pettengill, Swaim, Berry, Kressig, D. Taylor, Mertz, Thomas, Bukta, Whitaker, Schueller and Gaskill, a bill for an act restricting the exhibition or dissemination of certain sexual devices to minors and providing a penalty.

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

**House File 2164**, by Murphy, a bill for an act relating to fees for special national guard motor vehicle registration plates.

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

**House File 2165**, by Hogg, Petersen, Kuhn, Foege, Smith, Heddens, Oldson, Wendt, Berry, Whitaker, Reasoner, Shomshor, Reichert, Kressig, Wessel-Kroeschell, D. Olson, Pettengill, Gaskill and Murphy, a bill for an act providing for implementation of a child care at night pilot project and making an appropriation.

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

**House File 2166**, by Pettengill, Swaim, Berry, Ford, D. Taylor, Hunter, Wendt, Thomas, Davitt, Mertz, Foege, Bell, Bukta, Whitaker, Schueller, Petersen, Gaskill, Lensing, Kressig and Heddens, a bill for an act related to the definition of "dependent adult abuse".

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

**House File 2167**, by Kaufmann, Sands, Dolecheck, May, Anderson, De Boef, Wilderdyke, Alons, S. Olson, Kurtenbach, Upmeyer, Dix, Lalk, Tjepkes, Heaton, Horbach, Hutter, Baudler, Rayhons, Huser, Roberts, Struyk, Chambers, Boal, Drake, Granzow, Huseman, Eichhorn, Soderberg and Tymeson, a bill for an act relating to making an appropriation to qualified fairs which belong to the association of Iowa fairs under the office of treasurer of state.

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

**House File 2168**, by Jacobs, a bill for an act relating to the time period in which an involuntary hospitalization hearing for chronic substance abusers and mentally ill persons must be held.

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

**House File 2169**, by Pettengill, Swaim, Berry, Jacoby, D. Taylor, Thomas, Hunter, Wendt, Cohoon, Shomshor, Mertz, Davitt, Bukta, Whitaker, Schueller, Petersen, Gaskill, Lensing, Kressig and Heddens, a bill for an act relating to the disclosure of methamphetamine manufacture in real estate installment contracts and real estate transfers.

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

**House File 2170**, by Hogg, Kaufmann, D. Olson, May, Ford, Granzow, Smith, Chambers, Huseman, Oldson, Wilderdyke, Wise, Carroll and Miller, a bill for an act establishing an Iowa Civil War sesquicentennial commission and fund and providing for its prospective repeal.

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

On motion by Gipp of Winneshiek, the House was recessed at 1:17 p.m., until 3:00 p.m.

### AFTERNOON SESSION

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

### INTRODUCTION OF BILLS

**House File 2171**, by committee on natural resources, a bill for an act allowing fishing without a license for certain persons who fish in a supervised group.

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

**House File 2172**, by Huser, Struyk, Lukan, McCarthy, Thomas, Petersen, Reichert, Wise, Tomenga and R. Olson, a bill for an act concerning the line of duty death benefit payable to public safety providers and making an appropriation.

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

**House File 2173**, by Swaim, a bill for an act establishing penalties for anabolic steroid use by a student athlete and for the procurement, sale, or administration of an anabolic steroid by a person who holds a license, certificate, or coaching authorization issued by the board of educational examiners.

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

**House File 2174**, by Chambers, a bill for an act requiring payout information stickers on monitor vending machines.

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

**House File 2175**, by Watts, Struyk and Kurtenbach, a bill for an act relating to the distribution of local option sales and services tax revenues to cities and counties and providing an applicability date provision.

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



**House File 2176**, by Mascher, Lensing and Jacoby, a bill for an act relating to the statute of limitations in a child sexual abuse case.

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

### CONSIDERATION OF BILLS Appropriations Calendar

**House File 2002**, a bill for an act increasing the standing amount required to be appropriated, reverted, or transferred to the credit of the senior living trust fund and including effective and retroactive applicability date provisions, with report of committee recommending passage, was taken up for consideration.

The House stood at ease at 3:10 p.m., until the fall of the gavel.

The House resumed session at 4:38 p.m., Speaker Rants in the chair.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hunter of Polk on request of Murphy of Dubuque.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2002)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carrroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn

Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Hunter                      Zirkelbach

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

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2002** be immediately messaged to the Senate.

### COMMUNICATIONS RECEIVED

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

#### DEPARTMENT OF ECONOMIC DEVELOPMENT

Semi-annual report on progress in the Value-added Agricultural Products and Processes Financial Assistance Program, pursuant to Chapter 15.204, Code of Iowa.

Annual report on the activities of Endow Iowa, pursuant to Chapter 15.104(9), Code of Iowa.

#### DEPARTMENT OF EDUCATION

Annual legislative report on Student Achievement and Accountability, pursuant to Chapter 284.12(1), 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

- 2006\349 Curt Fiedler, George-Little Rock/Central Lyon Cross Country Coach, George – For being named Class 2A Northwest District Boys Cross Country Coach of the Year.
- 2006\350 Greta Gerritsen, Inwood – For celebrating her 90<sup>th</sup> birthday.
- 2006\351 Melvin and Gertie Bonnema, Sioux Center – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\352 James McLain, Sioux City – For celebrating his 97<sup>th</sup> birthday.
- 2006\353 Ethel Sever, Sioux City – For celebrating her 91<sup>st</sup> birthday.
- 2006\354 Verda Muth, Sioux City – For celebrating her 93<sup>rd</sup> birthday.
- 2006\355 Leroy and Mary Bell, Sioux City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\356 Rose Campbell, Mason City – For celebrating her 90<sup>th</sup> birthday.
- 2006\357 Eleanore Jackson, Mason City – For celebrating her 90<sup>th</sup> birthday.
- 2006\358 Eugene and Vietta Thornton, Mason City – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2006\359 Jerry and Barb Krieger, Mason City – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2006\360 Merle Thompson, Mason City – For celebrating his 80<sup>th</sup> birthday.
- 2006\361 Arlis Meyer, Mason City – For celebrating her 95<sup>th</sup> birthday.
- 2006\362 Marlys Young, Mason City – For celebrating her 95<sup>th</sup> birthday.
- 2006\363 Mr. and Mrs. Arlo Peterson, Davenport – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\364 Phil and Pearl Madson, Harlan – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\365 Clarke and Julia Millhollin, Panora – For celebrating their 60<sup>th</sup> wedding anniversary.

- 2006\366 Neil and Sandra Lundy, Adair – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\367 Lucille Wiges, Audubon – For celebrating her 85<sup>th</sup> birthday.
- 2006\368 Dale Sloth, Audubon – For celebrating his 80<sup>th</sup> birthday.
- 2006\369 Robert and Patty Arterburn, Greenfield – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\370 Vivian Garside, Greenfield – For celebrating her 80<sup>th</sup> birthday.
- 2006\371 Pauline Ulrich, Klemme – For celebrating her 85<sup>th</sup> birthday.
- 2006\372 Ben Navratil, Plymouth – For celebrating his 91<sup>st</sup> birthday.
- 2006\373 Hartley and Dorothy Alden, Dougherty – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\374 Wayne and Evonne Plagge, Latimer – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\375 Ralph Kothe, Hampton – For celebrating his 90<sup>th</sup> birthday.
- 2006\376 Raymond and Elizabeth Jones, Albia – For celebrating their 53<sup>rd</sup> wedding anniversary.
- 2006\377 Bill and Barbara Shelton, Chariton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\378 Dr. Lee and Ann Brewers, Iowa Falls – For celebrating their 60<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 2117**

Veterans Affairs: Kaufmann, Chair; Alons and Quirk.

##### **House File 2132**

Veterans Affairs: Kaufmann, Chair; D. Taylor and Watts.

##### **House File 2137**

Veterans Affairs: Hutter, Chair; Tymeson and Wendt.

##### **House File 2142**

Veterans Affairs: Hutter, Chair; Alons and Wendt.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 587**

Agriculture: S. Olson, Chair; Drake, Kaufmann, Kuhn, Lalk, Mertz and Reasoner.

**House Study Bill 588**

Agriculture: De Boef, Chair; Lalk and Thomas.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

**H.S.B. 592 Government Oversight**

Modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation.

**H.S.B. 593 Ways and Means**

Updating the Code references to the Internal Revenue Code and including retroactive applicability and effective date provisions.

## 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 LOCAL GOVERNMENT

**Committee Bill** (Formerly House Study Bill 553), requiring the county auditor to evidence approval of the name of a subdivision plat and requiring such statement for filing the subdivision plat with the county recorder.

Fiscal Note is not required.

Recommended **Do Pass** January 26, 2006.

## AMENDMENT FILED

H—8005	H.F.	2045	Swaim of Davis
Bell of Jasper			Bukta of Clinton
Ford of Polk			Gaskill of Wapello
Kuhn of Floyd			Lykam of Scott
Miller of Webster			Oldson of Polk
Berry of Black Hawk			Cohoon of Des Moines
Davitt of Warren			Foege of Linn
Frevert of Palo Alto			Jacoby of Johnson
Kressig of Black Hawk			Mertz of Kossuth
Murphy of Dubuque			D. Olson of Boone
Pettengill of Benton			Reasoner of Union
Schueller of Jackson			Shoultz of Black Hawk
T. Taylor of Linn			Wendt of Woodbury
Whitaker of Van Buren			Winckler of Scott
Petersen of Polk			Quirk of Chickasaw
Reichert of Muscatine			Shomshor of Pottawattamie
D. Taylor of Linn			Thomas of Clayton
Whitead of Woodbury			Wise of Lee

On motion by Gipp of Winneshiek the House adjourned at 4:50 p.m., until 8:45 a.m., Tuesday, January 31, 2006.

# JOURNAL OF THE HOUSE

Twenty-third Calendar Day - Sixteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, January 31, 2006

The House met pursuant to adjournment at 8:47 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Kendall Meyer, pastor of Gloria Dei Lutheran Church, Urbandale. He was the guest of Representative Scott Raecker of Polk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, January 30, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2177**, by committee on local government, a bill for an act requiring the county auditor to evidence approval of the name of a subdivision plat and requiring such statement for filing the subdivision plat with the county recorder.

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

**House File 2178**, by Jacobs, a bill for an act relating to duties of the secretary of state, by providing for transfer of the professional licensing and regulation division of the department of commerce to the secretary of state's office, and for transfer of duties relating to conduct of elections and voter registration from the office of secretary of state to the Iowa ethics and campaign disclosure board, and providing an effective date.

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

**House File 2179**, by Miller, a bill for an act relating to the establishment of a small business development center and making an appropriation.

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

**House File 2180**, by Lukan, a bill for an act relating to consideration by insurance companies of traffic accidents involving volunteer emergency services providers.

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

**House File 2181**, by Whitead, a bill for an act relating to violation of child custody and visitation orders.

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

**House File 2182**, by Kaufmann, a bill for an act relating to the removal, replacement, collection, and recovery of mercury-added vehicle components.

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

**House File 2183**, by Wessel-Kroeschell and Berry, a bill for an act repealing certain penalties for controlled substances offenses.

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

#### SPECIAL PRESENTATION

Jacoby of Johnson introduced to the House, Miss Teen Iowa U.S.A., Danielle Malatek from Iowa City.

The House rose and expressed its welcome.

On motion by Gipp of Winneshiek, the House was recessed at 8:57 a.m., until 4:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 3:58 p.m., Speaker Rants in the chair.

#### INTRODUCTION OF BILLS

**House File 2184**, by Wise, a bill for an act relating to transportation by receiving school districts of students participating



in open enrollment and the approval by area education agencies of public school bus routes outside the boundary of such school districts.

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

**House File 2185**, by Upmeyer, a bill for an act providing for the establishment of a request for proposals process regarding hotel, home food establishment, and food establishment inspections.

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

**House File 2186**, by Wendt, a bill for an act making appropriations for certain health-related programs.

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

**House File 2187**, by Hutter, a bill for an act relating to the application of local building regulations.

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

**House File 2188**, by Shoultz, a bill for an act establishing a tool and die lien Act.

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

**House File 2189**, by Upmeyer, a bill for an act creating a certificate of merit in a medical malpractice action.

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

**House File 2190**, by Heddens and Swaim, a bill for an act relating to criminal penalties for a driver convicted of failure to stop and render aid at the scene of a motor vehicle accident.

Read first time and referred to committee on **public safety**.

**House File 2191**, by Hutter, a bill for an act relating to the employment of persons previously serving as the executive or administrative head of an agency of state government and including effective date and retroactive applicability provisions.

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

**House File 2192**, by Wendt, a bill for an act relating to the distribution formula for the local option sales and services tax for school infrastructure purposes.

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

**House File 2193**, by Mascher, a bill for an act relating to the elements of a hate crime and making a penalty applicable.

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

**House File 2194**, by Alons, De Boef and Chambers, a bill for an act relating to the use of material by minors for educational purposes at any school or library, and the attendance of minors at exhibitions or displays of art work.

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

**House File 2195**, by Wendt, a bill for an act addressing county-related mental health, mental retardation, and developmental disabilities services provided in a state mental health institute or a hospital.

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

**House File 2196**, by Jacobs, a bill for an act tripling the scheduled fines for moving traffic violations committed while using a cell phone.

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

**House File 2197**, by Hutter, a bill for an act relating to eluding a law enforcement vehicle at high speed by providing for imposition of a civil penalty against the owner or the driver of a vehicle identified on film.

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

**House File 2198**, by Berry and Kressig, a bill for an act relating to the provisions of an explanation of benefits statements to Medicaid recipients.

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

**House File 2199**, by Wendt, a bill for an act providing for an increase in the number of elementary and secondary school instructional days, and making an appropriation.

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

**House File 2200**, by Heddens, Foege, Whitaker, Gaskill, Miller, Swaim, Wessel-Kroeschell and Murphy, a bill for an act limiting the exercise of eminent domain authority over certain residential property.

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

**House File 2201**, by Wendt and Whitead, a bill for an act relating to and making an appropriation for the remodeling and renovation of the sexually violent predators unit at the state mental health institute at Cherokee.

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

**House File 2202**, by Pettengill, Sands, Kressig, Horbach, Reichert and Shomshor, a bill for an act adding one-half unit of personal finance literacy to the education program school districts and accredited nonpublic schools must offer in grades nine through twelve and providing a future effective date.

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

**House File 2203**, by Alons, De Boef, Chambers and J.R. Van Fossen, a bill for an act relating to the time period a sex offender has to register with or notify the county sheriff and making a penalty applicable.

Read first time and referred to committee on **public safety**.

**House File 2204**, by Smith, a bill for an act creating a multidimensional treatment level foster care program.

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

**House File 2205**, by Jochum, Wessel-Kroeschell, Mascher, Winckler and Lensing, a bill for an act relating to human trafficking and related offenses, including the provision of law enforcement training and victim assistance programs, and providing penalties.

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

**House File 2206**, by Schueller, Jochum, Thomas, Reichert, Miller, May, Tomenga, Drake, Anderson, Pettengill, Wise and Jacoby, a bill for an act relating to the amount of historic preservation and cultural and entertainment district tax credits allowed each fiscal year.

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

## CONSIDERATION OF BILLS

### Ways and Means Calendar

**House File 2045**, a bill for an act phasing out the state income tax on social security benefits and on pension and retirement income and including effective and applicability date provisions, was taken up for consideration.

The House stood at ease at 4:06 p.m., until the fall of the gavel.

The House resumed session at 4:50 p.m., Speaker Rants in the chair.

Swaim of Davis offered amendment H-8005 filed by Swaim, et al., as follows:

H-8005

- 1 Amend House File 2045 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 422.5, Code 2005, is amended
- 5 by adding the following new subsection:
- 6 **NEW SUBSECTION.** 2A. However, the tax shall not be
- 7 imposed on a resident or nonresident who is at least
- 8 sixty-five years old on December 31 of the tax year
- 9 and whose net income, as defined in section 422.7, is
- 10 forty-eight thousand dollars or less in the case of
- 11 married persons filing jointly or filing separately on
- 12 a combined return thirty-six thousand dollars or less

13 in the case of all other persons; but in the event  
14 that the payment of tax under this division would  
15 reduce the net income to less than forty-eight  
16 thousand dollars or thirty-six thousand dollars as  
17 applicable, then the tax shall be reduced to that  
18 amount which would result in allowing the taxpayer to  
19 retain a net income of forty-eight thousand dollars or  
20 thirty-six thousand dollars as applicable. The  
21 preceding sentence does not apply to estates or  
22 trusts. For the purpose of this subsection, the  
23 entire net income, including any part of the net  
24 income not allocated to Iowa, shall be taken into  
25 account. For purposes of this subsection, net income  
26 includes all amounts of pensions or other retirement  
27 income received from any source which is not taxable  
28 under this division as a result of the government  
29 pension exclusions in section 422.7, or any other  
30 state law. If the combined net income of a husband  
31 and wife exceeds forty-eight thousand dollars, neither  
32 of them shall receive the benefit of this subsection,  
33 and it is immaterial whether they file a joint return  
34 or separate returns. However, if a husband and wife  
35 file separate returns and have a combined net income  
36 of forty-eight thousand dollars or less, neither  
37 spouse shall receive the benefit of this paragraph, if  
38 one spouse has a net operating loss and elects to  
39 carry back or carry forward the loss as provided in  
40 section 422.9, subsection 3. A person who is claimed  
41 as a dependent by another person as defined in section  
42 422.12 shall not receive the benefit of this  
43 subsection if the person claiming the dependent has  
44 net income exceeding forty-eight thousand dollars or  
45 thirty-six thousand dollars as applicable or the  
46 person claiming the dependent and the person's spouse  
47 have combined net income exceeding forty-eight  
48 thousand dollars or thirty-six thousand dollars as  
49 applicable.  
50 In addition, if the married persons', filing

Page 2

1 jointly or filing separately on a combined return, net  
2 income exceeds forty-eight thousand dollars, the  
3 regular tax imposed under this division shall be the  
4 lesser of the maximum state individual income tax rate  
5 times the portion of the net income in excess of  
6 forty-eight thousand dollars or the regular tax  
7 liability computed without regard to this sentence.  
8 Taxpayers electing to file separately shall compute  
9 the alternate tax described in this paragraph using  
10 the total net income of the husband and wife. The  
11 alternate tax described in this paragraph does not

12 apply if one spouse elects to carry back or carry  
13 forward the loss as provided in section 422.9,  
14 subsection 3.  
15 This subsection applies even though one spouse has  
16 not attained the age of sixty-five, if the other  
17 spouse is at least sixty-five at the end of the tax  
18 year.

19 Sec. 2. Section 422.5, subsection 7, Code 2005, is  
20 amended to read as follows:

21 7. In addition to the other taxes imposed by this  
22 section, a tax is imposed on the amount of a lump sum  
23 distribution for which the taxpayer has elected under  
24 section 402(e) of the Internal Revenue Code to be  
25 separately taxed for federal income tax purposes for  
26 the tax year. The rate of tax is equal to twenty-five  
27 percent of the separate federal tax imposed on the  
28 amount of the lump sum distribution. A nonresident is  
29 liable for this tax only on that portion of the lump  
30 sum distribution allocable to Iowa. The total amount  
31 of the lump sum distribution subject to separate  
32 federal tax shall be included in net income for  
33 purposes of determining eligibility under ~~the thirteen~~  
34 ~~thousand five hundred dollar or less or nine thousand~~  
35 ~~dollar or less exclusion, as applicable subsections 2~~  
36 ~~and 2A.~~

37 Sec. 3. EFFECTIVE AND APPLICABILITY DATE. This  
38 Act takes effect January 1, 2007, and applies to tax  
39 years beginning on or after that date."

40 2. Title page, by striking lines 1 and 2 and  
41 inserting the following: "An Act providing for a  
42 senior taxpayer income tax exclusion provision and  
43 including".

Swaim of Davis offered the following amendment H-8007, to  
amendment H-8005, filed by him from the floor and moved its  
adoption:

H-8007

1 Amend the amendment, H-8005, to House File 2045 as  
2 follows:

3 1. Page 1, line 12, by inserting after the word  
4 "return" the following: ", unmarried heads of  
5 household, and surviving spouses or".

6 2. Page 2, line 1, by inserting after the word  
7 "return," the following: "unmarried head of  
8 household's, or surviving spouse's".

9 3. Page 2, line 38, by striking the figure  
10 "2007," and inserting the following: "2008,".

Amendment H-8007 was adopted.

Boal of Polk offered amendment H-8006, to amendment H-8005, filed by her and J.K. Van Fossen of Scott from the floor and requested division as follows:

H-8006

1 Amend the amendment, H-8005, to House File 2045 as  
2 follows:

H-8006 A

3 1. Page 1, by striking lines 2 and 3, and  
4 inserting the following:  
5 "\_\_\_". Page 1, by inserting before line 1, the  
6 following:"

H-8006 B

7 2. Page 1, line 12, by inserting after the word  
8 "return" the following: ", unmarried heads of  
9 household, and surviving spouses or".  
10 3. Page 2, line 1, by inserting after the word  
11 "return," the following: "unmarried head of  
12 household's, or surviving spouse's".

H-8006 A

13 4. Page 2, line 36, by striking the figure "2A."  
14 and inserting the following: "2A."  
15 5. Page 2, by striking lines 37 through 43, and  
16 inserting the following:  
17 "\_\_\_". Title page, line 1, by inserting after the  
18 word "Act" the following: "relating to income  
19 taxation by providing for a senior taxpayer income tax  
20 exclusion and".

H-8006

21 6. By renumbering as necessary.

The House stood at ease at 4:56 p.m., until the fall of the gavel.

The House resumed session at 5:47 p.m., Speaker Rants in the chair.

Speaker Rants asked and received unanimous consent to defer amendment H-8005 and amendment H-8006A to amendment H-8005.

Hogg of Linn asked and received unanimous consent to defer amendment H-8001.

Mascher of Johnson asked and received unanimous consent to defer amendment H-8004.

The House stood at ease at 6:08 p.m., until the fall of the gavel.

The House resumed session at 6:53 p.m., Speaker Rants in the chair.

Boal of Polk asked and received unanimous consent to withdraw amendment H-8006A and B, previously deferred, to amendment H-8005, previously deferred, filed by her and J.K. Van Fossen of Scott.

Boal of Polk offered the following amendment H-8009, to amendment H-8005, filed by her from the floor and moved its adoption:

H-8009

- 1 Amend the amendment, H-8005, to House File 2045 as
- 2 follows:
- 3 1. Page 1, by striking lines 2 and 3, and
- 4 inserting the following:
- 5 "\_\_\_ Page 1, by inserting before line 1, the
- 6 following:"
- 7 2. Page 2, line 36, by striking the figure "2A."
- 8 and inserting the following: "2A."
- 9 3. Page 2, by striking lines 37 through 43, and
- 10 inserting the following:
- 11 "\_\_\_ Page 3, by striking lines 24 through 26,
- 12 and inserting the following:
- 13 "Sec. \_\_\_. EFFECTIVE AND APPLICABILITY DATE
- 14 PROVISIONS. The sections of this Act enacting section
- 15 422.5, subsection 2A, and amending section 422.5,
- 16 subsection 7, take effect January 1, 2008, and apply
- 17 to tax years beginning on or after that date. The
- 18 sections of this act amending section 422.7,
- 19 subsection 13 and 31, take effect January 1, 2007, and
- 20 apply to tax years beginning on or after that date."
- 21 \_\_\_ Title page, line 1, by inserting after the
- 22 word "Act" the following: "relating to income
- 23 taxation by providing for a senior taxpayer income tax
- 24 exclusion and"."
- 25 4. By renumbering as necessary.



Roll call was requested by J.K. Van Fossen of Scott and Paulsen of Linn.

On the question "Shall amendment H-8009 to amendment H-8005 be adopted?" (H.F. 2045)

The ayes were, 81:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Freeman	Frevert	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Huser	Hutter	Jacobs
Jenkins	Jones	Kaufmann	Kressig
Kurtenbach	Lalk	Lukan	Lykam
Maddox	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Struyk	Swaim	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Whitaker	Whitead	Wilderdyke	Wise
Mr. Speaker			
Rants			

The nays were, 18:

Fallon	Ford	Gaskill	Heddens
Hogg	Hunter	Jacoby	Jochum
Kuhn	Lensing	Mascher	Olson, R.
Shoultz	Taylor, D.	Taylor, T.	Wendt
Wessel-Kroeschell	Winckler		

Absent or not voting, 1:

Zirkelbach

Amendment H-8009 was adopted.

On motion by Swaim of Davis, amendment H-8005, as amended, was adopted.

Hogg of Linn asked and received unanimous consent to withdraw amendment H-8001, previously deferred, filed by him on January 12, 2006.

Mascher of Johnson offered amendment H-8004, previously deferred, filed by her as follows:

H-8004

1 Amend House File 2045 as follows:

2 1. Page 3, by inserting after line 23 the  
3 following:

4 "Sec. \_\_\_\_ Section 453A.6, subsection 1, Code  
5 2005, is amended to read as follows:

6 1. There is imposed, and shall be collected and  
7 paid to the department, ~~the following taxes a tax~~ on  
8 all cigarettes used or otherwise disposed of in this  
9 state for any purpose whatsoever:

10 ~~Class A. On cigarettes weighing not more than~~  
11 ~~three pounds per thousand, eighteen mills on each such~~  
12 ~~cigarette.~~

13 ~~Class B. On cigarettes weighing more than three~~  
14 ~~pounds per thousand, eighteen mills on each such~~  
15 ~~cigarette. equal to the following:~~

16 a. From January 1, 2007, through June 30, 2007,  
17 two and seventy-five hundredths cents on each  
18 cigarette.

19 b. During the fiscal year beginning July 1, 2007,  
20 three and thirty-five hundredths cents on each  
21 cigarette.

22 c. During the fiscal year beginning July 1, 2008,  
23 four and sixty-five hundredths cents on each  
24 cigarette.

25 d. During the fiscal year beginning July 1, 2009,  
26 six and seventy-five hundredths cents on each  
27 cigarette.

28 e. During fiscal years beginning on or after July  
29 1, 2010, seven and eighty-five hundredths cents per  
30 cigarette.

31 Sec. \_\_\_\_ Section 453A.43, subsection 1,  
32 unnumbered paragraph 1, Code 2005, is amended to read  
33 as follows:

34 A tax is imposed upon all tobacco products in this  
35 state and upon any person engaged in business as a  
36 distributor of tobacco products, at the ~~rate of~~  
37 ~~twenty-two percent~~ percentage rate specified in  
38 subsection 7 of the wholesale sales price of the  
39 tobacco products, except little cigars as defined in  
40 section 453A.42. Little cigars shall be subject to  
41 the same rate of tax imposed upon cigarettes in

42 section 453A.6, payable at the time and in the manner  
 43 provided in section 453A.6; and stamps shall be  
 44 affixed as provided in division I of this chapter.  
 45 The tax on tobacco products, excluding little cigars,  
 46 shall be imposed at the time the distributor does any  
 47 of the following:  
 48 Sec.\_\_\_\_. Section 453A.43, subsection 2,  
 49 unnumbered paragraph 1, Code 2005, is amended to read  
 50 as follows:

Page 2

1 A tax is imposed upon the use or storage by  
 2 consumers of tobacco products in this state, and upon  
 3 the consumers, at the ~~rate of twenty-two percent~~  
 4 percentage rate specified in subsection 7 of the cost  
 5 of the tobacco products.  
 6 Sec.\_\_\_\_. Section 453A.43, Code 2005, is amended  
 7 by adding the following new subsection:  
 8 NEW SUBSECTION. 7. The percentage rate of tobacco  
 9 tax under this section is the following:  
 10 a. From January 1, 2007, through June 30, 2007,  
 11 thirty-three and seven-tenths percent.  
 12 b. During the fiscal year beginning July 1, 2007,  
 13 forty and nine-tenths percent.  
 14 c. During the fiscal year beginning July 1, 2008,  
 15 fifty-six and eight-tenths percent.  
 16 d. During the fiscal year beginning July 1, 2009,  
 17 eighty-two and five-tenths percent.  
 18 e. During the fiscal years beginning on or after  
 19 July 1, 2010, ninety-five and nine-tenths percent."  
 20 2. Page 3, by striking lines 25 and 26 and  
 21 inserting the following: "Act takes effect January 1,  
 22 2007. The sections of this Act amending section  
 23 422.7, subsections 13 and 31, apply to tax years  
 24 beginning on or after the effective date of this Act."  
 25 3. Title page, line 2, by inserting after the  
 26 word "income" the following: "and replacing the lost  
 27 revenues".  
 28 4. By renumbering as necessary.

Boal of Polk rose on a point of order that amendment H-8004 was not germane.

The Speaker ruled the point well taken and amendment H-8004 not germane.

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. 2045)

The ayes were, 81:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foegen
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Hogg	Horbach
Huseman	Huser	Hutter	Jacobs
Jenkins	Jones	Kaufmann	Kressig
Kurtenbach	Lalk	Lukan	Lykam
Maddox	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Struyk	Swaim	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Whitaker	Whitead	Wilderdyeke	Wise
Mr. Speaker			
Rants			

The nays were, 18:

Fallon	Ford	Frevert	Gaskill
Heddens	Hunter	Jacoby	Jochum
Kuhn	Lensing	Mascher	Olson, R.
Shoultz	Taylor, D.	Taylor, T.	Wendt
Wessel-Kroeschell	Winckler		

Absent or not voting, 1:

Zirkelbach

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

## IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2045** 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

- |          |  |
|----------|--|
| 2006\379 | Agnes Anderson, La Porte City – For celebrating her 92 <sup>nd</sup> birthday.                               |
| 2006\380 | Marvin and Marilyn Schulz, Jesup – For celebrating their 50 <sup>th</sup> wedding anniversary.               |
| 2006\381 | Ralph and Edna Gipper, Fairbank – For celebrating their 60 <sup>th</sup> wedding anniversary.                |
| 2006\382 | Howard and Alice Herbold, Newton – For celebrating their 60 <sup>th</sup> wedding anniversary.               |
| 2006\383 | Mary Jane Staebell, Waterloo – For celebrating her 80 <sup>th</sup> birthday.                                |
| 2006\384 | Eric Koehler, Denver – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 2006\385 | Magnus and Leona Goebel, Le Mars – For celebrating their 60 <sup>th</sup> wedding anniversary.               |
| 2006\386 | Melvin and Gertie Bonnema, Sioux Center – For celebrating their 65 <sup>th</sup> wedding anniversary.        |
| 2006\387 | Emory and Helen Saienga, Le Mars – For celebrating their 60 <sup>th</sup> wedding anniversary.               |
| 2006\388 | Florence Utech, Le Mars – For celebrating her 90 <sup>th</sup> birthday.                                     |
| 2006\389 | Mabel Solomon, Sioux City – For celebrating her 90 <sup>th</sup> birthday.                                   |
| 2006\390 | Darrel and Cloette Schroeder, Le Mars – For celebrating their 50 <sup>th</sup> wedding anniversary.          |
| 2006\391 | Larry and Nancy Gull, Garnavillo – For celebrating their 50 <sup>th</sup> wedding anniversary.               |

- 2006\392 Cletus and Zala Baade, Elkader – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\393 Lew and Shirley Goranson, Greeley – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\394 Jim and Mary Ellen Thein, Strawberry Point – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\395 Frances Trewin, Waucoma – For celebrating her 90<sup>th</sup> birthday.
- 2006\396 Helen Hillman, Oelwein – For celebrating her 80<sup>th</sup> birthday.
- 2006\397 Donald and Mary Lou McClain, Oelwein – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\398 Elmer Peters, Tripoli – For celebrating his 85<sup>th</sup> birthday.
- 2006\399 Norma Thede, Reinbeck – For celebrating her 80<sup>th</sup> birthday.
- 2006\400 Luella Jacobs, Traer – For celebrating her 99<sup>th</sup> birthday.
- 2006\401 Bill Dailey, Spencer – For celebrating his 80<sup>th</sup> birthday.
- 2006\402 Mary Kay Zinn, Spencer – For celebrating her 80<sup>th</sup> birthday.
- 2006\403 Anna Ott, Everly – For celebrating her 90<sup>th</sup> birthday.
- 2006\404 Joe and Lois Sweeney, Dubuque – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\405 Marvin Blaess, Grinnell – For celebrating his 90<sup>th</sup> birthday.
- 2006\406 Maynard Durr, Grinnell – For celebrating his 80<sup>th</sup> birthday.
- 2006\407 Caroline Hothckin, Grinnell – For celebrating her 80<sup>th</sup> birthday.
- 2006\408 Bob and Phyllis Rauch, Barnes City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\409 Edward and Josephine Henry, Barnes City – For celebrating their 64<sup>th</sup> wedding anniversary.
- 2006\410 Marie Caldwell, Oskaloosa – For celebrating her 100<sup>th</sup> birthday.
- 2006\411 Wayne Phillips, Oskaloosa – For celebrating his 80<sup>th</sup> birthday.
- 2006\412 Lyle and Linda Kenobbie, Greenville – For being named Outstanding Cattleman of the Year.
- 2006\413 Gertrude Hulst, Hospers – For celebrating her 90<sup>th</sup> birthday.

- 2006\414 Anna Ott, Everly – For celebrating her 90<sup>th</sup> birthday.
- 2006\415 Gertrude Bosma, Sibley – For celebrating her 90<sup>th</sup> birthday.
- 2006\416 Esther Haze, Sheldon – For celebrating her 90<sup>th</sup> birthday.
- 2006\417 Otto Stender, Maysville – For celebrating his 85<sup>th</sup> birthday.
- 2006\418 Paul Meskelunas, Sioux City – For celebrating his 88<sup>th</sup> birthday.
- 2006\419 John Croker, Colo – For celebrating his 85<sup>th</sup> birthday.
- 2006\420 Derrick Peterson, Wapello – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 307 Reassigned**

Commerce, Regulation and Labor: Tomenga, Chair; Freeman, Jacobs, Kressig, Petersen, Sands and Wise.

##### **House File 600**

Commerce, Regulation and Labor: Soderberg, Chair; Petersen and Sands.

##### **House File 2027**

Economic Growth: Wise, Chair; Jenkins and May.

##### **House File 2031**

Economic Growth: Soderberg, Chair; Thomas and Wilderdyke.

##### **House File 2037**

Economic Growth: Hoffman, Chair; Soderberg and Thomas.

##### **House File 2043**

Economic Growth: Wise, Chair; Jenkins and May.

##### **House File 2059**

Economic Growth: Granzow, Chair; Lukan and D. Olson.

##### **House File 2078**

Economic Growth: Jenkins, Chair; Schickel, Schueller, Soderberg and Thomas.

**House File 2086**

Economic Growth: Jenkins, Chair; Schickel, Schueller, Soderberg and Thomas.

**House File 2091**

Economic Growth: Jenkins, Chair; Schickel, Schueller, Soderberg and Thomas.

**House File 2099**

Education: Boal, Chair; Mascher and Paulsen.

**House File 2100**

Education: Chambers, Chair; Tymeson and Wise.

**House File 2101**

Education: Paulsen, Chair; Chambers and Foegle.

**House File 2106**

Human Resources: Carroll, Chair; Heaton and Smith.

**House File 2108**

Human Resources: Heaton, Chair; Heddens and Hutter.

**House File 2123**

Economic Growth: Jenkins, Chair; Schickel, Schueller, Soderberg and Thomas.

**House File 2125**

Economic Growth: Struyk, Chair; Anderson, May, Miller and Wise.

**House File 2131**

Economic Growth: Dandekar, Chair; May and Wilderdyke.

**House File 2147**

Judiciary: Heaton, Chair; Anderson and Foegle.

**House File 2153**

Economic Growth: Thomas, Chair; Lalk and Wilderdyke.

**House File 2164**

Transportation: Dolecheck, Chair; Elgin and Hunter.



**House File 2179**

Economic Growth: Soderberg, Chair; Thomas and Wilderdyke.

**Senate File 354 Reassigned**

Commerce, Regulation and Labor: Struyk, Chair; Hoffman, Oldson, Pettengill, Quirk, Sands, Soderberg, Tomenga and Wise.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 589**

Education: Tomenga, Chair; Tymeson and Wendt.

**House Study Bill 590**

Education: Tomenga, Chair; Tymeson and Wendt.

**House Study Bill 591**

Education: Tymeson, Chair; Kaufmann and Winckler.

**House Study Bill 592**

Government Oversight: Alons, Chair; Hutter and Whitead.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 594 Commerce, Regulation and Labor**

Relating to prohibited business practices by a real estate broker or salesperson.

**H.S.B. 595 Judiciary**

Relating to a contribution or donation to statewide nonprofit legal aid organization in a criminal proceeding.

**H.S.B. 596 Economic Growth**

Relating to tax incentives and assistance available to qualified historic property located in designated enterprise zones and other historic property, and including effective and applicability date provisions.

**H.S.B. 597 Economic Growth**

Relating to certified capital companies and providing a certified capital company insurance premium tax credit and penalties.

**H.S.B. 598 Public Safety**

Relating to official traffic control signals monitored by red light cameras.

**H.S.B. 599 State Government**

Relating to the real estate education fund.

**H.S.B. 600 Education**

Creating the Iowa proprietary tuition grant program and providing an appropriation.

**H.S.B. 601 Education**

Providing supplementary weighting for shared school district operational functions, making an appropriation, and providing effective and applicability dates.

**H.S.B. 602 Human Resources**

Relating to requirements for preadmission screening for long-term care services under the medical assistance program.

**H.S.B. 603 Transportation**

Providing for regulation of motor vehicles by the state department of transportation, including motor vehicle registration and fees, commercial driver licensing, wholesaler licensing, vehicle braking requirements, vehicle length restrictions, proof of financial responsibility requirements, and persons with disabilities parking permits.

**H.S.B. 604 Judiciary**

Relating to the fee for filing a praecipe with the clerk of the district court.

**H.S.B. 605 Judiciary**

Relating to an offer of settlement in a civil case and providing remedies.

**H.S.B. 606 Judiciary**

Relating to joint physical care of children in dissolution cases.

**H.S.B. 607 Commerce, Regulation and Labor**

Relating to the workers' compensation law concerning debt collection practices, and payment of workers' compensation benefits.

**H.S.B. 608 Commerce, Regulation and Labor**

Relating to priority of labor or wage claims over other debts when an employer's property is placed in receivership or otherwise seized by creditors.

**H.S.B. 609 Commerce, Regulation and Labor**

Authorizing the labor commissioner to represent laborers or employees seeking wage claims in pending receivership or seizure actions and providing an applicability date.

**H.S.B. 610 State Government**

Establishing a moratorium on the number of monitor vending machines authorized by the Iowa lottery authority and providing an effective date.

**H.S.B. 611 Economic Growth**

Creating an insurance industry new jobs tax credit.

### **H.S.B. 612 Commerce, Regulation and Labor**

Providing an exception to the payday information employers are required to provide each employee under the Iowa wage payment collection law.

### **H.S.B. 613 Public Safety**

Relating to the confidentiality and release of an intelligence assessment or intelligence data.

### **H.S.B. 614 Human Resources**

Relating to placing nursing facility beds in reserve, 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 STATE GOVERNMENT**

**House File 330**, a bill for an act relating to a Midwest interstate passenger rail compact and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** January 31, 2006.

**Committee Bill** (Formerly House Study Bill 536), concerning the Iowa public employees' retirement system, and providing an effective and retroactive applicability date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 31, 2006.

## RESOLUTIONS FILED

**HR 109**, by Kressig, Shoultz, Jenkins, Berry, Pettengill, Davitt, Hutter, Gaskill, Jacoby, Whitaker, Bell, Winckler, Shomshor, May, Miller, Petersen, Lukan, Soderberg, Tjepkes, Murphy and Oldson, a resolution honoring the University of Northern Iowa Football Team.

Laid over under **Rule 25**.

**HR 110**, by Eichhorn, a resolution to urge the Governor to negotiate a health savings account option for state employees.

Laid over under **Rule 25**.

## AMENDMENT FILED

H—8008      H.F.      540      Tomenga of Polk

On motion by Gipp of Winneshiek the House adjourned at 8:38 p.m., until 8:45 a.m., Wednesday, February 1, 2006.

# JOURNAL OF THE HOUSE

Twenty-fourth Calendar Day - Seventeenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, February 1, 2006

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

Prayer was offered by Reverend David Ruhe, pastor of Plymouth Congregational United Church of Christ, Des Moines. He was the guest of Representative Libby Jacobs of Polk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, January 31, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2207**, by Struyk, Huser, Dandekar, Kressig, J.K. Van Fossen, Baudler, Greiner, Freeman, Rayhons, Drake, Heaton, Soderberg, Hoffman, Boal, Sands, S. Olson, Jenkins, May, Jacobs, Rasmussen, Roberts, Elgin, J.R. Van Fossen, Dolecheck, Jones, Kurtenbach, Horbach, D. Olson, Paulsen, Mertz, T. Taylor, Bell, Swaim, Schueller, Whitaker, Heddens, Lykam, Berry, Wendt, D. Taylor and Gaskill, a bill for an act relating to safe motor vehicle operation, including penalties for certain motor vehicle violations resulting in injury or death and classroom instruction for driver education courses.

Read first time and referred to committee on **public safety**.

**House File 2208**, by Jochum, a bill for an act to require a landlord to have good cause to terminate a mobile home space rental agreement.

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

**House File 2209**, by Gaskill, a bill for an act relating to the criminal penalty for trespassing.

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

**House File 2210**, by Mascher, a bill for an act relating to annual recommendations regarding the prevention of future domestic abuse deaths by the Iowa domestic abuse death review team.

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

**House File 2211**, by Cohoon, a bill for an act relating to the bases for exemptions to estate recovery under the medical assistance program.

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

**House File 2212**, by Jochum, Wessel-Kroeschell, Mascher, Winckler and Lensing, a bill for an act relating to the expansion of the healthy and well kids in Iowa program to parents, custodians, and guardians of eligible children.

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

**House File 2213**, by Mascher, a bill for an act establishing a women's housing technical assistance program.

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

**House File 2214**, by Hutter, a bill for an act relating to establishing a task force to study the confining of inmates out of state.

Read first time and referred to committee on **public safety**.

**House File 2215**, by Eichhorn, a bill for an act relating to requests for regulatory analysis of administrative rules.

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

**House File 2216**, by Eichhorn, a bill for an act allowing a governing body to enter into an agreement for land development within two miles of the boundaries of a city.

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

**House File 2217**, by Roberts, a bill for an act relating to standards for endow Iowa qualified community foundations.

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

**House File 2218**, by Jochum, Wessel-Kroeschell, Mascher, Winckler and Lensing, a bill for an act relating to consumer loans, including providing for a maximum finance charge and certain reporting requirements for loans secured by a certificate of title to a motor vehicle, providing for an increase in fees for supervised loans, and making penalties applicable.

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

**House File 2219**, by Kaufmann and Lalk, a bill for an act relating to access to certain cemeteries or burial sites located on private property.

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

**House File 2220**, by Jochum, Wessel-Kroeschell, Mascher, Winckler and Lensing, a bill for an act relating to advertising for delayed deposit services and consumer loans secured by a motor vehicle and making penalties applicable.

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

**House File 2221**, by McCarthy, a bill for an act relating to consumer loans secured by a certificate of title to a motor vehicle by creating the crime of loansharking, providing for a maximum finance



charge, providing for criminal penalties, making penalties applicable, and providing an effective date.

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

#### HOUSE FILE 2163 REREFERRED

The Speaker announced that House File 2163, previously referred to committee on **judiciary** was rereferred to committee on **public safety**.

#### HOUSE FILE 2176 REREFERRED

The Speaker announced that House File 2176, previously referred to committee on **judiciary** was rereferred to committee on **public safety**.

#### 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

- |          |   |
|----------|---|
| 2006\421 | Francis and Marilyn Pirc, Earlville – For celebrating their 50 <sup>th</sup> wedding anniversary.   |
| 2006\422 | Mary Vajgrt, Toledo – For celebrating her 80 <sup>th</sup> birthday.  |
| 2006\423 | Wilma Schmidt, Tama – For celebrating her 80 <sup>th</sup> birthday.  |
| 2006\424 | Jim Korver, Orange City – For celebrating his 90 <sup>th</sup> birthday.  |
| 2006\425 | Matthew Swanson, Ollie – For being selected to represent Richland American Legion Post #504 for Hawkeye Boys State.   |
| 2006\426 | Mary Williams, Sigourney – For receiving a Glass Apple Award from Iowa's First Lady Christie Vilsack, for her Outstanding Teacher-Librarian Services to the Sigourney School. |
| 2006\427 | Mr. and Mrs. Arlo Sauer, Hedrick – For celebrating their 60 <sup>th</sup> wedding anniversary.  |

2006\428 Dale and Rosamond Sasseen, Richland – For celebrating their 68<sup>th</sup> wedding anniversary.

2006\429 Dale Sasseen, Richland – For celebrating his 90<sup>th</sup> birthday.

**SUBCOMMITTEE ASSIGNMENTS**

**House File 2021**

Human Resources: Carroll, Chair; Freeman and Heddens.

**House File 2111**

Judiciary: Tymeson, Chair; Carroll and Winckler.

**House File 2140**

Public Safety: Horbach, Chair; Baudler and McCarthy.

**House File 2146**

Human Resources: Upmeyer, Chair; Carroll and Foege.

**House File 2148**

Human Resources: Kurtenbach, Chair; Granzow and Petersen.

**House File 2157**

Human Resources: Granzow, Chair; Berry and Heaton.

**House File 2158**

Human Resources: Carroll, Chair; Jacoby and Roberts.

**House File 2166**

Judiciary: Tymeson, Chair; Carroll and Winckler.

**House File 2168**

Judiciary: J.R. Van Fossen, Chair; Foege and Heaton.

**House File 2182**

Environmental Protection: Greiner, Chair; Kurtenbach and Shoultz.

**House File 2183**

Judiciary: Tymeson, Chair; Carroll and Winckler.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 594**

Commerce, Regulation and Labor: Jacobs, Chair; Jacoby and May.

**House Study Bill 596**

Economic Growth: Wilderdyke, Chair; Lalk, May, Reichert and Schueller.

**House Study Bill 597**

Economic Growth: Anderson, Chair; Dandekar, Granzow, Miller and Schickel.

**House Study Bill 598**

Public Safety: Tjepkes, Chair; Bell, and Van Engelenhoven.

**House Study Bill 599**

State Government: Kurtenbach, Chair; Quirk and Tomenga.

**House Study Bill 600**

Education: Chambers, Chair; Dolecheck and Oldson.

**House Study Bill 601**

Education: Chambers, Chair; Dolecheck and Wendt.

**House Study Bill 602**

Human Resources: Upmeyer, Chair; Carroll and Wendt.

**House Study Bill 603**

Transportation: Huser, Chair; Arnold, McCarthy, S. Olson and Rasmussen.

**House Study Bill 607**

Commerce, Regulation and Labor: Horbach, Chair; Freeman and T. Taylor.

**House Study Bill 608**

Commerce, Regulation and Labor: Horbach, Chair; Freeman and T. Taylor.

**House Study Bill 609**

Commerce, Regulation and Labor: Horbach, Chair; Freeman and T. Taylor.

**House Study Bill 610**

State Government: Elgin, Chair; Greiner, Jacobs, Quirk, Roberts, T. Taylor and Whitead.

**House Study Bill 612**

Commerce, Regulation and Labor: Horbach, Chair; Freeman and T. Taylor.

**House Study Bill 613**

Public Safety: Tjepkes, Chair; Berry and Van Engelenhoven.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 615 Judiciary**

Relating to the recognition of a civil judgment, decree, or order of the tribal court of the Sac and Fox Indian tribe of the Mississippi in Iowa.

**H.S.B. 616 Judiciary**

Relating to the effective period and legislative review of administrative rules.

**H.S.B. 617 Agriculture**

Relating to confinement feeding operations by requiring the submission of updated manure management plans on a multiyear basis, providing for fees, and making penalties applicable.

**H.S.B. 618 Human Resources**

Providing for the establishment of a viral hepatitis program and study.

**COMMITTEE RECOMMENDATIONS**

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 File 498), prescribing the frequency of a guardian ad litem's visits to the residence of a child.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 31, 2006.

## COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House Study Bill 518), relating to county board of supervisor vacancies.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 31, 2006.

## COMMITTEE ON VETERANS AFFAIRS

**Committee Bill** (Formerly House Study Bill 572), relating to hunting and fishing licenses for certain veterans.

Fiscal Note not required.

Recommended **Do Pass** February 1, 2006.

## RESOLUTIONS FILED

**HR 111**, by Bell, Huser, Carroll and Van Engelenhoven, a resolution welcoming the Whirlpool Corporation to the State of Iowa and offering support and assistance for Whirlpool's success and future in Iowa.

Laid over under **Rule 25**.

**HR 112**, by Jochum, Mascher, Lensing, Winckler and Wessel-Kroeschell, a resolution urging the United States Congress to authorize the United States Food and Drug Administration to regulate tobacco products.

Laid over under **Rule 25**.

On motion by Gipp of Winneshiek the House adjourned at 8:54 a.m., until 8:45 a.m., Thursday, February 2, 2006.

# JOURNAL OF THE HOUSE

Twenty-fifth Calendar Day - Eighteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, February 2, 2006

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

Prayer was offered by Bishop Joseph Charron of the Diocese of Des Moines. He was the guest of Representative Scott Raecker of Polk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, February 1, 2006 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 February 1, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 864, a bill for an act providing an exemption from and a refund of sales and use taxes on materials and services used in the construction of a building or addition to a building to be used as a collaborative educational facility and including effective and applicability date provisions.

Also: That the Senate has on February 1, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2056, a bill for an act relating to the Honey creek premier destination park bond program.

Also: That the Senate has on February 1, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2076, a bill for an act relating to confinement feeding operations by providing for manure management plans.

Also: That the Senate has on February 1, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2087, a bill for an act relating to an increase in per diem paid to trustees of sanitary districts.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILLS

**House File 2222**, by Lukan, a bill for an act relating to scheduled fines for violations committed by snowmobile operators.

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

**House File 2223**, by Upmeyer, a bill for an act relating to the legislative review of administrative rules, and rescinding all rules every five years.

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

**House File 2224**, by Huser and Bukta, a bill for an act relating to the application and enforcement of the state building code and providing an applicability date.

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

**House File 2225**, by McCarthy, a bill for an act relating to an involuntary commitment hearing for a chronic substance abuser.

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

**House File 2226**, by Wise, a bill for an act relating to the eligibility of cities and counties to create enterprise zones.

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

**House File 2227**, by Rants, Soderberg, Wendt and Whitead, a bill for an act relating to qualified historic property located in designated enterprise zones and other historic property, taxation of such property and its owners, developers, and investors, and including effective and applicability date provisions.

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

**House File 2228**, by McCarthy, Baudler and J.R. Van Fossen, a bill for an act relating to the criminal offense of criminal trespass, and providing a penalty.

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

**House File 2229**, by Rants, a bill for an act authorizing a school district to share its portion of incremental property taxes with a contiguous school district.

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

**House File 2230**, by Wise, Bell, R. Olson, Petersen, Pettengill, Quirk and Reichert, a bill for an act providing for the licensing and regulation of motor vehicle equity line of credit lenders, and providing for fees and penalties.

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

**House File 2231**, by Hogg and Paulsen, a bill for an act relating to the assessment of a fee when filing a praecipe.

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

**House File 2232**, by commerce, regulation and labor, a bill for an act relating to the naming of a national bank or a federal savings association and including a retroactive applicability provision.

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

**House File 2233**, by Smith and Anderson, a bill for an act relating to the time limit on executions of judgments and orders for wage garnishments.

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

#### HOUSE FILE 2216 REREFERRED

The Speaker announced that House File 2216, previously referred to committee on **local government** was rereferred to committee on **economic growth**.



## HOUSE FILE 2228 REREFERRED

The Speaker announced that House File 2228, previously referred to committee on **judiciary** was rereferred to committee on **public safety**.

## 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

- |          |  |
|----------|--|
| 2006\430 | Pv2 Christopher Joseph Schute, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 2006\431 | Russell and Dorothy Stoker, Grinnell – For celebrating their 50 <sup>th</sup> wedding anniversary.                             |
| 2006\432 | Nadine Coots, Grinnell – For celebrating her 80 <sup>th</sup> birthday.  |
| 2006\433 | Mabel Esler Madill, Grinnell – For celebrating her 90 <sup>th</sup> birthday.  |
| 2006\434 | Roland and Eleanor Anderson, Oskaloosa – For celebrating their 65 <sup>th</sup> wedding anniversary.                           |
| 2006\435 | Seth Michael McMullen, Earlham – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.         |

## SUBCOMMITTEE ASSIGNMENTS

### House File 2065

Education: Tymeson, Chair; Cohoon and Roberts.

### House File 2136

Education: Granzow, Chair; Chambers and Wendt.

### House File 2138

Education: Tymeson, Chair; Cohoon and Roberts.

### House File 2172

State Government: Drake, Chair; Elgin, Jochum, Kurtenbach, T. Taylor, Tomenga and Wendt.

**House File 2173**

Education: Paulsen, Chair; Dolecheck and Oldson.

**House File 2174**

State Government: Elgin, Chair; Greiner, Jacobs, Quirk, Roberts, T. Taylor and Whitead.

**House File 2184**

Education: Tymeson, Chair; Boal and Wise.

**House File 2187**

Local Government: Watts, Chair; Hoffman and Schueller.

**House File 2188**

Judiciary: Tymeson, Chair; Paulsen and Smith.

**House File 2193**

Judiciary: Tymeson, Chair; Lensing and Paulsen.

**House File 2194**

Judiciary: Alons, Chair; Eichhorn and Winckler.

**House File 2197**

Judiciary: Hutter, Chair; R. Olson and J.R. Van Fossen.

**House File 2199**

Education: Chambers, Chair; Tymeson and Wendt.

**House File 2200**

Judiciary: Kaufmann, Chair; Paulsen and Swaim.

**House File 2202**

Education: Boal, Chair; Carroll and Hogg.

**House File 2205**

Judiciary: Tymeson, Chair; Heaton and Winckler.

**House File 2206**

Economic Growth: Wilderdyke, Chair; Reichert and Schickel.

**House File 2209**

Judiciary: Hutter, Chair; Anderson and R. Olson.

**House File 2210**

Judiciary: Tymeson, Chair; Carroll and Lensing.

**House File 2219**

Local Government: Rasmussen, Chair; Arnold and Huser.

**House File 2222**

Transportation: Rasmussen, Chair; Jones and Mertz.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 611**

Economic Growth: Anderson, Chair; Miller and Schickel.

**House Study Bill 614**

Human Resources: Heaton, Chair; Carroll, Smith, Upmeyer and Wendt

**House Study Bill 617**

Agriculture: Dolecheck, Chair; Rayhons and Thomas.

**House Study Bill 618**

Human Resources: Freeman, Chair; Kurtenbach and Smith.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 619 State Government**

Automatically rescind on a periodic basis all administrative rules and require periodic review of all administrative rules.

**H.S.B. 620 Education**

Relating to the state board of education's rules regarding educational technology and telecommunication.

## H.S.B. 621 Education

Increasing the compulsory school attendance age to eighteen.

### 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 563), 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** February 1, 2006.

### COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House Study Bill 523), requiring the board of directors of a school district to adopt a parent and guardian involvement policy.

Fiscal Note is not required.

Recommended **Do Pass** February 1, 2006.

**Committee Bill** (Formerly House Study Bill 525), relating to the core curriculum plan developed by a school district in cooperation with a student.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 1, 2006.

### COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House File 2093), relating to the election of mayor and city council members in a city governed by the council-manager-at-large form of city government.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 2, 2006.

## AMENDMENT FILED

H—8010      H.F.      540      Thomas of Clayton

On motion by Gipp of Winneshiek the House adjourned at 8:51 a.m., until 9:00 a.m., Friday, February 3, 2006.

# JOURNAL OF THE HOUSE

Twenty-sixth Calendar Day - Nineteenth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, February 3, 2006

The House met pursuant to adjournment at 9:06 a.m., Gipp of Winneshiek in the chair.

The Journal of Thursday, February 2, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2234**, by Huser and Bukta, a bill for an act relating to the application of the state building code, appropriating fees, and providing an applicability date.

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

**House File 2235**, by committee on judiciary, a bill for an act prescribing the frequency of a guardian ad litem's visits to the residence of a child.

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

**House File 2236**, by Drake, a bill for an act relating to county bonding for capital projects.

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

**House File 2237**, by Kaufmann, a bill for an act requiring hospitals to furnish newborn birth information to the Iowa department of public health.

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

**House File 2238**, 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 placed on the **appropriations calendar**.

**House File 2239**, by committee on education, a bill for an act requiring the board of directors of a school district to adopt a parent and guardian involvement policy.

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

**House File 2240**, by committee on local government, a bill for an act relating to county board of supervisor vacancies.

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

**House File 2241**, by Pettengill, Wessel-Kroeschell, Swaim, D. Olson, Bukta, D. Taylor, Berry, Davitt, T. Taylor, Jochum, Winckler, Lensing, Miller, Gaskill, Schueller and Murphy, a bill for an act prohibiting investment of certain public funds in companies doing business in Sudan by the treasurer of state, the Iowa public employees' retirement system, and the state board of regents.

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

**House File 2242**, by Hunter, a bill for an act relating to the validity of marriages and providing for a task force to review the issues faced by spouses.

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

**House File 2243**, by Dandekar, Struyk, Huser, Kaufmann and Mertz, a bill for an act revising the amount of the matching grant payable under the home ownership assistance program for veterans and providing an effective date.

Read first time and referred to committee on **veterans affairs**.

**House File 2244**, by committee on veterans affairs, a bill for an act relating to hunting and fishing licenses for certain veterans.

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

**House File 2245**, by committee on state government, a bill for an act concerning the Iowa public employees' retirement system and the statewide fire and police retirement system, and providing an effective and retroactive applicability date.

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

**House File 2246**, by Schickel, a bill for an act providing a tax credit to a small business for unemployment benefits paid to national guard and military reserve replacement workers and including a retroactive applicability date provision.

Read first time and referred to committee on **veterans affairs**.

**House File 2247**, by Sands, a bill for an act relating to the issuance of identity theft passports by the attorney general.

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

#### SENATE MESSAGES CONSIDERED

**Senate File 2056**, by committee on appropriations, a bill for an act relating to the Honey creek premier destination park bond program and providing an effective date.

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

**Senate File 2076**, by committee on agriculture, a bill for an act relating to confinement feeding operations by providing for manure management plans.

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

**Senate File 2087**, by committee on local government, a bill for an act relating to an increase in per diem paid to trustees of sanitary districts.

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



## COMMUNICATIONS RECEIVED

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

### BOARD OF REGENTS

Diversity and Minority and Women Educators' Program annual report for 2005, pursuant to Chapter 19B.5(3), Code of Iowa.

### DEPARTMENT OF ADMINISTRATIVE SERVICES

Annual report of recycled products, pursuant to Chapter 8A.315, Code of Iowa.

Fiscal year 2005 IOWAccess Revolving Fund annual report, pursuant to Chapter 8A.224, Code of Iowa.

### DIVISION OF CRIMINAL AND JUVENILE JUSTICE PLANNING

2006 update, pursuant to Chapter 216A.135, Code of Iowa.

### IOWA WORKFORCE DEVELOPMENT

2005 annual report, pursuant to Chapter 7E.3(4), Code of Iowa.

### SECRETARY OF STATE Iowa Judicial Branch

Report concerning the Enhanced Court Collection Fund and the Court Technology Fund, pursuant to Chapter 171.9, Code of Iowa.

### SUBCOMMITTEE ASSIGNMENTS

#### **House File 2176**

Public Safety: Horbach, Chair; Baudler and McCarthy.

#### **House File 2190**

Public Safety: Heddens, Chair; Alons and Baudler.

#### **House File 2203**

Public Safety: Horbach, Chair; Baudler and McCarthy.

#### **House File 2215**

State Government: Roberts, Chair; Bukta, Lensing, Paulsen and Tomenga.

**House File 2217**

Economic Growth: Lalk, Chair; Granzow and D. Olson.

**House File 2223**

State Government: Roberts, Chair; Bukta, Lensing, Paulsen and Tomenga.

**House File 2228**

Public Safety: McCarthy, Chair; Baudler and J.R. Van Fossen.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**

**House Study Bill 619**

State Government: Roberts, Chair; Bukta, Lensing, Paulsen and Tomenga.

On motion by Tymeson of Madison the House adjourned at 9:10 a.m., until 1:00 p.m., Monday, February 6, 2006.

# JOURNAL OF THE HOUSE

Twenty-ninth Calendar Day - Twentieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, February 6, 2006

The House met pursuant to adjournment at 1:10 p.m., Speaker Rants in the chair.

Prayer was sung by Dallas Clark of Milford. She was the guest of Representative Mike May of Dickinson County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Friday, February 3, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2248**, by May, a bill for an act relating to the expansion of authorized uses of physical plant and equipment levy revenue, and including an applicability provision.

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

**House File 2249**, by May, a bill for an act providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty.

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

**House File 2250**, by May, a bill for an act establishing a mathematics and science teacher forgivable loan program for undergraduate and graduate students.

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

**House File 2251**, by May, a bill for an act relating to reimbursement amounts paid by distributors to dealers, redemption center operators, and dealer agents for empty beverage containers.

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

**House File 2252**, by May, a bill for an act concerning earning restrictions and establishing a bona fide retirement for certain science and mathematics teachers under the Iowa public employees' retirement system.

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

**House File 2253**, by May, a bill for an act relating to the school start date requirements.

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

#### ADOPTION OF HOUSE RESOLUTION 109

Kressig of Black Hawk and Jenkins of Black Hawk called up for consideration **House Resolution 109**, a resolution honoring the University of Northern Iowa Football Team, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### SPECIAL PRESENTATION

Jenkins of Black Hawk introduced to the House, Coach Mark Farley of the University of Northern Iowa Football Team whom introduced his assistants and several of the Panther football players.

The House rose and expressed its welcome.

The House stood at ease at 1:26 p.m., until the fall of the gavel.

The House resumed session at 2:13 p.m., Speaker pro tempore Carroll in the chair.

## ADOPTION OF HOUSE CONCURRENT RESOLUTION 103

S. Olson of Clinton called up for consideration **House Concurrent Resolution 103**, a concurrent resolution to approve and confirm the appointment of the Citizens' Aide, and moved its adoption.

On the question "Shall House Concurrent Resolution 103 be adopted?" (HCR 103)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hogg	Horbach	Hunter	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rayhons	Rants, Spkr.
Rasmussen	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyeke
Winckler	Wise	Carroll	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Foege	Hoffman	Jones	Taylor, T.
Zirkelbach			

The motion prevailed and the resolution was adopted.

**CONSIDERATION OF BILLS**  
Regular Calendar

**House File 2161**, a bill for an act relating to the state of Iowa scholarship program administered by the college student aid commission and providing an effective date, was taken up for consideration.

Kaufmann 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. 2161)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hogg	Horbach	Hunter	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Carroll	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Foege	Hoffman	Jones	Taylor, T.
Zirkelbach			

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

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2161** and **House Concurrent Resolution 103**.

### COMMUNICATION RECEIVED

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

#### DEPARTMENT OF MANAGEMENT

Standing Appropriation Report, pursuant to Chapter 8.6(2), 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

- |          |   |
|----------|---|
| 2006\436 | Jonathan Beranek, West Branch – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 2006\437 | Calvin Moore, Tipton – For celebrating his 90 <sup>th</sup> birthday.   |
| 2006\438 | Marjorie Marsteller, West Liberty – For celebrating her 100 <sup>th</sup> birthday.                                   |
| 2006\439 | Bill Resewehr, Clarence – For celebrating his 80 <sup>th</sup> birthday.  |
| 2006\440 | Evelyn Hatcher, Tipton – For celebrating her 80 <sup>th</sup> birthday.   |
| 2006\441 | Raymond and Luetta Meier, Lowden – For celebrating their 60 <sup>th</sup> wedding anniversary.                        |
| 2006\442 | Harold and Mary Louise Horman, Lowden – For celebrating their 50 <sup>th</sup> wedding anniversary.                   |
| 2006\443 | John and Jen Keizer, Hull – For celebrating their 60 <sup>th</sup> wedding anniversary.                               |

- 2006\444 Roger Vis, Hull – For his 35 years of dedicated teaching government and history classes at Western Christian High School, and for his active involvement in state and local politics, serving as a chairman of Lincoln Township.
- 2006\445 Frank and Kay Moffatt, Sioux City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\446 Arlo and Madonna Fay, Sioux City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\447 Viola Meier, Sioux City – For celebrating her 86<sup>th</sup> birthday.
- 2006\448 Grayce “Flanagan” Collins, Sioux City – For celebrating her 100<sup>th</sup> birthday.
- 2006\449 Ruth Johnston, Sioux City – For celebrating her 100<sup>th</sup> birthday.
- 2006\450 Syne and Esther Wynia, Orange City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\451 Mary Lehman, Adair – For celebrating her 80<sup>th</sup> birthday.
- 2006\452 Glenn McDole, Ankeny – For celebrating his 85<sup>th</sup> birthday.
- 2006\453 Marjorie Deardorff, Panora – For celebrating her 85<sup>th</sup> birthday.
- 2006\454 Ruby Wortman, Adair – For celebrating her 90<sup>th</sup> birthday.
- 2006\455 Maynard and Rose Madsen, Audubon – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\456 Glenn and Alta Petersen, Exira – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\457 Bud and Beulah Schultz, Greenfield – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\458 Iris Erickson, Spencer – For celebrating her 85<sup>th</sup> birthday.
- 2006\459 Kirby Anderson, Iowa Lakes Area – For celebrating his 80<sup>th</sup> birthday.
- 2006\460 Ralph Toft, Royal – For celebrating his 80<sup>th</sup> birthday.
- 2006\461 Kenneth Woodford, Spencer – For celebrating his 90<sup>th</sup> birthday.
- 2006\462 Bob and Jean Kunert, Spencer – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\463 Hazel Steinfeldt, Eldora – For celebrating her 90<sup>th</sup> birthday.



- 2006\464 Marion and Shirley Izer, Iowa Falls – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\465 Wilma Trende, Iowa Falls – For celebrating her 80<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 2189**

Human Resources: Upmeyer, Chair; Hunter, Kurtenbach, Roberts and Smith.

##### **House File 2196**

Judiciary: Anderson, Chair; Hutter and Winckler.

##### **House File 2204**

Human Resources: Heaton, Chair; Smith and Upmeyer.

##### **House File 2225**

Judiciary: Anderson, Chair; Foege and J.R. Van Fossen.

##### **House File 2231**

Judiciary: J.R. Van Fossen, Chair; Maddox and Swaim.

##### **House File 2243**

Veterans Affairs: Kaufmann, Chair; Hutter and Wendt.

##### **House File 2246**

Veterans Affairs: Paulsen, Chair; D. Taylor and Watts.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

##### **House Study Bill 620**

Education: Boal, Chair; Bukta and Schickel.

##### **House Study Bill 621**

Education: Tymeson, Chair; Oldson, Paulsen, Roberts and Wendt.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

##### **H.S.B. 622 Natural Resources**

Relating to the regulation of all-terrain vehicles, and providing penalties.

**H.S.B. 623 State Government**

Requiring voters to provide certain identification when voting absentee or in person at the polling place.

**H.S.B. 624 State Government**

Concerning the authority of customer councils regarding the funding and providing of services by the department of administrative services and providing an effective date.

**H.S.B. 625 State Government**

Relating to building regulations, by establishing an internet website in the office of the state building code commissioner and requiring local governmental entities to report the adoption or amendment of local building regulations, and providing an effective date.

**H.S.B. 626 State government**

Providing for changes relating to specified aspects of the operation of the department of administrative services.

**H.S.B. 627 State Government**

Concerning accrued sick leave and the conversion of sick leave for state employees.

**H.S.B. 628 Judiciary**

Relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

**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, REGULATION AND LABOR

**Committee Bill** (Formerly House Study Bill 540), provide that the state elevator code supersedes conflicting provisions of building codes.

Fiscal Note is not required.

Recommended **Do Pass** February 2, 2006.

On motion by Gipp of Winneshiek the House adjourned at 2:22 p.m., until 8:45 a.m., Tuesday, February 7, 2006.

# JOURNAL OF THE HOUSE

Thirtieth Calendar Day - Twenty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 7, 2006

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

Prayer was offered by Sister Delores Hannon, Superintendent of St. Edmond Catholic School, Fort Dodge.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, February 6, 2006 was approved.

## INTRODUCTION OF BILLS

**House Joint Resolution 2001**, by Gipp and Murphy, 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**.

**House File 2254**, by J.R. Van Fossen, a bill for an act providing for the licensure of operators authorized to use and explode fireworks and making penalties applicable.

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

**House File 2255**, by Heaton, a bill for an act relating to notification of parents, guardians, or custodians of children receiving child care from an unregistered child care home when it is determined that child abuse involving the home has occurred.

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

**House File 2256**, by Mascher, a bill for an act appropriating moneys for the substance abuse therapeutic community treatment program at the Iowa correctional institution for women.

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

**House File 2257**, by Thomas, a bill for an act appropriating revenues from the state franchise tax to cities and counties.

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

**House File 2258**, by Wendt, a bill for an act relating to and making an appropriation to the department of education for the establishment of a grant program for the purchase and installation of air conditioning units in attendance centers.

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

**House File 2259**, by Mascher, a bill for an act relating to deposits on certain electronic goods and providing penalties.

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

**House File 2260**, by Jacobs, a bill for an act relating to identification of publicly owned motor vehicles used by persons who provide off-site or in-home medical or mental health services.

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

**House File 2261**, by Frevert, a bill for an act allowing an individual income tax deduction for dentists who receive state medical assistance reimbursement which is less than their normal fee and including a retroactive applicability date provision.

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

**House File 2262**, by Heaton, a bill for an act relating to limitations in restricting of access to certain drugs under the purview of the medical assistance drug utilization review commission.

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

**House File 2263**, by May, a bill for an act relating to motor vehicles and motor vehicle fuel, by providing for notice to consumers that a motor vehicle is a flexible fuel motor vehicle.

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

**House File 2264**, by Jenkins, a bill for an act allowing additional members to be appointed to a local board of health.

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

**House File 2265**, by Swaim, a bill for an act relating to smoking prohibitions in child care facilities and child care homes and making a penalty applicable.

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

**House File 2266**, by Wendt, a bill for an act relating to and making an appropriation to the department of education for the establishment and implementation of an area education agency infrastructure grant program.

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

**House File 2267**, by Mascher, a bill for an act relating to eligibility under the medical assistance program for family planning services.

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

**House File 2268**, by Shoultz, a bill for an act regulating anhydrous ammonia stored by persons licensed as fertilizer dealers by the department of agriculture and land stewardship, and making penalties applicable.

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

**House File 2269**, by Wendt, a bill for an act relating to the development of an Iowa studies professional development plan and the establishment of an Iowa studies committee.

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

**House File 2270**, by Ford, a bill for an act making an appropriation to the department of justice for the development of a domestic violence brochure regarding the effects of domestic violence.

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

**House File 2271**, by Hogg, a bill for an act relating to the regulation, production, and consumption of energy including providing for sales tax exemptions, income tax credits, research and development, and use tax refunds, requiring an electricity renewable energy standard, providing for a certificate of public convenience, low-income weatherization, a community energy conservation plan program, providing for public education of energy efficiency, and renewable energy education, establishing emission reduction goals, providing for state certification of carbon sequestration, establishing a renewable energy for schools grant program, establishing high-performance standards for certain public buildings, and making appropriations.

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

**House File 2272**, by Ford, a bill for an act relating to the certification and registration of real estate appraisers, providing a penalty, and making an appropriation.

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

**House File 2273**, by Miller, a bill for an act allowing the state poet laureate to be reimbursed for expenses for the performance of official duties and making an appropriation.

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

**House File 2274**, by Jenkins, a bill for an act providing individual and corporate income tax credits for the purchase and installation of methane gas conversion property by livestock producers to be used to generate electricity and including a retroactive applicability date provision.

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

**House File 2275**, by Ford, a bill for an act relating to technical assistance for certain recipients of moneys from the grow Iowa values fund.

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

**House File 2276**, by Chambers, a bill for an act relating to a school district's authority regarding attendance for graduating seniors.

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

**House File 2277**, by Schueller, Ford, Miller, Kressig, Bukta, Lukan, Pettengill and Mertz, a bill for an act relating to abuse of a human corpse, and providing penalties.

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

**House File 2278**, by Ford, a bill for an act relating to investment tax credits for eligible businesses under the enterprise zone program.

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

**House File 2279**, by Schueller, Kressig, Kuhn, Bukta, Lukan, Frevert, Bell, Hunter, Pettengill, Mertz and Jacoby, a bill for an act permitting cash prizes at annual game nights conducted by qualified organizations representing volunteer emergency services providers.

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

**House File 2280**, by Ford, a bill for an act directing the state board of regents to conduct a statewide study of the kindergarten through grade twelve school system to determine and recommend best strategies to improve student achievement.

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

**House File 2281**, by Jacoby and McCarthy, a bill for an act concerning employment protection for members of the national defense medical system and providing an effective date and applicability provision.

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



**House File 2282**, by committee on local government, a bill for an act relating to the election of mayor and city council members in a city governed by the council-manager-at-large form of city government.

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

**House File 2283**, by committee on commerce, regulation and labor, a bill for an act to provide that the state elevator code supersedes conflicting provisions of building codes.

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

**House File 2284**, by committee on education, a bill for an act relating to the core curriculum plan developed by a school district in cooperation with a student.

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

#### SPECIAL PRESENTATION

Jenkins of Black Hawk introduced to the House Congressmen Dr. Daniel Bianchi, Mr. Daniel Pena and Mr. Enrique Pintado of Uruguay, accompanied by Hoyt Rodgers from the U.S. State Department.

The House rose and expressed its welcome.

On motion by Gipp of Winneshiek, the House was recessed at 9:01 a.m., until 4:00 p.m.

#### AFTERNOON SESSION

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

#### INTRODUCTION OF BILLS

**House File 2285**, by Petersen, Wise, Reichert, Reasoner, Shomshor, Quirk, Frevert, Gaskill, Heddens, Whitaker, Bukta, D. Olson, Shoultz, Jochum, Mascher, Kressig, T. Taylor, Winckler, Lensing, D. Taylor, Pettengill, Berry, Wendt, Swaim, Cohoon, Foege,

Mertz, Bell, Huser, R. Olson, Whitead, Lykam, Jacoby, Oldson, Murphy, Kuhn, Fallon, Miller and Hunter, a bill for an act restricting electronic access to minors for certain purposes by creating a kids no e-contact list, prohibiting the sending of certain electronic messages to minors, creating a kids no e-contact list fund and providing for fees, and providing for civil penalties and remedies, and making appropriations and providing an effective date.

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

**House File 2286**, by J.R. Van Fossen, a bill for an act creating the penalty of death for the commission of murder in the first degree, kidnapping, and sexual abuse against the same minor, using DNA or fingerprint evidence to identify the perpetrator, providing a penalty, and providing an effective date.

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

**House File 2287**, by Berry, a bill for an act relating to the training requirements for foster parent licensure.

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

**House File 2288**, by Gaskill, a bill for an act relating to the provision of assistance to inmates regarding temporary modification of child support obligations.

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

**House File 2289**, by Upmeyer and Kaufmann, a bill for an act providing for the retention of fees by licensing boards, and the bureau of radiological health, under the purview of the Iowa department of public health, and providing an effective date.

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

**House File 2290**, by Reasoner, a bill for an act relating to participation of area education agencies and local education agencies in the medical assistance program.

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

**House File 2291**, by Fallon, a bill for an act relating to state land management and planning and local land management and planning for certain counties and cities and providing effective dates.

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

**House File 2292**, by Lukan, a bill for an act relating to the operation of all-terrain vehicles on the highway for limited purposes.

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

**House File 2293**, by Schickel, a bill for an act relating to adoption and termination of jurisdiction of a court involving prior child support and custody proceedings.

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

**House File 2294**, by committee on education, a bill for an act providing for an increase in the number of years for which supplementary weighting for limited English proficient students may be obtained, and providing effective and applicability dates.

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

#### CONSIDERATION OF BILL Regular Calendar

**House Joint Resolution 5**, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors, was taken up for consideration.

Jochum of Dubuque moved that the joint resolution be read a last time now and placed upon its passage which motion prevailed and the joint resolution was read a last time.

House Joint Resolution 5, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors.

*Be It Resolved by the General Assembly of the State Of Iowa:*

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Section 5 of Article II of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof:

**DISQUALIFIED PERSONS. SEC. 5.** A person adjudged mentally incompetent to vote or a person convicted of any infamous crime shall not be entitled to the privilege of an elector.

**Sec. 2. REFERRAL AND PUBLICATION.** The foregoing amendment to the Constitution of the State of Iowa is referred to the General Assembly to be chosen at the next general election for members of the General Assembly, and the Secretary of State is directed to cause the same to be published for three consecutive months previous to the date of that election as provided by law.

On the question "Shall the joint resolution be adopted and agreed to?" (H.J.R. 5)

The yeas were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hogg	Horbach	Hunter
Huseman	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Jones	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
Mascher	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Mr. Speaker
			Rants

The nays were, none.

Absent or not voting, 4:

Dix

Hoffman

Huser

Zirkelbach

The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House Joint Resolution 5** 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

- |           |   |
|-----------|---|
| 2006\466  | Lyle and Pat Edwards, Gladbrook – For celebrating their 50 <sup>th</sup> wedding anniversary.                   |
| 2006\467  | Justin and Agnes Droessler, Dubuque – For celebrating their 50 <sup>th</sup> wedding anniversary.               |
| 2006\468  | Gladys Northrup, Mason City – For celebrating her 100 <sup>th</sup> birthday.                                   |
| 2006\469  | Skyler Wistrom, Stanton – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 2006\470  | Harold and Janice Nostrom, Humboldt – For celebrating their 50 <sup>th</sup> wedding anniversary.               |
| 2006\471  | David and Lanny Gray, Rockwell City – For celebrating their 50 <sup>th</sup> wedding anniversary.               |
| 2006\472  | Connie and Faith Mandal, Dows – For celebrating their 59 <sup>th</sup> wedding anniversary.                     |
| 2006\473  | Glen and Donna Janssen, Jewell – For celebrating their 60 <sup>th</sup> wedding anniversary.                    |
| 2006\ 474 | Richard and Naomi Grossweiler, Rockwell – For celebrating their 50 <sup>th</sup> wedding anniversary.           |

- 2006\475 Philip and Wilma Luppen, Kanawha – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\476 Dave and Clarice Trotter, Newton – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\477 Leona Olhausen, Hartley – For celebrating her 100<sup>th</sup> birthday.
- 2006\478 Betty Sharer, Jewell – For celebrating her 80<sup>th</sup> birthday.
- 2006\479 Mr. and Mrs. Henry Britcher, Davenport – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\480 Mr. and Mrs. Raymond Perlick, Davenport – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\481 Mr. and Mrs. Ulysses Walker, Davenport – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\482 Mr. and Mrs. Charley Breinich, Davenport – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\483 Mr. and Mrs. Donald Creech, Davenport – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\484 Ann Boelman, La Porte City – For celebrating her 95<sup>th</sup> birthday.
- 2006\485 Jo Schefelbein, Fairbank – For celebrating her 80<sup>th</sup> birthday.
- 2006\486 Don and Dorothy Boldt, La Porte City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\487 Roger and Helen Noe, Rowley – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\488 Sue and Lenny Weih, Clinton – For receiving the Cap Timm President's Award for their contributions to the Iowa High School Baseball Coaches Association over the past 30 years.
- 2006\489 Roy and Darlene Struve, Clinton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\490 Eugene and June Hood, Clinton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\491 Lyle and JoAnn Guenther, West Union – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\492 Mabel Kuper, Oelwein – For celebrating her 89<sup>th</sup> birthday.
- 2006\493 Willhart Schellhorn, Oelwein – For celebrating his 89<sup>th</sup> birthday.

2006\494 Lula Buls, Frederika – For celebrating her 90<sup>th</sup> birthday.

**SUBCOMMITTEE ASSIGNMENTS**

**House File 2119**

Commerce, Regulation and Labor: Struyk, Chair; Hoffman, Oldson, Pettengill, Quirk, Sands, Soderberg, Tomenga and Wise.

**House File 2151**

Commerce, Regulation and Labor: Tomenga, Chair; Freeman, Jacobs, Kressig, Petersen, Sands and Wise.

**House File 2185**

Human Resources: Upmeyer, Chair; Carroll and Jacoby.

**House File 2207**

Public Safety: J.R. Van Fossen, Chair; Heddens and Tjepkes.

**House File 2212**

Human Resources: Heaton, Chair; Carroll and Petersen.

**House File 2214**

Public Safety: J.R. Van Fossen, Chair; Horbach and Lykam.

**House File 2230**

Commerce, Regulation and Labor: Tomenga, Chair; Freeman, Jacobs, Kressig, Petersen, Sands and Wise.

**House File 2234**

Local Government: Watts, Chair; Hoffman and Schueller.

**House File 2251**

Environmental Protection: Kurtenbach, Chair; Horbach and Kressig.

**House File 2277**

Judiciary: J.R. Van Fossen, Chair; Carroll and Smith.

**Senate File 2056**

Appropriations: May, Chair; Bell and Roberts.

**Senate File 2087**

Environmental Protection: Huseman, Chair; De Boef and Heddens.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 629 Economic Growth**

Allowing cities to create enterprise zones near modes of transportation.

**H.S.B. 630 Economic Growth**

Relating to eligibility requirements and certification of enterprise zones under the enterprise zone program and including effective and retroactive applicability dates.

**H.S.B. 631 Public Safety**

Relating to the standardized training and state certification of reserve peace officers.

**H.S.B. 632 Public Safety**

Relating to the practices and procedures of the department of corrections and the judicial district departments of correctional services, including increasing the penalty for sexual misconduct by an officer, employee, or agent of the department of corrections or a judicial district department of correctional services, and providing for a fee.

**H.S.B. 633 Transportation**

Relating to driver licensing provisions, motor vehicle operating restrictions, and passenger restraint requirements applicable to persons under age of eighteen, and providing penalties.

**H.S.B. 634 Judiciary**

Extending the statute of limitations for the filing of an indictment or information in a felony or aggravated or serious misdemeanor proceeding involving DNA profiling.



**H.S.B. 635 Judiciary**

Relating to the distribution of a presentence investigation report in a criminal proceeding.

**H.S.B. 636 Judiciary**

Relating to indigent defense claims and the reimbursement of costs in juvenile cases paid by a county.

**H.S.B. 637 Judiciary**

Relating to the crime victim compensation fund.

**H.S.B. 638 Judiciary**

Relating to the appointment of district associate judges and magistrates.

**H.S.B. 639 Judiciary**

Relating to the judicial branch including the assessment of court fees and costs.

**H.S.B. 640 Economic Growth**

Relating to projects identified under the Iowa great places program.

**H.S.B. 641 Economic Growth**

Relating to the linked investments for tomorrow Act.

**H.S.B. 642 Economic Growth**

Authorizing the rebate of state sales tax revenues to the owner or operator of a significant destination project.

**H.S.B. 643 Human Resources**

Relating to services and requirements for current and former participants in the child welfare system.

**H.S.B. 644 Human Resources**

Relating to persons with mental illness, mental retardation, developmental disabilities, or brain injury by addressing purposes and quality standards for services and other support available for such persons, establishing basic financial eligibility standards, addressing state and county financial responsibility for the cost of the services and other support, and providing an applicability date.

**H.S.B. 645 Human Resources**

Providing for various technical and substantive changes relating to health licensing and related public health matters.

**H.S.B. 646 Human Resources**

Relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license, and making technical corrections.

**H.S.B. 647 Human Resources**

Relating to programs and functions under the purview of the Iowa department of public health.

**H.S.B. 648 Human Resources**

Relating to the licensing and inspection of hotels, home food establishments, and food establishments, providing and increasing fees, making penalties applicable, making a contingent appropriation, and providing an effective date.

**H.S.B. 649 Judiciary**

Relating to landlords and tenants including notice requirements to terminate a periodic tenancy, representation of an owner of residential rental property in small claims court, and service of a petition for forcible entry and detainer by publication.

## 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 File 2129), providing for an increase in the number of years for which supplementary weighting for limited English proficient students may be obtained, and providing effective and applicability dates.

Fiscal Note is not required.

Recommended **Do Pass** February 6, 2006.

## COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House Study Bill 549), relating to the appointment of a judicial officer, a clerk of the district court, or a chief juvenile court officer.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 7, 2006.

## COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly House File 735), establishing the public hunting, parks, and trails program, and making appropriations to the program and to the conservation practices revolving loan fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 6, 2006.

## RESOLUTION FILED

**HR 113**, by Heddens, a resolution honoring The Madrid Homes on its centennial year.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H—8011	H.F.	2239	Wendt of Woodbury
H—8012	H.F.	2239	Bukta of Clinton
H—8013	H.F.	2238	Watts of Dallas

On motion by Gipp of Winneshiek the House adjourned at 4:08 p.m., until 8:45 a.m., Wednesday, February 8, 2006.

# JOURNAL OF THE HOUSE

Thirtieth-first Calendar Day - Twenty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, February 8, 2006

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

Prayer was offered by Reverend Householder, pastor of the Lutheran Church of Hope, West Des Moines. He was the guest of Representative Scott Raecker of Polk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, February 7, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2295**, by Paulsen, a bill for an act relating to sales and use tax exemptions for commercial breeders of canines.

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

**House File 2296**, by Roberts, a bill for an act relating to the tagging and possession of deer taken during certain deer hunting seasons.

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

**House File 2297**, by Mascher, a bill for an act relating to the requirements for approved practitioner and administrator preparation programs and coaching authorization courses.

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

**House File 2298**, by T. Taylor, a bill for an act prohibiting an inmate committed to the custody of the department of corrections

from being housed in a facility under the control of a private sector, nongovernmental entity.

Read first time and referred to committee on **public safety**.

**House File 2299**, by Ford, a bill for an act making an appropriation for legal services for persons in poverty grants.

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

**House File 2300**, by Mascher, a bill for an act relating to dental health, by establishing a dentist recruitment program, establishing a revolving fund, and making an appropriation.

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

**House File 2301**, by Petersen, a bill for an act relating to the training of mandatory reporters of abuse by requiring the training to address identification of domestic abuse.

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

**House File 2302**, by Mascher, a bill for an act providing that the department of administrative services adopt rules promoting state employment job sharing and flex- time policies.

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

**House File 2303**, by Whitaker, a bill for an act relating to providing tax information to persons in the national guard and armed forces military reserve for serving on federal active duty and including an effective date.

Read first time and referred to committee on **veterans affairs**.

**House File 2304**, by Mascher, a bill for an act restricting commitments at the Iowa juvenile home to female children.

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

**House File 2305**, by Mascher, a bill for an act relating to the creation of a pharmaceutical purchasing pool for small businesses and governmental entities.

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

**House File 2306**, by Ford, a bill for an act making an appropriation for drug courts.

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

On motion by Gipp of Winneshiek, the House was recessed at 8:51 a.m., until 4:15 p.m.

#### AFTERNOON SESSION

The House reconvened at 4:53 p.m., Speaker Rants in the chair.

#### INTRODUCTION OF BILLS

**House File 2307**, by D. Olson, a bill for an act establishing a regional learning academy construction grant program and making an appropriation.

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

**House File 2308**, by Carroll, a bill for an act exempting military duty and retirement pay received from the federal government by members of the armed forces from the individual income tax and including a retroactive applicability date provision.

Read first time and referred to committee on **veterans affairs**.

**House File 2309**, by Tjepkes, a bill for an act creating the community foundation fund, providing an Iowa individual income tax checkoff for the community foundation fund, making an appropriation, and providing for the Act's implementation.

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

**House File 2310**, by D. Olson, a bill for an act relating to an economic development informational internet website.

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

**House File 2311**, by Whitaker, a bill for an act relating to the confinement of a prisoner in a county jail or municipal holding facility.

Read first time and referred to committee on **public safety**.

**House File 2312**, by Carroll, a bill for an act relating to electronic health records.

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

**House File 2313**, by D. Olson, a bill for an act establishing an efficiency in higher education Act.

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

**House File 2314**, by Tymeson, a bill for an act relating to public land included in territory subject to voluntary annexation.

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

**House File 2315**, by Whitaker, a bill for an act concerning direct deposit of employee pay by employers.

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

**House File 2316**, by Horbach, a bill for an act to make electronic mail and telephone billing records of law enforcement agencies confidential if that information is part of an active investigation.

Read first time and referred to committee on **public safety**.

**House File 2317**, by Miller, a bill for an act providing for the creation of an educational, interactive internet website relating to Iowa's African-American heritage and making an appropriation.

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



**House File 2318**, by Reasoner, a bill for an act relating to hunting on hunting preserves.

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

**House File 2319**, by committee on human resources, a bill for an act relating to the personal needs allowance amount for residents of nursing facilities under the medical assistance program.

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

**House File 2320**, by committee on human resources, a bill for an act relating to the community empowerment initiative and making an appropriation.

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

**House File 2321**, by committee on human resources, a bill for an act providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date.

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

**House File 2322**, by committee on natural resources, a bill for an act establishing the public hunting, parks, and trails program, and making appropriations to the program and to the conservation practices revolving loan fund, and providing an effective date.

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

**House File 2323**, by committee on state government, a bill for an act relating to the regulation of business organizations including administrative dissolution, registration of agents, authorization of names, the filing, delivery, and service of documents by the secretary of state, and the elimination of certain filing fees, and providing an effective date.

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

**CONSIDERATION OF BILLS**  
**Appropriations Calendar**

**House File 2238**, 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, was taken up for consideration.

Watts of Dallas asked and received unanimous consent to withdraw amendment H-8013 filed by him on February 7, 2006, placing out of order the following amendments to amendment H-8013:

Amendment H-8015 filed by Watts of Dallas from the floor  
 Amendment H-8017 filed by Hogg of Linn from the floor.

May of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2238)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim

Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

### Regular Calendar

**House File 2245**, a bill for an act concerning the Iowa public employees' retirement system and the statewide fire and police retirement system, and providing an effective and retroactive applicability date, was taken up for consideration.

Drake of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2245)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foegen	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons

Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

#### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2238 and 2245.**

#### HOUSE FILE 2104 REREFERRED

The Speaker announced that House File 2104, previously referred to committee on **judiciary** was rereferred to committee on **public safety.**

#### HOUSE FILE 2217 REREFERRED

The Speaker announced that House File 2217, previously referred to committee on **economic growth** was rereferred to committee on **state government.**

#### SPONSOR WITHDRAWN (House File 2230)

Reichert of Muscatine requested to be withdrawn as a sponsor of House File 2230.

## 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

- 2006\495 Herbert and Arlene Dierksen Schnoor, De Witt – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\496 Grace Kinney, Grand Mound – For celebrating her 80<sup>th</sup> birthday.
- 2006\497 Gary and Matilda Vermeer, Pella – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\498 Cornie and Gladys Vos, Pella – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\499 Marvin and Joann Blom, Pella – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\500 Nelson and Margaret Roozeboom, Pella – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\501 Maynard and Dorothy DeVries, Pella – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\502 Ernest and Donna Parmer, Derby – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\503 Ernest and Nadine Church, Chariton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\504 Glen and Jeannine Visser, Harvey – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\505 Beatrice Kaska, Fairfield – For celebrating her 98<sup>th</sup> birthday.
- 2006\506 Mae Ensminger, Fairfield – For celebrating her 103<sup>rd</sup> birthday.
- 2006\507 Myrtle Carmichael, Fairfield – For celebrating her 103<sup>rd</sup> birthday.
- 2006\508 Ken and Peg Newell, Fairfield – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2006\509 Andrew Benson, Long Grove – For being chosen to serve on the State of Iowa Youth Action Committee (SIYAC).

## SUBCOMMITTEE ASSIGNMENTS

**House File 2075**

Commerce, Regulation and Labor: May, Chair; Jacoby and Jenkins.

**House File 2084**

Commerce, Regulation and Labor: Jacobs, Chair; Jacoby and Sands.

**House File 2154**

Economic Growth: Lukan, Chair; May and Reichert.

**House File 2155**

Economic Growth: Wise, Chair; May and D. Olson.

**House File 2226**

Economic Growth: Jenkins, Chair; Schickel, Soderberg, Thomas and Wise.

**House File 2237**

Human Resources: Tymeson, Chair; Lukan and Smith.

**House File 2247**

Commerce, Regulation and Labor: Sands, Chair; Jacobs and Pettengill.

**House File 2255**

Human Resources: Granzow, Chair; Berry and Tymeson.

**House File 2260**

Transportation: Lukan, Chair; Mertz and S. Olson.

**House File 2275**

Economic Growth: Lukan, Chair; Granzow and Miller.

**House File 2278**

Economic Growth: Jenkins, Chair; Dandekar, Reichert, Schickel and Soderberg.

**House File 2279**

State Government: Elgin, Chair; Greiner, Jacobs, Quirk, Roberts, T. Taylor and Whitead.

**House File 2291**

Local Government: Fallon, Chair; Rasmussen and Schickel.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 623**

State Government: Jacobs, Chair; Boal, Gaskill, Greiner, T. Taylor, Upmeyer and Wendt.

**House Study Bill 624**

State Government: Roberts, Chair; Bukta, Lensing, Paulsen and Tomenga.

**House Study Bill 625**

State Government: Drake, Chair; Hutter, Lensing, Quirk and Tomenga.

**House Study Bill 626**

State Government: Roberts, Chair; Bukta, Lensing, Paulsen and Tomenga.

**House Study Bill 627**

State Government: Roberts, Chair; Bukta, Lensing, Paulsen and Tomenga.

**House Study Bill 629**

Economic Growth: Jenkins, Chair; Schickel, Soderberg, Thomas and Wise.

**House Study Bill 630**

Economic Growth: Jenkins, Chair; Schickel, Soderberg, Thomas and Wise.

**House Study Bill 631**

Public Safety: Tjepkes, Chair; De Boef and Reasoner.

**House Study Bill 632**

Public Safety: Horbach, Chair; Lykam and Rayhons.

**House Study Bill 633**

Transportation: Tjepkes, Chair; Arnold, Bukta, Cohoon, Huseman, Rasmussen and Whitaker.

**House Study Bill 640**

Economic Growth: Thomas, Chair; Lalk and Wilderdyke.

**House Study Bill 641**

Economic Growth: Lukan, Chair; Lalk and Miller.

**House Study Bill 642**

Economic Growth: Struyk, Chair; Anderson, D. Olson, Schueller and Soderberg.

**House Study Bill 643**

Human Resources: Granzow, Chair; Hunter and Hutter.

**House Study Bill 644**

Human Resources: Carroll, Chair; Heddens, Roberts, Upmeyer and Wendt.

**House Study Bill 645**

Human Resources: Wilderdyke, Chair; Roberts and Smith.

**House Study Bill 646**

Human Resources: Tomenga, Chair; Hutter and Smith.

**House Study Bill 647**

Human Resources: Roberts, Chair; Foege and Wilderdyke.

**House Study Bill 648**

Human Resources: Upmeyer, Chair; Berry and Carroll.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**

**H.S.B. 650 Government Oversight**

Prohibit the use of state property for certain fundraising purposes.

**H.S.B. 651 Ways and Means**

Relating to a capital gains deduction in computing the personal income tax and including an effective and retroactive applicability date provision.



**H.S.B. 652 Ways and Means**

Exempting certain capital gains from taxation under the individual income tax and including an effective and retroactive applicability date provision.

**H.S.B. 653 Ways and Means**

Relating to a deduction for capital gains in computing individual income tax and including an effective and retroactive applicability date provision.

**H.S.B. 654 Ways and Means**

Relating to the determination of the holding period for purposes of certain capital gains under the individual income tax and including effective and retroactive applicability date provisions.

**H.S.B. 655 Ways and Means**

Exempting from sales and use taxes certain equipment used in transmitting telecommunications services.

**H.S.B. 656 Human Resources**

Authorizing an approved nursing education program to initiate criminal and child and dependent adult abuse record checks of students and prospective students regarding the students' involvement with the clinical education component of the program.

**H.S.B. 657 Human Resources**

Relating to certain human services programs directed to families with a child with a disability and to persons with a disability and providing an effective date.

**H.S.B. 658 Government Oversight**

Relating to the regulation of area education agencies and local education agencies wishing to participate in the medical assistance program.

**H.S.B. 659 Agriculture**

Relating to suppliers and dealers of agricultural and industrial, construction, or utility equipment, and providing an effective date.

**H.S.B. 660 Commerce, Regulation and Labor**

Relating to the collection of liquidated debts owed to and various authorizations issued by the labor commissioner.

**H.S.B. 661 Agriculture**

Relating to establishments having custody of companion animals, by providing for their regulation, and providing for fees and penalties.

**H.S.B. 662 Agriculture**

Relating to devices used for weighing and measuring, by providing for the regulation of the devices, motor vehicle fuel, and persons who service the devices, and providing for fees and penalties.

**H.S.B. 663 Human Resources**

Relating to requirements of the department of human services involving electronic benefits transfer and authorization for certain employee positions and providing an effective date.

**H.S.B. 664 State Government**

Relating to the filing of reports and statements with the ethics and campaign disclosure board and the use of certain resources for political campaign purposes.

**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 522), relating to public access to school district financial information, providing for the establishment and distribution of a financial report card by school districts, and providing for the posting of information relating to outstanding school district levies.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2006.

## COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House File 2042), relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 7, 2006.

**Committee Bill** (Formerly House File 2057), relating to the personal needs allowance amount for residents of nursing facilities under the medical assistance program.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2006.

**Committee Bill** (Formerly House File 2106), relating to the allowed growth factor adjustment funding for county mental health, mental retardation, and developmental disabilities services funds and including effective date and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 7, 2006.

**Committee Bill** (Formerly House Study Bill 167), eliminate certain restrictions on the authority of a physician assistant to prescribe certain schedule II controlled substances.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2006.

**Committee Bill** (Formerly House Study Bill 560), relating to the community empowerment initiative and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2006.

**Committee Bill** (Formerly House Study Bill 583), providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2006.

**Committee Bill** (Formerly House Study Bill 585), relating to income withholdings under the child support recovery program.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2006.

#### COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly House File 2083), prohibiting a person or club holding a liquor control license or retail wine or beer permit from distributing alcohol in a vaporized form and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 7, 2006.

**Committee Bill** (Formerly House Study Bill 569), relating to the regulation of business organizations including administrative dissolution, registration of agents, authorization of names, the filing, delivery, and service of documents by the secretary of state, and the elimination of certain filing fees.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 7, 2006.

#### COMMITTEE ON VETERANS AFFAIRS

**Committee Bill** (Formerly House File 2132), relating to committing disorderly conduct near a military funeral, memorial service, funeral procession, or burial, and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 2006.

**Committee Bill** (Formerly House File 2117), creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty.

Fiscal Note is required.

Recommended **Do Pass** February 8, 2006.

**Committee Bill** (Formerly House File 2088), exempting active duty pay of members of the armed forces, armed forces military reserve, and national guard and including a retroactive applicability date provision.

Fiscal Note is required.

Recommended **Do Pass** February 8, 2006.

**Committee Bill** (Formerly House File 2081), relating to eligibility for the military service property tax credit and exemption and including effective and applicability date provisions.

Fiscal Note is required.

Recommended **Do Pass** February 8, 2006.

**Committee Bill** (Formerly House Study Bill 574), relating to the process utilized in assessing residents of health care facilities for veterans program benefits.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2006.

### RESOLUTION FILED

**HR 114**, by D. Olson, a resolution relating to expediting the process for identifying a deceased person.

Laid over under **Rule 25**.

### AMENDMENTS FILED

H—8014	H.F.	2244	Hutter of Scott
H—8016	H.F.	2171	Heddens of Story
			Lukan of Dubuque

On motion by Gipp of Winneshiek the House adjourned at 5:15 p.m., until 8:45 a.m., Thursday, February 9, 2006.

# JOURNAL OF THE HOUSE

Thirty-second Calendar Day - Twenty-third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, February 9, 2006

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

Prayer was offered by the Honorable Doug Shull, state senator from Warren County. He was the guest of Representative Jodi Tymeson of Madison County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, February 8, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2324**, by Foege, a bill for an act relating to the employment of school nurses by school districts.

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

**House File 2325**, by Carroll and Kurtenbach, a bill for an act creating a county-based brain injury services program and providing for allocation of a previously enacted appropriation.

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

**House File 2326**, by Berry, a bill for an act relating to the establishment of a before and after school competitive grant program and making an appropriation.

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

**House File 2327**, by Hunter, a bill for an act relating to restraint requirements for motor vehicle occupants and making a penalty applicable.

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

**House File 2328**, by Petersen and Wise, a bill for an act concerning communications by employers concerning political and religious issues.

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

**House File 2329**, by Berry, a bill for an act relating to child abuse reporting requirements involving a child sharing a residence with a person required to register as a sex offender.

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

**House File 2330**, by committee on human resources, a bill for an act relating to the allowed growth factor adjustment funding for county mental health, mental retardation, and developmental disabilities services funds and including effective date and retroactive applicability provisions.

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

**House File 2331**, by committee on human resources, a bill for an act to eliminate certain restrictions on the authority of a physician assistant to prescribe certain schedule II controlled substances.

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

**House File 2332**, by committee on human resources, a bill for an act relating to income withholding under the child support recovery program.

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

**House File 2333**, by committee on state government, a bill for an act prohibiting a person or club holding a liquor control license or retail wine or beer permit from distributing or possessing machines used to vaporize an alcoholic beverage for consumption and making penalties applicable.

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

## HOUSE FILE 368 REREFERRED

The Speaker announced that House File 368, previously referred to committee on **education** was rereferred 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

- |          |  |
|----------|--|
| 2006\510 | Jessie Cooley, Fairfield – For celebrating her 85 <sup>th</sup> birthday.                |
| 2006\511 | Ralph and Coy Shinn, Traer – For celebrating their 60 <sup>th</sup> wedding anniversary. |
| 2006\512 | William Johnson, Ottumwa – For celebrating his 85 <sup>th</sup> birthday.                |
| 2006\513 | Helen Grooms, Ottumwa – For celebrating her 85 <sup>th</sup> birthday.                   |
| 2006\514 | Faye Eakins, Ottumwa – For celebrating her 85 <sup>th</sup> birthday.                    |
| 2006\515 | Virgil Bailey, Ottumwa – For celebrating his 80 <sup>th</sup> birthday.                  |
| 2006\516 | Michael Comer, Ottumwa – For celebrating his 80 <sup>th</sup> birthday.                  |
| 2006\517 | Shirley Wilkerson, Ottumwa – For celebrating her 80 <sup>th</sup> birthday.              |
| 2006\518 | Nolan Miller, Ottumwa – For celebrating his 80 <sup>th</sup> birthday.                   |
| 2006\519 | Geraldine Roe, Ottumwa – For celebrating her 85 <sup>th</sup> birthday.                  |
| 2006\520 | Anita Proctor, Ottumwa – For celebrating her 85 <sup>th</sup> birthday.                  |
| 2006\521 | Vera Green, Ottumwa – For celebrating her 80 <sup>th</sup> birthday.                     |
| 2006\522 | Harold Johnson, Ottumwa – For celebrating his 90 <sup>th</sup> birthday.                 |
| 2006\523 | Helen Piper, Ottumwa – For celebrating her 95 <sup>th</sup> birthday.                    |
| 2006\524 | Ruby Mills, Eddyville – For celebrating her 90 <sup>th</sup> birthday.                   |
| 2006\525 | Dora Mitchell, Ottumwa – For celebrating her 80 <sup>th</sup> birthday.                  |
| 2006\526 | Ruth Kistenmacher, Ottumwa – For celebrating her 85 <sup>th</sup> birthday.              |



- 2006\527 Crete Miller, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\528 Helen Reed, Ottumwa – For celebrating her 95<sup>th</sup> birthday.
- 2006\529 Margaret Randall, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\530 Raymond Zimmerman, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\531 Betty Obrien, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\532 Bill Tucker, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\533 Thomas Mitchell, Ottumwa – For celebrating his 85<sup>th</sup> birthday.
- 2006\534 Mary Lakin, Ottumwa – For celebrating her 85<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 2004 Reassigned**

State Government: Roberts, Chair; Jacobs and Quirk.

##### **House File 2139**

State Government: Roberts, Chair; Bukta, Lensing, Paulsen and Tomenga.

##### **House File 2162**

State Government: Roberts, Chair; Bukta, Lensing, Paulsen and Tomenga.

##### **House File 2217**

State Government: Roberts, Chair; Jacobs and Quirk.

##### **House File 2229**

Education: Dolecheck, Chair; Boal and Wendt.

##### **House File 2248**

Education: Tymeson, Chair; Paulsen and Wendt.

##### **House File 2250**

Education: Chambers, Chair; Tomenga and Wendt.

##### **House File 2253**

Education: Dolecheck, Chair; Boal and Ford.

**House File 2258**

Education: Chambers, Chair; Tomenga and Wendt.

**House File 2266**

Education: Dolecheck, Chair; Chambers and Wendt.

**House File 2269**

Education: Carroll, Chair; Boal and Wendt.

**House File 2276**

Education: Chambers, Chair; Schickel and Winckler.

**House File 2280**

Education: Kaufmann, Chair; Ford and Roberts.

**House File 2297**

Education: Chambers, Chair; Mascher and Roberts.

**House File 2299**

Judiciary: Tymeson, Chair; Berry and Carroll.

**House File 2300**

Education: Chambers, Chair; Dolecheck and Mascher.

**House File 2306**

Judiciary: Heaton, Chair; Smith and Tymeson.

**House File 2309**

Economic Growth: Anderson, Chair; Schueller and Wilderdyke.

**House File 2310**

Economic Growth: Lukan, Chair; D. Olson and S. Olson.

**Senate File 2076**

Agriculture: De Boef, Chair; Lalk and Thomas.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 650**

Government Oversight: Eichhorn, Chair; Hutter and Thomas.

**House Study Bill 656**

Human Resources: Hutter, Chair; Ford and Freeman.

**House Study Bill 657**

Human Resources: Kurtenbach, Chair; Freeman, Heaton, Heddens and Jacoby.

**House Study Bill 658**

Government Oversight: Alons, Chair; Baudler and Winckler.

**House Study Bill 659**

Agriculture: Struyk, Chair; Baudler and Mertz.

**House Study Bill 660**

Commerce, Regulation and Labor: Horbach, Chair; Freeman and D. Taylor.

**House Study Bill 661**

Agriculture: Greiner, Chair; Baudler and Frevert.

**House Study Bill 662**

Agriculture: Greiner, Chair; Huseman and Miller.

**House Study Bill 663**

Human Resources: Carroll, Chair; Foegen and Roberts.

**House Study Bill 664**

State Government: Roberts, Chair; Bukta, Lensing, Paulsen and Tomenga.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

**H.S.B. 665 Transportation**

Relating to policies and duties of the state department of transportation, including placement of official signs on primary highways, inspection of bridges, administrative duties, motor vehicle registration and titling, driver licensing, licensing and regulation of

vehicle-related businesses, vehicle braking requirements, vehicle length restrictions, proof of financial responsibility requirements, and persons with disabilities parking permits.

### **H.S.B. 666 Judiciary**

Relating to a request for certain health records by a party in a civil action where a party's health condition is an element or factor in the claim or defense of the action and providing for fees.

### **H.S.B. 667 Judiciary**

Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

### **H.S.B. 668 Agriculture**

Concerning wine, including the allowable alcohol content of wine and inspection of certain wine permittees.

### **H.S.B. 669 Commerce, Regulation and Labor**

Relating to indemnity provisions in construction contracts.

### **H.S.B. 670 Commerce, Regulation and Labor**

Relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date.

### **H.S.B. 671 Commerce, Regulation and Labor**

Relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and 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 COMMERCE, REGULATION AND LABOR

**Committee Bill** (Formerly House Study Bill 542), relating to energy conservation standards included in the state building code for new single-family or two-family residential construction.

Fiscal Note is not required.

Recommended **Do Pass** February 9, 2006.

## COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House File 2120), relating to eminent domain authority and condemnation procedures and including effective and applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 9, 2006.

## COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly House Study Bill 571), relating to the use of a peace officer of the department of public safety in an industrial dispute and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2006.

## COMMITTEE ON TRANSPORTATION

**Committee Bill** (Formerly House File 2011), providing for reassignment of a salvage certificate of title for a motor vehicle.

Fiscal Note is not required.

Recommended **Do Pass** February 9, 2006.

## RESOLUTIONS FILED

**HR 115**, by Berry, Jenkins, Kressig and Shoultz, a resolution recognizing Ms. Effie Burt for her composition, "I'll make Me a World in Iowa".

Laid over under **Rule 25**.

**HR 116**, by Alons, Watts, Tjepkes, Huseman, Chambers, Granzow, Baudler, Wilderdyke, Greiner, Hoffman, Rayhons, Heaton, Jacobs, Struyk, Rasmussen, Lalk, Jenkins, S. Olson, Sands, Boal, J.K. Van Fossen, Elgin, Upmeyer, J.R. Van Fossen, Jones, Lukan, Carroll, De Boef, Roberts, Soderberg, May, Anderson and Raecker, a resolution to recognize February 6, 2006 as Ronald Reagan Day.

Laid over under **Rule 25**.

On motion by Gipp of Winneshiek the House adjourned at 8:56 a.m., until 8:45 a.m., Friday, February 10, 2006.

# JOURNAL OF THE HOUSE

Thirty-third Calendar Day - Twenty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, February 10, 2006

The House met pursuant to adjournment at 8:54 a.m., Gipp of Winneshiek in the chair.

The Journal of Thursday, February 9, 2006 was approved.

## INTRODUCTION OF BILLS

**House Joint Resolution 2002**, by Anderson, a joint resolution proposing an amendment to the Constitution of the State of Iowa to limit the years of service for members of the Senate and the House of Representatives.

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

**House File 2334**, by May, a bill for an act providing for a .08 blood alcohol limit for motorboat or sailboat operating while intoxicated offenses.

Read first time and referred to committee on **public safety**.

**House File 2335**, by Pettengill, a bill for an act relating to the possession and repossession of agricultural land, by restricting the application of the doctrine of adverse possession and providing for an action of ejectment.

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

**House File 2336**, by T. Taylor, a bill for an act concerning the line of duty death benefit payable on behalf of members of the statewide fire and police retirement system and providing an appropriation.

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

**House File 2337**, by committee on public safety, a bill for an act relating to the use of a peace officer of the department of public safety in an industrial dispute and providing an effective date.

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

**House File 2338**, by Carroll and Heddens, a bill for an act relating to persons with mental illness, mental retardation, developmental disabilities, or brain injury by addressing purposes and quality standards for services and other support available for such persons, establishing basic financial eligibility standards, addressing state and county financial responsibility for the cost of the services and other support, and providing effective and applicability dates.

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

**House File 2339**, by Petersen, a bill for an act relating to the establishment and level of fees for the licensing and inspection of hotels, home food establishments, and food establishments.

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

**House File 2340**, by Anderson, a bill for an act increasing the minimum amount of money necessary to prove financial responsibility for motor vehicle accidents.

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

**House File 2341**, by Fallon, a bill for an act concerning reimbursement amounts paid by distributors to dealers, redemption center operators, and dealer agents for empty beverage containers.

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

**House File 2342**, by Whitaker, a bill for an act providing standards for partition fences.

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



**House File 2343**, by T. Taylor, a bill for an act requiring schools to have a school employee or associate on board school buses in addition to the bus driver.

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

**House File 2344**, by Anderson, a bill for an act relating to automobile insurance providers by increasing the information available in driver accident and conviction files and requiring the use of standard vehicle rating symbols.

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

**House File 2345**, by Petersen, a bill for an act creating a criminal code revisions task force.

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

**House File 2346**, by committee on education, a bill for an act relating to public access to school district financial information, providing for the establishment and distribution of a financial report by school districts, and providing for the posting of information relating to outstanding school district levies.

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

**House File 2347**, by committee on human resources, a bill for an act relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability.

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

**House File 2348**, by Ford, a bill for an act relating to developing a plan to implement the recommendations from the governor's task force on the overrepresentation of African-Americans in prison.

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

**House File 2349**, by Ford, a bill for an act relating to landlords and tenants by prohibiting a landlord from retaliating against a

tenant for summoning or receiving police or emergency assistance in response to a family violence or domestic abuse situation and requiring a landlord to have good cause to terminate a mobile home space rental agreement.

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

**House File 2350**, by Ford, a bill for an act providing for the establishment of a blood lead testing requirement under specified circumstances, and making an appropriation.

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

**House File 2351**, by committee on judiciary, a bill for an act relating to government authority, including eminent domain authority and condemnation procedures, essential county purposes, and other properly related matters, and including effective and applicability provisions.

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

## COMMUNICATIONS RECEIVED

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

### BOARD OF REGENTS

Annual report on the Beginning Farmer Center at Iowa State University, pursuant to Chapter 266.39E, Code of Iowa.

### DEPARTMENT OF ECONOMIC DEVELOPMENT

2006 awards made from the Iowa Value Fund to businesses owned by women or minorities, pursuant to Chapter 15E.51, Code of Iowa.

Report on activities of the Commission on Volunteer Services, pursuant to Chapter 15, Code of Iowa.

### DEPARTMENT OF HUMAN RIGHTS Iowa Commission on the Status of Women

Thirty-fourth annual report, pursuant to Chapter 216A.1, Code of Iowa.

## DEPARTMENT OF REVENUE

Annual report of the Iowa Capital Investment Board, pursuant to Chapter 15E.46, Code of Iowa.

Annual report for services to support the departments Tax Gap Compliance Project for 2005, pursuant to Chapter 421.17(23), Code of Iowa.

## IOWA COLLEGE STUDENT AID COMMISSION

Summary of findings and recommendations with details and the study process, pursuant to Chapter 169.3, 2005 Iowa Acts.

## IOWA WORKFORCE DEVELOPMENT

Annual report of Iowa Telecommunications Network (ICN) usage for 2005, pursuant to Chapter 8D.10, Code of Iowa.

## SUBCOMMITTEE ASSIGNMENTS

**House File 2169**

Commerce, Regulation and Labor: Hoffman, Chair; Jenkins and Pettengill.

**House File 2307**

Education: Chambers, Chair; Cohoon and Raecker.

**House File 2313**

Education: Kaufmann, Chair; Dolecheck and Mascher.

**House File 2317**

Education: Chambers, Chair; Ford and Kaufmann.

**House File 2324**

Education: Dolecheck, Chair; Foegel and Paulsen.

**House File 2326**

Education: Raecker, Chair; Chambers and Foegel.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

**House Study Bill 665**

Transportation: Huser, Chair; Arnold, Cohoon, Huseman and Rasmussen.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 672 Commerce, Regulation and Labor**

Require notice of a breach of the security of a computerized data system containing personal information and providing for civil remedies.

### **H.S.B. 673 Commerce, Regulation and Labor**

Relating to the privacy of wireless communications service subscribers, including restrictions on the provision of wireless telephone number information, and providing penalties and remedies.

### **H.S.B. 674 Human Resources**

Relating to medical malpractice actions.

### **H.S.B. 675 Veterans Affairs**

Providing hardship grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including an effective date and retroactive applicability provision.

### **H.S.B. 676 Judiciary**

Relating to medical malpractice, including insurance and tax-related matters, and providing a retroactive applicability provision.

### **H.S.B. 677 Human Resources**

Relating to the criminal and abuse registry checks required of a person employed by a licensed health care facility.

### **H.S.B. 678 Judiciary**

Relating to evidentiary and procedural requirements in an action for medical malpractice.

## H.S.B. 679 Public Safety

Concerning alcoholic beverages by establishing criminal and civil liability for providing alcoholic beverages to persons under legal age, providing for an identification number on kegs of beer, and making penalties applicable.

### 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 2076**, a bill for an act relating to confinement feeding operations by providing for manure management plans.

Fiscal Note is not required.

Recommended **Do Pass** February 9, 2006.

#### COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House Study Bill 522), relating to public access to school district financial information, providing for the establishment and distribution of a financial report card by school districts, and providing for the posting of information relating to outstanding school district levies.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2006.

#### COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House File 2042), relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 7, 2006.

## COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly House Study Bill 571), relating to the use of a peace officer of the department of public safety in an industrial dispute and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2006.

## RESOLUTIONS FILED

**H.C.R. 104**, by Struyk, Dandekar, Mertz and Lukan, a concurrent resolution requesting the establishment of an interim study committee to study state expenditures related to economic growth.

Laid over under **Rule 25**.

**HR 117**, by Tymeson, Quirk, Baudler, Eichhorn, Hutter, Huseman, Chambers, Tjepkes, Alons, Watts, De Boef, Freeman, Carroll, Tomenga, Rayhons, Boal, Dix, Paulsen, Upmeyer, Dolecheck, J.R. Van Fossen, Elgin, Roberts, Arnold, Horbach, Van Engelenhoven, Kurtenbach, Schickel, Sands, S. Olson, Jenkins, May, Lalk, Rasmussen, Anderson, Soderberg, Gipp, J.K. Van Fossen, Lukan, Jacobs, Hoffman, Struyk, Greiner, Granzow, D. Taylor, Pettengill, Berry, Hunter, Wendt, Thomas, Cohoon, Dandekar, Mertz, Bell, Davitt, Swaim, Kuhn, Petersen, Mascher, Winkler, Jochum, Lensing, Smith, Frevert, D. Olson, Gaskill, Wessel-Kroeschell, Shomshor, Reasoner, Schueller, Whitead, Shoultz, Reichert, Whitaker and Raecker, a resolution honoring Sergeant Major (Select) Brad Kasal for his rare courage and inspiring sacrifice in the Iraq war.

Laid over under **Rule 25**.

On motion by Struyk of Pottawattamie the House adjourned at 9:09 a.m., until 1:00 p.m., Monday, February 13, 2006.

# JOURNAL OF THE HOUSE

Thirty-sixth Calendar Day - Twenty-fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, February 13, 2006

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

Prayer was offered by Reverend Kevin Gingerich, pastor of Bloomfield United Methodist Church, Bloomfield. He was the guest of Representative Kurt Swaim of Davis County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Friday, February 10, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2352**, by Struyk, J.R. Van Fossen, Huser and Dandekar, a bill for an act relating to the criminal offense of leaving the scene of a motor vehicle accident, and providing penalties.

Read first time and referred to committee on **public safety**.

**House File 2353**, by Struyk, Dandekar and Huser, a bill for an act relating to assistance limitations for home and vehicle modification applied under certain medical assistance home and community-based services waivers.

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

**House File 2354**, by Struyk, Huser, Dandekar and Mertz, a bill for an act permitting public safety employees who receive an accidental disability retirement to become a member of the state's group insurance plan.

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

**House File 2355**, by Struyk and Huser, a bill for an act relating to the coverage of specialized medical equipment under medical assistance home and community-based services waivers.

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

**House File 2356**, by Baudler, a bill for an act creating a department of environmental protection.

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

#### ADOPTION OF HOUSE RESOLUTION 117

Tymeson of Madison and Quirk of Chickasaw called up for consideration **House Resolution 117**, a resolution honoring Sergeant Major (Select) Brad Kasal for his rare courage and inspiring sacrifice in the Iraq war, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### SPECIAL PRESENTATION

Tymeson of Madison introduced Sergeant Major Kasal to the House. He thanked the House for the honor.

The House rose and expressed its welcome and appreciation.

#### HOUSE FILE 2339 REREFERRED

The Speaker announced that House File 2339, previously referred to committee on **state government** 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



- 2006\535 Lillian White, Madrid – For celebrating her 95<sup>th</sup> birthday.
- 2006\536 Opal Crouthamel, Kelley – For celebrating her 95<sup>th</sup> birthday.
- 2006\537 Alfred Stempel, Ames – For celebrating his 95<sup>th</sup> birthday.
- 2006\538 Lillian Samson, Ames – For celebrating her 90<sup>th</sup> birthday.
- 2006\539 Harold Wright, Ames – For celebrating his 90<sup>th</sup> birthday.
- 2006\540 Donald Skola, Ames – For celebrating his 85<sup>th</sup> birthday.
- 2006\541 Robert Curry, Ames – For celebrating his 85<sup>th</sup> birthday.
- 2006\542 Goldie Lundvall, Boone – For celebrating her 85<sup>th</sup> birthday.
- 2006\543 Paul McKay, Boone – For celebrating his 85<sup>th</sup> birthday.
- 2006\544 Elaine Anderson, Ames – For celebrating her 85<sup>th</sup> birthday.
- 2006\545 Mary Carlson, Ames – For celebrating her 85<sup>th</sup> birthday.
- 2006\546 Vera Lindholm, Ames – For celebrating her 85<sup>th</sup> birthday.
- 2006\547 Vendola Petra, Ames – For celebrating her 85<sup>th</sup> birthday.
- 2006\548 Bernice Carter, Ames – For celebrating her 85<sup>th</sup> birthday.
- 2006\549 Ardis Schwartz, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\550 William Dodds, Ames – For celebrating his 80<sup>th</sup> birthday.
- 2006\551 W. Dean Hennesy, Ames – For celebrating his 80<sup>th</sup> birthday.
- 2006\552 Jeanne Ostrem, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\553 Alberta Spurlin, Madrid – For celebrating her 80<sup>th</sup> birthday.
- 2006\554 Charlotte Morrissey, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\555 Glenda Smalley, Boone – For celebrating her 80<sup>th</sup> birthday.
- 2006\556 Tom Wente, Sioux City – For celebrating his 80<sup>th</sup> birthday.
- 2006\557 Celia Pfeil, Sioux City – For celebrating her 90<sup>th</sup> birthday.
- 2006\558 Orin and Norma Erickson, Slater – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\559 Joe Briley, Nevada – For celebrating his 97<sup>th</sup> birthday.

- 2006\560 Anne Sushko, Dubuque – For receiving a Glass Apple Award from Iowa's First Lady Christie Vilsack.
- 2006\561 Adam Thomas McAlpine, Sioux Center – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\562 Bill and Verna Boer, Rock Valley – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\563 Gerrit and Henrietta Korthals, Boyden – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\564 Edward and Marjorie Swensen, Exira – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\565 Gifford Covault, Guthrie Center – For celebrating his 86<sup>th</sup> birthday.
- 2006\566 Jack and Lorraine Tuel, Coon Rapids – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\567 Clarence and Phyllis Heuer, Hawarden – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\568 Harold and Arta Vander Schoor, Hawarden – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\569 Margaret Newendorp, Alton – For celebrating her 90<sup>th</sup> birthday.
- 2006\570 Suzanne and Edwin Ellensohn, Le Mars – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\571 Chris and Ione Lucht, Akron – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\572 Thomas and Virginia Hummel, Sioux City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\573 Ken Husted, Newton – For celebrating his 84<sup>th</sup> birthday.
- 2006\574 Tiny and June Harned, Newton – For celebrating their 60<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 2292

Transportation: Lukan, Chair; Rasmussen and Whitaker.

##### House File 2327

Transportation: Rasmussen, Chair; Hunter and S. Olson.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 668**

Agriculture: De Boef, Chair; Davitt and Kaufmann.

**House Study Bill 669**

Commerce, Regulation and Labor: Horbach, Chair; Freeman and Quirk.

**House Study Bill 670**

Commerce, Regulation and Labor: Watts, Chair; Jacoby, Kressig, May, Sands, Struyk and T. Taylor.

**House Study Bill 671**

Commerce, Regulation and Labor: Sands, Chair; Tomenga and Wise.

**House Study Bill 672**

Commerce, Regulation and Labor: Dix, Chair; Petersen and Watts.

**House Study Bill 673**

Commerce, Regulation and Labor: Dix, Chair; Petersen and Watts.

**House Study Bill 675**

Veterans Affairs: Watts, Chair; Alons, Freeman, Quirk, Tymeson, Wendt and Whitead.

**House Study Bill 679**

Public Safety: Tjepkes, Chair; Reasoner and Sands.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

**H.S.B. 680 Agriculture**

Providing individual and corporate income tax credits for the purchase and installation of coal gas conversion property to be used to generate electricity and including a retroactive applicability date provision.

**H.S.B. 681 Judiciary**

Relating to impoundment of a motor vehicle driven by a person with a suspended or revoked driver's license.

**H.S.B. 682 Judiciary**

Relating to leaving an unattended child or not properly supervised child in a motor vehicle, and providing a penalty.

**AMENDMENTS FILED**

H—8018	H.F.	2235	Smith of Marshall
H—8019	H.F.	540	Thomas of Clayton

On motion by Gipp of Winneshiek the House adjourned at 1:26 p.m., until 8:45 a.m., Tuesday, February 14, 2006.

# JOURNAL OF THE HOUSE

Thirty-seventh Calendar Day - Twenty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 14, 2006

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

Prayer was offered by the Honorable John Whitaker, state representative of Van Buren County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, February 13, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2357**, by S. Olson, a bill for an act relating to farm tenancies.

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

**House File 2358**, by Jacobs, a bill for an act requiring complete financial audits of state departments by the auditor.

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

**House File 2359**, by Whitaker, a bill for an act relating to trotlines and other unattended tagged fishing lines.

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

**House File 2360**, by Petersen, a bill for an act to require landlords of residential property to provide prospective tenants the monthly budget billing amount and highest monthly bill from the utility that provides heat to the premises.

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

**House File 2361**, by committee on commerce, regulation and labor, a bill for an act relating to energy conservation standards included in the state building code for new single-family or two-family residential construction.

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

**House File 2362**, by committee on transportation, a bill for an act providing for reassignment of a salvage certificate of title for a motor vehicle.

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

**House File 2363**, by committee on veterans affairs, a bill for an act relating to the process utilized in assessing residents of health care facilities for veterans program benefits.

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

**House File 2364**, by committee on veterans affairs, a bill for an act exempting active duty pay of members of the armed forces, armed forces military reserve, and national guard and including a retroactive applicability date provision.

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

**House File 2365**, by committee on veterans affairs, a bill for an act relating to committing disorderly conduct near a military funeral, memorial service, funeral procession, or burial, and providing penalties.

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

**House File 2366**, by committee on veterans affairs, a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty.

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

**House File 2367**, by committee on judiciary, a bill for an act relating to judicial branch and court practices concerning criminal disposition options and the appointment of a judicial officer, a clerk of the district court, or a chief juvenile court officer.

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

**House File 2368**, by Paulsen, a bill for an act relating to a film promotion program to assist film, television, and video projects in the state by providing income tax credits, and providing effective and retroactive applicability dates.

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

### COMMUNICATION RECEIVED

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

#### IOWA CAPITAL INVESTMENT BOARD

Annual report, pursuant to Chapter 15E.46, 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

- |          |  |
|----------|--|
| 2006\575 | Mary Lowry, Davenport – For celebrating her 80 <sup>th</sup> birthday.                             |
| 2006\576 | Violet Tou Velle, Bettendorf – For celebrating her 80 <sup>th</sup> birthday.                      |
| 2006\577 | Freddie Steenbock, Davenport – For celebrating his 75 <sup>th</sup> birthday.                      |
| 2006\578 | Mr. and Mrs. Kenneth Maly, Davenport – For celebrating their 50 <sup>th</sup> wedding anniversary. |
| 2006\579 | Grace Kuehl, Elkport – For celebrating her 97 <sup>th</sup> birthday.                              |
| 2006\580 | Vernon Wilker, Garnavillo – For celebrating his 80 <sup>th</sup> birthday.                         |
| 2006\581 | Noreen Steenbock, Davenport – For celebrating her 70 <sup>th</sup> birthday.                       |

- 2006\582 Lavern and Betty Bruck, Irwin – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\583 Florence Bethurum, Wheatland – For celebrating her 101<sup>st</sup> birthday.
- 2006\584 Mr. and Mrs. Lyle Tempus, Aurora – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\585 Willis and Connie Wubbena, Iowa Falls – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\586 Ivan and Janie Pfantz, State Center – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\587 Donald Harless, Eldora – For celebrating his 80<sup>th</sup> birthday.
- 2006\588 Richard Lompe, Jesup – For celebrating his 80<sup>th</sup> birthday.
- 2006\589 Grace Kruse, Sibley – For celebrating her 90<sup>th</sup> birthday.
- 2006\590 Gerald and Lois Kreykes, Sheldon – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\591 Florence and Walt Schuerer, Amana – For celebrating their 60<sup>th</sup> wedding anniversary and for 60 years of working together side by side in their restaurant.
- 2006\592 Clark Blythe, Williamsburg – For celebrating his 100<sup>th</sup> birthday.
- 2006\593 George and Kathryn McCallister, Williamsburg – For celebrating their 66<sup>th</sup> wedding anniversary.
- 2006\594 Margaret McArtor, Keota – For celebrating her 80<sup>th</sup> birthday.
- 2006\595 Ida Trimpe Strunk, Williamsburg – For celebrating her 90<sup>th</sup> birthday.
- 2006\596 Richard and Edith Morck, North English – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\597 Raymond Eskildsen, Clear Lake – For celebrating his 80<sup>th</sup> birthday.
- 2006\598 Bernice Foell, Plymouth – For celebrating her 80<sup>th</sup> birthday.
- 2006\599 Jerry and Marie Faber, Clear Lake – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\600 Robert and Shirley Brady, Sheffield – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\601 Dorothy Trettin, Mason City – For celebrating her 90<sup>th</sup> birthday.



- 2006\602 Doris Bridges, Mason City – For celebrating her 90<sup>th</sup> birthday.
- 2006\603 Allen and Delores Lathrop, Mason City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\604 Charles and Dorothy Stark, Mason City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\605 Earl and Janet Vikel, West Branch – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\606 Harold Ridenour, West Liberty – For celebrating his 90<sup>th</sup> birthday.
- 2006\607 Orville and Alma Carlson, Story City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\608 Don and Dorothy Boldt, La Porte City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\609 Berneda Thede, Gladbrook – For celebrating her 90<sup>th</sup> birthday.
- 2006\610 Edward and Joyce Hosek, Clutier – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\611 George and Kathryn Kunch, Garwin – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\612 Benny and Ruth Schmieder, Charter Oak – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\613 Lester and Myrta Anderson, Denison – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\614 Palma “Polly” Blackman, Ute – For celebrating her 98<sup>th</sup> birthday.
- 2006\615 Howard Pohlman, Ute – For celebrating his 90<sup>th</sup> birthday.
- 2006\616 Edna Jahn, Ute – For celebrating her 90<sup>th</sup> birthday.
- 2006\617 Merrill Cagley, Clarinda – For celebrating his 90<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 2145**

Human Resources: Upmeyer, Chair; Carroll and Ford.

##### **House File 2233**

Judiciary: Anderson, Chair; Smith and J.R. Van Fossen.

**House File 2289**

Human Resources: Hutter, Chair; Freeman and Smith.

**House File 2293**

Human Resources: Lukan, Chair; Kurtenbach and Wendt.

**House File 2303**

Veterans Affairs: Watts, Chair; Paulsen and Quirk.

**House File 2308**

Veterans Affairs: Watts, Chair; Paulsen and Quirk.

**House File 2312**

Human Resources: Carroll, Chair; Berry, Heaton, Smith and Upmeyer.

**House File 2320**

Appropriations: Heaton, Chair; Jacobs and Smith.

**House File 2325**

Human Resources: Carroll, Chair; Foegen, Heddens, Kurtenbach and Tymeson.

**House File 2336**

State Government: Drake, Chair; Elgin, Jochum, Kurtenbach, T. Taylor, Tomenga and Wendt.

**House File 2338**

Human Resources: Carroll, Chair; Heaton, Heddens, Lukan and Wendt.

**House File 2347**

Appropriations: Heaton, Chair; Jacobs and Smith.

**House File 2353**

Human Resources: Carroll, Chair; Heaton and Wendt.

**House File 2354**

State Government: Drake, Chair; Elgin, Jochum, Kurtenbach, T. Taylor, Tomenga and Wendt.

**House File 2355**

Human Resources: Carroll, Chair; Berry and Heaton.

**House File 2358**

State Government: Jacobs, Chair; Jochum and Kurtenbach.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 674**

Human Resources: Upmeyer, Chair; Hunter, Lukan, Smith and Tomenga.

**House Study Bill 677**

Human Resources: Kurtenbach, Chair; Freeman and Petersen.

**House Study Bill 680**

Agriculture: Drake, Chair; Lalk and Mertz.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 683 Judiciary**

Limiting the liability of a manufacturer, packer, distributor, carrier, holder, seller, marketer, or advertiser of a food product intended for human consumption.

**H.S.B. 684 Judiciary**

Relating to a parent's cause of action for recovery of expenses and actual loss of services, companionship, and society resulting from the injury to or death of a child.

**H.S.B. 685 Judiciary**

Relating to fault in a civil action to recover damages for a death or injury to a person or an injury to property that involves enhanced injuries.

**H.S.B. 686 Judiciary**

Relating to the filing of a hospital lien.

**H.S.B. 687 State Government**

Providing for the confidentiality of certain records relating to charitable donations for the benefit of a government body.

**H.S.B. 688 Economic Growth**

Concerning programs and reports related to economic development.

**H.S.B. 689 Economic Growth**

Establish an advanced telecommunications services incentives program and fund in the utilities division of the department of commerce.

**H.S.B. 690 Human Resources**

Recognizing the month of May 2006 as Iowa Heart Health Month.

**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 2056**, a bill for an act relating to the Honey creek premier destination park bond program and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2006.

**COMMITTEE ON EDUCATION**

**Committee Bill** (Formerly House Study Bill 519), directing the state board of regents to conduct a study of the admissions requirements common to the state universities.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2006.

**Committee Bill** (Formerly House Study Bill 589), relating to the Iowa early intervention block grant program by requiring school districts to report certain reading assessment results to parents and extending the program's repeal date.

Fiscal Note is not required.

Recommended **Do Pass** February 13, 2006.

#### COMMITTEE ON GOVERNMENT OVERSIGHT

**Committee Bill** (Formerly House Study Bill 592), modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** February 14, 2006.

#### COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House File 377), restricting sales of Iowa prison industries products to Iowans.

Fiscal Note is not required.

Recommended **Do Pass** February 14, 2006.

**Committee Bill** (Formerly House Study Bill 505), relating to the information required to be included in an adoption petition.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 14, 2006.

#### COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly House File 2190), relating to criminal penalties for a driver convicted of failure to stop and render aid at the scene of a motor vehicle accident.

Fiscal Note is not required.

Recommended **Do Pass** February 9, 2006.

**Committee Bill** (Formerly House Study Bill 568), relating to an assault upon an employee of a jail or correctional institution, and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** February 9, 2006.

## AMENDMENTS FILED

H—8020	H.F.	2351	Dolecheck of Ringgold
H—8021	H.F.	2351	Tomenga of Polk R. Olson of Polk
H—8022	H.F.	2365	Watts of Dallas Jenkins of Black Hawk
H—8023	H.F.	2351	Fallon of Polk
H—8024	H.F.	2351	Fallon of Polk
H—8025	H.F.	2351	Kaufmann of Cedar
H—8026	H.F.	2351	Davitt of Warren
H—8027	H.F.	2351	Heddens of Story

On motion by Gipp of Winneshiek the House adjourned at 8:53 a.m., until 8:45 a.m., Wednesday, February 15, 2006.

# JOURNAL OF THE HOUSE

Thirty-eighth Calendar Day - Twenty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, February 15, 2006

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

Prayer was offered by Chaplain Duane Marburger, Chaplain for Great Oak Estates, Ottumwa. He was the guest of Representative Mary Gaskill of Wapello County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Michael Cooley from the ISU Ambassadors. He was the guest of Representative Tom Sands of Louisa County.

The Journal of Tuesday, February 14, 2005 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 February 14, 2006, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 729, a bill for an act relating to the Iowa public employees' retirement system and the judicial retirement system.

Also: That the Senate has on February 14, 2006, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 103, a concurrent resolution to approve and confirm the appointment of the Citizens' Aide.

Also: That the Senate has on February 14, 2006, adopted the following resolution in which the concurrence of the House is asked:

Senate Joint Resolution 2001, 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 February 14, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2199, a bill for an act concerning the purchase of service under the Iowa department of public safety peace officers' retirement, accident, and disability system.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILLS

**House File 2369**, by Baudler, a bill for an act relating to accidental disability retirement benefits for a peace officer who is exposed to noxious substances and providing effective and retroactive applicability dates.

Read first time and referred to committee on **public safety**.

**House File 2370**, by Kressig and Foege, a bill for an act relating to the temporary custody of a child pursuant to an ex parte court order.

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

**House File 2371**, by Reichert, a bill for an act requiring the department of education to conduct a study of educational sign language interpreter salaries and compensation.

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

**House File 2372**, by Whitaker, a bill for an act to require bonding of home improvement contractors including providing for the recovery of bond proceeds, and making penalties applicable.

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

**House File 2373**, by Upmeyer, a bill for an act relating to regulation of food safety, providing for a transfer of administrative authority to the Iowa department of public health to administer the regulation of the hotel sanitation code, home food establishments, the Iowa food code, and the regulation of egg handlers, and providing for adoption of the 2005 edition of the United States food and drug administration food code.

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



**House File 2374**, by Paulsen, a bill for an act exempting the sale of truck bodies and their mounting on empty truck chassis from the local option sales and services taxes.

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

**House File 2375**, by Reichert, a bill for an act relating to the amount of early childhood development tax credits allowed during a fiscal year and including a retroactive applicability date provision.

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

**House File 2376**, by Frevert, a bill for an act making an appropriation for improvements at general aviation airports.

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

**House File 2377**, by Jenkins, a bill for an act creating a regents accelerated career education program and providing job program tax credits.

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

**House File 2378**, by Swaim, a bill for an act to require proof of financial liability coverage upon registration of a motor vehicle and providing penalties.

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

**House File 2379**, by Eichhorn, a bill for an act relating to documents presented to the county recorder for recording.

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

**House File 2380**, by Pettengill, Davitt, Hunter, Struyk, Mertz, McCarthy, Wise, Petersen, D. Taylor, Swaim, Thomas, T. Taylor, Jochum, Lensing, Wessel-Kroeschell, Gaskill, Heddens, Lykam, Whitead, R. Olson, Foege, Reichert, Reasoner, Schueller, Whitaker, Bukta and Hutter, a bill for an act concerning disclosures of information by state employees to a member or employee of the general assembly.

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

**House File 2381**, by Heddens and Huser, a bill for an act relating to sealing juvenile court records.

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

**House File 2382**, by Ford, a bill for an act creating a help inner city vitality and economic growth fund and making appropriations.

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

**House File 2383**, by Struyk, Huser, Dandekar and Mertz, a bill for an act relating to rent reimbursement claims filed for rent paid for residing in property tax exempt buildings and including an effective date.

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

**House File 2384**, by Eichhorn, a bill for an act allowing cities to conditionally zone unincorporated areas to take effect upon annexation and including a retroactive applicability provision.

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

**House File 2385**, by Sands, a bill for an act relating to the awarding of joint physical care of children.

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

**House File 2386**, by Davitt, a bill for an act relating to the victim compensation fund and transportation costs.

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

**House File 2387**, by Dandekar, Struyk and Huser, a bill for an act creating an apprenticeship program and providing for tax credits.

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

**House File 2388**, by Ford, a bill for an act requiring additional notice to insureds about external review of health care coverage decisions.

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

**House File 2389**, by Struyk, Kurtenbach, Dix, Wise, Quirk, Huser, Dandekar and Sands, a bill for an act relating to real estate, including real estate broker and salesperson licensing and real estate disclosures.

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

**House File 2390**, by Dandekar, Struyk, Huser and Kaufmann, a bill for an act creating a veterans appreciation program to award hardship grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including an effective date and retroactive applicability provision.

Read first time and referred to committee on **veterans affairs**.

**House File 2391**, by Davitt, a bill for an act requiring the department of education to conduct a review of policies that limit student participation in extracurricular activities.

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

**House File 2392**, by Dandekar, Huser and Struyk, a bill for an act relating to investment tax credits for investments in targeted small businesses.

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

**House File 2393**, by administrative rules review committee, a bill for an act requiring the department of human services to maintain compliance with privacy laws applicable to mental health, mental retardation, developmental disabilities, and brain injury services data.

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

**House File 2394**, by administrative rules review committee, a bill for an act relating to the procedures for filing administrative rules.

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

**House File 2395**, by committee on education, a bill for an act directing the state board of regents to conduct a study of the admissions requirements common to the state universities.

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

**House File 2396**, by committee on education, a bill for an act relating to the Iowa early intervention block grant program by requiring school districts to report certain reading assessment results to parents and extending the program's repeal date.

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

**House File 2397**, by committee on public safety, a bill for an act relating to an assault upon an employee of a jail or correctional institution, and providing a penalty.

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

**House File 2398**, by committee on public safety, a bill for an act relating to criminal penalties for a driver convicted of failure to stop and render aid at the scene of a motor vehicle accident.

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

#### SPECIAL PRESENTATION

Upmeyer of Hancock introduced to the House, the Honorable Steve Sukup, former state representative from Franklin County.

The House rose and expressed its welcome.

On motion by Gipp of Winneshiek, the House was recessed at 8:55 a.m., until 3:15 p.m.

#### AFTERNOON SESSION

The House reconvened at 3:26 p.m., Speaker pro tempore Carroll in the chair.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Kressig of Black Hawk on request of Murphy of Dubuque.

## INTRODUCTION OF BILLS

**House Joint Resolution 2003**, by Anderson, a joint resolution proposing an amendment to the Constitution of the State of Iowa reducing the maximum membership of the Senate and the House of Representatives.

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

**House File 2399**, by Frevert, a bill for an act establishing a fish Iowa! program for middle and high school students.

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

**House File 2400**, by Heddens, Murphy, Bukta, Whitaker, Oldson, Davitt, Gaskill, Foege, Berry, Thomas, Mertz, Shoultz, Petersen, R. Olson, Hunter, Pettengill, Wendt and Kressig, a bill for an act establishing a program for providing home visits for all families in the state with a newborn child.

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

**House File 2401**, by Wendt, Oldson, Berry, Reichert, Frevert, Shoultz, Hunter, Cohoon, Lykam, T. Taylor, Davitt, Smith, Kuhn, Wise, Quirk, Reasoner, Wessel-Kroeschell, Winckler, Jochum, Lensing, Heddens, Schueller, Bell and Gaskill, a bill for an act appropriating and allocating funds for purposes of the student achievement and teacher quality program, and providing effective and retroactive applicability dates.

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

**House File 2402**, by Fallon, a bill for an act relating to economic development programs and making appropriations.

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

**House File 2403**, by Tymeson, a bill for an act requiring approval before allowing certain entities to exercise eminent domain authority.

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

**House File 2404**, by De Boef and Carroll, a bill for an act relating to wine, including the allowable alcohol content of wine and inspection of certain wine permittees.

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

**House File 2405**, by Sands, a bill for an act relating to the taxation of gain from the sale of farmland to the state department of transportation and including a retroactive applicability date provision.

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

**House File 2406**, by May, a bill for an act relating to jurisdiction of the natural resource commission over certain lakebeds and riverbeds.

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

**House File 2407**, by Reichert, Schueller, Miller and May, a bill for an act providing for a sales, services, and use tax refund and income tax deduction for activities related to a cultural and entertainment district and including a retroactive applicability date provision.

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

**House File 2408**, by Anderson, a bill for an act relating to contract letting procedures for city and county hospitals.

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

**House File 2409**, by Ford, a bill for an act relating to the locally imposed hotel and motel tax by increasing the rate allowed and requiring local governments to comply with the Iowa targeted small business procurement Act in spending revenues from the tax.

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

**House File 2410**, by Smith, D. Olson, Kressig, Murphy, Berry, Foege, Gaskill, Shomshor, Bukta, Whitead, Whitaker, Wendt, Hunter, Shoultz, Winckler, Lensing, Wessel-Kroeschell, Heddens, Schueller, Reasoner, Frevert, Jochum, Reichert, Jacoby, Oldson, Pettengill and Swaim, a bill for an act relating to health and human services-related initiatives for children and adults, and providing appropriations and a penalty.

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

**House File 2411**, by Hutter, a bill for an act relating to creation of a medical review panel and the admissibility of the panel's opinion in a medical malpractice action.

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

**House File 2412**, by Anderson, a bill for an act relating to the definition of resident for purposes of 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 2413**, by Wise, a bill for an act establishing a lean manufacturing institute and making an appropriation.

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

**House File 2414**, by committee on judiciary, a bill for an act relating to adoption petitions and proceedings including the information required to be included in an adoption petition.

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

**House File 2415**, by committee on judiciary, a bill for an act restricting sales of Iowa prison industries products to Iowans.

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

## SENATE MESSAGES CONSIDERED

**Senate Joint Resolution 2001**, By Gronstal, Iverson, Kibbie, and Lamberti, 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

Read first time and referred to committee on **administration and rules**.

**Senate File 2199**, by committee on state government, a bill for an act concerning the purchase of service under the Iowa department of public safety peace officers' retirement, accident, and disability system.

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

The House Stood at ease at 3:31 p.m., until the fall of the gavel.

The House resumed session at 4:59 p.m., Speaker Rants in the chair.

## CONSIDERATION OF BILLS

## Regular Calendar

**House File 2351**, a bill for an act relating to government authority, including eminent domain authority and condemnation procedures, essential county purposes, and other properly related matters, and including effective and applicability provisions, was taken up for consideration.

Tomenga of Polk offered the following amendment H-8021 filed by him and R. Olson of Polk and moved its adoption:

H-8021

1 Amend House File 2351 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

4 "Section 1. NEW SECTION. 6A.22 CONTESTING USE OF  
5 EMINENT DOMAIN AUTHORITY FOR CERTAIN ECONOMIC  
6 DEVELOPMENT ACTIVITIES – BURDEN OF PROOF.

7 1. The exercise of eminent domain authority for a  
8 public use, public purpose, or public improvement



9 includes condemnation of property, except agricultural  
 10 property, for economic development activities  
 11 resulting in increased tax revenues, increased  
 12 employment opportunities, housing and residential  
 13 development, or commercial or industrial development  
 14 if such activities are part of a plan adopted by the  
 15 governing body of a city or county after due  
 16 deliberation and public input.  
 17 2. In any action contesting whether eminent domain  
 18 authority is being exercised appropriately under this  
 19 section, the burden of proof is on the city or county,  
 20 as applicable, to prove by a preponderance of the  
 21 evidence that the proposed use of the property is for  
 22 an economic development activity as described in  
 23 subsection 1, and that there is no prudent and  
 24 feasible alternative to condemnation of the property."  
 25 2. Title page, by striking lines 1 through 4, and  
 26 inserting the following: "An Act relating to the  
 27 exercise of eminent domain authority for certain  
 28 economic development activities."  
 29 3. By renumbering as necessary.

Amendment H-8021 lost.

Heddens of Story asked and received unanimous consent that amendment H-8027 be deferred.

Fallon of Polk asked and received unanimous consent that amendment H-8023 be deferred.

Kaufmann of Cedar offered amendment H-8025 filed by him as follows:

H-8025

1 Amend House File 2351 as follows:  
 2 1. Page 1, by striking lines 29 through 32, and  
 3 inserting the following: "purpose, or public  
 4 improvement does not apply to a ~~slum area or blighted~~  
 5 ~~area as defined in section 403.17, or to agricultural~~  
 6 ~~land acquired for industry as that term is defined in~~  
 7 ~~section 260E.2, or to the".~~  
 8 2. Page 3, by inserting after line 28, the  
 9 following:  
 10 "For purposes of this subparagraph (5), in no case  
 11 shall land that is agricultural land be determined to  
 12 be in a slum condition or blighted condition."  
 13 3. Page 9, line 25, by inserting after the word  
 14 "session." the following: "However, if the acquiring

15 agency is the state department of transportation, the  
16 commission shall deliberate in closed session."

17 4. Page 10, by inserting after line 9, the  
18 following:

19 "Sec.\_\_\_\_. NEW SECTION. 6B.28 ACQUISITION OF  
20 CERTAIN PROPERTY BY PRIOR OWNER.

21 If real property condemned pursuant to this chapter  
22 is located adjacent to real property owned by any  
23 political subdivision or by any quasi-governmental  
24 entity and held for development purposes, the  
25 governing body of the political subdivision or quasi-  
26 governmental entity shall offer the property for sale  
27 to the prior owner of the condemned property. The  
28 offer shall be made as soon as possible after damages  
29 have been finally determined and paid to the  
30 condemnee. If the political subdivision or quasi-  
31 governmental entity refuses to offer the property for  
32 sale to the prior owner of the condemned property,  
33 such prior owner may take action in the district court  
34 of the county where the real property is located to  
35 force the sale of the property."

36 5. By striking page 10, line 10 through page 11,  
37 line 4, and inserting the following:

38 "Sec.\_\_\_\_. Section 6B.42, subsection 1, paragraph  
39 a, Code 2005, is amended to read as follows:

40 a. The acquiring agency shall provide to the  
41 person, in addition to any other sums of money in  
42 payment of just compensation, the payments and  
43 assistance required by law, in accordance with chapter  
44 316, as if the acquiring agency were a displacing  
45 agency under that chapter."

46 6. Page 15, by striking lines 9 through 11.

47 7. By striking page 19, line 9 through page 20,  
48 line 17.

49 8. Title page, lines 2 and 3, by striking the  
50 words "essential county purposes,".

Page 2

1 9. By renumbering as necessary.

Shultz of Black Hawk offered the following amendment H-8042,  
to amendment H-8025, filed by him and R. Olson of Polk from the  
floor and moved its adoption:

H-8042

1 Amend the amendment, H-8025, to House File 2351 as  
2 follows:

3 1. By striking page 1, line 2, through page 2,  
4 line 1, and inserting the following:

5 "\_\_\_". By striking everything after the enacting  
 6 clause and inserting the following:  
 7 "Section 1. MORATORIUM ON CERTAIN EXERCISE OF  
 8 EMINENT DOMAIN AUTHORITY – TASK FORCE CREATED.

9 1. A moratorium on the exercise of eminent domain  
 10 authority by cities, counties, and local government  
 11 entities conferred eminent domain authority by statute  
 12 is imposed. The moratorium shall be in effect until  
 13 December 31, 2006. During the moratorium no  
 14 applications for condemnation shall be filed pursuant  
 15 to section 6B.3. However, the moratorium shall not  
 16 apply to a condemnation of property by a county for  
 17 right-of-way that is contiguous to an existing road  
 18 right-of-way and necessary for the maintenance, safety  
 19 improvement, repair, or upgrade of the existing road.  
 20 For purposes of this subsection, "upgrade" means to  
 21 bring a road or bridge up to currently acceptable  
 22 standards, including improved geometrics, passing  
 23 lanes, turning lanes, climbing lanes, and improved  
 24 shoulders. "Upgrade" does not include expanding a  
 25 highway from two lanes to four lanes.

26 2. An eminent domain task force is created.  
 27 Members of the task force shall be appointed by the  
 28 senate democratic floor leader, the senate republican  
 29 floor leader, the speaker of the house of  
 30 representatives, and the minority leader of the house  
 31 of representatives. The members shall include the  
 32 following:

33 a. Two representatives of the Iowa state  
 34 association of counties. One representative shall be  
 35 from a county with a population of less than one  
 36 hundred thousand and one representative shall be from  
 37 a county with a population of one hundred thousand or  
 38 more.

39 b. Two representatives of the Iowa league of  
 40 cities. One representative shall be from a city with  
 41 a population of less than one hundred thousand and one  
 42 representative shall be from a city with a population  
 43 of one hundred thousand or more.

44 c. Three land use experts, one each from the three  
 45 regents universities.

46 3. The task force shall study and collect data on  
 47 the following:

48 a. The history of the use of eminent domain by  
 49 cities and counties in Iowa.

50 b. The current law in Iowa and other states

Page 2

1 relating to the use of eminent domain by cities and  
 2 counties.

3 c. The use of eminent domain in Iowa by local

4 government entities conferred eminent domain authority  
5 by statute.  
6 d. Any other issues the task force deems  
7 appropriate.  
8 4. The task force shall report to the general  
9 assembly by January 8, 2007. The report shall include  
10 a summary of the issues studied and the data  
11 collected. The report shall include recommendations  
12 for statutory changes related to the use of eminent  
13 domain by cities, counties, and local government  
14 entities conferred eminent domain authority by  
15 statute. The recommendations may include an extension  
16 of the moratorium imposed in subsection 1.  
17 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
18 immediate importance, takes effect upon enactment."  
19 \_\_\_\_\_. Title page, by striking lines 1 through 4,  
20 and inserting the following: "An Act imposing a  
21 moratorium on the exercise of eminent domain authority  
22 and creating an eminent domain task force and  
23 including an effective date provision."  
24 \_\_\_\_\_. By renumbering as necessary. "

Amendment H-8042 lost.

Paulsen of Linn asked and received unanimous consent to withdraw amendment H-8031, to amendment H-8025, filed by him from the floor.

Jenkins of Black Hawk offered the following amendment H-8038, to amendment H-8025, filed by him from the floor and moved its adoption:

H-8038

1 Amend the amendment, H-8025, to House File 2351 as  
2 follows:  
3 1. Page 1, by inserting before line 8, the  
4 following:  
5 "\_\_\_\_\_. Page 2, line 33, by inserting after the  
6 word "condition." the following: "However, for a  
7 project or acquisition plan adopted by the governing  
8 body of a city or county after due deliberation and  
9 public input, if seventy-five percent or more of the  
10 assessed value of the property included in the plan  
11 consists of property that is determined to be in a  
12 slum or blighted condition at the time the plan was  
13 established, the entire project or acquisition plan  
14 area is subject to condemnation by the municipality.""

Amendment H-8038 was adopted.

Granzow of Hardin offered the following amendment H-8032, to amendment H-8025, filed by her from the floor and moved its adoption:

H-8032

- 1 Amend the amendment, H-8025, to House File 2351 as
- 2 follows:
- 3 1. Page 1, by inserting after line 12 the
- 4 following:
- 5 " \_\_\_\_ . Page 4, lines 6 and 7, by striking the
- 6 words "for construction of a landfill,".
- 7 \_\_\_\_ . Page 4, by inserting before line 15, the
- 8 following:
- 9 "(3) Private property shall not be condemned for
- 10 construction of a landfill unless the property to be
- 11 condemned is located immediately adjacent to an
- 12 existing landfill.""

Amendment H-8032 was adopted.

Jenkins of Black Hawk offered the following amendment H-8039, to amendment H-8025, filed by him from the floor and moved its adoption:

H-8039

- 1 Amend the amendment, H-8025, to House File 2351, as
- 2 follows:
- 3 1. Page 1, by inserting after line 12, the
- 4 following:
- 5 " \_\_\_\_ . Page 3, line 35, by inserting after the
- 6 word "development" the following: "or".
- 7 \_\_\_\_ . Page 4, by striking lines 1 and 2, and
- 8 inserting the following: "owned property to a private
- 9 party.""

Amendment H-8039 was adopted.

Van Engelenhoven of Marion offered the following amendment H-8043, to amendment H-8025, filed by him and Arnold of Lucas from the floor and moved its adoption:

H-8043

1 Amend the amendment, H-8025, to House File 2351 as  
2 follows:

3 1. Page 1, by inserting after line 12, the  
4 following:

5 "\_\_\_ Page 4, by inserting before line 15, the  
6 following:

7 "(3) The use of eminent domain authority to  
8 acquire private property in the unincorporated area of  
9 a county for use as an airport, airport system, or  
10 aviation facilities is prohibited, notwithstanding any  
11 provision of the law to the contrary, if the property  
12 to be condemned is located outside the geographic  
13 boundaries of the city or county operating the  
14 airport, airport system, or aviation facilities or  
15 outside the geographic boundaries of the member  
16 municipalities of the commission or authority.  
17 However, an acquiring agency may proceed with  
18 condemnation of property under these circumstances if  
19 the board of supervisors of the county where the  
20 property for which condemnation is sought is located  
21 holds a public hearing on the matter and subsequent to  
22 the hearing approves, by resolution, the condemnation  
23 action.""

Amendment H-8043 was adopted.

Kaufmann of Cedar offered the following amendment H-8035, to amendment H-8025, filed by him from the floor and moved its adoption:

H-8035

1 Amend the amendment, H-8025, to House File 2351 as  
2 follows:

3 1. Page 1, line 16, by striking the word "shall"  
4 and inserting the following: "may".

5 2. Page 1, by striking line 46.

A non-record roll call was requested.

The ayes were 42, nays 22.

Amendment H-8035 was adopted.

Struyk of Pottawattamie offered the following amendment H-8040, to amendment H-8025, filed by him from the floor and moved its adoption:

H-8040

- 1 Amend the amendment, H-8025, to House File 2351, as
- 2 follows:
- 3 1. Page 1, by striking lines 17 through 35.

Amendment H-8040 was adopted.

Wilderdyke of Harrison offered the following amendment H-8033, to amendment H-8025, filed by him, May of Dickinson, Alons of Sioux and Chambers of O'Brien from the floor and moved its adoption:

H-8033

- 1 Amend the amendment, H-8025, to House File 2351 as
- 2 follows:
- 3 1. Page 1, by inserting before line 47, the
- 4 following:
- 5 "\_\_\_\_. Page 17, by inserting after line 26, the
- 6 following:
- 7 "This section does not apply to a person issued a
- 8 certificate of public convenience, use, and necessity
- 9 under chapter 476A.""
- 10 2. By renumbering as necessary.

Amendment H-8033 was adopted.

Alons of Sioux asked and received unanimous consent to withdraw amendment H-8034 to amendment H-8025 filed by him, Wilderdyke of Harrison, Chambers of O'Brien and Kaufmann of Cedar from the floor.

Alons of Sioux asked and received unanimous consent to withdraw amendment H-8045 to amendment H-8025 filed by him from the floor.

Whitead of Woodbury offered the following amendment H-8046, to amendment H-8025, filed by him from the floor and moved its adoption:

H-8046

- 1 Amend the amendment, H-8025, to House File 2351 as
- 2 follows:
- 3 1. Page 1, by inserting before line 47, the
- 4 following:

5 " \_\_\_\_\_. Page 17, by inserting before line 27, the  
6 following:  
7 "Sec. \_\_\_\_\_. NEW SECTION. 6B.62 PROPERTY TAXES ON  
8 CERTAIN REPLACEMENT PROPERTY.  
9 Notwithstanding any other provision to the  
10 contrary, for ten fiscal years following condemnation,  
11 property taxes on replacement property acquired by a  
12 prior owner within the same county where the condemned  
13 property is located shall not exceed the lesser of the  
14 amount of property taxes levied against the condemned  
15 property during the fiscal year in which the property  
16 was acquired by the acquiring agency or the amount of  
17 property taxes levied against the replacement property  
18 for the current fiscal year.""  
19 2. By renumbering as necessary.

Amendment H-8046 was adopted.

Huser of Polk offered the following amendment H-8037, to amendment H-8025, filed by her from the floor and moved its adoption:

H-8037

1 Amend the amendment, H-8025, to House File 2351 as  
2 follows:  
3 1. Page 1, by inserting after line 48 the  
4 following:  
5 " \_\_\_\_\_. Page 21, by inserting after line 2 the  
6 following:  
7 "d. The operation of a municipal airport."  
8 2. By renumbering as necessary.

Amendment H-8037 was adopted.

Watts of Dallas offered the following amendment H-8041, to amendment H-8025, filed by him from the floor and moved its adoption:

H-8041

1 Amend the amendment, H-8025, to House File 2351 as  
2 follows:  
3 1. Page 1, by inserting after line 48, the  
4 following:  
5 " \_\_\_\_\_. Page 20, line 31, by inserting after the  
6 word "following" the following: "but only to the  
7 extent the city had this power prior to July 1,  
8 2006"."



Amendment H-8041 was adopted.

On motion by Kaufman of Cedar, amendment H-8025, as amended, was adopted.

Dolecheck of Ringgold offered the following amendment H-8020 filed by him and moved its adoption:

H-8020

- 1 Amend House File 2351 as follows:
- 2 1. Page 4, by striking lines 3 through 10, and
- 3 inserting the following:
- 4 "c. Notwithstanding paragraph "a", private
- 5 property shall not be condemned to develop or".

A non-record roll call was requested.

The ayes were 40, nays 51.

Amendment H-8020 lost.

Fallon of Polk offered the following amendment H-8024 filed by him and moved its adoption:

H-8024

- 1 Amend House File 2351 as follows:
- 2 1. Page 19, by inserting after line 8, the
- 3 following:
- 4 "Sec.\_\_\_\_. Section 330A.13, Code 2005, is amended
- 5 to read as follows:
- 6 330A.13 ACQUISITION OF LANDS AND PROPERTY.
- 7 An authority shall have the power to acquire,
- 8 within or without the geographical boundaries of the
- 9 member municipalities, by purchase or eminent domain
- 10 proceedings, either the fees or such rights, title,
- 11 interest, or easement in such lands and property,
- 12 including but not limited to air rights and aviation
- 13 easements, as the authority may deem necessary for any
- 14 of the purposes of this chapter. However, the
- 15 authority shall not acquire property for construction
- 16 of an airport if the property is located in the
- 17 unincorporated area of a county. The right of eminent
- 18 domain herein conferred shall be exercised by the
- 19 authority in the manner provided by law, as though the
- 20 authority were a municipal corporation."
- 21 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 15, nays 50.

Amendment H-8024 lost.

Davitt of Warren offered amendment H-8026 filed by him as follows:

H-8026

1 Amend House File 2351 as follows:

2 1. Page 26, by inserting after line 2, the  
3 following:

4 "Sec.\_\_\_\_. Section 422.7, Code Supplement 2005, is  
5 amended by adding the following new subsection:  
6 NEW SUBSECTION. 45. Subtract, to the extent  
7 included, the amount of gain realized by the taxpayer  
8 as a result of the involuntary conversion of property  
9 due to eminent domain or the threat of eminent domain.

10 However, if the total amount of such realized gain is  
11 not recognized because the converted property is  
12 replaced with property that is similar to, or related  
13 in use to, the converted property, the amount of such  
14 realized gain shall not be subtracted under this  
15 subsection until the remaining realized gain is  
16 subject to federal taxation or until the time of  
17 disposition of the replacement property as provided  
18 under rules of the director. The subtraction allowed  
19 under this subsection shall not alter the basis as  
20 established for federal tax purposes of any property  
21 owned by the taxpayer.

22 Sec.\_\_\_\_. Section 422.35, Code Supplement 2005, is  
23 amended by adding the following new subsection:  
24 NEW SUBSECTION. 22. Subtract, to the extent  
25 included, the amount of gain realized by the taxpayer  
26 as a result of the involuntary conversion of property  
27 due to eminent domain or the threat of eminent domain.  
28 However, if the total amount of such realized gain is  
29 not recognized because the converted property is  
30 replaced with property that is similar to, or related  
31 in use to, the converted property, the amount of such  
32 realized gain shall not be subtracted under this  
33 subsection until the remaining realized gain is  
34 subject to federal taxation or until the time of  
35 disposition of the replacement property as provided  
36 under rules of the director. The subtraction allowed  
37 under this subsection shall not alter the basis as  
38 established for federal tax purposes of any property  
39 owned by the taxpayer."

- 40 2. Page 28, by inserting after line 16, the  
41 following:  
42 "\_\_\_\_. The sections of this Act enacting section  
43 422.7, subsection 45, and section 422.35, subsection  
44 22, apply retroactively to January 1, 2006, for tax  
45 years beginning on or after that date."  
46 3. By renumbering as necessary.

Anderson of Page offered the following amendment H-8036, to amendment H-8026, filed by him from the floor and moved its adoption:

H-8036

- 1 Amend the amendment, H-8026, to House File 2351, as  
2 follows:  
3 1. Page 1, line 7, by inserting after the words  
4 "amount of" the following: "ordinary or capital".  
5 2. Page 1, line 10, by inserting after the word  
6 "realized" the following: "ordinary or capital".  
7 3. Page 1, line 14, by inserting after the word  
8 "realized" the following: "ordinary or capital".  
9 4. Page 1, line 15, by inserting after the word  
10 "realized" the following: "ordinary or capital".  
11 5. Page 1, line 25, by inserting after the words  
12 "amount of" the following: "ordinary or capital".  
13 6. Page 1, line 28, by inserting after the word  
14 "realized" the following: "ordinary or capital".  
15 7. Page 1, line 32, by inserting after the word  
16 "realized" the following: "ordinary or capital".  
17 8. Page 1, line 33, by inserting after the word  
18 "realized" the following: "ordinary or capital".

Amendment H-8036 was adopted.

Huser of Polk offered the following amendment H-8047, to amendment H-8026, filed by her and Davitt of Warren from the floor and moved its adoption:

H-8047

- 1 Amend the amendment, H-8026, to House File 2351 as  
2 follows:  
3 1. Page 1, line 9, by striking the words "or the  
4 threat of eminent domain".  
5 2. Page 1, line 27, by striking the words "or the  
6 threat of eminent domain".

Amendment H-8047 was adopted.

Davitt of Warren asked and received unanimous consent that amendment H-8026, as amended, be deferred.

Heddens of Story asked and received unanimous consent to withdraw amendment H-8027, previously deferred, filed by her on February 14, 2006.

Fallon of Polk asked and received unanimous consent to withdraw amendment H-8023, previously deferred, filed by him on February 14, 2006.

The House stood at ease at 6:50 p.m., until the fall of the gavel.

The House resumed session and consideration of amendment H-8026, previously deferred, at 6:56 p.m., Speaker Rants in the chair.

Alons of Sioux offered the following amendment H-8048 to amendment H-8026 filed by him from the floor and moved its adoption:

H-8048

- 1 Amend the amendment, H-8026, to House File 2351 as
- 2 follows:
- 3 1. Page 1, by inserting before line 2, the
- 4 following:
- 5 " \_\_\_. Page 17, line 26, by inserting after the
- 6 word "body," the following: "This section does not
- 7 apply to a multistate entity created to provide
- 8 drinking water which has received or is receiving
- 9 federal funds.""
- 10 2. By renumbering as necessary.

Amendment H-8048 was adopted.

Huser of Polk offered amendment H-8049, to amendment H-8026, filed by her from the floor and requested division as follows:

H-8049

- 1 Amend the amendment, H-8026, to House File 2351 as
- 2 follows:

H-8049A

- 3 1. Page 1, by inserting before line 2, the  
 4 following:  
 5 "\_\_\_ . By striking page 9, line 18 through page  
 6 10, line 2."

H-8049B

- 7 2. Page 1, by inserting before line 2, the  
 8 following:  
 9 "\_\_\_ . Page 12, by inserting after line 5, the  
 10 following:  
 11 "Only the appraisal prepared under this section  
 12 shall be forwarded to the compensation commission by  
 13 the acquiring agency."

H-8049A

- 14 3. Page 1, by inserting before line 2, the  
 15 following:  
 16 "\_\_\_ . Page 13, line 32, by inserting after the  
 17 word "dwelling" the following: "without at least one  
 18 hundred eighty days' written notice."  
 19 4. Page 1, by inserting before line 2, the  
 20 following:  
 21 "\_\_\_ . Page 13, line 33, by striking the word  
 22 "ninety" and inserting the following: "~~ninety~~ three  
 23 hundred sixty-five."  
 24 5. Page 1, by inserting before line 2, the  
 25 following:  
 26 "\_\_\_ . Page 15, by striking lines 9 through 11."  
 27 6. By renumbering as necessary.

Huser of Polk asked and received unanimous consent to withdraw amendment H-8049A to amendment H-8026.

Huser of Polk moved the adoption of amendment H-8049B to amendment H-8026.

Amendment H-8049B was adopted.

On motion by Davitt of Warren amendment H-8026, as amended, was adopted.

Pursuant to Rule 31.8, relating to the timely filing of amendments, amendment H-8028 filed by Jenkins of Black Hawk and Hoffman of

Crawford from the floor, and amendment H-8044, filed by Watts of Dallas from the floor, were placed out of order.

Mascher of Johnson rose on a point of order requesting a fiscal note on House File 2351.

The Speaker ruled the point not well taken, under Joint Rule 17, a fiscal note was not required.

#### RULE 32 INVOKED

Mascher of Johnson rose on a point of order invoking Rule 32, relating to the assessment of taxes, on House File 2351.

The Speaker ruled point well taken and House File 2351 was referred to the committee on ways and means.

#### RULE 57 SUSPENDED

Gipp of Winneshiek asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for an immediate meeting of the committee on ways and means.

The House stood at ease at 7:23 p.m., until the fall of the gavel.

The House resumed session at 8:23 p.m., Speaker Rants in the chair.

#### 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

**House File 2351**, a bill for an act relating to government authority, including eminent domain authority and condemnation procedures, essential county purposes, and other properly related matters, and including effective and applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 15, 2006.

The House resumed consideration of House File 2351.

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. 2351)

The ayes were, 83:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevort	Gaskill
Gipp	Granzow	Greiner	Heaton
Hoffman	Horbach	Huseman	Huser
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kuhn	Kurtenbach	Lalk
Lukan	Lykam	Maddox	May
McCarthy	Mertz	Miller	Olson, D.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wilderdike	Wise	Mr. Speaker	
		Rants	

The nays were, 15:

Berry	Heddens	Hogg	Hunter
Jacoby	Jochum	Lensing	Mascher
Murphy	Oldson	Olson, R.	Shultz
Tomenga	Wessel-Kroeschell	Winckler	

Absent or not voting, 2:

Kressig	Zirkelbach
---------	------------

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

## IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2351** be immediately messaged to the Senate.

## HOUSE FILE 2120 WITHDRAWN

Kaufmann of Cedar asked and received unanimous consent to withdraw House File 2120 from further consideration by the House.

## HOUSE FILE 2170 REREFERRED

The Speaker announced that House File 2170, previously referred to committee on **state government** was rereferred to committee on **veterans affairs**.

## HOUSE FILE 2254 REREFERRED

The Speaker announced that House File 2254, previously referred to committee on **state government** was rereferred to committee on **public safety**.

## HOUSE FILE 2376 REREFERRED

The Speaker announced that House File 2376, previously referred to committee on **transportation** was rereferred to committee on **appropriations**.

SPONSOR WITHDRAWN  
(House File 2230)

Pettengill of Benton requested to be withdrawn as a sponsor of House File 2230.

## 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 15<sup>th</sup> day of February, 2006: House File 864.

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:

Seven students from Herbert Hoover High School, Toledo, Iowa, accompanied by Diane Klenk-Chargo, Stacy Murty and Bill Eggers. By Horbach of Tama.

### CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

- |          |   |
|----------|---|
| 2006\618 | Mr. and Mrs. Julius Negus, Walcott – For celebrating their 50 <sup>th</sup> wedding anniversary.              |
| 2006\619 | Mr. and Mrs. Virgil Kelting, Donahue – For celebrating their 60 <sup>th</sup> wedding anniversary.            |
| 2006\620 | Eric Walker, Hiawatha – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 2006\621 | Leland Tratchel, Killduff – For celebrating his 85 <sup>th</sup> birthday.                                    |
| 2006\622 | Louie and Bernice Dieleman, Pella – For celebrating their 60 <sup>th</sup> wedding anniversary.               |
| 2006\623 | Marvin and Janet Nichols, Ankeny – For celebrating their 50 <sup>th</sup> wedding anniversary.                |

### SUBCOMMITTEE ASSIGNMENTS

#### House File 766 Reassigned

Ways and Means: J.K. Van Fossen, Chair; Kurtenbach and Shomshor.

**House File 2001**

Ways and Means: Tymeson, Chair; Eichhorn and Jochum.

**House File 2026**

Ways and Means: Paulsen, Chair; Huser and Kaufmann.

**House File 2072**

Ways and Means: Drake, Chair; Frevert and Lalk.

**House File 2077**

Ways and Means: Kurtenbach, Chair; Huser and Struyk.

**House File 2104**

Public Safety: Baudler, Chair; Chambers and Reasoner.

**House File 2145 Reassigned**

Human Resources: Upmeyer, Chair; Carroll and Jacoby.

**House File 2163**

Public Safety: Chambers, Chair; Baudler and Reasoner.

**House File 2227**

Ways and Means: Soderberg, Chair; Kurtenbach and Schueller.

**House File 2249**

Natural Resources: May, Chair; J.R. Van Fossen and Whitead.

**House File 2296**

Natural Resources: Rasmussen, Chair; Reichert and Wilderdyke.

**House File 2298**

Public Safety: Baudler, Chair; Alons and Berry.

**House File 2311**

Public Safety: Horbach, Chair; Dolecheck and Lykam.

**House File 2316**

Public Safety: Horbach, Chair; McCarthy and Rayhons.

**House File 2318**

Natural Resources: Baudler, Chair; Freeman and Frevert.

**House File 2326 Reassigned**

Education: Tymeson, Chair; Chambers and Foege.

**House File 2334**

Public Safety: Chambers, Chair; R. Olson and Sands.

**House File 2352**

Public Safety: Baudler, Chair; Berry and McCarthy.

**House File 2359**

Natural Resources: J.R. Van Fossen, Chair; Lukan and Whitaker.

**House File 2373**

Human Resources: Upmeyer, Chair; Carroll and Jacoby.

**House File 2390**

Veterans Affairs: Kaufmann, Chair; May and Miller.

**House File 2393**

Human Resources: Heaton, Chair; Carroll and Heddens.

**Senate File 409**

Ways and Means: J.K. Van Fossen, Chair; Kurtenbach and Shomshor.

**Senate File 414**

Ways and Means: J.K. Van Fossen, Chair; Kurtenbach and Shomshor.

**Senate File 416**

Ways and Means: J.K. Van Fossen, Chair; Kurtenbach and Shomshor.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 593**

Ways and Means: Eichhorn, Chair; Quirk and Tomenga.

**House Study Bill 651**

Ways and Means: Soderberg, Chair; Shoultz and Struyk.

**House Study Bill 652**

Ways and Means: Soderberg, Chair; Shoultz and Struyk.

**House Study Bill 653**

Ways and Means: Soderberg, Chair; Shoultz and Struyk.

**House Study Bill 654**

Ways and Means: Eichhorn, Chair; Paulsen and Reasoner.

**House Study Bill 655**

Ways and Means: Struyk, Chair; Quirk and Tymeson.

**House Study Bill 688**

Economic Growth: May, Chair; Lalk and Wise.

**House Study Bill 689**

Economic Growth: Anderson, Chair; Granzow and Schueller.

**House Study Bill 690**

Human Resources: Upmeyer, Chair; Smith and Wilderdyke.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 691 Education**

Establishing a vanguard school grant program for school districts to be administrated by the department of education.

**H.S.B. 692 Education**

Relating to the establishment of state and school antiharassment or antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

**H.S.B. 693 Education**

Relating to incentives for increasing student achievement through the creation of a mathematics and upper-level science teacher shortage incentive program and loan repayment program, additional supplementary weighting for school districts participating in a regional academy and adopting a common school calendar, and supplementary weighting for school districts offering advanced placement courses and examinations.

**H.S.B. 694 Education**

Creating a preschool for four-year-old children program, and making appropriations and providing an effective date.

**H.S.B. 695 Education**

Relating to the state's educational standards regarding qualified guidance counselors and teacher librarians, and to teacher and administrator quality, including the student achievement and teacher quality program and a beginning administrator quality program, and providing effective and retroactive applicability dates.

**H.S.B. 696 Education**

Relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and a beginning administrator quality program, and providing effective and retroactive applicability dates.

**H.S.B. 697 State Government**

Establishing a deferred retirement option plan for members of the statewide fire and police retirement system and including an implementation provision.

**H.S.B. 698 Ethics**

Relating to ethical principles of public service for public officials.

## 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 File 2109), authorizing community colleges and state universities to seek approval to establish charter magnet schools and increasing the number of charter schools that may be approved.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 2006.

## COMMITTEE ON VETERANS AFFAIRS

**House File 2081**, a bill for an act relating to eligibility for the military service property tax credit and exemption and including effective and applicability date provisions.

Fiscal Note is required.

Recommended **Do Pass** February 8, 2006.

**Pursuant to Rule 31.7 House File 2081** was referred to the committee on ways and means.

## RESOLUTIONS FILED

**HCR 105**, by Drake, a concurrent resolution requiring the legislative council to establish an interim study committee concerning disaster planning relative to the operations of state government.

Laid over under **Rule 25**.

**HR 118**, by Smith, a resolution recognizing the efforts of the Iowa department of public health, other state agencies, and health partners in developing the comprehensive statewide obesity prevention plan Iowans Fit for Life.

Laid over under **Rule 25**.

**HR 119**, by Bell, Eichhorn, Dandekar, Roberts, Gipp, Murphy, Carroll, Lykam and Huser, a resolution supporting a free trade agreement between the Republic of China on Taiwan and the United States.

Laid over under **Rule 25**.

AMENDMENTS FILED

H—8029	H.F.	729	Senate Amendment
H—8030	H.F.	2239	Winckler of Scott

On motion by Gipp of Winneshiek the House adjourned at 9:13 p.m., until 8:45 a.m., Thursday, February 16, 2006.

# JOURNAL OF THE HOUSE

Thirty-ninth Calendar Day - Twenty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, February 16, 2006

The House met pursuant to adjournment at 8:47 a.m., Speaker pro tempore Carroll in the chair.

Prayer was offered by Sylvia Baner of DeWitt. She was the guest of Representative Polly Bukta and Representative Steve Olson of Clinton County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker pro tempore Carroll.

The Journal of Wednesday, February 15, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2416**, by Wendt, Smith, Gaskill, Reichert, Berry, D. Olson, Kuhn, Whitead, Murphy, Bukta, Whitaker, Quirk and Schueller, a bill for an act relating to efforts to improve the educational environment in the classrooms operated by Iowa's school districts.

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

**House File 2417**, by Watts, De Boef, Freeman, Lukan and May, a bill for an act providing supplementary weighting for shared classes between a school district and a community college taken via the Iowa communications network.

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

**House File 2418**, by Quirk, a bill for an act creating a deferred retirement option plan for members of the statewide fire and police retirement system.

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



**House File 2419**, by Watts, Jenkins, De Boef, Freeman, Baudler, Greiner and Rayhons, a bill for an act providing for the establishment of a statewide school bell schedule for secondary public schools.

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

**House File 2420**, by Quirk, a bill for an act allowing the creation of capital improvement investment accounts for certain small businesses and providing tax credits and exemptions.

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

**House File 2421**, by T. Taylor, a bill for an act relating to transportation provided by school districts for children under ten years of age.

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

**House File 2422**, by Whitaker, Gaskill, Murphy, Bukta, D. Taylor, Mertz, Whitead, Reichert, Pettengill, Berry, Wise, Kressig, R. Olson, Bell, Schueller, Wendt, T. Taylor, Reasoner, McCarthy, Shomshor, Lykam, Swaim, Smith, Kuhn, Heddens, Jacoby, Thomas and Cohoon, a bill for an act relating to the delivery of E-85 gasoline to franchisees of motor fuel, and providing an effective date.

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

**House File 2423**, by Schueller and Paulsen, a bill for an act relating to billing notifications for water service provided by a city utility for residential rental property.

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

**House File 2424**, by administrative rules review committee, a bill for an act relating to the approval of emergency rulemaking by the governor.

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

**House File 2425**, by Mascher, a bill for an act relating to the creation of the death with dignity Act, providing penalties, and providing a repeal.

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

**House File 2426**, by Eichhorn, Baudler, Huseman, Granzow, Alons, Watts, De Boef, Freeman, Carroll, Anderson, Lukan, Chambers, Paulsen, Upmeyer, Struyk, Jones, Kurtenbach, Elgin, Roberts, Sands, S. Olson, Jenkins, Jacobs, Rasmussen, Lalk, Soderberg and Drake, a bill for an act relating to the applicability of the state general fund expenditure limitation and providing effective and applicability dates.

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

**House File 2427**, by Mascher, a bill for an act providing for establishing a runaway assessment center for each department of human services service area.

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

**House File 2428**, by Cohoon, a bill for an act relating to nominations for merged area board of directors and school district board of directors offices to be filled at the regular school election.

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

**House File 2429**, by Mascher, a bill for an act requiring certain health insurance policies to provide coverage for postpartum depression and psychosis screening and treatment and providing an applicability date.

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

**House File 2430**, by T. Taylor, Pettengill, Wessel-Kroeschell, Berry, Kressig, Shoultz, Mascher, Gaskill, Frevert, Heddens, Smith, Jochum, D. Olson, Lensing, Winckler, Mertz, Foege, Cohoon, Swaim, Wendt, Whitead, R. Olson, Davitt, Bell, Hunter, D. Taylor, Whitaker, Bukta and Miller, a bill for an act creating the fair share health care

fund, providing for assessments and penalties, and making an appropriation.

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

**House File 2431**, by Mascher, a bill for an act relating to an appropriation to the department of education for purposes of allocating funds for technology that advances student achievement.

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

**House File 2432**, by Heddens, Bell, Bukta, Fallon, Gaskill, Hogg, Jochum, Kuhn, Lykam, Miller, Oldson, Berry, Cohoon, Davitt, Foege, Frevert, Hunter, Jacoby, Kressig, Lensing, Mertz, Murphy, D. Olson, R. Olson, Pettengill, Reasoner, Schueller, Shoultz, Swaim, T. Taylor, Wendt, Whitaker, Winckler, Petersen, Reichert, Shomshor, Smith, D. Taylor, Thomas, Wessel-Kroeschell, Whitead and Wise, a bill for an act concerning insurance coverage relating to eligibility to become a member of a state group insurance plan for school district employees and small business employees and the expansion of the healthy and well kids in Iowa program to parents of eligible children.

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

**House File 2433**, by Mascher, Jochum, Winckler, Lensing and Wessel-Kroeschell, a bill for an act relating to the recommendations of the institute for tomorrow's workforce and making appropriations.

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

## 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

- |          |   |
|----------|---|
| 2005\624 | Emma and Jane Vergil Bradfield, Stockport – For celebrating their 65 <sup>th</sup> wedding anniversary. |
| 2005\625 | Norman “Shorty” and Jean Meyer, Newton – For celebrating their 50 <sup>th</sup> wedding anniversary.    |

2005\626 Jack and Francis Prather, Russell – For celebrating their 50<sup>th</sup> wedding anniversary.

2005\627 Jo Coffman, Reinbeck – For celebrating her 80<sup>th</sup> birthday.

**SUBCOMMITTEE ASSIGNMENTS**

**House File 2170**

Veterans Affairs: May, Chair; Hutter and D. Taylor.

**House File 2224**

Local Government: Watts, Chair; Gaskill and Hoffman.

**House File 2314**

Local Government: Tjepkes, Chair; Arnold and Wessel-Kroeschell.

**House File 2342**

Agriculture: Rayhons, Chair; Huseman and Whitaker.

**House File 2357**

Agriculture: S. Olson, Chair; Huseman and Miller.

**House File 2369**

Public Safety: Sands, Chair; Berry and J.R. Van Fossen.

**House File 2377**

Economic Growth: Jenkins, Chair; D. Olson and Schickel.

**House File 2382**

Economic Growth: Lukan, Chair; Lalk and Schueller.

**House File 2392**

Economic Growth: Struyk, Chair; Dandekar and May.

**House File 2394**

State Government: Roberts, Chair; Bukta, Lensing, Paulsen and Tomenga.

**House File 2402**

Economic Growth: Hoffman, Chair; Soderberg and Thomas.

**House File 2413**

Economic Growth: Lukan, Chair; S. Olson and Wise.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 691**

Education: Chambers, Chair; Oldson and Tymeson.

**House Study Bill 692**

Education: Tymeson, Chair; Chambers and Wendt.

**House Study Bill 693**

Education: Tymeson, Chair; Chambers and Wendt.

**House Study Bill 694**

Education: Tymeson, Chair; Chambers and Oldson.

**House Study Bill 695**

Education: Tymeson, Chair; Chambers and Wendt.

**House Study Bill 697**

State Government: Drake, Chair; Elgin, Jochum, Kurtenbach, T. Taylor, Tomenga and Wendt.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 699 Agriculture**

Relating to state tax benefits for use of soy-based transformer fluid by electric utilities and including applicability date provisions.

**H.S.B. 700 State Government**

Establishing statewide licensure of electricians and installers, providing for inspections, establishing fees, and providing penalties.

**H.S.B. 701 Ways and Means**

Exempting the services furnished for the production of master audio, video, film, or digital recordings or similar media from the sales and use taxes.

**H.S.B. 702 Ways and Means**

Authorizing the state medical examiner to collect and retain fees for medical examiner facility expenses and services related to tissue recovery and making an appropriation.

**H.S.B. 703 Ways and Means**

Relating to a tax amnesty program and including an effective date provision.

**H.S.B. 704 Education**

Creating a preschool for four-year-old children program, and making appropriations 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 JUDICIARY**

**Committee Bill** (Formerly House Study Bill 575), relating to compensation for interpreters in juvenile court proceedings.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2006.

**COMMITTEE ON NATURAL RESOURCES**

**Committee Bill** (Formerly House Study Bill 557), relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 15, 2006.

## RESOLUTIONS FILED

**HR 120**, by Pettengill and Upmeyer, a resolution celebrating 2006 as the Department of Elder Affairs 40<sup>th</sup> anniversary as the state unit on aging.

Laid over under **Rule 25**.

**HR 121**, by Hoffman, a resolution designating March 1, 2006, as Technology and Science Day in Iowa.

Laid over under **Rule 25**.

**HR 122**, by Bell, Eichhorn, Dandekar, Roberts, Gipp, Murphy, Carroll, Lykam and Huser, a resolution requesting the Congress of the United States to give due consideration to the readiness of the Republic of China on Taiwan for membership in the United Nations.

Laid over under **Rule 25**.

**HR 123**, by Mascher, a resolution urging the centers for Medicare and Medicaid of the United States department of health and human services to approve the Medicaid state plan amendment to increase Medicaid provider reimbursements.

Laid over under **Rule 25**.

**HR 124**, by Shoultz, a resolution honoring the life and work of Clair Cameron Patterson.

Laid over under **Rule 25**.

On motion by Jacobs of Polk the House adjourned at 8:58 a.m., until 1:00 p.m., Monday, February 20, 2006.

# JOURNAL OF THE HOUSE

Forty-third Calendar Day - Twenty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, February 20, 2006

The House met pursuant to adjournment at 1:12 p.m., Speaker Rants in the chair.

Prior to convening Madison DeWitt, six year old Granddaughter of Representative Mike May of Dickinson, sang "You're A Grand Ol' Flag" and "Yankee Doodle Dandy". She was accompanied by her parents, Lisa and Lucas DeWitt from Spencer.

Prayer was offered by Reverend Jim Howland, pastor of the First United Presbyterian Church, Winterset. He was the guest of Representative Jodi Tymeson from Madison County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the SODA (Students Opposed to Drugs and Alcohol) from Linn-Mar Community Schools in Marion. They were the guests of Representative Swati Dandekar and Representative Jeff Elgin of Linn County.

The Journal of Thursday, February 16, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2434**, by Hogg, a bill for an act relating to insurance coverage for certain child care providers and providing an applicability date.

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

**House File 2435**, by Huser, a bill for an act modifying water service requirements for rural water providers.

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



**House File 2436**, by Whitaker, Murphy, Bukta, D. Taylor, Mertz, Whitead, Lykam, Shomshor, Reichert, Pettengill, Jacoby, Swaim, Wise, Petersen, Kressig, R. Olson, Bell, Dandekar, Schueller, Wendt, Oldson, T. Taylor, Reasoner and Gaskill, a bill for an act requiring certain employees or operators of a licensed substance abuse program or facility to be mandatory reporters of dependent adult abuse and making a penalty applicable.

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

**House File 2437**, by Murphy, a bill for an act relating to the development, maintenance, and promotion of a credit transfer and articulation internet website by the state board of regents and making an appropriation.

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

**House File 2438**, by Hogg, a bill for an act requiring the department of human services to perform abuse registry and criminal record checks for certain unregistered providers of child care.

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

**House File 2439**, by Whitaker, Frevert and Kuhn, a bill for an act relating to organic food by providing for the establishment of a center, a council, and a fund.

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

**House File 2440**, by Hogg, a bill for an act relating to the state child care assistance program by providing for implementation of transitional eligibility period provisions.

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

**House File 2441**, by Carroll and Huser, a bill for an act relating to the assessment for property taxation purposes of machinery, equipment, and fixtures used at concrete mixing facilities and including effective date and retroactive applicability date provisions.

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

**House File 2442**, by Petersen, Wise, Fallon, T. Taylor, Smith, D. Olson, Heddens, Frevert, Gaskill, R. Olson, Pettengill, Mascher, Bukta, Murphy, Schueller, Berry, Jacoby, Oldson, Dandekar, Mertz and Whitaker, a bill for an act providing for a public hearing procedure prior to the selection of a location for services accessed by the public, and containing an applicability provision.

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

**House File 2443**, by Ford, a bill for an act relating to the consideration of a previous conviction for, deferred judgment for, or plea of guilty to a domestic abuse assault in determining whether a domestic abuse assault is a second or subsequent offense.

Read first time and referred to committee on **public safety**.

**House File 2444**, by Alons, Baudler, Struyk, Kurtenbach, Carroll, De Boef, Watts, Boal and Chambers, a bill for an act relating to minors taken into custody or arrested for public intoxication or possession of alcohol and parental notification.

Read first time and referred to committee on **public safety**.

**House File 2445**, by committee on education, a bill for an act authorizing community colleges and state universities to seek approval to establish charter magnet schools and increasing the number of charter schools that may be approved and providing an effective date.

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

**House File 2446**, by Dix, Kurtenbach, S. Olson and Watts, a bill for an act relating to noncitizens of the United States including restricting the allocation of housing trust fund moneys, prohibiting the servicing of first mortgages, relating to employment, and providing for penalties.

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

**House File 2447**, by committee on government oversight, a bill for an act modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation.

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

### BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 17, 2006, he approved and transmitted to the Secretary of State the following bill:

House File 864, an Act providing an exemption from and a refund of sales and use taxes on materials and services used in the construction of a building or addition to a building to be used as a collaborative educational facility and including effective and applicability date provisions.

### 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

- |          |  |
|----------|--|
| 2006\628 | Mary Horine, Nevada – For celebrating her 90 <sup>th</sup> birthday.   |
| 2006\629 | Bernard and Joan Barry, Dubuque – For celebrating their 50 <sup>th</sup> wedding anniversary.                    |
| 2006\630 | Larkin Accinelli, Dubuque – For winning 1 <sup>st</sup> place in the High School Mathematical Modeling Contest.  |
| 2006\631 | Nick Ruther, Dubuque – For winning 1 <sup>st</sup> place in the High School Mathematical Modeling Contest.       |
| 2006\632 | Jamin Hitchcock, Dubuque – For winning 1 <sup>st</sup> place in the High School Mathematical Modeling Contest.   |
| 2006\633 | Stephen Longfield, Dubuque – For winning 1 <sup>st</sup> place in the High School Mathematical Modeling Contest. |
| 2006\634 | Hessel De Jong, Rock Rapids – For celebrating his 90 <sup>th</sup> birthday.                                     |

- 2006\635 Mr. and Mrs. Harry Masterson, Davenport – For celebrating their 90<sup>th</sup> birthdays.
- 2006\636 Mr. and Mrs. James Hendren, Davenport – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\637 Dan DeBettignies, Grinnell – For being named Master Editor – Publisher by the Iowa Newspaper Association.
- 2006\638 Harlan and Joan Heitman, Williamsburg – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\639 Luanna Heitshusen, South Amana – For celebrating her 80<sup>th</sup> birthday.
- 2006\640 Valburga Streigle, Delta – For celebrating her 95<sup>th</sup> birthday.
- 2006\641 Minnie Pearl Burdock, What Cheer – For celebrating her 101<sup>st</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 2104 Reassigned**

Public Safety: Sands, Chair; Chambers and Reasoner.

##### **House File 2335**

Judiciary: Tymeson, Chair; Anderson and Swaim.

##### **House File 2341**

Environmental Protection: Kurtenbach, Chair; Horbach and Kressig.

##### **House File 2371**

Education: Paulsen, Chair; Bukta and Tomenga.

##### **House File 2391**

Education: Paulsen, Chair; Chambers and Cohoon.

##### **House File 2399**

Natural Resources: Frevert, Chair; Lukan and J.R. Van Fossen.

##### **House File 2401**

Education: Chambers, Chair; Tymeson and Wendt.

**House File 2406**

Natural Resources: May, Chair; Davitt, Rayhons, D. Taylor and Upmeyer.

**House File 2416**

Education: Roberts, Chair; Boal and Wendt.

**House File 2417**

Education: Chambers, Chair; Boal and Oldson.

**House File 2419**

Education: Dolecheck, Chair; Soderberg and Winckler.

**House File 2421**

Education: Dolecheck, Chair; Boal and Ford.

**House File 2428**

Education: Schickel, Chair; Cohoon and Dolecheck.

**House File 2431**

Education: Chambers, Chair; Mascher and Tymeson.

**House File 2433**

Education: Tymeson, Chair; Chambers and Mascher.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 144 Reassigned**

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

**House Study Bill 208 Reassigned**

Judiciary: Tymeson, Chair; Anderson and Swaim.

**House Study Bill 696**

Education: Tymeson, Chair; Chambers and Wendt.

**House Study Bill 699**

Agriculture: Drake, Chair; Lalk and Mertz.

**House Study Bill 700**

State Government: Drake, Chair; Hutter, Lensing, Quirk and Tomenga.

**House Study Bill 704**

Education: Tymeson, Chair; Chambers and Oldson.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 705 Appropriations**

Relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources and providing fees.

**H.S.B. 706 Appropriations**

Relating to and making appropriations to the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters, and providing effective and retroactive applicability dates.

**H.S.B. 707 Appropriations**

Relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of cultural affairs, the department of education, and the state board of regents and including effective and retroactive applicability dates.

**H.S.B. 708 Appropriations**

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

**H.S.B. 709 Ways and Means**

Relating to the percentage of assessed value for property tax purposes at which apartments, mobile home parks, manufactured home

communities, land-leased communities, and assisted living facilities are taxed and including a retroactive applicability date provision.

### **H.S.B. 710 Local Government**

Relating to the powers and duties of the county treasurer and including effective and applicability date provisions.

#### **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, REGULATION AND LABOR**

**Committee Bill** (Formerly House Study Bill 578), relating to the prepayment of agricultural loans secured by a real estate mortgage.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 2006.

#### **COMMITTEE ON ECONOMIC GROWTH**

**Committee Bill** (Formerly House Study Bill 530), relating to a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2006.

**Committee Bill** (Formerly House Study Bill 629), allowing cities to create enterprise zones near modes of transportation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2006.

#### **COMMITTEE ON HUMAN RESOURCES**

**Committee Bill** (Formerly House File 2293), relating to adoption and termination of jurisdiction of a court involving prior child support and custody proceedings.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2006.

**Committee Bill** (Formerly House Study Bill 656), authorizing an approved nursing education program to initiate criminal and child and dependent adult abuse record checks of students and prospective students regarding the students' involvement with the clinical education component of the program.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2006.

#### COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House Study Bill 593), updating the Code references to the Internal Revenue Code and including retroactive applicability and effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2006.

**Committee Bill** (Formerly House Study Bill 654), relating to the determination of the holding period for purposes of certain capital gains under the individual income tax and including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2006.

#### RESOLUTIONS FILED

**HR 125**, by Alons, Kurtenbach, Carroll and Watts, a resolution urging the United States Congress to repeal legislation which preempts state laws relating to the mercury content of vaccines.

Laid over under **Rule 25**.

**HR 126**, by Alons, Hutter, Frevert, Freeman, Pettengill, Wendt, Arnold, De Boef, Jacoby, Kurtenbach, Carroll, Watts, Chambers, D. Olson, Lukan, Hoffman, Eichhorn, Huseman, Sands, Soderberg, Wilderdyke, Tjepkes and Heaton, a resolution to honor the service of the 185<sup>th</sup> Air Refueling Wing, Iowa Air National Guard.

Laid over under **Rule 25**.



**HR 127**, by Jochum, Wessel-Kroeschell, Mascher, Winckler and Lensing, a resolution requesting the legislative council to create a task force to develop a plan for the state to assume responsibility for administering adult mental health, mental retardation, developmental disabilities, and brain injury (MH/MR/DD/BI) services.

Laid over under **Rule 25**.

On motion by Gipp of Winneshiek the House adjourned at 1:24 p.m., until 8:45 a.m., Tuesday, February 21, 2006.

# JOURNAL OF THE HOUSE

Forty-fourth Calendar Day - Thirtieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 21, 2006

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

Prayer was offered by Reverend Bradley, pastor of Central Assembly of God Church, Des Moines. He was the guest of Representative Gene Maddox of Polk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, February 20, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2448**, by Jochum, Wessel-Kroeschell, Mascher, Winckler and Lensing, a bill for an act making an appropriation for victim assistance grants.

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

**House File 2449**, by Paulsen, a bill for an act relating to individual income tax return checkoffs and providing effective and applicability dates.

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

**House File 2450**, by Jochum, Wessel-Kroeschell, Mascher, Winckler and Lensing, a bill for an act relating to child care by requiring registration or licensing of child care providers and making a penalty applicable.

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

**House File 2451**, by Sands, Greiner, De Boef and Heaton, a bill for an act relating to swine, by regulating feral swine, and providing penalties.

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

**House File 2452**, by Alons, a bill for an act relating to involuntary termination of parental rights proceedings, providing an effective date, and providing for retroactive applicability.

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

**House File 2453**, by committee on commerce, regulation and labor, a bill for an act relating to the prepayment of agricultural loans secured by a real estate mortgage.

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

#### 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

- |          |   |
|----------|---|
| 2006\642 | Vinice Buckner, Fontanelle – For celebrating her 92 <sup>nd</sup> birthday.                             |
| 2006\643 | Phyllis Rohner, Fontanelle – For celebrating her 80 <sup>th</sup> birthday.                             |
| 2006\644 | Marian Krumm, Stuart – For celebrating her 90 <sup>th</sup> birthday.                                   |
| 2006\645 | Freida Burrell, Panora – For celebrating her 90 <sup>th</sup> birthday.                                 |
| 2006\646 | Oliver and Mardelle Sorenson, Bridgewater – For celebrating their 50 <sup>th</sup> wedding anniversary. |
| 2006\647 | Richard and Marlene Jensen, Audubon – For celebrating their 50 <sup>th</sup> wedding anniversary.       |
| 2006\648 | Wayne and Kay Phippen, Casey – For celebrating their 50 <sup>th</sup> wedding anniversary.              |
| 2006\649 | Wayne and Eloise Wilson, Casey – For celebrating their 50 <sup>th</sup> wedding anniversary.            |

- 2006\650 Carma Schwarz, Davenport – For celebrating her 80<sup>th</sup> birthday.
- 2006\651 Roberta Peterson, Walcott – For celebrating her 90<sup>th</sup> birthday.
- 2006\652 Bernice Steele, Eldridge – For celebrating her 90<sup>th</sup> birthday.
- 2006\653 Gladys Grimm, Blue Grass – For celebrating her 90<sup>th</sup> birthday.
- 2006\654 Helen Madden, Eldridge – For celebrating her 90<sup>th</sup> birthday.
- 2006\655 Everett and Marian Nelson, Independence – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\656 Glen and Novie Foss, La Porte City – For celebrating their 64<sup>th</sup> wedding anniversary.
- 2006\657 Joe and Josephine Sadler, Jesup – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\658 Pauline Brace, Independence – For celebrating her 80<sup>th</sup> birthday.
- 2006\659 Kevin Peyton, Sac City – For receiving a 2006 Prudential Spirit of Community Award.
- 2006\660 Tom Mullins, Lost Nation – Upon his retirement, for his 27 plus years of dedicated service with the Lost Nation – Elwood Telephone company.
- 2006\661 Thomas Mullen, DeWitt – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\662 Dick and Ann Roll, Eldora – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\663 Abner and Pauline White, New Providence – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\664 Martin and Ruth Winter, Hubbard – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\665 Gerald and Virginia Claude, Alden – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\666 Gene and Carolyn Redies, Frederika – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\667 Lyle and JoAnn Guenther, West Union – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\668 Doris Garvin, West Union – For celebrating her 88<sup>th</sup> birthday.

- 2006\669 Verna Kueker, Tripoli – For celebrating her 90<sup>th</sup> birthday.
- 2006\670 Gertrude McIntyre, Hawkeye – For celebrating her 90<sup>th</sup> birthday.
- 2006\671 Dorothy Gilmer, Maynard – For celebrating her 90<sup>th</sup> birthday.
- 2006\672 Mildred Lohr, West Union – For celebrating her 90<sup>th</sup> birthday.
- 2006\673 Alexander Henry Bales, Indianola – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\674 Don Lattimer, Mason City – For celebrating his 80<sup>th</sup> birthday.
- 2006\675 Patricia Baldwin, Mason City – For celebrating her 80<sup>th</sup> birthday.
- 2006\676 Darlene Oppedahl, Mason City – For celebrating her 80<sup>th</sup> birthday.
- 2006\677 Boyd Rodamaker, Elkader – For celebrating his 80<sup>th</sup> birthday.
- 2006\678 Eugene and LuNida Miller, Farmersburg – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\679 Nellie Smith, Tabor – For celebrating her 100<sup>th</sup> birthday.
- 2006\680 Daniel Thompson, Everly – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\681 Nelson Nieuwenhuis, Hospers – For celebrating his 98<sup>th</sup> birthday.
- 2006\682 Pearl Smidt, Sanborn – For celebrating her 100<sup>th</sup> birthday.
- 2006\683 Charles and Joyce Bosma, Ashton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\684 Dub and Myrt Boyles, Everly – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\685 Mr. and Mrs. Bill Dekker, Sibley – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\686 Phyllis Anderson, Clear Lake – For celebrating her 90<sup>th</sup> birthday.
- 2006\687 Tom Pitts, Hampton – For celebrating his 80<sup>th</sup> birthday.
- 2006\688 Caroline Peters, Hampton – For celebrating her 80<sup>th</sup> birthday.
- 2006\689 Robert and Shirley Brady, Sheffield – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\690 Greg Oriano, Burlington – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

- 2006\691 BJ Honnold, Clarinda – For receiving Academic All-State honors in football.
- 2006\692 Melvin Engstrom, Story City – For celebrating his 97<sup>th</sup> birthday.
- 2006\693 Ms. Bernice Becker, Jewell – For celebrating her 90<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 368**

Judiciary: Paulsen, Chair; Lensing and Tymeson.

##### **House File 2254**

Public Safety: J.R. Van Fossen, Chair; McCarthy and Rayhons.

##### **House File 2262**

Human Resources: Carroll, Chair; Berry, Foegen, Heaton and Upmeyer.

##### **House File 2301**

Human Resources: Tymeson, Chair; Freeman and Smith.

##### **House File 2345**

Judiciary: Tymeson, Chair; Anderson and R. Olson.

##### **House File 2370**

Judiciary: Tymeson, Chair; Boal and Foegen.

##### **House File 2381**

Judiciary: Carroll, Chair; Foegen and Kaufmann.

##### **House File 2385**

Human Resources: Carroll, Chair; Lukan and Smith.

##### **House File 2386**

Judiciary: Tymeson, Chair; Maddox and Winckler.

##### **House File 2403**

Judiciary: Kaufmann, Chair; Jochum and Tymeson.

##### **House File 2411**

Judiciary: Paulsen, Chair; Jochum and Tymeson.

**House File 2420**

Economic Growth: Wilderdyke, Chair; Anderson and Reichert.

**House File 2422**

Agriculture: Greiner, Chair; Kaufmann and Reasoner.

**House File 2424**

State Government: Roberts, Chair; Bukta, Lensing, Paulsen and Tomenga.

**House File 2443**

Public Safety: De Boef, Chair; Berry and Rayhons.

**House File 2444**

Public Safety: Alons, Chair; Chambers and Hunter.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 606**

Judiciary: Anderson, Chair; Kaufmann and Smith.

**House Study Bill 687**

State Government: Kurtenbach, Chair; Boal and Lensing.

**House Study Bill 701**

Ways and Means: Boal, Chair; Davitt and Tymeson.

**House Study Bill 702**

Ways and Means: Upmeyer, Chair; Carroll and Frevert.

**House Study Bill 703**

Ways and Means: J.K. Van Fossen, Chair; Kaufmann and Shomshor.

**House Study Bill 709**

Ways and Means: Huser, Chair; Shomshor, Struyk and J.K. Van Fossen.

**House Study Bill 710**

Local Government: Tjepkes, Chair; Arnold and Gaskill.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 711 Agriculture**

Providing for an equine industry development commission and related fund.

### **H.S.B. 712 Human Resources**

Providing for the release of certain morbidity and mortality study information to the Iowa healthcare collaborative.

### **H.S.B. 713 Commerce, Regulation and Labor**

Concerning off-premises transportation and consumption of resealed bottles of wine.

### **H.S.B. 714 Commerce, Regulation and Labor**

Relating to private sector drug testing.

### **H.S.B. 715 Commerce, Regulation and Labor**

Supporting the use of traffic roundabouts on Iowa's streets and highways.

### **H.S.B. 716 Judiciary**

Relating to a restitution order in a juvenile delinquency proceeding.

### **H.S.B. 717 Judiciary**

Relating to regulating adult entertainment establishments, and providing a penalty.

### **H.S.B. 718 Judiciary**

Relating to civil and criminal procedure including the issuance of and violations of certain civil protective orders and criminal no-contact orders.



**H.S.B. 719 Judiciary**

Relating to the judicial branch and court administration and procedure and providing a penalty.

**H.S.B. 720 Judiciary**

Relating to the probate and trust codes.

**H.S.B. 721 Public Safety**

Relating to the issuance of permits to carry weapons.

**H.S.B. 722 Environmental Protection**

Require manufacturers' systems for the removal, collection, and recovery of mercury-added vehicle switches.

**H.S.B. 723 Agriculture**

Relating to drainage and levee districts by providing for the publication of notice and the letting of bids.

**H.S.B. 724 Economic Growth**

Establishing an environmental design and construction program for open animal feeding operations.

**H.S.B. 725 Education**

Relating to the minimum hours of instructional school time in a school year for grades one through twelve for school districts, charter schools, and accredited nonpublic schools.

**H.S.B. 726 Education**

Providing for the extension of a reduction in the foundation property tax levy for reorganized or dissolved districts, and the extension of the period during which supplementary weighting may be received as a reorganization incentive by school districts, and providing an effective date.

**H.S.B. 727 Ways and Means**

Relating to taxation by making changes relating to property tax, income tax, city and county budgets, creating an implementation task force and providing an appropriation, and providing effective and applicability dates.

**H.S.B. 728 Local Government**

Relating to the duties of county recorders and county auditors concerning instruments affecting real estate and certain other filings recorded by the county recorder.

**H.S.B. 729 Appropriations**

Relating to and making appropriations to the judicial branch.

**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 617), relating to confinement feeding operations by requiring the submission of updated manure management plans on a multiyear basis, providing for fees, and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2006.

**Committee Bill** (Formerly House Study Bill 659), relating to supplies and dealers of agricultural and industrial, construction, or utility equipment, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2006.

## COMMITTEE ON APPROPRIATIONS

**Committee Bill** (Formerly House Study Bill 706), relating to and making appropriations to the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters, and providing effective and retroactive applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2006.

**Committee Bill** (Formerly House Study Bill 708), relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

## COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House File 2005), relating to the number of eligible electors' signatures necessary in a school district to propose at a regular election the question of providing free textbooks for the use of the school district's pupils.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2006.

## COMMITTEE ON GOVERNMENT OVERSIGHT

**Committee Bill** (Formerly House Study Bill 658), relating to the regulation of area education agencies and local education agencies wishing to participate in the medical assistance program.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2006.

## COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House File 2021), relating to the costs of services provided to persons with mental retardation whose service costs are a state responsibility.

Fiscal Note is required.

Recommended **Do Pass** February 21, 2006.

**Committee Bill** (Formerly House File 2082), Requiring financial education for family investment program participants.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

**Committee Bill** (Formerly House Study Bill 618), providing for the establishment of a viral hepatitis program and study.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2006.

### RESOLUTIONS FILED

**HR 128**, by Berry, a resolution designating January 2007 as mentoring month in Iowa.

Laid over under **Rule 25**.

**HR 129**, by Kressig, a resolution honoring J.H. Peet Junior High School in Cedar Falls, Iowa, for becoming a 2005-2006 Blue Ribbon School.

Laid over under **Rule 25**.

### AMENDMENT FILED

H—8050      H.F.      2239      Winckler of Scott

On motion by Gipp of Winneshiek the House adjourned at 9:00 a.m., until 8:45 a.m., Wednesday, February 22, 2006.

# JOURNAL OF THE HOUSE

Forty-fifth Calendar Day - Thirty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, February 22, 2006

The House met pursuant to adjournment at 8:50 a.m., Speaker pro tempore Carroll in the chair.

Prayer was offered by Dr. David Madsen, pastor of Cottage Grove Avenue Presbyterian Church, Des Moines. He was the guest of Representative Jo Oldson of Polk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker pro tempore Carroll.

The Journal of Tuesday, February 21, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2454**, by Murphy, a bill for an act relating to area wage standards for construction contractors and making remedies and penalties applicable.

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

**House File 2455**, by committee on economic growth, a bill for an act allowing cities to create enterprise zones near modes of transportation.

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

**House File 2456**, by committee on natural resources, a bill for an act relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

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

**House File 2457**, by committee on judiciary, a bill for an act relating to indigent defense claims and the reimbursement of costs in juvenile cases paid by a county.

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

**House File 2458**, by Huser, a bill for an act relating to water treatment basins constructed in drainage districts, and providing for related assessments.

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

**House File 2459**, by committee on appropriations, a bill for an act relating to and making appropriations to the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters, and providing effective and retroactive applicability dates.

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

**House File 2460**, by committee on economic growth, a bill for an act relating to a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas.

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

**House File 2461**, by committee on ways and means, a bill for an act updating the Code references to the Internal Revenue Code and including retroactive applicability and effective date provisions.

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

**House File 2462**, by committee on education, a bill for an act relating to the number of eligible electors' signatures necessary in a school district to propose at a regular election the question of providing free textbooks for the use of the school district's pupils.

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

**House File 2463**, by committee on human resources, a bill for an act relating to adoption and termination of jurisdiction of a court involving prior child support and custody proceedings.

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

**House File 2464**, by committee on human resources, a bill for an act authorizing an approved nursing education program to initiate criminal and child and dependent adult abuse record checks of students and prospective students regarding the students' involvement with the clinical education component of the program.

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

**House File 2465**, by committee on ways and means, a bill for an act relating to the determination of the holding period for purposes of certain capital gains under the individual income tax and including effective and retroactive applicability date provisions.

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

**House File 2466**, by Reichert, a bill for an act to require manufacturers' systems for the removal, collection, and recovery of mercury-added vehicle switches.

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

**House File 2467**, by Kressig, Berry and Shoultz, a bill for an act relating to public safety communications, providing for utilization of the Iowa communications network for public safety interoperability purposes, and establishing an Iowa statewide interoperable radio system board.

Read first time and referred to committee on **public safety**.

**House File 2468**, by Horbach, a bill for an act relating to the residency of and presence of a registered sex offender on or near a school or child care facility, and providing a penalty.

Read first time and referred to committee on **public safety**.

**House File 2469**, by Anderson and Swaim, a bill for an act relating to political campaigns for the Iowa senate and house of representatives by limiting campaign contributions.

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

**House File 2470**, by Jochum, Mascher, Winckler, Wessel-Kroeschell and Lensing, a bill for an act requiring the state and political subdivisions to appoint gender-balanced boards, commissions, committees, and councils.

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

**House File 2471**, by Dolecheck and Reasoner, a bill for an act relating to trust and agency funds by allowing city contributions for pension and related employee benefits pursuant to contracted public safety services.

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

**House File 2472**, by Carroll, a bill for an act relating to the establishment of a family success counseling grant program, and providing an appropriation.

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

**House File 2473**, by Anderson and Swaim, a bill for an act relating to indecent exposure and providing penalties.

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

**House File 2474**, by Struyk and Huser, a bill for an act providing for the deposit of certain insurance premium tax receipts to the fire and police retirement fund of the statewide fire and police retirement system.

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

**House File 2475**, by Huser and Heddens, a bill for an act relating to modification of a child support or custody order following a



dispositional or permanency hearing relating to juvenile delinquency and child in need of assistance proceedings.

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

**House File 2476**, by Struyk and Dandekar, a bill for an act allowing for small employer association health benefit plans, a small business and school district health care reinsurance program, and a small employer income tax credit for the cost of purchasing health insurance coverage, and providing effective and retroactive applicability dates.

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

**House File 2477**, by Struyk and Kaufmann, a bill for an act authorizing small employer association health benefit plans, a small business health care tax credit, wellness incentives, a small employer catastrophic risk health care reinsurance program, providing an appropriation, and providing for effective, retroactive, and applicability dates.

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

**House File 2478**, by committee on government oversight, a bill for an act relating to the regulation of area education agencies and local education agencies wishing to participate in the medical assistance program.

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

On motion by Gipp of Winneshiek, the House was recessed at 9:07 a.m., until 4:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 4:10 p.m., Speaker Rants in the chair.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Whitead of Woodbury on request of Murphy of Dubuque

## 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, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2050, a bill for an act relating to elections by making changes concerning requirements for entrances to certain polling places, arrangement of names on the ballot for nonpartisan offices, and election registers, and including effective and applicability date provisions.

Also: That the Senate has on February 22, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2051, a bill for an act relating to maintenance of a voter registration system separate from the state voter registration system and providing an effective date.

Also: That the Senate has on February 22, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2238, 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.

Also: That the Senate has on February 22, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2086, a bill for an act allowing school districts to use biometric fingerprint identification systems for certain restricted purposes and providing an effective date.

Also: That the Senate has on February 22, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2124, a bill for an act providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date.

Also: That the Senate has on February 22, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2219, a bill for an act relating to human trafficking and related offenses, including the provision of law enforcement training and victim assistance programs, and providing penalties.

Also: That the Senate has on February 22, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2232, 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 road use tax fund and the primary road fund.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILLS

**House File 2479**, by Davitt, a bill for an act relating to the sale or rental of a video game to a minor, and providing a penalty.

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

**House File 2480**, by Struyk and Wise, a bill for an act relating to and making appropriations for deposit in the railroad revolving loan and grant fund.

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

**House File 2481**, by Reichert, Schueller, Miller and Wise, a bill for an act creating an Iowa housing council and making appropriations.

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

**House File 2482**, by Swaim, a bill for an act appropriating moneys to the department of natural resources for purposes of conducting an autumn olive cooperative management project.

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

**House File 2483**, by Shomshor, a bill for an act providing for the certification of fire protection sprinkler system contractors and providing a penalty.

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

**House File 2484**, by Pettengill, Davitt, Gaskill, Petersen, Shomshor and Wise, a bill for an act relating to identity theft including providing for the notification of a breach in the security of computerized data of personal information, allowing a security alert or block on a consumer report, allowing the issuance of an identity theft passport, requiring the deletion of certain records relating to dishonored checks, prohibiting the collection of certain unauthorized debt obligations, requiring the protection and destruction of customer records containing personal information, and providing for civil remedies and penalties.

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

**House File 2485**, by Hoffman, a bill for an act establishing a pilot project to allow certain fire departments to enter into expanded mutual aid agreements, and providing an appropriation.

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

**House File 2486**, by Fallon, a bill for an act providing for the establishment of a lead abatement program administered by the Iowa department of public health, and making an appropriation.

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

**House File 2487**, by Granzow, a bill for an act relating to joint employment of assessors.

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

**House File 2488**, by Soderberg, a bill for an act relating to a substitute teaching authorization for persons holding a license or certificate to teach issued by another state.

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

**House File 2489**, by May, Struyk, Soderberg and Freeman, a bill for an act relating to eligibility requirements for the renewable energy tax credit and providing an effective date.

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

**House File 2490**, by Shoultz, a bill for an act to create the model jobs, trade, and democracy Act.

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

**House File 2491**, by Gaskill, a bill for an act relating to the termination of a franchise agreement by a city.

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

**House File 2492**, by committee on human resources, a bill for an act relating to the costs of services provided to persons with mental retardation whose service costs are a state responsibility.

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

**House File 2493**, by committee on human resources, a bill for an act providing for the establishment of a viral hepatitis program and study.

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

**House File 2494**, by committee on public safety, a bill for an act relating to the practices and procedures of the department of corrections and the judicial district departments of correctional services, including increasing the penalty for sexual misconduct by an officer, employee, or agent of the department of corrections or a judicial district department of correctional services, and providing for a fee.

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

#### SENATE MESSAGES CONSIDERED

**Senate File 2086**, by committee on education, a bill for an act allowing school districts to use biometric fingerprint identification systems for certain restricted purposes and providing an effective date.

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

**Senate File 2124**, by committee on human resources, a bill for an act providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date.

Read first time and **passed on file**.

**Senate File 2219**, by committee on judiciary, a bill for an act relating to human trafficking and related offenses, including the provision of law enforcement training and victim assistance programs, and providing penalties.

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

**Senate File 2232**, 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 road use tax fund and the primary road fund.

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

## CONSIDERATION OF BILLS

### Regular Calendar

**House File 2365**, a bill for an act relating to committing disorderly conduct near a military funeral, memorial service, funeral procession, or burial, and providing penalties, was taken up for consideration.

Watts of Dallas offered amendment H-8022 filed by him and Jenkins of Black Hawk as follows:

H-8022

- 1 Amend House File 2365 as follows:
- 2 1. Page 1, line 2, by striking the word
- 3 "MILITARY".
- 4 2. Page 1, line 5, by striking the word
- 5 "military".
- 6 3. Page 1, line 6, by striking the words "three
- 7 hundred feet of a military" and inserting the
- 8 following: "five hundred feet of a".
- 9 4. Page 1, line 19, by striking the word

- 10 "military".  
 11 5. Title page, line 1, by striking the word  
 12 "military".

Jenkins of Black Hawk offered the following amendment H-8054, to amendment H-8022, filed by him and Watts of Dallas from the floor and moved its adoption:

H-8054

- 1 Amend the amendment, H-8022, to House File 2365 as  
 2 follows:  
 3 1. Page 1, by inserting after line 8 the  
 4 following:  
 5 "\_. Page 1, line 18, by striking the word  
 6 "thirty" and inserting the following: "sixty".  
 7 \_. Page 1, line 19, by striking the word  
 8 "thirty" and inserting the following: "sixty"."

Amendment H-8054 was adopted.

On motion by Watts of Dallas, amendment H-8022, as amended, was adopted.

Kaufmann 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. 2365)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill

Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Wilderdye	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Whitead                      Zirkelbach

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

#### HOUSE FILE 2132 WITHDRAWN

Kaufmann of Cedar asked and received unanimous consent to withdraw House File 2132 from further consideration by the House.

**House File 2323**, a bill for an act relating to the regulation of business organizations including administrative dissolution, registration of agents, authorization of names, the filing, delivery, and service of documents by the secretary of state, and the elimination of certain filing fees, and providing an effective date, was taken up for consideration.

Paulsen 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. 2323)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner



Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Wilderdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Whitead                      Zirkelbach

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

#### HOUSE FILE 2085 WITHDRAWN

Kaufmann of Cedar asked and received unanimous consent to withdraw House File 2085 from further consideration by the House.

**House File 2284**, a bill for an act relating to the core curriculum plan developed by a school district in cooperation with a student, was taken up for consideration.

Soderberg 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. 2284)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar

Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Wilderdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Whitead                      Zirkelbach

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

### Appropriations Calendar

**Senate File 2056**, a bill for an act relating to the Honey creek premier destination park bond program and providing an effective date, with report of committee recommending passage, was taken up for consideration.

May of Dickinson moved that the bill be read a last time 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. 2056)

The ayes were, 88:

Alons	Anderson	Arnold	Bell
Berry	Boal	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
Dolecheck	Drake	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Wilderdyke	Winckler	Wise	Mr. Speaker Rants

The nays were, 10:

Baudler	De Boef	Dix	Eichhorn
Hutter	Kurtenbach	Paulsen	Sands
Struyk	Van Fossen, J.K.		

Absent or not voting, 2:

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

### Regular Calendar

**House File 2171**, a bill for an act allowing fishing without a license for certain persons who fish in a supervised group, was taken up for consideration.

Heddens of Story offered the following amendment H-8016 filed by her and Lukan of Dubuque and moved its adoption:

H-8016

- 1 Amend House File 2171 as follows:  
 2 1. Page 1, line 10, by inserting after the figure  
 3 "231D," the following: "participants in services  
 4 funded under a federal home and community-based  
 5 services waiver implemented under the medical  
 6 assistance program as defined in chapter 249A."  
 7 2. Page 1, line 12, by inserting after the word  
 8 "group." the following: "A person supervising a group  
 9 pursuant to this subsection may fish with the group  
 10 pursuant to the permit and is not required to obtain a  
 11 fishing license."

Amendment H-8016 was adopted.

Lukan of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2171)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevrt
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Wildurdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Whitead                      Zirkelbach

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

### HOUSE FILE 2039 WITHDRAWN

Lukan of Dubuque asked and received unanimous consent to withdraw House File 2039 from further consideration by the House.

**House File 2177**, a bill for an act requiring the county auditor to evidence approval of the name of a subdivision plat and requiring such statement for filing the subdivision plat with the county recorder, was taken up for consideration.

Tjepkes 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. 2177)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueler	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim

Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Wilderdryke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Whitead                      Zirkelbach

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

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2171, 2177, 2284, 2323, 2365** and **Senate File 2056**.

**House File 2240**, a bill for an act relating to county board of supervisor vacancies, was taken up for consideration.

Schickel 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. 2240)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller

Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Wilderdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Whitead                      Zirkelbach

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

**House File 2244**, a bill for an act relating to hunting and fishing licenses for certain veterans, was taken up for consideration.

Hutter of Scott offered the following amendment H-8014 filed by him and moved its adoption:

H-8014

- 1 Amend House File 2244 as follows:
- 2 1. Page 1, line 3, by striking the word "thirty"
- 3 and inserting the following: "~~thirty~~ five".

Amendment H-8014 was adopted.

Hutter 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. 2244)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar

Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Wilderdylke	Winckler
Wise	Mr. Speaker Rants		

The nays were, none.

Absent or not voting, 2:

Whitead                      Zirkelbach

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

**House File 2282**, a bill for an act relating to the election of mayor and city council members in a city governed by the council-manager-at-large form of city government, was taken up for consideration.

Watts of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2282)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck



Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Söderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Wilderdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Whitead                      Zirkelbach

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

**House File 2333**, a bill for an act prohibiting a person or club holding a liquor control license or retail wine or beer permit from distributing or possessing machines used to vaporize an alcoholic beverage for consumption and making penalties applicable, was taken up for consideration.

Hutter 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. 2333)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta

Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Wilderdyke	Winckler
Wise	Mr. Speaker Rants		

The nays were, none.

Absent or not voting and 2:

Whitead                      Zirkelbach

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

#### HOUSE FILE 2083 WITHDRAWN

Hutter of Scott asked and received unanimous consent to withdraw House File 2083 from further consideration by the House.

#### HOUSE FILE 2093 WITHDRAWN

Watts of Dallas asked and received unanimous consent to withdraw House File 2093 from further consideration by the House.

#### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2240, 2244, 2282 and 2333.**

**House File 2362**, a bill for an act providing for reassignment of a salvage certificate of title for a motor vehicle, was taken up for consideration.

Schickel 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. 2362)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Wilderdyeke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Whitead                      Zirkelbach

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

**House File 2363**, a bill for an act relating to the process utilized in assessing residents of health care facilities for veterans program benefits, 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. 2363)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foegen	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Wilderdyeke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Whitead                      Zirkelbach

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

**House File 2232**, a bill for an act relating to the naming of a national bank or a federal savings association and including a retroactive applicability provision, was taken up for consideration.

Wilderdyke 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. 2232)

The ayes were, 56:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	Dandekar
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Freeman	Gipp
Granzow	Greiner	Heaton	Hoffman
Horbach	Huseman	Huser	Hutter
Jacobs	Jenkins	Jones	Kaufmann
Kurtenbach	Lalk	Lukan	Maddox
May	Mertz	Olson, R.	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Shomshor
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wilderdyke	Mr. Speaker
			Rants

The nays were, 42:

Bell	Berry	Bukta	Cohoon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Jacoby	Jochum	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Miller	Murphy	Oldson
Olson, D.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shultz
Smith	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wessel-Kroeschell	Whitaker
Winckler	Wise		

Absent or not voting and 2:

Whitead                      Zirkelbach

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

## HOUSE FILE 2011 WITHDRAWN

Schickel of Cerro Gordo asked and received unanimous consent to withdraw House File 2011 from further consideration by the House.

## IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2232, 2362 and 2363.**

## HOUSE FILE 2404 REREFERRED

The Speaker announced that House File 2404, previously referred to committee on **state government** was rereferred to committee on **agriculture.**

## HOUSE FILE 2432 REREFERRED

The Speaker announced that House File 2432, previously referred to committee on **state government** was rereferred to committee on **commerce, regulation and labor.**

## HOUSE FILE 2434 REREFERRED

The Speaker announced that House File 2434, previously referred to committee on **human resources** was rereferred to committee on **commerce, regulation and labor.**

## HOUSE FILE 2471 REREFERRED

The Speaker announced that House File 2471, previously referred to committee on **local government** was rereferred to committee on **ways and means.**

SPONSOR ADDED  
(Amendment H-8022)

Wilderdyke of Harrison requested to be added as a sponsor of amendment H-8022 to House File 2365.

**SPONSOR ADDED**  
(House File 2374)

Hogg of Linn requested to be added as a sponsor of House File 2374.

**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

- |          |  |
|----------|--|
| 2006\694 | Pirk and Bette Koenigs, Mapleton – For celebrating their 60 <sup>th</sup> wedding anniversary.   |
| 2006\695 | Edward and Lucinda Wigg, Schleswig – For celebrating their 65 <sup>th</sup> wedding anniversary. |
| 2006\696 | Adeline Mohrhauser, Battle Creek – For celebrating her 94 <sup>th</sup> birthday.                |
| 2006\697 | Dorothy Riessen, Schleswig – For celebrating her 80 <sup>th</sup> birthday.                      |

**SUBCOMMITTEE ASSIGNMENTS**

**House File 590 Reassigned**

Natural Resources: Lukan, Chair; Rasmussen and Whitead.

**House File 2286**

Judiciary: J.R. Van Fossen, Chair; Carroll and Lensing.

**House File 2350**

Human Resources: Granzow, Chair; Ford and Upmeyer.

**House File 2404**

Agriculture: De Boef, Chair; Davitt and Kaufmann.

**House File 2426**

Appropriations: Watts, Chair; Petersen and Roberts.

**House File 2437**

Education: Chambers, Chair; Foege and Kaufmann.

**House File 2451**

Agriculture: Greiner, Chair; Kaufmann and Swaim.

**House File 2474**

Local Government: Arnold, Chair; Hoffman and Huser.

**House File 2467**

Public Safety: Sands, Chair; Berry and Tjepkes.

**House File 2468**

Public Safety: Horbach, Chair; Baudler and McCarthy.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 606 Reassigned**

Judiciary: Carroll, Chair; Kaufmann and Smith.

**House Study Bill 711**

Agriculture: Struyk, Chair; Davitt and Drake.

**House Study Bill 712**

Human Resources: Upmeyer, Chair; Carroll and Petersen.

**House Study Bill 713**

Commerce, Regulation and Labor: Jacobs, Chair; Jenkins and D. Taylor.

**House Study Bill 714**

Commerce, Regulation and Labor: Freeman, Chair; Horbach and T. Taylor.

**House Study Bill 715**

Commerce, Regulation and Labor: Jenkins, Chair; Petersen.

**House Study Bill 721**

Public Safety: Alons, Chair; Baudler and Shoultz.



**House Study Bill 722**

Environmental Protection: Greiner, Chair; Kurtenbach and Shoultz.

**House Study Bill 723**

Agriculture: Mertz, Chair; Lalk and Rayhons.

**House Study Bill 724**

Economic Growth: Anderson, Chair; D. Olson and S. Olson.

**House Study Bill 725**

Education: Tymeson, Chair; Kaufmann, Schickel, Wendt and Winckler.

**House Study Bill 726**

Education: Dolecheck, Chair; Schickel and Wise.

**House Study Bill 728**

Local Government: Schickel, Chair; Arnold and Gaskill.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 730 Appropriations**

Relating to and making appropriations to the justice system and providing an effective date.

**H.S.B. 731 Education**

Relating to the policies adopted by the board of directors of a school district.

**H.S.B. 732 Economic Growth**

Creating a mathematics and science teacher practical experience incentive program and providing for a tax credit from withholding.

**H.S.B. 733 Economic Growth**

Relating to alternative and renewable energy for purposes of economic development.

**H.S.B. 734 Education**

Relating to state aid to reimburse a portion of the advanced placement examination fee for students enrolled in public school districts.

**H.S.B. 735 Education**

Relating to the membership, authority, and duties of the board of educational examiners.

**H.S.B. 736 Agriculture**

Precluding certain enforcement actions by the department of natural resources or the attorney general based on detrimental reliance.

**H.S.B. 737 Public Safety**

Concerning the department of public defense, including the military, civil air patrol, and homeland security and emergency management, and providing penalties.

**H.S.B. 738 Public Safety**

Relating to the review or redissemination of data or information about the commission of a crime.

**H.S.B. 739 Education**

Relating to teacher salaries by increasing beginning and career teacher minimum salary levels and creating a salary supplement for mathematics and science teachers and making an appropriation.

**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 705), relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources and providing fees.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2006.

**Committee Bill** (Formerly House Study Bill 707), relating to the funding of, the operations of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of cultural affairs, the department of education, and the state board of regents and including effective and retroactive applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2006.

## COMMITTEE ON COMMERCE, REGULATION AND LABOR

**Committee Bill** (Formerly House File 2247), relating to the issuance of identity thief passports by the attorney general.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

**Committee Bill** (Formerly House Study Bill 594), relating to prohibited business practices by a real estate broker or salesperson.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

**Committee Bill** (Formerly House Study Bill 608), relating to priority of labor or wage claims over other debts when an employer's property is placed in receivership or otherwise seized by creditors.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

**Committee Bill** (Formerly House Study Bill 609), authorizing the labor commissioner to represent laborers or employees seeking wage claims in pending receivership or seizure action and providing an applicability date.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2006.

**Committee Bill** (Formerly House Study Bill 612), providing for an exception to the payday information employers are required to provide each employee under Iowa wage payment collection law.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

**Committee Bill** (Formerly House File 696), authorizing voluntary health care purchasing pools for certain employers.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

#### COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House File 2231), relating to the assessment of a fee when filing a praecipe.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

**Committee Bill** (Formerly House Study Bill 576), relating to involuntary hospitalization proceedings for chronic substance abusers and persons with mental illness.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

**Committee Bill** (Formerly House Study Bill 628), relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

#### COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House File 2134), relating to county, city, and school board publication of allowed claims.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

## COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly House File 2207), relating to safe motor vehicle operation, including penalties for certain motor vehicle violations resulting in injury or death and classroom instruction for driver education courses.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

**Committee Bill** (Formerly House File 2228), relating to the criminal offense of criminal trespass, and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

**Committee Bill** (Formerly House File 2316), make electronic mail and telephone billing records of law enforcement agencies confidential if that information is part of an active investigation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

**Committee Bill** (Formerly House Study Bill 632), relating to the practices and procedures of the department of corrections and the judicial district departments of correctional services, including increasing the penalty for sexual misconduct by an officer, employee, or agent of the department of corrections or a judicial district department of correctional services, and providing for a fee.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2006.

## COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly House Study Bill 533), relating to the jurisdiction of the ethics and campaign disclosure board and including effective date and retroactive applicability provisions and subjecting violators to remedies and penalties.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2006.

**Committee Bill** (Formerly House Study Bill 535), relating to campaign funding and reporting.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2006.

**Committee Bill** (Formerly House Study Bill 599), relating to the real estate education fund.

Fiscal Note is not required.

Recommended **Do Pass** February 21, 2006.

#### COMMITTEE ON TRANSPORTATION

**Committee Bill** (Formerly House Study Bill 153), relating to obstructions in highways and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

**Committee Bill** (Formerly House Study Bill 665), relating to policies and duties of the state department of transportation, including placement of official signs on primary highways, inspection of bridges, administrative duties, motor vehicle registration and titling, driver licensing, licensing and regulation of vehicle-related businesses, vehicle braking requirements, vehicle length restrictions, proof of financial responsibility requirements, and persons with disabilities parking permits.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 21, 2006.

#### COMMITTEE ON VETERANS AFFAIRS

**Committee Bill** (Formerly House File 2170), establishing an Iowa Civil War sesquicentennial commission and fund and providing for its prospective repeal.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2006.

#### AMENDMENTS FILED

H—8051	H.F.	2445	Wise of Lee
H—8052	H.F.	2396	Hogg of Linn
H—8053	H.F.	2396	Hogg of Linn
H—8055	H.F.	2445	Mascher of Johnson
H—8056	H.F.	2445	Mascher of Johnson
H—8057	H.F.	2445	Mascher of Johnson

On motion by Gipp of Winneshiek the House adjourned at 5:44 p.m., until 8:45 a.m., Thursday, February 23, 2006.

# JOURNAL OF THE HOUSE

Forty-sixth Calendar Day - Thirty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, February 23, 2006

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

Prayer was offered by Reverend Tom Clegg, pastor of Point of Grace Church, Waukee. He was the guest of Representative Ralph Watts of Dallas County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, February 22, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2495**, by Alons, Rayhons, Drake, Jacobs, Soderberg, May, Heaton, Roberts, Dolecheck, Jones and Kurtenbach, a bill for an act relating to the definition of recycling property for purposes of the property tax exemption for pollution-control or recycling property and providing an applicability date.

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

**House File 2496**, by Hogg, Foege and Mascher, a bill for an act relating to education funding by increasing the regular program foundation base per pupil, and providing an applicability date.

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

**House File 2497**, by Struyk, Huser, Wise, Upmeyer and Heaton, a bill for an act relating to economic development by creating a bioscience funding board and bioscience fund, providing tax incentives under the high quality job creation Act, and providing an

exempt activity for foreign corporations, and including effective and retroactive applicability date provisions.

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

**House File 2498**, by Mascher, a bill for an act making discrimination between insureds on the basis of sex or marital status an unfair insurance practice.

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

**House File 2499**, by Mascher, a bill for an act relating to temporary county confinement of persons committed to the custody of the department of corrections.

Read first time and referred to committee on **public safety**.

**House File 2500**, by Fallon, a bill for an act relating to setback distance requirements that apply to residences which are constructed in proximity to animal feeding operation structures and making penalties applicable.

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

**House File 2501**, by Struyk, Huser and McCarthy, a bill for an act relating to classification of apartment buildings for purposes of property taxation and including effective date and retroactive applicability date provisions.

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

**House File 2502**, by McCarthy, a bill for an act relating to the public exposure of certain body parts of a person, and providing a penalty.

Read first time and referred to committee on **public safety**.

**House File 2503**, by committee on agriculture, a bill for an act relating to confinement feeding operations by requiring the



submission of updated manure management plans on a multiyear basis, providing for fees, and making penalties applicable.

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

**House File 2504**, by committee on agriculture, a bill for an act relating to suppliers and dealers of agricultural and industrial, construction, or utility equipment, and providing an effective date.

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

**House File 2505**, by committee on commerce, regulation and labor, a bill for an act authorizing the labor commissioner to represent laborers or employees seeking wage claims in pending receivership or seizure actions and providing an applicability date.

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

**House File 2506**, by committee on commerce, regulation and labor, a bill for an act relating to the issuance of identity theft passports by the attorney general.

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

**House File 2507**, by committee on commerce, regulation and labor, a bill for an act relating to priority of labor or wage claims over other debts when an employer's property is placed in receivership or otherwise seized by creditors.

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

**House File 2508**, by committee on commerce, regulation and labor, a bill for an act relating to direct deposit of wages and creating an exception to the payday information employers are required to provide each employee under the Iowa wage payment collection law and providing for retroactive applicability.

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

**House File 2509**, by committee on human resources, a bill for an act relating to financial education for applicants for and participants in the family investment program.

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

**House File 2510**, by committee on judiciary, a bill for an act relating to involuntary hospitalization proceedings for chronic substance abusers and persons with mental illness.

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

**House File 2511**, by committee on local government, a bill for an act relating to county, city, and school board publication of allowed claims.

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

**House File 2512**, by committee on state government, a bill for an act relating to the jurisdiction of the ethics and campaign disclosure board and including effective date and retroactive applicability provisions and subjecting violators to remedies and penalties.

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

**House File 2513**, by committee on state government, a bill for an act relating to campaign funding and reporting.

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

**House File 2514**, by committee on state government, a bill for an act relating to the real estate education fund.

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

**House File 2515**, by committee on transportation, a bill for an act relating to obstructions in highways and providing penalties.

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

**House File 2516**, by R. Olson, a bill for an act relating to the reconsideration of the sentence of a person convicted of a felony.

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

**House File 2517**, by R. Olson, Schueller, Quirk, Shomshor, Tjepkes, Granzow, Jones, Upmeyer, S. Olson, Lalk, De Boef, Chambers, Alons, Arnold, Van Engelenhoven, Tomenga, Sands, Wilderdyke, Drake, Roberts, Lykam, Kurtenbach, J.R. Van Fossen, Reasoner, Bell, Baudler and Kaufmann, a bill for an act concerning horse racing by providing for minimum racing days and arbitration for resolving disputes on horse racing agreements among representatives of horse breeds.

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

**House File 2518**, by R. Olson, a bill for an act relating to a peace officer's statements to a person operating a noncommercial motor vehicle and holding a commercial driver's license who has been requested to submit to a chemical test in an operating-while-intoxicated case.

Read first time and referred to committee on **public safety**.

**House File 2519**, by R. Olson, a bill for an act relating to assessing a civil penalty when a person receives a deferred judgment.

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

**House File 2520**, by R. Olson, a bill for an act relating to grounds for disqualification from operating a commercial motor vehicle.

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

#### HOUSE FILE 2024 WITHDRAWN

Wilderdyke of Harrison asked and received unanimous consent to withdraw House File 2024 from further consideration by the House.

**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

- 2006\698 Philomena Cibula, Tama – For celebrating her 80<sup>th</sup> birthday.
- 2006\699 Mary Prosser, Conrad – For celebrating her 90<sup>th</sup> birthday.
- 2006\700 Ben Jacobson, Sioux City – For his outstanding career with the UNI Panthers Men's Basketball Team, becoming the first player in UNI history to reach 1000 career points, for being voted to the National Association of Basketball Coaches All-District 12 First Team, and serving as a great role model for all young, aspiring student athletes, especially those from Sioux City.
- 2006\701 Harry Gardner, Toledo – For celebrating his 80<sup>th</sup> birthday.
- 2006\702 Murel and Ellen McCreary, Toledo – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\703 Fay and Margaret Repp, Newton – For celebrating their 60<sup>th</sup> wedding anniversary.

**SUBCOMMITTEE ASSIGNMENTS****House File 2264**

Local Government: Rasmussen, Chair; D. Olson and Van Engelenhoven.

**House File 2389**

Commerce, Regulation and Labor: Dix, Chair; Shomshor and Struyk.

**House File 2436**

Human Resources: Wilderdyke, Chair; Berry, Hutter, Smith and Upmeyer.

**House File 2441**

Ways and Means: Carroll, Chair; Huser and Struyk.

**House File 2446**

Commerce, Regulation and Labor: Dix, Chair; Petersen, Sands, D. Taylor and Watts.

**House File 2452**

Human Resources: Roberts, Chair; Carroll and Hunter.

**House File 2455**

Ways and Means: Struyk, Chair; Schueller and Soderberg.

**House File 2458**

Local Government: Rasmussen, Chair; Arnold and Huser.

**House File 2460**

Ways and Means: Soderberg, Chair; Jochum and Struyk.

**House File 2473**

Judiciary: Anderson, Chair; Swaim and J.R. Van Fossen.

**House File 2488**

Education: Soderberg, Chair; Bukta and Kaufmann.

**House File 2489**

Commerce, Regulation and Labor: May, Chair; Jacoby, Pettengill, Soderberg and Watts.

**House File 2495**

Environmental Protection: Kurtenbach, Chair; De Boef and Pettengill.

**House File 2497**

Economic Growth: Struyk, Chair; Hoffman and Thomas.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS****House Study Bill 727**

Ways and Means: Paulsen, Chair; Carroll, Kurtenbach, Shoultz and Winckler.

**House Study Bill 731**

Education: Tymeson, Chair; Raecker and Wise.

**House Study Bill 732**

Economic Growth: Jenkins, Chair; Schickel and Wise.

**House Study Bill 733**

Economic Growth: Wise, Chair; Jenkins and Soderberg.

**House Study Bill 734**

Education: Paulsen, Chair; Chambers and Wendt.

**House Study Bill 735**

Education: Chambers, Chair; Cohoon and Tymeson.

**House Study Bill 736**

Agriculture: Greiner, Chair; Huseman and Reasoner.

**House Study Bill 737**

Public Safety: Alons, Chair; Chambers and Lykam.

**House Study Bill 738**

Public Safety: McCarthy, Chair; Eichhorn and Tjepkes.

**House Study Bill 739**

Education: Boal, Chair; Chambers and Wise.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 740 Commerce, Regulation and Labor**

Relating to licensing requirements to offer viatical settlement contracts.

**H.S.B. 741 Commerce, Regulation and Labor**

Relating to deficiencies in the construction or design of residential real property.

**H.S.B. 742 Commerce, Regulation and Labor**

Relating to laws administered by the labor commissioner regarding the state elevator code and boiler and pressure vessel safety.

**H.S.B. 743 Commerce, Regulation and Labor**

Relating to long-distance and shared learning efficiencies and operation, providing for technical and substantive changes relating to the Iowa communication network, and providing for supplementary weighting for shared classes taught via the network.

**H.S.B. 744 Human Resources**

Identifying and prioritizing persons authorized to provide instructions and approval regarding final funeral arrangements.

**H.S.B. 745 Economic Growth**

Relating to bioscience financial assistance and making an appropriation.

**H.S.B. 746 State Government**

Concerning alcoholic beverage control relating to manufacturers providing free cleaning services to retailers and prohibiting wholesalers from providing certain coupons to retailers and making penalties applicable.

**H.S.B. 747 Judiciary**

Relating to medical malpractice insurance closed claim reporting by an insurer providing medical malpractice insurance coverage in Iowa.

**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

**House File 2347**, a bill for an act relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly House Study Bill 729), relating to and making appropriations to the judicial branch.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly House Study Bill 730), relating to and making appropriations to the justice system and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

## COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House File 2229), authorizing a school district to share its portion of incremental property taxes with a contiguous school district.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2006.

**Committee Bill** (Formerly House Study Bill 620), relating to the state board of education's rules regarding educational technology and telecommunications.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2006.

## COMMITTEE ON ENVIRONMENTAL PROTECTION

**Committee Bill** (Formerly House Study Bill 586), eliminating certain duties of the department of natural resources.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2006.

**Committee Bill** (Formerly House Study Bill 722), require manufacturers' systems for the removal, collection, and recovery of mercury-added vehicle switches.



Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2006.

#### COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House File 2108), relating to placement of a juvenile in the state training school or other facility.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

**Committee Bill** (Formerly House File 2157), requiring the department of human services to implement an electronic payment system for the state child care assistance program.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly House File 2204), creating a multidimensional treatment level foster care program.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly House File 2255), relating to notification of parents, guardians, or custodians of children receiving child care from an unregistered child care home when it is determined that child abuse involving the home has occurred.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly House File 2289), providing for the retention of fees by licensing boards, and the bureau of radiological health, under the purview of the Iowa department of public health, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

**Committee Bill** (Formerly House File 2325), creating a county-based brain injury services program and providing for allocation of a previously enacted appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

**Committee Bill** (Formerly House Study Bill 645), providing for various technical and substantive changes related to health licensing and related public health matters.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

**Committee Bill** (Formerly House Study Bill 677), relating to the criminal and abuse registry checks required of a person employed by a licensed health care facility.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly House Study Bill 712), providing for the release of certain morbidity and mortality study information to the Iowa healthcare collaborative.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

#### COMMITTEE ON TRANSPORTATION

**Committee Bill** (Formerly House File 2292), relating to the operation of all-terrain vehicles on the highways for limited purposes.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

#### RESOLUTIONS FILED

**HCR 106**, by Huser, Lukan, Kaufmann, Reichert, Dandekar, Struyk, Fallon, Boal, Bukta, Heddens and Thomas, a concurrent resolution establishing a joint ad hoc committee of members of the Senate and House of Representatives to study emergency services in the state.

Laid over under **Rule 25**.

**HCR 107**, by Roberts, a concurrent resolution relating to the board of correction's evaluation of the Iowa state penitentiary in Fort Madison.

Laid over under **Rule 25**.

On motion by Gipp of Winneshiek the House adjourned at 9:00 a.m., until 9:00 a.m., Friday, February 24, 2006.

# JOURNAL OF THE HOUSE

Forty-seventh Calendar Day - Thirty-third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, February 24, 2006

The House met pursuant to adjournment at 9:01 a.m., Tymeson of Madison in the chair.

The House stood at ease at 9:01 a.m., due to a fire alarm, until the fall of the gavel.

The House resumed session at 9:19 a.m., Tymeson of Madison in the chair.

The Journal of Thursday, February 23, 2006 was approved.

## INTRODUCTION OF BILLS

**House Joint Resolution 2004**, by Eichhorn, a joint resolution nullifying an administrative rule relating to the mandatory reporting of certain acts or omissions by persons licensed by the Iowa board of dental examiners and providing an effective date.

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

**House File 2521**, 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 and providing an effective date.

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

**House File 2522**, by committee on judiciary, a bill for an act relating to the assessment of a fee when filing a praecipe.

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

**House File 2523**, by committee on public safety, a bill for an act relating to safe motor vehicle operation, including penalties for

certain motor vehicle violations causing serious injury or death and classroom instruction for driver education courses.

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

**House File 2524**, by committee on public safety, a bill for an act relating to the criminal offense of criminal trespass, and providing a penalty.

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

**House File 2525**, by committee on transportation, a bill for an act relating to policies and duties of the state department of transportation, including placement of official signs on primary highways, inspection of bridges, administrative duties, motor vehicle registration and titling, driver licensing, licensing and regulation of vehicle-related businesses, vehicle braking requirements, vehicle length restrictions, proof of financial responsibility requirements, and persons with disabilities parking permits, and including effective dates.

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

**House File 2526**, by committee on veterans affairs, a bill for an act establishing an Iowa Civil War sesquicentennial commission and fund and providing for its prospective repeal.

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

**House File 2527**, by committee on appropriations, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of cultural affairs, the department of education, and the state board of regents and including effective and retroactive applicability dates.

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

**House File 2528**, by committee on commerce, regulation and labor, a bill for an act relating to prohibited business practices by a real estate broker or salesperson.

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

**House File 2529**, by committee on commerce, regulation and labor, a bill for an act authorizing small employer association health benefit plans, a small employer health care tax credit, wellness incentives, a small employer catastrophic risk program, providing an appropriation, and providing for effective, retroactive, and applicability dates.

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

**House File 2530**, by committee on education, a bill for an act authorizing a school district to share its portion of incremental property taxes with a contiguous school district.

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

**House File 2531**, by Schueller, a bill for an act relating to the issuance of a restraining order on behalf of a person who is the victim of sexual assault and providing a penalty.

Read first time and referred to committee on **public safety**.

**House File 2532**, by R. Olson, a bill for an act pertaining to workers' compensation laws by regulating insurance policy inclusions, debt collection practices, calculation of weekly benefits of certain employees, liability for employees of certain contractors, and timely payment of benefits by insurers.

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

**House File 2533**, by Kressig, a bill for an act relating to third-party payment of health care coverage costs for hyperbaric oxygen treatments.

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

**House File 2534**, by D. Olson, Gaskill, Frevert, Miller, Murphy, Wendt, Berry, Wise, T. Taylor, Kressig, Schueller, Quirk, Reichert, Bukta, Whitaker, Lykam, Whitead, Cohoon, Swaim, Thomas, D. Taylor, Reasoner and Heddens, a bill for an act relating to employment practices and human trafficking and related offenses and providing penalties and remedies and an appropriation.

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

**House File 2535**, by Kaufmann, a bill for an act relating to permits to conduct special events, festivals, and education programs in state parks and preserves.

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

**House File 2536**, by Struyk, Huser, Bell, Carroll and Wise, a bill for an act providing for the establishment by certain cities of sales tax increment financing districts.

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

**House File 2537**, by Lykam, McCarthy and Cohoon, a bill for an act relating to the operation of funeral escort vehicles.

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

**House File 2538**, by Whitaker, a bill for an act providing for the indemnification of organic producers for contamination of organic crops.

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

**House File 2539**, by Swaim, Reasoner, Lykam, Gaskill, Shomshor, Whitead, Miller, Bell, Foege, Kuhn, Wise, Kressig, Huser, Thomas, Wendt, R. Olson, D. Taylor, Mertz, Bukta, Mascher, Hogg and Jacoby, a bill for an act relating to sex offenders residing near or being present at schools or child care facilities, providing for real-time tracking of sex offenders, for publication of the address of a sex offender, establishing a tax credit for the purchase of an internet

obscenity filter, and continuing the sex offender treatment and supervision task force.

Read first time and referred to committee on **public safety**.

**House File 2540**, by committee on appropriations, a bill for an act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources and providing fees.

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

**House File 2541**, by committee on environmental protection, a bill for an act eliminating certain duties of the department of natural resources.

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

**House File 2542**, by committee on environmental protection, a bill for an act to require manufacturers' systems for the removal, collection, and recovery of mercury-added vehicle switches.

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

**House File 2543**, by committee on judiciary, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

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

**House File 2544**, by committee on education, a bill for an act relating to the state board of education's rules regarding educational technology and telecommunications.

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

**House File 2545**, by committee on natural resources, a bill for an act relating to trespassing, including the authority of the department of natural resources to suspend or revoke hunting, fishing, or trapping licenses for trespass violations while deer hunting, and providing penalties.

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

**House File 2546**, by committee on natural resources, a bill for an act relating to public and private landowners' immunity from premises liability during urban deer control hunts authorized by municipal ordinances.

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

#### SUBCOMMITTEE ASSIGNMENT

##### **House File 2482**

Natural Resources: Van Engelenhoven, Chair; Arnold and Whitaker.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

##### **House Study Bill 622**

Natural Resources: Tjepkes, Chair; Davitt and Lukan.

##### **House Study Bill 740**

Commerce, Regulation and Labor: Hoffman, Chair; Horbach and Oldson.

##### **House Study Bill 741**

Commerce, Regulation and Labor: Soderberg, Chair; Jenkins and Oldson.

##### **House Study Bill 742**

Commerce, Regulation and Labor: Wilderdyke, Chair; D. Taylor and Watts.

##### **House Study Bill 743**

Commerce, Regulation and Labor: Watts, Chair; Jenkins and Quirk.

##### **House Study Bill 746**

State Government: Jacobs, Chair; Paulsen and Quirk.

#### 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 2357), relating to farm tenancies.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly House File 2404), relating to wine, including the allowable alcohol content of wine and inspection of certain wine permittees.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly House File 2422), relating to the delivery of E-85 gasoline to franchisees of motor fuel, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly House Study Bill 662), relating to devices used for weighing and measuring, by providing for the regulation of the devices, motor vehicle fuel, and persons who service the devices, and providing for fees and penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

## COMMITTEE ON COMMERCE, REGULATION AND LABOR

**Committee Bill** (Formerly House Study Bill 239), relating to the laws administered by the labor commissioner, and to penalties assessed for violations of those laws, including regulation of safety inspection of amusement rides, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

**Committee Bill** (Formerly House Study Bill 544), relating to the regulation of state banks and bank holding companies including the disclosure and release of regulatory information, attestation and publication requirements, the removal and service of officers, directors, and employees, and offers to purchase stock, and increasing civil penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

**Committee Bill** (Formerly House Study Bill 660), relating to the collection of liquidated debts owed to and various authorizations issued by the labor commissioner.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly House Study Bill 671), relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

#### COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House File 2286), creating the penalty of death for the commission of murder in the first degree, kidnapping, and sexual abuse against the same minor, using DNA or fingerprint evidence to identify the perpetrator, providing a penalty, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

#### COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly House File 453), relating to trespassing, including the authority of the department of natural resources to suspend or revoke hunting, fishing, or trapping licenses for trespass violations, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2006.

#### RESOLUTIONS FILED

**HR 130**, by Upmeyer and Wise, a resolution honoring John G. Pappajohn, a 2006 nationally recognized Outstanding Community College Alumnus.

Laid over under **Rule 25**.

**HR 131**, by Smith, Hoffman, Baudler and Wendt, a resolution to designate the month of June 2006 as Prostate Cancer Awareness Month and to encourage all health benefit plan providers to include annual screening for prostate cancer as part of their coverage.

Laid over under **Rule 25**.

On motion by Watts of Dallas the House adjourned at 9:26 a.m., until 1:00 p.m., Monday, February 27, 2006.

# JOURNAL OF THE HOUSE

Fiftieth Calendar Day - Thirty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, February 27, 2006

The House met pursuant to adjournment at 1:09 p.m., Speaker Rants in the chair.

Prior to convening Ms. Effie Burt sang "I'll Make Me a World in Iowa" a song in which she composed.

The House rose and expressed its welcome.

Prayer was offered by Reverend Jane Sheperd, pastor of Gowrie United Methodist Church, Gowrie. She was the guest of Representative Dave Tjepkes of Webster County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Friday, February 24, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2547**, by Davitt, a bill for an act relating to the publication of the names, addresses, and criminal convictions of sex offenders in a county newspaper of general circulation.

Read first time and referred to committee on **public safety**.

**House File 2548**, by Murphy, Kuhn, Gaskill, Frevert, Jochum, Whitead, Ford, D. Olson, Bukta, Wendt, Shomshor, Whitaker, Heddens, Wise, Reichert, Reasoner, Shoultz, T. Taylor, Davitt, Bell, Foege, Cohoon, Hogg, Hunter, Thomas, Pettengill, D. Taylor, Jacoby, Lykam, Miller, Swaim, Lensing, Wessel-Kroeschell and Winckler, a bill for an act relating to the formulation of motor vehicle fuel, by providing for ethanol blended gasoline, providing for the promotion of ethanol blended gasoline and biodiesel and biodiesel blended gasoline, providing tax incentives, providing incentives for infrastructure used

to store and dispense E-85 gasoline, making appropriations, providing penalties, and providing retroactive applicability and effective dates.

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

**House File 2549**, by Davitt, a bill for an act relating to the manufacture and sale of native distilled spirits, and establishing a related permit fee.

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

**House File 2550**, by Murphy, Bukta, Whitaker, Heddens, Frevert, D. Olson, Smith, Jochum, Dandekar, Berry, Reichert, Wessel-Kroeschell, Lensing, Mascher, Kuhn, Winckler, Reasoner, McCarthy, Shomshor, Quirk, Schueller, Petersen, Wise, Pettengill, D. Taylor, Thomas, Gaskill, Wendt, Cohoon, Foege, Bell, Mertz, Miller, Whitead, Lykam, Jacoby, Oldson, Swaim, Hunter and Kressig, a bill for an act to establish a targeted skills training program and fund in the department of workforce development and making an appropriation.

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

**House File 2551**, by Mertz, a bill for an act relating to agricultural drainage wells by providing for the implementation of water quality practices as an alternative to constructing alternative drainage systems.

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

**House File 2552**, by Dandekar, Struyk and Huser, a bill for an act creating a rejuvenate achievable zones for economic development program and making appropriations.

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

#### ADOPTION OF HOUSE RESOLUTION 115

Berry of Black Hawk called up for consideration **House Resolution 115**, a resolution recognizing Ms. Effie Burt for her composition, "I'll Make Me a World in Iowa", and moved its adoption.

The motion prevailed and the resolution was adopted.

### SPECIAL PRESENTATIONS

Shoultz of Black Hawk introduced to the House a national African-American activist Ms. Anna May Weems of Waterloo whom once brought Dr. Martin Luther King Jr. to the Iowa statehouse.

The House rose and expressed it's welcome.

Miller of Webster introduced to the House Betty Andrews, the executive director of I'll Make Me a World in Iowa.

The House rose and expressed it's welcome.

Drake of Pottawattamie introduced to the House the Honorable Ralph Klemme, former state representative from Plymouth County.

The House rose and expressed its welcome.

Miller of Webster introduced to the House Ms. Willie Glanton, former state representative and the 1<sup>st</sup> African-American woman to get elected to the Iowa Legislature. She served from 1965-1966.

The House rose and expressed it's welcome.

### 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 February, 2006: House Files 2050 and 2051.

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:

Six students and one teacher from Gladbrook-Reinbeck High School, Gladbrook and Reinbeck, Iowa, accompanied by Beth Thompson. By Horbach of Tama.

## COMMUNICATIONS RECEIVED

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

### DEPARTMENT OF HUMAN SERVICES Healthy and Well Kids in Iowa (hawk-i)

Annual report, pursuant to Chapter 514I(g), Code of Iowa.

### JUDICIAL DISTRICT AND JUDICIAL RESOURCES STUDY COMMITTEE

Final report, pursuant to Chapter 151.66, 2003 Iowa Acts.

### PUBLIC RETIREMENT SYSTEMS COMMITTEE

Final report, pursuant to Chapter 97D.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

- |          |  |
|----------|--|
| 2006\704 | Michael Zweibahmer, Ossian – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 2006\705 | LuVerne Wicks, McCallsburg – For celebrating her 80 <sup>th</sup> birthday.  |
| 2006\706 | Catherine Tott, Sioux City – For celebrating her 80 <sup>th</sup> birthday.  |
| 2006\707 | Fay O'Connell, Sioux City – For celebrating his 90 <sup>th</sup> birthday.   |
| 2006\708 | Roger and Janice Hinrichsen, Sioux City – For celebrating their 50 <sup>th</sup> wedding anniversary.              |

- 2006\709 Richard and Lageane Petersen, Sioux City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\710 James McMartin, Sioux City – For celebrating his 80<sup>th</sup> birthday.
- 2006\711 Helen Sheets, Sioux City – For celebrating her 92<sup>nd</sup> birthday.
- 2006\712 Henry and Cynthia Feekes, Rock Valley – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\713 Madolyn Fears, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\714 Melva Piehl, Ottumwa – For celebrating her 75<sup>th</sup> birthday.
- 2006\715 Zella Bussing, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\716 Martha Donnelly, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\717 Stanley Fetters, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\718 Ralph Helmick, What Cheer – For celebrating his 80<sup>th</sup> birthday.
- 2006\719 Edith Rubel, Ottumwa – For celebrating her 106<sup>th</sup> birthday.
- 2006\720 Bernice Cobb, Ottumwa – For celebrating her 90<sup>th</sup> birthday.
- 2006\721 Delores Marshall, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\722 Alberta Applegate, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\723 Helen Barnett, Blakesburg – For celebrating her 80<sup>th</sup> birthday.
- 2006\724 Peter Watt, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\725 Marcia Wilkes, Ottumwa – For celebrating her 75<sup>th</sup> birthday.
- 2006\726 Mary Anderson, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\727 Grover Branson, Ottumwa – For celebrating his 75<sup>th</sup> birthday.
- 2006\728 Richard Robbins, Ottumwa – For celebrating his 75<sup>th</sup> birthday.
- 2006\729 Ken and Helen Vance, Le Mars – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\730 Ardell Oster, Long Grove – For celebrating his 80<sup>th</sup> birthday.
- 2006\731 Mr. and Mrs. Derryl Baustian, Eldridge – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\732 Pat Krause, Greenfield – For celebrating her 90<sup>th</sup> birthday.

- 2006\733 Mary Ann Gettler, Adair – For celebrating her 80<sup>th</sup> birthday.
- 2006\734 Rose Buhrow, Jesup – For celebrating her 80<sup>th</sup> birthday.
- 2006\735 Esther Godwin Neimela, Panora – For celebrating her 90<sup>th</sup> birthday.
- 2006\736 Freida Burrell, Panora – For celebrating her 90<sup>th</sup> birthday.
- 2006\737 Catherine Sellers, Bagley – For celebrating her 85<sup>th</sup> birthday.
- 2006\738 Wanda Birner, Rowley – For celebrating her 80<sup>th</sup> birthday.
- 2006\739 Lloyd and Nellie Harris, Greenfield – For celebrating their 75<sup>th</sup> wedding anniversary.
- 2006\740 Martha Milnes, Chariton – For celebrating her 80<sup>th</sup> birthday.
- 2006\741 Bertha Mathes, Knoxville – For celebrating her 90<sup>th</sup> birthday.
- 2006\742 Lloyd and Martha Anderson, Albia – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\743 Jerry and Maxine Smith, Cantril – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\744 Dale and Merna Miller, Fairfield – For celebrating their 50<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 2380**

State Government: Hutter, Chair; Boal and Jochum.

##### **House File 2475**

Human Resources: Lukan, Chair; Granzow and Heddens.

##### **House File 2551**

Agriculture: Mertz, Chair; Lalk and Rayhons.

##### **Senate File 2219**

Judiciary: Tymeson, Chair; Berry and Eichhorn.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

##### **House Study Bill 745**

Economic Growth: Lukan, Chair; May and Reichert.



## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

**H.S.B. 748 Agriculture**

Relating to requirements for open feedlot operations, by providing for nutrient management plans and operating permits, and providing an effective date and retroactive applicability.

**H.S.B. 749 Appropriations**

Relating to assessing court costs, providing for indigent defense, and making appropriations to the judicial branch and department of inspections and appeals.

## 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 ECONOMIC GROWTH

**Committee Bill** (Formerly House File 2413), establishing a lean manufacturing institute and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

**Committee Bill** (Formerly House Study Bill 630), relating to eligibility requirements and certification of enterprise zones under the enterprise zone program and including effective and retroactive applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

**Committee Bill** (Formerly House Study Bill 640), relating to projects identified under the Iowa great places program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

## COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly House Study Bill 550), relating to powers of the governor to grant reprieves, commutations, and pardons including restoration of rights of citizenship, and to remit fines and forfeitures and including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly House Study Bill 613), relating to the confidentiality and release of an intelligence assessment or intelligence data.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

## COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly House Study Bill 144), providing for the confidentiality of information concerning security procedures or emergency preparedness information developed and maintained by a government body.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

**Committee Bill** (Formerly House Study Bill 534), relating to activities of lobbyists and the ethical conduct of state officials and employees.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly House Study Bill 623), requiring voters to provide certain identification when voting absentee or in person at the polling place.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

**Committee Bill** (Formerly House Study Bill 664), relating to the filing of reports and statements with the ethics and campaign discloser board and the use of certain resources for political campaign purposes.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

## AMENDMENTS FILED

H—8058	H.F.	2396	Tomenga of Polk
H—8059	H.F.	2510	Eichhorn of Hamilton

On motion by Gipp of Winneshiek the House adjourned at 1:21 p.m., until 8:45 a.m., Tuesday, February 28, 2006.

# JOURNAL OF THE HOUSE

Fifty-first Calendar Day - Thirty-fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 28, 2006

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

Prayer was offered by Tony Kruse, seminary student for the Archdiocese of Dubuque and former clerk to Representative Steve Lukan of Dubuque County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, February 27, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2553**, by May, a bill for an act relating to a property assessment adjustment for persons age sixty-five and older and including retroactive applicability date provisions.

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

**House File 2554**, by Baudler, a bill for an act relating to the use of aircraft or motor-driven land conveyances while carrying firearms or hunting animals.

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

**House File 2555**, by Bukta, a bill for an act providing for intact dogs running at large, and providing a penalty.

Read first time and referred to committee on **public safety**.

**House File 2556**, by Kuhn, Hutter, Jacoby, Wessel-Kroeschell, Heddens, Winckler, Hunter, Bukta, R. Olson, Maddox, Schueller, Fallon, D. Taylor, Reasoner, Bell, T. Taylor, Jochum, Swaim and

Oldson, a bill for an act providing an appropriation to review state buildings for compliance with the Americans With Disabilities Act.

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

**House File 2557**, by committee on appropriations, a bill for an act relating to and making appropriations to the judicial branch.

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

**House File 2558**, by committee on appropriations, a bill for an act relating to and making appropriations to the justice system and providing an effective date.

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

**House File 2559**, by committee on agriculture, a bill for an act relating to the delivery of E-85 gasoline to franchisees of motor fuel, and providing an effective date.

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

**House File 2560**, by committee on agriculture, a bill for an act relating to farm tenancies.

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

**House File 2561**, by committee on human resources, a bill for an act creating a brain injury services program and providing for allocation of a previously enacted appropriation.

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

**House File 2562**, by committee on public safety, a bill for an act to make electronic mail and telephone billing records of law enforcement agencies confidential if that information is part of an investigation.

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

**House File 2563**, by committee on agriculture, a bill for an act relating to wine, including the allowable alcohol content of wine and inspection of certain wine permittees.

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

**House File 2564**, by committee on human resources, a bill for an act relating to notification of parents, guardians, or custodians of children receiving child care from an unregistered child care home when it is determined that child abuse involving the home has occurred.

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

**House File 2565**, by committee on human resources, a bill for an act requiring the department of human services to implement an electronic payment system for the state child care assistance program.

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

**House File 2566**, by committee on human resources, a bill for an act relating to placement of a juvenile in the state training school or other facility.

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

**House File 2567**, by committee on human resources, a bill for an act creating a multidimensional treatment level foster care program.

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

**House File 2568**, by committee on human resources, a bill for an act providing for the retention of fees by licensing boards, and the bureau of radiological health, under the purview of the Iowa department of public health, providing for the nontransferability of specified fees, and providing effective dates.

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

**House File 2569**, by committee on transportation, a bill for an act relating to the operation of all-terrain vehicles on the highway for limited purposes.

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

**House File 2570**, by committee on public safety, a bill for an act relating to powers of the governor to grant reprieves, commutations, and pardons including restoration of rights of citizenship, and to remit fines and forfeitures and including effective and retroactive applicability date provisions.

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

**House File 2571**, by committee on public safety, a bill for an act relating to the confidentiality and release of an intelligence assessment or intelligence data.

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

**House File 2572**, by committee on economic growth, a bill for an act establishing a lean manufacturing institute and making an appropriation.

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

**House File 2573**, by committee on judiciary, a bill for an act creating the penalty of death for the commission of murder in the first degree, kidnapping, and sexual abuse against the same minor, using DNA or fingerprint evidence to identify the perpetrator, providing a penalty, and providing an effective date.

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

**House File 2574**, by Jenkins, a bill for an act granting responsibility for energy policy in the state to the department of economic development.

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

**House File 2575**, by De Boef, a bill for an act requiring removal and disposal of deer carcasses located on roads and rights-of-way.

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

**House File 2577**, by Whitaker, Frevert, Kuhn, Whitead and Gaskill, a bill for an act providing for the regulation of packers and the purchase of swine from producers, and providing for penalties.

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

**House File 2578**, by R. Olson, a bill for an act relating to the revocation of a person's driver's license or nonresident operating privilege for a defendant who has had a previous conviction or revocation.

Read first time and referred to committee on **public safety**.

**House File 2579**, by Swaim, a bill for an act limiting the number of acres that may be placed in forest and fruit-tree reservations in a county and including effective date and applicability date provisions.

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

**House File 2580**, by Whitaker, a bill for an act relating to distribution of mental health, mental retardation, and developmental disabilities allowed growth funding to counties.

Read first time and referred 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

- |          |   |
|----------|---|
| 2006\745 | Daniel Schmelzer, Elkader – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 2006\746 | Harold and Marie Wulfekuhle, Edgewood – For celebrating their 60 <sup>th</sup> wedding anniversary.               |
| 2006\747 | John and Jeannette Bernhard, Monona – For celebrating their 60 <sup>th</sup> wedding anniversary.                 |
| 2006\748 | Jim Dougan, Hubbard – For celebrating his 85 <sup>th</sup> birthday.  |
| 2006\749 | Florence Rigbers, Ackley – For celebrating her 80 <sup>th</sup> birthday.   |
| 2006\750 | Lawrence and Maxine Vercande, Brooklyn – For celebrating their 60 <sup>th</sup> wedding anniversary.              |
| 2006\751 | Shari Showalter, Sheffield – For receiving the 2006 American Cancer Society Lane Adams Quality of Life Award.     |

### SUBCOMMITTEE ASSIGNMENTS

#### House File 2236

Local Government: Rasmussen, Chair; Hoffman and D. Olson.

#### House File 2435

Local Government: Arnold, Chair; Huser and J.K. Van Fossen.

#### House File 2472

Human Resources: Carroll, Chair; Smith and Tymeson.

#### House File 2499

Public Safety: Horbach, Chair; Lykam and Tjepkes.

#### House File 2500

Agriculture: Struyk, Chair; Greiner and Swaim.

**House File 2502**

Public Safety: McCarthy, Chair; Baudler and Sands.

**House File 2516**

Judiciary: Tymeson, Chair; R. Olson and J.R. Van Fossen.

**House File 2518**

Public Safety: Tjepkes, Chair; Baudler and R. Olson.

**House File 2519**

Judiciary: Tymeson, Chair; R. Olson and J.R. Van Fossen.

**House File 2531**

Public Safety: Chambers, Chair; Alons and Heddens.

**House File 2539**

Public Safety: Horbach, Chair; Baudler and McCarthy.

**House File 2547**

Public Safety: Horbach, Chair; Baudler and McCarthy.

**House File 2552**

Economic Growth: Jenkins, Chair; Schueller and Struyk.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT****House Study Bill 744**

Human Resources: Tomenga, Chair; Smith and Wilderdyke.

**House Study Bill 749**

Appropriations: Horbach, Chair; Miller and Roberts.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 750 Commerce, Regulation and Labor**

Relating to various matters under the purview of the insurance division of the department of commerce including the securities and regulated industries bureau, insurance premium taxes, the uniform securities Act, insurance division procedures, regulation of insurance

companies and other entities including administrative penalties, motor vehicle service contracts, county and state mutual insurance associations, reciprocal or interinsurance insurers, consolidation, merger and reinsurance contracts, insurance holding company systems, and cemeteries.

### **H.S.B. 751 Economic Growth**

Relating to software and technology-related incentives and tax credits and including effective and retroactive applicability date provisions.

### **H.S.B. 752 Judiciary**

Containing various provisions relating to business entities, including limited partnerships, corporations, limited liability companies, cooperatives, and nonprofit corporations.

### **H.S.B. 753 Human Resources**

Relating to a single point of entry long-term living resources system.

### **H.S.B. 754 Public Safety**

Relating to the confinement of a prisoner in a municipal holding facility or county jail.

### **H.S.B. 755 Public Safety**

Relating to the rights of peace officers and public safety and emergency personnel.

### **H.S.B. 756 Judiciary**

Relating to the voting requirements for actions by the administrative rules review committee.

### **H.S.B. 757 Judiciary**

Relating to the assessment of a civil penalty when a person receives a deferred judgment in a criminal proceeding.

## 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 ECONOMIC GROWTH

**Committee Bill** (Formerly House File 2131), relating to historic preservation and cultural and entertainment district tax credits.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House File 2377), creating a regents accelerated career education program and providing job program tax credits.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 531), relating to a rural economic development program and fund and making appropriations.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 611), creating an insurance industry new jobs tax credit.

Fiscal Note is required.

Recommended **Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 641), relating to the linked investments for tomorrow Act.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 688), concerning programs and reports related to economic development.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

## COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House Study Bill 524), relating to high school graduation, dropout, and equivalency reporting requirements.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

**Committee Bill** (Formerly House Study Bill 537), providing an exception to the age of admission to kindergarten.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

**Committee Bill** (Formerly House Study Bill 539), requiring school districts to report proficiency and grade equivalency levels to parents or guardians of students administered nationally recognized standardized achievement evaluations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

**Committee Bill** (Formerly House Study Bill 591), establishing statewide proficiency levels and definitions for students in reading, mathematics, and science in grades four, eight, and eleven.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

**Committee Bill** (Formerly House Study Bill 600), creating the Iowa proprietary tuition grant program and providing an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

## COMMITTEE ON ETHICS

**Committee Bill** (Formerly House Study Bill 698), relating to ethical principles of public service for public officials.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

## COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly House File 2249), providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2006.

**Committee Bill** (Formerly House File 2399), establishing a fish Iowa! program for middle and high school students.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

**Committee Bill** (Formerly House Study Bill 554), relating to civil damages payable for unlawful taking of certain animals and fish.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

## COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly House Study Bill 610), establishing a moratorium on the number of monitor vending machines authorized by the Iowa lottery authority and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

## RESOLUTIONS FILED

**HCR 108**, by Winckler and Maddox, a concurrent resolution designating March 2006 as Iowa Women's History Month.

Laid over under **Rule 25**.

**HR 132**, by Kressig, a resolution honoring Tom Griffiths for over three decades of service to Iowa's credit unions.

Laid over under **Rule 25**.

**HR 133**, by Reasoner, a resolution congratulating the Creston, Iowa, radio station KSIB for 60 years of broadcasting excellence.

Laid over under **Rule 25**.

**HR 134**, by Lensing, Mascher, Jacoby and Foege, a resolution honoring David J. Skorton for his service to Iowa as an educator and administrator and as President of the University of Iowa.

Laid over under **Rule 25**.

**HR 135**, by Raecker, a resolution recognizing the Iowa premiere of Disney's The Lion King at the Civic Center of Greater Des Moines.

Laid over under **Rule 25**.

#### AMENDMENT FILED

H—8060      H.F.      2347      Carroll of Poweshiek

On motion by Gipp of Winneshiek the House adjourned at 8:56 a.m., until 8:45 a.m., Wednesday, March 1, 2006.

# JOURNAL OF THE HOUSE

Fifty-second Calendar Day - Thirty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 1, 2006

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

Prayer was offered by Reverend Bruce Giese, pastor of the First Presbyterian Church, Wilton. He was the guest of Representative Jeff Kaufmann of Cedar County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, February 28, 2006 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Winckler of Scott on request of Murphy of Dubuque.

## INTRODUCTION OF BILLS

**House File 2581**, by Struyk, Wilderdyke, May, Paulsen, Drake, Lukan, Dolecheck, Alons, Kaufmann, Hoffman, Baudler, Boal, J.R. Van Fossen, Elgin, Sands, S. Olson, Lalk, Rasmussen, Soderberg, Heaton, Rayhons, Greiner, Jones, Kurtenbach, Van Engelenhoven and Arnold, a bill for an act establishing a child endangerment offense for the mother of a newborn child who caused an illegal drug to be present in the newborn child's body, and providing a penalty.

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

**House File 2582**, by Davitt, a bill for an act creating a film promotion program and fund, providing tax credits and exemptions, and including effective and retroactive applicability dates.

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



**House File 2583**, by Struyk, a bill for an act relating to property taxation and the school finance formula by providing for an increase in the foundation property tax and an increase in the regular program foundation base, and providing effective and applicability dates.

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

**House File 2584**, by committee on agriculture, a bill for an act relating to devices used for weighing and measuring, by providing for the regulation of the devices, motor fuel, and persons who service the devices, and providing for fees and penalties.

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

**House File 2585**, by committee on commerce, regulation and labor, a bill for an act relating to permit and inspection fees for amusement rides, devices, and concessions, and providing an effective date.

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

**House File 2586**, by committee on commerce, regulation and labor, a bill for an act relating to the collection of liquidated debts owed to and various authorizations issued by the labor commissioner.

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

**House File 2587**, by committee on commerce, regulation and labor, a bill for an act relating to financial institutions including the regulation of state banks, bank holding companies, and industrial loan companies, and providing for penalties.

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

**House File 2588**, by committee on human resources, a bill for an act relating to the criminal and abuse registry checks required of a person employed by a licensed health care facility.

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

**House File 2589**, by committee on human resources, a bill for an act providing for the release of certain morbidity and mortality study information to the Iowa healthcare collaborative.

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

**House File 2590**, by committee on state government, a bill for an act providing for the confidentiality of information concerning security procedures or emergency preparedness information developed and maintained by a government body.

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

**House File 2591**, by committee on economic growth, a bill for an act relating to projects identified under the Iowa great places program.

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

**House File 2592**, by committee on human resources, a bill for an act providing for various technical and substantive changes relating to health licensing and related public health matters.

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

**House File 2593**, by committee on state government, a bill for an act relating to activities of lobbyists and the ethical conduct of state officials and employees.

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

**House File 2594**, by committee on state government, a bill for an act relating to the filing of reports and statements with the ethics and campaign disclosure board and the use of certain resources for political campaign purposes.

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

**House File 2595**, by committee on economic growth, a bill for an act relating to eligibility requirements and certification of enterprise

zones under the enterprise zone program and including effective and retroactive applicability dates.

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

**House File 2596**, by committee on ethics, a bill for an act relating to ethical principles of public service for members of the general assembly and officials.

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

**House File 2597**, by committee on state government, a bill for an act requiring voters to provide certain identification when voting absentee or in person at the polling place.

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

**House File 2598**, by Fallon, a bill for an act providing for implementation of an emergency assistance program and making an appropriation.

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

**House File 2599**, by D. Olson, Lensing, Winckler, Wessel-Kroeschell, Frevert, Gaskill, Heddens, Schueller, Hogg, Shomshor, Miller, Kressig, T. Taylor, Jochum, Mascher, Shoultz, D. Taylor, Pettengill, Berry, Wendt, Davitt, Swaim, Cohoon, Foege, Bell, Mertz, R. Olson, Whitead, Lykam, Jacoby, Oldson and Smith, a bill for an act relating to and making an appropriation to the restore the outdoors program under the department of natural resources.

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

**House File 2600**, by Whitaker, a bill for an act providing authority to a county board of supervisors to establish a separation distance requirement between an animal feeding operation maintaining swine and a structure which is part of a swine farrowing and gestating operation, and providing an effective date.

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

**House File 2601**, by D. Olson, Frevert, Heddens, Swaim, Wendt, Foege, Davitt, R. Olson, Lensing, Jochum and Winckler, a bill for an act relating to dental health, by establishing a mobile dental health delivery program and a dentist recruitment program, establishing revolving funds, and making appropriations.

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

### CONSIDERATION OF BILLS Appropriations Calendar

**House File 2347**, a bill for an act relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability, was taken up for consideration.

Carroll of Poweshiek offered the following amendment H-8060 filed by him and moved its adoption:

H-8060

- 1 Amend House File 2347 as follows:
- 2 1. Page 3, by striking line 17, and inserting the
- 3 following: "department of human services for the
- 4 fiscal year".
- 5 2. Page 3, by striking line 21, and inserting the
- 6 following:
- 7 "For payments to the university of Iowa hospitals
- 8 and clinics for provision of services pursuant to and
- 9 for costs".

Amendment H-8060 was adopted.

Carroll of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2347)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dix	Dolecheck

Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufman	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wildurdyke	Wise	Mr. Speaker Rants

The nays were, none.

Absent or not voting, 4:

McCarthy	Olson, R.	Winckler	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2347** be immediately messaged to the Senate.

### Regular Calendar

**House File 2319**, a bill for an act relating to the personal needs allowance amount for residents of nursing facilities under the medical assistance program, was taken up for consideration.

Granzow of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2319)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wildurdyke	Wise
Mr. Speaker			
Rants			

The nays were, none.

Absent or not voting, 3:

McCarthy                      Winckler                      Zirkelbach

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

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2319** be immediately messaged to the Senate.

### REPORT OF ADMINISTRATION AND RULES COMMITTEE

**MR. SPEAKER:** Pursuant to Senate Concurrent Resolution 3, 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:

Pursuant to Senate Concurrent Resolution 3, duly adopted, the following is a list of changes for officers and employees of the House:

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Conf. Sec II to Chief Clerk	Jacquelyn M. Seymour	32-3 to 32-4	P-FT	05-20-05
Admin Asst to Speaker	Timothy J. Albrecht	27-2 to	P-FT	06-17-05
Admin Asst I to Speaker		29-3		
Leg Research Analyst I	Dwayne Dean Fiihr, Jr.	29-3 to	P-FT	06-17-05
Leg Research Analyst II		32-3		
Leg Research Analyst	Kelly M. Ryan	27-2 to	P-FT	06-17-05
Leg Research Analyst I		29-2		
Editor I	Vicki L. Jones	22-1 to	P-FT	07-01-05
		22-2		
Supervisor of Secretaries I	Linda C. Rosky	24-4 to	P-FT	07-01-05
		24-5		
Leg Research Analyst I	Mary K. Earnhardt	29-3 to	P-FT	07-15-05
Leg Research Analyst II		32-2		
Sr Leg Research Analyst	Lewis E. Olson	38-3 to	P-FT	07-15-05
		38-4		
Leg Research Analyst I	Kellie L. Paschke	29-5 to	P-FT	07-15-05
Leg Research Analyst II		32-4		
Indexing Assistant	Barry J. Hartman	19-2 to	P-FT	07-15-05
		19-3		
Leg Research Analyst III	Bradley A. Trow	35-3 to	P-FT	07-29-05
Sr Leg Research Analyst		38-2		
Chief Clerk	Margaret Thomson	44-3 to	P-FT	09-23-05
		44-4		
Legis. Research Analyst	Kristin A. Gray	27-3	P-FT	09-26-05
Assistant Legal Counsel	Doreen R. Terrell	27-5 to	P-FT	11-18-05
		27-6		
Sr Caucus Secretary	David L. Epley	24-5 to	P-FT	12-02-05
		24-6		
Sr Legis. Research Analyst	Mary C. Braun	38-6 to	P-FT	12-16-05
		38-7		
Sr Editor	Gayle A. Goble	30-4 to	P-FT	12-16-05
		30-5		
Sr Admin Asst to Leader	Mark W. Brandsgard	38-6 to	P-FT	12-30-05
		38-7		
Sr Legis. Research Analyst	Edward J. Conlow	38-6 to	P-FT	12-30-05
		38-7		
Legis. Research Analyst	Timothy R. Coonan	27-3 to	P-FT	12-30-05
Leg Research Analyst I		29-3		
Sr Admin Asst to Leader	Susan S. Fenton	38-6 to	P-FT	12-30-05

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appoint- ment</u>	<u>Eff. Date</u>
		38-7		
Admin Asst II to Speaker	Allison G. Dorr Kleis	32-4 to	P-FT	12-30-05
Admin Asst III to Speaker		35-3		
Sr Caucus Staff Director	Paulee Lipsman	41-6 to	P-FT	12-30-05
		41-7		
Confidential Sec to Speaker	Becky L. Lorenz	27-5 to	P-FT	12-30-05
		32-2		
Confidential Sec II to Speaker				
Sr Caucus Staff Director	Jeff G. Mitchell	41-6 to	P-FT	12-30-05
		41-7		
Sr Legis. Research Analyst	Jenifer L. Parsons	38-6 to	P-FT	12-30-05
		38-7		
Sr Legis. Research Analyst	Thomas R. Patterson	38-6 to	P-FT	12-30-05
		38-7		
Sr Legis. Research Analyst	Joseph P. Romano	38-6 to	P-FT	12-30-05
		38-7		
Text Processor II	C. Elaine Schoonover	22-6 to	P-FT	12-30-05
		22-7		
Admin Secretary to Leader	Mathew A. Tapper	21-1	S-O	01-02-06
Assistant Editor	Robin Bennett	19-1	E-FT	01-03-06
Doorkeeper	Marvin Hollingshead	11-5	S-O	01-04-06
Indexing Assistant	Katherine Kenline	19-1	P-FT	01-04-06
Indexer II	Kristin L. Wentz	25-6 to	P-FT	01-13-06
		25-7		
Clerk to Chief Clerk	Betty M. Soener	16-6 to	S-O	01-27-06
		16-7		
Legis. Secretary	Pamela D. Anderson	16-1	S-O	01-09-06
Legis. Secretary	Alyssa Beaman	15-1	S-O	01-09-06
Legis. Secretary	Lucas Beenkin	15-1	S-O	01-09-06
Legis. Secretary	Thomas M. Brand	15-2 to	S-O	01-09-06
		16-2		
Legis. Committee Secretary	Adrienne H. Branstad	17-1	S-O	01-09-06
Legis. Secretary	Christopher J. Brinkman	15-1	S-O	01-09-06
Legis. Secretary	Diane K. Burget	16-3 to	S-O	01-09-06
		15-3		
Legis. Secretary	Mary Kay Casey	17-1	S-O	01-09-06
Legis. Secretary	Neal Doyle	16-1	S-O	01-09-06
Legis. Secretary	Kyle W. Edeker	16-1	S-O	01-19-06
Legis. Secretary	Mary Katherine Ellett	16-1	S-O	01-09-06
Legis. Secretary	Sara M. Hansen	15-1	S-O	01-09-06
Legis. Secretary	Marae Hart	16-1	S-O	01-09-06
Legis. Committee Secretary	Megan Hess	17-1	S-O	01-09-06
Legis. Secretary	Lynn Heuss	15-1	S-O	01-09-06
Legis. Secretary	Tiffanee L. Hokel	16-1	S-O	01-09-06



<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Legis. Secretary	Nathan G. Huss	15-1	S-O	01-09-06
Legis. Secretary	April Jacobs	16-1	S-O	01-09-06
Legis. Committee Secretary	Ryan A. Kight	17-1	S-O	01-09-06
Legis. Secretary	Carol J. Lamb	15-1	S-O	01-09-06
Legis. Secretary	Mark N. Langgin	16-1	S-O	01-09-06
Legis. Secretary	Kelly A. Larsen	17-1	S-O	01-09-06
Legis. Secretary	Kristine M. Lindell	16-1	S-O	01-09-06
Legis. Secretary	Sophia A. Magill	16-1	S-O	01-09-06
Legis. Secretary	Sean M. Masters	15-1	S-O	01-09-06
Legis. Committee Secretary	Cynthia L. McAfee	17-1	S-O	01-09-06
Legis. Committee Secretary	Nancy M. McDowell	17-1	S-O	01-09-06
Legis. Secretary	Emily M. Meyer	16-1	S-O	01-17-06
Legis. Secretary	David M. Miller	16-1	S-O	01-09-06
Legis. Secretary	Megan Peak	16-1	S-O	01-09-06
Legis. Secretary	Shirley M. Prall	16-1	S-O	01-09-06
Legis. Committee Secretary	Martha S. Raecker	17-2 to 18-2	S-O	01-09-06
Legis. Secretary	Rebecca Rohmiller	16-1	S-O	01-09-06
Legis. Committee Secretary	Tracy M. Shaw	17-1	S-O	01-09-06
Legis. Secretary	Jon B. Sievers	16-1	S-O	01-09-06
Legis. Committee Secretary	Nicholas A. Sievert	18-1	S-O	01-09-06
Legis. Secretary	Kristen J. Stewart-Rowen	15-1	S-O	01-09-06
Legis. Secretary	Rachelle D. Thomas	15-1	S-O	01-09-06
Legis. Secretary	Colleen C. Tierney	15-1	S-O	01-09-06
Legis. Committee Secretary	M. Bernadine Travers	17-1	S-O	01-09-06
Legis. Committee Secretary	Ruth A. Vander Linden	17-1	S-O	01-09-06
Legis. Committee Secretary	Deanna L. Zmolek	17-1	S-O	01-09-06

## PAGES-GROUP I

Speaker's Page	Elizabeth A. Johnson	9-1	S-O
Chief Clerk's Page	Anne R. Hildreth	9-1	S-O
Chief Clerk's Page	Lacey M. Pagel	9-1	S-O
Page	Leah N. Caputo	9-1	S-O
Page	Marla A. Claussen	9-1	S-O
Page	Jessica L. Crawford	9-1	S-O
Page	Jacob M. Faircloth	9-1	S-O
Page	Emily K. Fletcher	9-1	S-O
Page	Anna K. Frisk	9-1	S-O
Page	Jonathan W. Gessert	9-1	S-O

Page	Cara D. Gethmann	9-1	S-O
Page	Jacob W. Harden	9-1	S-O
Page	Melissa R. Hostetler	9-1	S-O
Page	Greta A. Johnson	9-1	S-O
Page	Jacob I. Johnson	9-1	S-O
Page	Michael A. Johnson	9-1	S-O
Page	Andrea D. Lorenz	9-1	S-O
Page	Ashley D. Reitzler	9-1	S-O
Page	Heidi A. Schaben	9-1	S-O

## PAGES-GROUP II

Speaker's Page	Alyssa A. Staley	9-1	S-O
Page	Leah K. Carlson	9-1	S-O
Page	Jocelyn G. Gerrietts	9-1	S-O
Page	April B. Heki	9-1	S-O
Page	Ashley D. Heyer	9-1	S-O
Page	Anna E. Johnson	9-1	S-O
Page	Amy R. Rosauer	9-1	S-O
Page	Zachary E. Sersland	9-1	S-O
Page	Chelsea J. Wierson	9-1	S-O

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

Administrative Assistant to Leader	Marc A. Elcock	07-22-05
Leg Research Analyst II	Kellie L. Paschke	08-25-05
Indexing Assistant	Barry J. Hartman	01-05-06

Pursuant to Senate Concurrent Resolution 3, duly adopted, the following is a list of changes for officers and employees of the Joint Senate/House:

Legis. Security Officer I	Nickolas S. Brown	20-3 to 20-4	P-FT	07-15-05
Legis. Security Officer I	Richard A. Crawford	20-3 to 20-4	P-FT	07-15-05
Legis. Security Officer I	Marshall T. Irwin	20-3 to 20-4	P-FT	07-15-05
Legis. Security Officer I	Carl E. Lami	20-3 to 20-4	P-FT	07-15-05
Legis. Security Officer I	Robert J. Porter	20-3 to 20-4	P-FT	07-15-05
Legis. Security Officer I	Judith A. Salier	20-3 to 20-4	P-FT	07-15-05
Legis. Security Officer I	Curtis L. Scott	20-1 to 20-2	P-FT	7-15-05
Legis. Security Officer I	Leo R. Skeffington	20-1 to 20-2	P-FT	07-15-05
Legis. Security Officer I	Steven D. Marsh	20-3 to 20-4	P-FT	12-02-05
Legis. Security Officer I	Kent M. Stevens	20-2 to 20-3	P-FT	12-16-05

Legis. Security Coordinator I	Shawna S. Ferguson	23-3 to 23-4	P-FT	12-30-05
Legis. Security Officer I	Roy E. Paradise	20-3	E-FT	12-30-05

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

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Legis. Security Officer I	Roy E. Paradise			06-23-05

Pursuant to Senate Concurrent Resolution 3, duly adopted, the following is a list of changes for officers and employees of the House:

<u>Position</u>	<u>Name</u>	<u>Grade and Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Legis. Committee Secretary	Deanna L. Zmolek	17-1 to 18-1	S-O	01-27-06
Doorkeeper	James S. Glenn	11-1 to 11-2	S-O	02-10-06
Legis. Committee Secretary	H. Kay Jenkins	17-3 to 17-4	S-O	02-10-06
Legis. Secretary	Jean P. Olson	16-2 to 16-3	S-O	02-10-06
Legis. Secretary	Mary M. Sanders	16-3 to 16-4	S-O	02-10-06
Legis. Secretary	Marlene J. Martens	16-4 to 16-5	S-O	02-24-06
Legis. Secretary	Jean Tannatt	16-4 to 16-5	S-O	02-24-06

Pursuant to Senate Concurrent Resolution 3, duly adopted, the following is a list of changes for officers and employees of the Joint Senate/House:

<u>Position</u>	<u>Name</u>	<u>Grade And Step</u>	<u>Class of Appointment</u>	<u>Eff. Date</u>
Legis. Security Officer I	Roy E. Paradise	20-3 to 20-4	E-FT	01-13-06
Conservation/Restoration Specialist II	Mark S. Lundberg	31-4 to 31-5	P-FT	01-27-06

## HOUSE FILE 2540 REFERRED

The Speaker announced that House File 2540, previously placed on the **appropriations calendar** was referred to committee on **ways and means**.

## 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

- |          |  |
|----------|--|
| 2006\752 | Marie Snakenberg, Sigourney – For celebrating her 80 <sup>th</sup> birthday.                           |
| 2006\753 | Sterling and LeNora Isvik, Kamrar – For celebrating their 60 <sup>th</sup> wedding anniversary.        |
| 2006\754 | Bill and Frances East, Stanhope – For celebrating their 60 <sup>th</sup> wedding anniversary.          |
| 2006\755 | LeRoy and Susan Erickson, Eagle Grove – For celebrating their 50 <sup>th</sup> wedding anniversary.    |
| 2006\756 | Leon and Joyce Sheldon, Webster City – For celebrating their 63 <sup>rd</sup> wedding anniversary.     |
| 2006\757 | Leo and Pat Klaver, Kamrar – For celebrating their 50 <sup>th</sup> wedding anniversary.               |
| 2006\758 | Gene and Bonnie Paschke, Webster City – For celebrating their 50 <sup>th</sup> wedding anniversary.    |
| 2006\759 | Alfina Jones, Mason City – For celebrating her 94 <sup>th</sup> birthday.                              |
| 2006\760 | Bertha Workman, Mason City – For celebrating her 85 <sup>th</sup> birthday.                            |
| 2006\761 | James and Winifred Rasmussen, Mason City – For celebrating their 60 <sup>th</sup> wedding anniversary. |
| 2006\762 | Craig and Cornelia Camarigg, Sanborn – For celebrating their 50 <sup>th</sup> wedding anniversary.     |
| 2006\763 | Norman and Dorothy Klynsma, Hospers – For celebrating their 50 <sup>th</sup> wedding anniversary.      |
| 2006\764 | Mattie Harms, Sibley – For celebrating her 90 <sup>th</sup> birthday.                                  |

- 2006\765 Edna Ayers, Thornton – For celebrating her 100<sup>th</sup> birthday.
- 2006\766 Paul Heinz, Clear Lake – For celebrating his 80<sup>th</sup> birthday.
- 2006\767 Jim Heine, Clear Lake – For celebrating his 80<sup>th</sup> birthday.
- 2006\768 Kevin Kluesner, West Dubuque High School – For winning 1<sup>st</sup> place in the 160lb. weight Class in the Class 3–A Division of the 2006 State Wrestling Tournament.
- 2006\769 Kay Sargent, Clear Lake – For celebrating her 85<sup>th</sup> birthday.
- 2006\770 Edna Mae Lightbody, Thornton – For celebrating her 88<sup>th</sup> birthday.
- 2006\771 Edward and Leola Prause, Hampton – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\772 Eric Dreibelbeis, Johnston – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\773 Don and Helen Graf, Oelwein – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\774 Martha Tellin, Westgate – For celebrating her 85<sup>th</sup> birthday.
- 2006\775 DeWayne and Marsha Rochau, Tipton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\776 Ted and Ruth Garrett, Columbus City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\777 Mr. and Mrs. Wesley Williams, DeWitt – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\778 Edna Schlapkohl, Durant – For celebrating her 90<sup>th</sup> birthday.
- 2006\779 Bob and Shirley Frauenholtz, West Liberty – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\780 Dale and Mary Schmidt, Spencer – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\781 Bob and Jean Kunert, Spencer – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\782 Skeeter and Sally Lawrence, Lake Park – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\783 Phyllis Johns, Spencer – For celebrating her 80<sup>th</sup> birthday.
- 2006\784 Ellen Zahren, Lake Park – For celebrating her 80<sup>th</sup> birthday.

- 2006\785 Iris Erickson, Spencer – For celebrating her 85<sup>th</sup> birthday.
- 2006\786 Arlo Gritten, Iowa Lakes Area – For celebrating his 85<sup>th</sup> birthday.
- 2006\787 Minnie Vance, Spencer – For celebrating her 90<sup>th</sup> birthday.
- 2006\788 Velba Joens, Lake Park – For celebrating her 90<sup>th</sup> birthday.
- 2006\789 Gladys Stricker, Dysart – For celebrating her 90<sup>th</sup> birthday.
- 2006\790 Gene and Margaret Rosauer, Dysart – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\791 Beulah Green, What Cheer – For celebrating her 90<sup>th</sup> birthday.
- 2006\792 Jon McLaughlin, Sigourney – For being named to the All-Star Iowa Shrine South Team.
- 2006\793 Jaybe and Ada Steenhoek, Pella – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\794 Sean Ryan, Waterville – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\795 Roger and Lorraine Weinbrandt, Denison – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\796 Florence Dreezen, Holstein – For celebrating her 90<sup>th</sup> birthday.
- 2006\797 Homer and Helen Long, Oskaloosa – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\798 Jim and Beverly Harris, Oskaloosa – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\799 Gene and Ellen Merck, Montezuma – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\800 Lillian Brown, Rose Hill – For celebrating her 90<sup>th</sup> birthday.
- 2006\801 Lucille Hoyt, Oskaloosa – For celebrating her 80<sup>th</sup> birthday.
- 2006\802 William and Evelyn Den Hartog, Oskaloosa – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\803 MOC-Floyd Valley Choral Readers, MOC-Floyd Valley High School – For receiving the Critic's Choice Award at the All-State Large Group Speech Festival.

## SUBCOMMITTEE ASSIGNMENTS

**House File 2517**

State Government: Elgin, Chair; Greiner, Jacobs, Quirk, Roberts, T. Taylor and Whitead.

**House File 2555**

Public Safety: Baudler, Chair; Berry and Chambers.

**House File 2578**

Public Safety: Baudler, Chair; Berry and Chambers.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 750**

Commerce, Regulation and Labor: Hoffman, Chair; Horbach and Oldson.

**House Study Bill 751**

Economic Growth: Wilderdyke, Chair; Lukan and Reichert.

**House Study Bill 753**

Human Resources: Upmeyer, Chair; Carroll, Foegen, Heaton and Smith.

**House Study Bill 754**

Public Safety: Horbach, Chair; Baudler and McCarthy.

**House Study Bill 755**

Public Safety: McCarthy, Chair; Baudler and Chambers.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

**H.S.B. 758 Education**

Relating to the establishment of a statewide educational standards and accountability task force.

**H.S.B. 759 Agriculture**

Providing for the conversion of cooperative associations, and providing for an effective date.

**H.S.B. 760 Judiciary**

Relating to an award of attorney fees in an action to enforce a mechanic's lien.

**H.S.B. 761 Judiciary**

Relating to civil actions and the foreclosure of real estate mortgages, and providing fees.

**H.S.B. 762 Agriculture**

Providing for the exhibition of swine.

**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 2451), relating to swine, by regulating feral swine, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 587), relating to the formulation of motor fuel, by providing for renewable fuel including ethanol blended fuel and biodiesel blended fuel, providing incentives for infrastructure used to store and dispense renewable fuel, income tax credits, and an appropriation, providing penalties, making penalties applicable, and providing an applicability date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 699), relating to state tax benefits for use of soy-based transformer fluid by electric utilities and including applicability date provisions.



Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 723), relating to drainage and levee districts by providing for the publication of notice and the letting of bids.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

#### COMMITTEE ON APPROPRIATIONS

**Senate File 2232**, 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 road use tax fund and the primary road fund.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

#### COMMITTEE ON COMMERCE, REGULATION AND LABOR

**Committee Bill** (Formerly House File 705), relating to the characterization of personal injuries for purposes of workers' compensation liability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House File 2389), relating to real estate, including real estate broker and salesperson licensing and real estate disclosures.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 543), excluding ultimate and extreme fighting from regulation as boxing or wrestling contests.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 670), relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 714), relating to private sector drug testing.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

#### COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House File 2048), relating to school reorganization and dissolution by allowing certain landowners in a reorganizing or dissolving school district to petition to join a contiguous school district.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House File 2269), relating to the development of an Iowa studies professional development plan and the establishment of an Iowa studies committee.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 726), providing for the extension of a reduction in the foundation property tax levy for reorganized or dissolved districts, and the extension of the period during which supplementary weighting may be received as a reorganization incentive by school districts, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 734), relating to state aid to reimburse a portion of the advanced placement examination fee for students enrolled in public school districts.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 735), relating to the membership, authority, and duties of the board of educational examiners.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 739), relating to teacher salaries by increasing beginning and career teacher minimum salary levels and creating a salary supplement for mathematics and science teachers and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

#### COMMITTEE ON ENVIRONMENTAL PROTECTION

**Committee Bill** (Formerly House File 2495), relating to the definition of recycling property for purposes of the property tax exemption for pollution-control or recycling property and providing an applicability date.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

#### COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House File 2301), relating to the training of mandatory reporters of abuse by requiring the training to address identification of domestic abuse.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

**Committee Bill** (Formerly House File 2312), relating to electronic health records.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House File 2338), relating to persons with mental illness, mental retardation, developmental disabilities, or brain injury by addressing purposes and quality standards for services and other support available for such persons, establishing basic financial eligibility standards, addressing state and county financial responsibility for the cost of the services and other support, and providing effective and applicability dates.

Fiscal Note is required.

Recommended **Do Pass** February 28, 2006.

**Committee Bill** (Formerly House File 2436), requiring certain employees or operators of a licensed substance abuse program or facility to be mandatory reporters of dependent adult abuse and making a penalty applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 562), relating to department of human services' technical requirements involving individual development accounts, family investment program limited benefit plans, paternity establishment definitions, and the state child care assistance program, and including effective date and retroactive applicability provisions.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 643), relating to services and requirements for current and former participants in the child welfare system.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 657), relating to certain human services programs directed to families with a child with a disability and to persons with a disability and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 690), recognizing the month of May 2006 as Iowa Heart Health Month.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

#### COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House File 2168), relating to the time period in which an involuntary hospitalization hearing for chronic substance abusers and mentally ill persons must be held.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House File 2473), relating to indecent exposure and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 503), relating to exemptions for certain personal property from execution by creditors in state court debt collection and federal bankruptcy actions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 548), relating to the prosecution of certain criminal offenses and the gathering of evidence for prosecution.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 577), relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 634), extending the statute of limitations for the filing of an indictment or information in a felony or aggravated or serious misdemeanor proceeding involving DNA profiling.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 635), relating to the distribution of a presentence investigation report in a criminal proceeding.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 638), relating to the appointment of district associate judges and magistrates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 667), 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 including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 681), relating to impoundment of a motor vehicle driven by a person with a suspended or revoked driver's license.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 716), relating to a restitution order in a juvenile delinquency proceeding.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 718), relating to civil and criminal procedure including the issuance of and violations of certain civil protective orders and criminal no-contact orders.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 720), relating to the probate and trust code.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

#### COMMITTEE ON LOCAL GOVERNMENT

**Committee Bill** (Formerly House File 2291), relating to state land management and planning and local land management and planning for certain counties and cities and providing effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 710), relating to the powers and duties of the county treasurer and including effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House Study Bill 728), relating to the duties of county recorders and county auditors concerning instruments affecting real estate and certain other filings recorded by the county recorder.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

#### COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly House File 778), expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House File 2444), relating to minors taken into custody or arrested for public intoxication or possession of alcohol and parental notification.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House File 2443), relating to the consideration of a previous conviction for, deferred judgment for, or plea of guilty to a domestic abuse assault in determining whether a domestic abuse assault is a second or subsequent offence.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly House File 2468), relating to the residency of and presence of a registered sex offender on or near a school or child care facility, and providing penalty.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

#### COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly House Joint Resolution 2), 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 from two years to four years.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

## COMMITTEE ON WAYS AND MEANS

**House File 2540**, a bill for an act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources and providing fees.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

## AMENDMENTS FILED

H—8061	H.F.	2543	Committee on Judiciary
H—8062	H.F.	2459	Miller of Webster
			Wendt of Woodbury
			Hoffman of Crawford
			Tjepkes of Webster
			Soderberg of Plymouth
H—8063	H.F.	2521	Hogg of Linn

On motion by Gipp of Winneshiek the House adjourned at 9:11 a.m., until 8:45 a.m., Thursday, March 3, 2006.



# JOURNAL OF THE HOUSE

Fifty-third Calendar Day - Thirty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 2, 2006

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

Prayer was offered by Reverend Dan Toney, pastor of Grinnell Christian Church, Grinnell. He was the guest of Speaker pro tempore Danny Carroll of Poweshiek County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, March 1, 2006 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 March 1, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2347, a bill for an act relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability.

Also: That the Senate has on March 1, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2147, a bill for an act relating to the requirement of location as an eligibility criterion for businesses under the enterprise zone program.

Also: That the Senate has on March 1, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2183, a bill for an act allowing cities and counties to create enterprise zones near modes of transportation.

Also: That the Senate has on March 1, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2267, a bill for an act relating to safe motor vehicle operation, including penalties for certain motor vehicle violations causing death or serious injury and classroom instruction for driver education courses.

Also: That the Senate has on March 1, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2268, a bill for an act relating to financial transactions associated with agricultural production, by providing for tax credits and tax exemptions, and including effective and retroactive and other applicability dates.

Also: That the Senate has on March 1, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2273, a bill for an act relating to financial and regulatory matters by making and revising appropriations for the fiscal year beginning July 1, 2005, and providing an effective date.

Also: That the Senate has on March 1, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2276, a bill for an act relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILLS

**House Joint Resolution 2005**, by committee on state government, 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 from two years to four years.

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

**House File 2602**, by Foegen, a bill for an act relating to voluntary annexation and municipal services provided to annexed territory.

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

**House File 2603**, by Hogg, a bill for an act providing unpaid leave for employees attending school functions and providing a penalty.

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

**House File 2604**, by Murphy, a bill for an act relating to state public improvements, by requiring an inspection by a building commissioning agent.

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

**House File 2605**, by May, a bill for an act relating to the election of officers for an alternative form of county government, county sheriff, and schools, and providing an effective date.

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

**House File 2606**, by committee on commerce, regulation and labor, a bill for an act relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties.

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

**House File 2607**, by Roberts, a bill for an act allowing revenues from a local option sales and services tax for school infrastructure to be used for construction and installation of wind energy conversion property for use by school districts.

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

**House File 2608**, by committee on economic growth, a bill for an act creating a regents accelerated career education program and providing job program tax credits.

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

**House File 2609**, by committee on human resources, a bill for an act relating to the training of mandatory reporters of abuse by requiring the training to address identification of domestic abuse.

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

**House File 2610**, by committee on economic growth, a bill for an act relating to historic preservation and cultural and entertainment district tax credits.

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

**House File 2611**, by committee on natural resources, a bill for an act authorizing the department of natural resources to issue a fishing permit to certain students.

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

**House File 2612**, by committee on natural resources, a bill for an act providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty.

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

**House File 2613**, by committee on economic growth, a bill for an act concerning programs and reports related to economic development.

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

**House File 2614**, by committee on economic growth, a bill for an act relating to a rural economic development program and fund and making appropriations.

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

**House File 2615**, by committee on economic growth, a bill for an act creating an insurance industry new jobs tax credit.

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

**House File 2616**, by committee on human resources, a bill for an act relating to persons with mental illness, mental retardation, developmental disabilities, or brain injury by addressing purposes and quality standards for services and other support available for such persons, establishing basic financial eligibility standards, addressing state and county financial responsibility for the cost of the services and other support, and providing effective and applicability dates.

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

## SENATE MESSAGES CONSIDERED

**Senate File 2147**, by Angelo, a bill for an act relating to the requirement of location as an eligibility criterion for businesses under the enterprise zone program and providing an effective date.

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

**Senate File 2183**, by committee on economic growth, 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 **ways and means**.

**Senate File 2267**, by committee on transportation, a bill for an act relating to safe motor vehicle operation, including penalties for certain motor vehicle violations causing death or serious injury and classroom instruction for driver education courses.

Read first time and **passed on file**.

**Senate File 2268**, by committee on ways and means, a bill for an act relating to financial transactions associated with agricultural production, by providing for tax credits and tax exemptions, and including effective and retroactive and other applicability dates.

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

**Senate File 2273**, by committee on appropriations, a bill for an act relating to financial and regulatory matters by making and revising appropriations for the fiscal year beginning July 1, 2005, and providing an effective date.

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

**Senate File 2276**, by committee on commerce, a bill for an act relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

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

## SPECIAL PRESENTATION TO HOUSE PAGES

Speaker Rants 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 Second Regular Session of the Eighty-first General Assembly were presented to the following Pages by Speaker Christopher Rants and Majority Leader Chuck Gipp and Minority Leader Patrick Murphy.

Leah Caputo

Marla Claussen

Jessica Crawford

Emily Fletcher

Anna Frisk

Jacob Harden

Elizabeth Johnson

Greta Johnson

Jacob Johnson

### SENATE FILE 2232 PLACED ON THE UNFINISHED BUSINESS CALENDAR

Gipp of Winneshiek asked and received unanimous consent to place Senate File 2232 on the Unfinished Business Calendar.

### HOUSE FILE 2057 WITHDRAWN

Granzow of Hardin asked and received unanimous consent to withdraw House File 2057 from further consideration by the House.

### HOUSE FILE 2042 WITHDRAWN

Carroll of Poweshiek asked and received unanimous consent to withdraw House File 2042 from further consideration by the House.

### HOUSE FILE 2561 REFERRED

The Speaker announced that House File 2561, previously placed on **calendar** was referred to committee on **appropriations**.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 1, 2006, he approved and transmitted to the Secretary of State the following bills:

House File 2050, an Act relating to elections by making changes concerning requirements for entrances to certain polling places, arrangement of names on the ballot for nonpartisan offices, and election registers, and including effective and applicability date provisions.

House File 2051, an Act relating to maintenance of a voter registration system separate from the state voter registration system 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

- |          |  |
|----------|--|
| 2006\804 | Thomas Alan Ward, Manchester – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.                                     |
| 2006\805 | Dustin Anthony Schaffer, Manchester – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.                              |
| 2006\806 | T.J. Moen, Saydel High School – For winning 1 <sup>st</sup> place in the 140lb. weight class in the 2–A Division of the Iowa State Wrestling Tournament. |
| 2006\807 | Matt Campbell, Newton – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.  |

## SUBCOMMITTEE ASSIGNMENT

### House File 2496

Education: Tymeson, Chair; Chambers and Hogg.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

### House Study Bill 758

Education: Tymeson, Chair; Chambers, Kaufmann, Oldson and Wendt.

**House Study Bill 759**

Agriculture: Alons, Chair; Frevert and Huseman.

**House Study Bill 762**

Agriculture: Dolecheck, Chair; Struyk and Swaim.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 763 Agriculture**

Relating to drainage districts, by providing for a right to remonstrate.

**H.S.B. 764 Appropriations**

Relating to and making appropriations to the department of human services, the department of elder affairs, the Iowa department of public health, the department of veterans affairs and the Iowa veterans home, and the department of inspections and appeals, providing for fee increases, and including other related provisions and appropriations, 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 AGRICULTURE**

**Committee Bill** (Formerly House File 2551), relating to agricultural drainage wells by providing for the implementation of water quality practices as an alternative to constructing alternative drainage systems.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 736), precluding certain enforcement actions by the department of natural resources or the attorney general based on detrimental reliance.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.



**Committee Bill** (Formerly House Study Bill 711), providing for an equine industry development commission and related fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 748), relating to requirements for open feedlot operations, by providing for nutrient management plans and operating permits, and providing an effective date and retroactive applicability.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 759), providing for the conversion of cooperative associations, and providing for an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 762), providing for the exhibition of swine.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 763), relating to drainage districts, by providing for a right to remonstrate.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2006.

#### COMMITTEE ON ECONOMIC GROWTH

**Committee Bill** (Formerly House File 2027), establishing an economic enterprise area infrastructure fund and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House File 2031), relating to the establishment of small business development centers and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House File 2309), creating the community foundation fund, providing an Iowa individual income tax checkoff for the community foundation fund, making an appropriation, and providing for the Act's implementation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House File 2392), relating to investment tax credits for investments in targeted small businesses.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 732), creating a mathematics and science teacher practical experience incentive program and providing for a tax credit from withholding.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 733), relating to alternative and renewable energy for purposes of economic development.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 745), relating to bioscience financial assistance and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

#### COMMITTEE ON EDUCATION

**Committee Bill** (Formerly House Study Bill 590), establishing a jump-start grant program for the postsecondary education expenses of Iowa students who receive high school diplomas prior to enrollment as high school seniors.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 725), relating to the minimum hours of instructional school time in a school year for grades one through twelve for school districts, charter schools, and accredited nonpublic schools.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 758), relating to the establishment of a statewide educational standards and accountability task force.

Fiscal note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

#### COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly House File 2350), providing for the establishment of a blood lead testing requirement under specified circumstances, and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House File 2452), relating to involuntary termination of parental rights proceedings, providing an effective date, and providing for retroactive applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House File 2472), relating to the establishment of a family success counseling grant program, and providing an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 647), relating to programs and functions under the purview of the Iowa department of public health.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 674), relating to medical malpractice actions.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 753), relating to a single point of entry long-term living resources system.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2006.

## COMMITTEE ON JUDICIARY

**House File 2147**, a bill for an act relating to the temporary appointment of a conservator for a dependent adult in an emergency situation.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

**House File 2233**, a bill for an act relating to the time limit on executions of judgments and orders for wage garnishments.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

**Committee Bill** (Formerly House File 701), relating to animal feeding operations, by providing for chronic complaints.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 606), relating to joint physical care of children in dissolution cases.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 615), relating to the recognition of a civil judgment, decree, or order of the tribal court of the Sac and Fox Indian tribe of the Mississippi in Iowa.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 616), relating to the effective period and legislative review of administrative rules.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 649), relating to landlords and tenants including notice requirements to terminate a periodic tenancy, representation of an owner of residential rental property in small claims court, and service of a petition for forcible entry and detainer by publication.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 752), containing various provisions relating to business entities, including limited partnerships, corporations, limited liability companies, cooperatives, and nonprofit corporations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 761), relating to civil actions and the foreclosure of real estate mortgages, and providing fees.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 756), relating to the voting requirements for actions by the administrative rules review committee.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 757), relating to the assessment of a civil penalty when a person receives a deferred judgment in a criminal proceeding.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 760), relating to an award of attorney fees in an action to enforce a mechanic's lien.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

#### COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly House Study Bill 754), relating to the confinement of a prisoner in a municipal holding facility or county jail.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 737), concerning the department of public defense, including the military, civil air patrol, and homeland security and emergency management, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House File 2254), providing for the licensure of operators authorized to use and explode fireworks and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 529), relating to the disposal of a controlled substance.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 721), relating to the issuance of permits to carry weapons.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House File 2369), relating to accidental disability retirement benefits for a peace officer who is exposed to noxious substances and providing effective and retroactive applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

#### COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly House File 321), changing the bid threshold requirements for certain public improvement contracts.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House File 2004), concerning the allocation of gambling tax revenues to the county endowment fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House File 2172), concerning the line of duty death benefit payable to public safety providers and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House File 2517), concerning horse racing by providing for minimum racing days and arbitration for resolving disputes on horse racing agreements among representatives of horse breeds.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 510), providing for the process of congressional and legislative redistricting.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 512), creating a defined contribution pension option for employees covered by the Iowa public employees' retirement system.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 624), concerning the authority of customer councils regarding the funding and providing of services by the department of administrative services and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 625), relating to building regulations, by establishing an internet website in the office of the state building code commissioner and requiring local governmental entities to report the adoption or amendment of local building regulations, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 626), providing for changes relating to specified aspects of the operation of the department of administrative services.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 687), providing for the confidentiality of certain records relating to charitable donations for the benefit of a government body.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 697), establishing a deferred retirement option plan for members of the statewide fire and police retirement system and including an implementation provision.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 700), establishing statewide licensure of electricians and installers, providing for inspections, establishing fees, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 746), concerning alcoholic beverage control relating to manufacturers providing free cleaning services to retailers and prohibiting wholesalers from providing certain coupons to retailers and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

#### COMMITTEE ON VETERANS AFFAIRS

**Committee Bill** (Formerly House File 2308), exempting military duty and retirement pay received from the federal government by members of the armed forces from the individual income tax and including a retroactive applicability date provision.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 581), concerning the minimum balance necessary in order to expend funds from the veterans trust fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 675), providing hardship grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including effective date and retroactive applicability provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 1, 2006.



## RESOLUTION FILED

**HR 136**, by committee on human resources, a resolution recognizing the month of May 2006 as Iowa Heart Health Month.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H—8064	H.F.	2540	S. Olson of Clinton De Boef of Keokuk
H—8065	H.F.	2459	Ford of Polk
H—8066	H.F.	2540	De Boef of Keokuk
H—8067	S.F.	2076	De Boef of Keokuk
H—8068	H.F.	2540	De Boef of Keokuk
H—8069	H.F.	2459	Kressig of Black Hawk Wessel-Kroeschell of Story
			Swaim of Davis
			Gaskill of Wapello
			Hogg of Linn
			D. Olson of Boone
			Kuhn of Floyd
H—8070	H.F.	2540	Mertz of Kossuth
H—8071	H.F.	2540	Swaim of Davis
H—8072	H.F.	2540	Greiner of Washington
H—8073	H.F.	2540	Thomas of Clayton
H—8074	H.F.	2540	D. Olson of Boone
			D. Olson of Boone

On motion by Gipp of Winneshiek the House adjourned at 9:02 a.m., until 9:00 a.m., Friday, March 3, 2006.

# JOURNAL OF THE HOUSE

Fifty-fourth Calendar Day - Thirty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, March 3, 2006

The House met pursuant to adjournment at 9:00 a.m., Gipp of Winneshiek in the chair.

The Journal of Thursday, March 2, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2617**, by committee on education, a bill for an act providing for the extension of a reduction in the foundation property tax levy for reorganized or dissolved districts, and the extension of the period during which supplementary weighting may be received as a reorganization incentive by school districts, and providing an effective date.

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

**House File 2618**, by committee on education, a bill for an act relating to state aid to reimburse a portion of the advanced placement examination fee for students enrolled in public school districts.

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

**House File 2619**, by committee on education, a bill for an act relating to high school graduation, dropout, and equivalency reporting requirements.

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

**House File 2620**, by committee on education, a bill for an act providing an exception to the age of admission to kindergarten.

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

**House File 2621**, by committee on education, a bill for an act requiring reports from the department of education and from school

districts relating to student achievement, percentile rank, and grade equivalency levels.

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

**House File 2622**, by committee on education, a bill for an act establishing statewide proficiency levels and definitions for students in reading, mathematics, and science in grades four, eight, and eleven.

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

**House File 2623**, by committee on education, a bill for an act relating to the membership, authority, and duties of the board of educational examiners.

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

**House File 2624**, by committee on judiciary, a bill for an act extending the statute of limitations for the filing of an indictment or information in a felony or aggravated or serious misdemeanor proceeding involving DNA profiling.

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

**House File 2625**, by committee on judiciary, a bill for an act relating to the distribution of a presentence investigation report in a criminal proceeding.

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

**House File 2626**, by committee on natural resources, a bill for an act relating to civil damages payable for unlawful taking of certain animals and fish.

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

**House File 2627**, by committee on state government, a bill for an act prohibiting monitor vending machines and providing an effective date.

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

**House File 2628**, by Hogg, a bill for an act relating to educational benefits for children of current or former members of the armed forces and providing appropriations.

Read first time and referred to committee on **veterans affairs**.

**House File 2629**, by Hutter, a bill for an act establishing a domestic abuse assault registry and providing for fees and penalties.

Read first time and referred to committee on **public safety**.

**House File 2630**, by Eichhorn, Baudler, Tjepkes, Kurtenbach, Wilderdyke, Tomenga, Jones, Huseman, Granzow, Alons, Watts, De Boef, Freeman, Carroll, Anderson, May, Chambers, Paulsen, Struyk, Upmeyer, Van Engelenhoven, Elgin, Roberts, Sands, Jacobs, Lalk, Rasmussen, Soderberg, Drake, Rayhons, Greiner, Hoffman and Hutter, a bill for an act relating to the state general fund expenditure limitation by providing for inclusion of appropriations previously made from the general fund of the state, and providing effective and applicability dates.

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

**House File 2631**, by committee on education, a bill for an act creating the Iowa proprietary tuition grant program, and adding a member to represent proprietary institutions to the college student aid commission.

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

**House File 2632**, by committee on commerce, regulation and labor, a bill for an act relating to real estate, including real estate broker and salesperson licensing and real estate disclosures.

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

**House File 2633**, by committee on environmental protection, a bill for an act relating to the definition of recycling property for purposes of the property tax exemption for pollution-control or recycling property and providing an applicability date.

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

**House File 2634**, by committee on agriculture, a bill for an act relating to swine, by regulating feral swine, and providing penalties.

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

**House File 2635**, by committee on agriculture, a bill for an act relating to drainage and levee districts by providing for the publication of notice and the letting of bids.

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

**House File 2636**, by committee on education, a bill for an act relating to the development of an Iowa studies professional development plan and the establishment of an Iowa studies committee.

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

**House File 2637**, by committee on human resources, a bill for an act relating to electronic health records.

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

**House File 2638**, by committee on human resources, a bill for an act relating to dependent adult abuse registry and record check requirements and making a penalty applicable.

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

**House File 2639**, by committee on judiciary, a bill for an act relating to the time period in which an involuntary hospitalization hearing for chronic substance abusers and mentally ill persons must be held.

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

**House File 2640**, by committee on judiciary, a bill for an act relating to the appointment of district associate judges and magistrates.

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

**House File 2641**, by committee on public safety, a bill for an act relating to persons required to register as sex offenders.

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

**House File 2642**, by committee on public safety, a bill for an act expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

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

**House File 2643**, by committee on public safety, a bill for an act relating to the consideration of a previous conviction for, deferred judgment for, or plea of guilty to a domestic abuse assault in determining whether a domestic abuse assault is a second or subsequent offense.

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

**House File 2644**, by committee on human resources, a bill for an act relating to department of human services' technical requirements involving individual development accounts, family investment program limited benefit plans, paternity establishment definitions, and the state child care assistance program, and including effective date and retroactive applicability provisions.

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

**House File 2645**, by committee on human resources, a bill for an act relating to services and requirements for current and former participants in the child welfare system.

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

#### 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

- 2006\808 Lewis Central Wrestling Team, Council Bluffs—for receiving 2<sup>nd</sup> place in the Class 3-A, 2006 State Wrestling Tournament.
- 2006\809 Adam Manz, Council Bluffs—For receiving 2<sup>nd</sup> place in the 140 lb. weight class in the Class 3-A Division of the State Wrestling Tournament.
- 2006\810 Jimmy Waters, Council Bluffs—For receiving 1st place in the 160 lb. weight class in the Class 3-A Division of the State Wrestling Tournament.
- 2006\811 Luke Stamp, Council Bluffs—For winning 1<sup>st</sup> place in the 152 lb. weight class in the Class 3-A Division of the State Wrestling Tournament.
- 2006\812 Paul Hayden, Council Bluffs—For winning the “Write Women Back Into History” Essay Contest.

#### SUBCOMMITTEE ASSIGNMENT

##### Senate File 2273

Appropriations: Watts, Chair; Jacobs and Mascher.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

##### House Study Bill 763

Agriculture: Rayhons, Chair; Frevert and Huseman.

#### AMENDMENTS FILED

H—8075	S.F.	2232	Ford of Polk
H—8076	S.F.	2232	Ford of Polk
H—8077	H.F.	2521	Ford of Polk
H—8078	H.F.	2540	Reasoner of Union
H—8079	H.F.	2540	Hogg of Linn
H—8080	H.F.	2459	Struyk of Pottawattamie
H—8081	H.F.	2459	Murphy of Dubuque
H—8082	H.F.	2459	Reichert of Muscatine
H—8083	H.F.	2459	Ford of Polk
H—8084	H.F.	2459	Murphy of Dubuque
H—8085	H.F.	2459	Hogg of Linn
H—8086	H.F.	2459	Hogg of Linn
H—8087	H.F.	2459	Hogg of Linn

On motion by Heaton of Henry the House adjourned at 9:06 a.m., until 1:00 p.m., Monday, March 6, 2006.

# JOURNAL OF THE HOUSE

Fifty-seventh Calendar Day - Thirty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, March 6, 2006

The House met pursuant to adjournment at 1:12 p.m., Speaker pro tempore Carroll in the chair.

Prayer was sung by Billie James of Milford. She was the guest of Representative Mike May of Dickinson County. The National Anthem was sung by the Cedar Falls Jazz Singers, accompanied by Susan Beasley, the director, from Cedar Falls High School.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by a group from the Quakerdale Wolfe Ranch. They were the guests of Representative Mark Smith of Marshall County.

The Journal of Friday, March 3, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2646**, by committee on commerce, regulation and labor, a bill for an act relating to the regulation of professional unarmed combat fighting, prohibiting amateur unarmed combat fighting, and providing for fees and penalties.

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

**House File 2647**, by committee on commerce, regulation and labor, a bill for an act relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date.

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

**House File 2648**, by committee on commerce, regulation and labor, a bill for an act relating to private sector drug testing.

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



**House File 2649**, by committee on judiciary, a bill for an act relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa.

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

**House File 2650**, by committee on judiciary, a bill for an act relating to impoundment of a motor vehicle driven by a person whose driver's license is denied, canceled, suspended, revoked, or barred.

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

**House File 2651**, by committee on judiciary, a bill for an act relating to a restitution order in a juvenile delinquency proceeding.

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

**House File 2652**, by committee on judiciary, a bill for an act relating to civil and criminal procedure including the issuance of and violations of certain civil protective orders and criminal no-contact orders.

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

**House File 2653**, by committee on local government, a bill for an act relating to comprehensive plans used by cities and counties when developing zoning regulations and including an applicability provision.

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

**House File 2654**, by committee on local government, a bill for an act relating to the powers and duties of the county treasurer and including effective and applicability date provisions.

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

**House File 2655**, by committee on local government, a bill for an act relating to the duties of county recorders and county auditors

concerning instruments affecting real estate and certain other filings recorded by the county recorder.

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

**House File 2656**, by committee on education, a bill for an act relating to school reorganization and dissolution by allowing certain landowners in a reorganizing or dissolving school district to petition to join a contiguous school district.

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

**House File 2657**, by committee on human resources, a bill for an act relating to certain human services programs directed to families with a child with a disability and to persons with a disability and providing an effective date.

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

**House File 2658**, by committee on judiciary, a bill for an act relating to joint physical care of children in dissolution cases.

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

**House File 2659**, by committee on judiciary, a bill for an act relating to the recognition of a civil judgment, decree, or order of the tribal court of the Sac and Fox Indian tribe of the Mississippi in Iowa.

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

**House File 2660**, 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 including effective and retroactive applicability date provisions.

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

**House File 2661**, by committee on economic growth, a bill for an act relating to the linked investments for tomorrow Act.

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

## ADOPTION OF HOUSE RESOLUTION 101

Wilderdyke of Harrison called up for consideration **House Resolution 101**, a resolution to honor Whiting High School on being awarded the 2004-2005 No Child Left Behind Blue Ribbon Schools Award, and moved its adoption.

The motion prevailed and the resolution was adopted.

## SPECIAL PRESENTATION

Wilderdyke of Harrison introduced to the House the principal, students and staff of Whiting High School.

The House rose and expressed its welcome.

The House stood at ease at 1:29 p.m., until the fall of the gavel.

The House resumed session at 4:00 p.m., Speaker pro tempore Carroll in the chair.

## INTRODUCTION OF BILL

**House File 2662**, by committee on judiciary, a bill for an act relating to the effective period and legislative review of administrative rules.

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 6, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2253, 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 including effective and retroactive applicability date provisions.

Also: That the Senate has on March 6, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2262, a bill for an act relating to the prepayment of agricultural loans secured by a real estate mortgage.

Also: That the Senate has on March 6, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2275, a bill for an act relating to debt cancellation coverage offered by banks and credit unions.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGES CONSIDERED

**Senate File 2253**, 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 including effective and retroactive applicability date provisions.

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

**Senate File 2262**, by committee on commerce, a bill for an act relating to the prepayment of agricultural loans secured by a real estate mortgage.

Read first time and **passed on file**.

**Senate File 2275**, by committee on commerce, a bill for an act relating to debt cancellation coverage offered by banks and credit unions.

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

The House stood at ease at 4:02 p.m., until the fall of the gavel.

The House resumed session at 5:49 p.m., Speaker pro tempore Carroll 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.

## CONSIDERATION OF BILLS Appropriations Calendar

**House File 2557**, a bill for an act relating to and making appropriations to the judicial branch, was taken up for consideration.

Horbach of Tama moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2557)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Horbach	Hunter	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Jones	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
Mascher	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wildurdyke	Winckler	Wise
Carroll, Presiding			

The nays were, 2:

Gaskill                      Hogg

Absent or not voting, 1:

Zirkelbach

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

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2557** be immediately messaged to the Senate.

### Ways and Means Calendar

**House File 2540**, a bill for an act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources and providing fees, was taken up for consideration.

Thomas of Clayton offered amendment H-8072 filed by him as follows:

H-8072

- 1 Amend House File 2540 as follows:
- 2 1. Page 1, by inserting after line 15 the
- 3 following:
- 4 "Of the amount appropriated in this section at
- 5 least \$75,000 shall be allocated to support a program
- 6 relating to the detection, surveillance, and
- 7 eradication of the gypsy moth."

Thomas of Clayton offered the following amendment H-8102, to amendment H-8072, filed by him from the floor and moved its adoption:

H-8102

- 1 Amend the amendment, H-8072, to House File 2540, as
- 2 follows:
- 3 1. Page 1, line 5, by striking the figure
- 4 "\$75,000" and inserting the following: "\$50,000".

Amendment H-8102 was adopted.

On motion by Thomas of Clayton, amendment H-8072, as amended, was adopted.

D. Olson of Boone offered the following amendment H-8074 filed by him and moved its adoption:

H-8074

- 1 Amend House File 2540 as follows:
- 2 1. Page 2, line 19, by striking the figure
- 3 "693,166" and inserting the following: "893,166".

Roll call was requested by D. Olson of Boone and Murphy of Dubuque.

On the question "Shall amendment H-8074 be adopted?" (H.F. 2540)

The ayes were, 49:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foegen
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Maddox	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Shoultz	Smith	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise			

The nays were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	De Boef	Dix
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
May	Olson, S.	Paulsen	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk

Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wilderdyke	Carroll, Presiding		

Absent or not voting, 1:

Zirkelbach

Amendment H-8074 lost.

De Boef of Keokuk offered the following amendment H-8068 filed by her and moved its adoption:

H-8068

1 Amend House File 2540 as follows:  
2 1. Page 3, line 25, by striking the word  
3 "January" and inserting the following: "July".  
4 2. Page 5, by striking lines 6 through 10.  
5 3. By striking page 6, line 31, through page 7,  
6 line 6.  
7 4. Page 10, by striking lines 11 through 13 and  
8 inserting the following:  
9 "\_\_\_ Moneys in the national pollutant discharge  
10 elimination system permit fund shall be used only as  
11 provided in appropriations made from the fund by the  
12 general assembly which may include for purposes  
13 relating to expediting the department's processing  
14 of".

Amendment H-8068 was adopted.

Greiner of Washington offered the following amendment H-8071 filed by her and moved its adoption:

H-8071

1 Amend House File 2540 as follows:  
2 1. Page 6, by striking lines 5 through 8 and  
3 inserting the following:  
4 "\_\_\_ Of the amount of moneys to be allocated from  
5 the solid waste account of the groundwater protection  
6 fund to develop and implement demonstration projects  
7 for landfill alternatives to solid waste disposal  
8 including recycling programs pursuant to section  
9 455E.11, subsection 2, paragraph "a", subparagraph  
10 (1), subparagraph subdivision (c), \$300,000 shall be  
11 used for purposes of supporting a one-year project to  
12 recycle hardware or equipment associated with personal



13 computers."

14 2. Page 6, line 9, by inserting after the word

15 "person" the following: "or persons".

16 3. Page 6, line 11, by inserting after the word

17 "person" the following: "or persons".

D. Olson of Boone offered the following amendment H-8110, to amendment H-8071, filed by him from the floor and moved its adoption:

H-8110

1 Amend the amendment, H-8071, to House File 2540 as  
2 follows:

3 1. Page 1, by inserting after line 17, the  
4 following:

5 " \_\_\_\_\_. Page 6, line 14, by inserting after the  
6 word "person" the following: "or persons".

7 \_\_\_\_\_. Page 6, line 14, by striking the word  
8 "maintains" and inserting the following: "maintain".

9 \_\_\_\_\_. Page 6, line 15, by striking the word "may"  
10 and inserting the following: "shall".

11 \_\_\_\_\_. Page 6, lines 16 and 17, by striking the  
12 words "or charge a minimum fee".

13 2. By renumbering as necessary.

Amendment H-8110 lost.

On motion by Greiner of Washington amendment H-8071 was adopted.

D. Olson of Boone offered the following amendment H-8073 filed by him and moved its adoption:

H-8073

1 Amend House File 2540 as follows:

2 1. Page 6, by striking lines 5 through 17.

3 2. By renumbering as necessary.

Amendment H-8073 lost.

De Boef of Keokuk asked and received unanimous consent to withdraw amendment H-8066 filed by her on March 2, 2006.

S. Olson of Clinton offered the following amendment H-8064 filed by him and De Boef of Keokuk and moved its adoption:

H-8064

- 1 Amend House File 2540 as follows:
- 2 1. By striking page 7, line 20, through page 8,
- 3 line 8.
- 4 2. By renumbering as necessary.

Amendment H-8064 was adopted.

Reasoner of Union asked and received unanimous consent to withdraw amendment H-8078 filed by him on March 3, 2006.

Hogg of Linn offered the following amendment H-8079 filed by him and moved its adoption:

H-8079

- 1 Amend House File 2540 as follows:
- 2 1. Page 13, by inserting before line 17, the
- 3 following:
- 4 "Sec.\_\_\_\_. WATERSHED IMPROVEMENT FUND. There is
- 5 appropriated from the general fund of the state to the
- 6 watershed improvement fund created in section 466A.2
- 7 on July 1, 2006, the following amount to be used for
- 8 the purposes designated:
- 9 To carry out the purposes of the fund as provided
- 10 in section 466A.2:
- 11 .....\$ 5,000,000"
- 12 2. By renumbering as necessary.

Roll call was requested by Hogg of Linn and D. Olson of Boone.

On the question "Shall amendment H-8079 be adopted?" (H.F. 2540)

The ayes were, 48:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Frevert	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Maddox	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.

Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

The nays were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	De Boef	Dix
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
May	Olson, S.	Paulsen	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wildurdyke	Carroll, Presiding		

Absent or not voting, 2:

Ford	Zirkelbach
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Amendment H-8079 lost.

Swaim of Davis offered the following amendment H-8070 filed by him and moved its adoption:

H-8070

- 1 Amend House File 2540 as follows:
- 2 1. Page 13, by inserting after line 34 the
- 3 following:
- 4 "Sec. \_\_. AUTUMN OLIVE COOPERATIVE MANAGEMENT
- 5 PROJECT - APPROPRIATION. There is appropriated from
- 6 the general fund of the state to the department of
- 7 natural resources for the fiscal year beginning July
- 8 1, 2006, and ending June 30, 2007, the following
- 9 amount, or so much thereof as is necessary, to be used
- 10 for the purposes designated:
- 11 For purposes of administering an autumn olive
- 12 cooperative management project as provided in this
- 13 Act:
- 14 ..... \$ 60,000
- 15 Notwithstanding section 8.33, moneys remaining from
- 16 the appropriation in this section on June 30, 2007,
- 17 shall not revert but shall remain available for the

18 fiscal year beginning July 1, 2007, and ending June  
19 30, 2008, for the same purposes.  
20 Sec.\_\_\_\_. AUTUMN OLIVE COOPERATIVE MANAGEMENT  
21 PROJECT.  
22 1. The state recognizes that autumn olive,  
23 *eleagnus umbellata*, is a nonnative deciduous shrub  
24 which is classified as an invasive species threatening  
25 native vegetation, pasture grass, and crops.  
26 2. There is established an autumn olive  
27 cooperative management project to develop best  
28 management practices to control autumn olive. The  
29 project shall be administered by the department of  
30 natural resources, principally by the forestry bureau  
31 of the department's conservation and recreation  
32 division.  
33 3. The department shall establish a pilot autumn  
34 olive cooperative management area located in  
35 Independence township of Appanoose county and Wright  
36 township of Wayne county.  
37 a. The department shall cooperate with owners of  
38 land in the area in order to implement management  
39 practices to control autumn olive, including but not  
40 limited to cutting and chemical treatment techniques,  
41 on their land.  
42 b. The department shall award moneys to the owners  
43 of the land in the area under a cost-share agreement.  
44 The cost-share agreement must include a written plan  
45 detailing the management practices and the use of  
46 private contractors approved by the department. The  
47 agreement must include the owner's commitment to  
48 participate in a cost-share contribution. The  
49 department's cost-share contribution shall not exceed  
50 ninety percent of the estimated cost of implementing

Page 2

1 the management practices, or ninety percent of the  
2 actual cost of implementing the management practices,  
3 whichever is less.  
4 4. a. As part of the pilot project, the forestry  
5 bureau and departmental biologists associated with the  
6 Rathbun wildlife management area shall establish a  
7 timetable to replace autumn olive with native plants.  
8 b. The department shall cooperate with the  
9 commissioners of the soil and water conservation  
10 districts for Appanoose county and Wright county. The  
11 department and the commissioners shall encourage  
12 private landowners to apply for available moneys under  
13 federal programs including but not limited to the  
14 United States department of agriculture's natural  
15 resources conservation service environmental quality  
16 incentives program, 7 C.F.R. pt. 1466.

- 17 c. The department may enter into cooperative  
 18 agreements with federal agencies including but not  
 19 limited to the United States department of agriculture  
 20 to encourage private landowners to develop grazing  
 21 management plans necessary to minimize overgrazing and  
 22 site disturbance in Appanoose county and Wayne county.  
 23 5. The department shall prepare and deliver two  
 24 reports to the governor and the fiscal services  
 25 division of the legislative services agency as  
 26 follows:  
 27 a. Not later than January 15, 2007, an interim  
 28 report summarizing project activities and preliminary  
 29 findings.  
 30 b. Not later than January 15, 2008, a final report  
 31 which provides a detailed account of project  
 32 activities, findings, and recommendations."  
 33 2. By renumbering as necessary.

Amendment H-8070 lost.

De Boef of Keokuk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2540)

The ayes were, 52:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	De Boef	Dix
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
Maddox	May	Olson, S.	Paulsen
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wilderdyke	Carroll, Presiding

The nays were, 47:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing

Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	

Absent or not voting, 1:

Zirkelbach

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

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2540** be immediately messaged to the Senate.

### Regular Calendar

**House File 2525**, a bill for an act relating to policies and duties of the state department of transportation, including placement of official signs on primary highways, inspection of bridges, administrative duties, motor vehicle registration and titling, driver licensing, licensing and regulation of vehicle-related businesses, vehicle braking requirements, vehicle length restrictions, proof of financial responsibility requirements, and persons with disabilities parking permits, and including effective dates, was taken up for consideration.

Speaker Rants in the chair at 7:08 p.m.

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. 2525)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar

Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyeke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

**House File 2283**, a bill for an act to provide that the state elevator code supersedes conflicting provisions of building codes, was taken up for consideration.

Wilderdyeke 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. 2283)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar

Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wildurdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

### HOUSE FILE 2073 WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw House File 2073 from further consideration by the House.

**House File 2337**, a bill for an act relating to the use of a peace officer of the department of public safety in an industrial dispute and providing an effective date, was taken up for consideration.

Tjepkes 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. 2337)



The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdryke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2283, 2337 and 2525.**

**House File 2346**, a bill for an act relating to public access to school district financial information, providing for the establishment and distribution of a financial report by school districts, and providing for the posting of information relating to outstanding school district levies, was taken up for consideration.

Dolecheck of Ringgold moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2346)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

**House File 2543**, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions, was taken up for consideration.

Anderson of Page offered the following amendment H-8061 filed by the committee on judiciary and moved its adoption:

H-8061

1 Amend House File 2543 as follows:

2 1. Page 6, line 3, by striking the word and  
3 figure "and 6" and inserting the following: "~~and~~ 6".

4 2. Page 10, by inserting after line 21, the  
5 following:

6 "Sec. \_\_. Section 29B.48, Code 2005, is amended  
7 to read as follows:

8 29B.48 REFUSAL TO APPEAR OR TESTIFY.

9 1. Any person not subject to this code ~~who is~~  
10 guilty of a simple misdemeanor if the person does all  
11 of the following:

12 ~~1. a.~~ Has been duly subpoenaed to appear as a  
13 witness or to produce books and records before a  
14 military court or before any military or civil officer  
15 and designated to take a deposition to be read in  
16 evidence before such a court;

17 ~~2. b.~~ Has been duly paid or tendered the fees and  
18 mileage of a witness at the rates allowed to witnesses  
19 attending the courts of the state; ~~and~~

20 ~~3. c.~~ Willfully neglects or refuses to appear, or  
21 refuses to qualify as a witness or to testify or to  
22 produce any evidence which that person has been  
23 legally subpoenaed to produce;  
24 ~~is guilty of a simple misdemeanor.~~

25 2. Upon certification of the facts in a case under  
26 this section by the military judge, president of  
27 courts-martial without a military judge, or summary  
28 courts-martial officer, the county attorney of the  
29 county where the offense occurred shall prosecute the  
30 offense as if it were included in the Iowa criminal  
31 code.

32 Sec. \_\_. Section 29B.74, Code 2005, is amended to  
33 read as follows:

34 29B.74 PRINCIPALS.

35 Any person subject to this code ~~who is a principal~~  
36 if the person does any of the following:

37 1. Commits an offense punishable by this code, or  
38 aids, abets, counsels, commands, or procures its  
39 commission; ~~or,~~

40 2. Causes an act to be done which if directly  
41 performed by the person would be punishable by this  
42 code;  
43 is a principal.

44 Sec. \_\_. Section 29B.80, Code 2005, is amended to  
45 read as follows:

46 29B.80 FRAUDULENT ENLISTMENT - APPOINTMENT OR

## 47 SEPARATION.

48 Any person ~~who shall be punished as a court-martial~~  
49 may direct if the person does any of the following:

50 1. Procures the person's own enlistment or

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1 appointment in the state military forces by knowingly  
2 false representation or deliberate concealment as to  
3 the person's qualifications for that enlistment or  
4 appointment and receives pay or allowances thereunder;  
5 ~~or.~~

6 2. Procures the person's own separation from the  
7 state military forces by knowingly false  
8 representation or deliberate concealment as to the  
9 person's eligibility for that separation;  
10 ~~shall be punished as a court-martial may direct.~~

11 Sec. \_\_\_\_ Section 29B.83, Code 2005, is amended to  
12 read as follows:

13 29B.83 ABSENCE WITHOUT LEAVE.

14 Any person subject to this code ~~who shall be~~  
15 punished as a court-martial may direct, if the person  
16 without authority does any of the following:

17 1. Fails to go to the person's appointed place of  
18 duty at the time prescribed;

19 2. Goes from that place; ~~or.~~

20 3. Leaves or remains absent from the unit,  
21 organization, or place of duty at which the person is  
22 required to be at the time prescribed;  
23 ~~shall be punished as a court-martial may direct.~~

24 Sec. \_\_\_\_ Section 29B.87, Code 2005, is amended to  
25 read as follows:

26 29B.87 ASSAULTING OR WILLFULLY DISOBEYING SUPERIOR  
27 COMMISSIONED OFFICER.

28 Any person subject to this code ~~who shall be~~  
29 punished as a court-martial may direct if the person  
30 does any of the following:

31 1. Strikes the person's superior commissioned  
32 officer or draws or lifts up any weapon or offers any  
33 violence against the superior commissioned officer  
34 while the superior commissioned officer is in the  
35 execution of the officer's office; ~~or.~~

36 2. Willfully disobeys a lawful command of the  
37 person's superior commissioned officer; ~~or~~  
38 ~~shall be punished as a court-martial may direct.~~

39 Sec. \_\_\_\_ Section 29B.88, Code 2005, is amended to  
40 read as follows:

41 29B.88 INSUBORDINATE CONDUCT TOWARD WARRANT  
42 OFFICER, NONCOMMISSIONED OFFICER OR PETTY OFFICER.

43 Any warrant officer or enlisted member ~~who shall be~~  
44 punished as a court-martial may direct if the person  
45 does any of the following:

46 1. Strikes or assaults a warrant officer,  
 47 noncommissioned officer or petty officer, while that  
 48 officer is in the execution of the officer's office;  
 49 2. Willfully disobeys the lawful order of a  
 50 warrant officer, noncommissioned officer, or petty

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1 officer;~~or,~~

2 3. Treats with contempt or is disrespectful in  
 3 language or deportment toward a warrant officer,  
 4 noncommissioned officer, or petty officer, while that  
 5 officer is in the execution of the officer's office;  
 6 ~~shall be punished as a court-martial may direct.~~

7 Sec. \_\_\_\_ Section 29B.89, Code 2005, is amended to  
 8 read as follows:

9 29B.89 FAILURE TO OBEY ORDER OR REGULATION.

10 Any person subject to this code ~~who shall be~~  
 11 punished as a court-martial may direct if the person  
 12 does any of the following:

13 1. Violates or fails to obey any lawful general  
 14 order or regulation;

15 2. Having knowledge of any other lawful order  
 16 issued by a member of the state military forces which  
 17 it is the person's duty to obey, fails to obey the  
 18 order;~~or,~~

19 3. Is derelict in the performance of the person's  
 20 duties;

21 ~~shall be punished as a court-martial may direct.~~

22 Sec. \_\_\_\_ Section 29B.95, Code 2005, is amended to  
 23 read as follows:

24 29B.95 NONCOMPLIANCE WITH PROCEDURAL RULES.

25 Any person subject to this code ~~who shall be~~  
 26 punished as a court-martial may direct if the person  
 27 does any of the following:

28 1. Is responsible for unnecessary delay in the  
 29 disposition of any case of a person accused of an  
 30 offense under this code;~~or,~~

31 2. Knowingly and intentionally fails to enforce or  
 32 comply with any provisions of this code regulating the  
 33 proceedings before, during, or after trial of an  
 34 accused;

35 ~~shall be punished as a court-martial may direct.~~

36 Sec. \_\_\_\_ Section 29B.96, Code 2005, is amended to  
 37 read as follows:

38 29B.96 MISBEHAVIOR BEFORE THE ENEMY.

39 Any person subject to this code ~~who shall be~~  
 40 punished as a court-martial may direct if the person,  
 41 before or in the presence of the enemy, does any of  
 42 the following:

43 1. Runs away;

44 2. Shamefully abandons, surrenders, or delivers up

- 45 any command, unit, place, or military property which  
46 it is the person's duty to defend;  
47 3. Through disobedience, neglect, or intentional  
48 misconduct endangers the safety of any such command,  
49 unit, place, or military property;  
50 4. Casts away the person's arms or ammunition;

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- 1 5. Is guilty of cowardly conduct;  
2 6. Quits the person's place of duty to plunder or  
3 pillage;  
4 7. Causes false alarms in any command, unit, or  
5 place under control of the armed forces of the United  
6 States or the state military forces;  
7 8. Willfully fails to do the person's utmost to  
8 encounter, engage, capture, or destroy any enemy  
9 troops, combatants, vessels, aircraft, or any other  
10 thing, which it is the person's duty so to encounter,  
11 engage, capture or destroy;~~or,~~  
12 9. Does not afford all practicable relief and  
13 assistance to any troops, combatants, vessels, or  
14 aircraft of the armed forces belonging to the United  
15 States or their allies, to the state, or to any other  
16 state, when engaged in battle;  
17 ~~shall be punished as a court-martial may direct.~~

18 Sec. \_\_. Section 29B.101, Code 2005, is amended  
19 to read as follows:

20 29B.101 AIDING THE ENEMY.

21 Any person subject to this code ~~who shall be~~  
22 punished as a court-martial may direct if the person  
23 does any of the following:

- 24 1. Aids, or attempts to aid, the enemy with arms,  
25 ammunition, supplies, money, or other things;~~or,~~  
26 2. Without proper authority, knowingly harbors or  
27 protects or gives intelligence to, or communicates or  
28 corresponds with or holds any intercourse with the  
29 enemy, either directly or indirectly;  
30 ~~shall be punished as a court-martial may direct.~~

31 Sec. \_\_. Section 29B.102, Code 2005, is amended  
32 to read as follows:

33 29B.102 MISCONDUCT OF A PRISONER.

34 Any person subject to this code ~~who shall be~~  
35 punished as a court-martial may direct if the person,  
36 while in the hands of the enemy in time of war, does  
37 any of the following:

- 38 1. For the purpose of securing favorable treatment  
39 by the captors acts without proper authority in a  
40 manner contrary to law, custom, or regulation, to the  
41 detriment of others of whatever nationality held by  
42 the enemy as civilian or military prisoners;~~or,~~  
43 2. While in a position of authority over such

44 persons maltreats them without justifiable cause;  
 45 ~~shall be punished as a court-martial may direct.~~  
 46 Sec. \_\_\_\_ Section 29B.109, Code 2005, is amended  
 47 to read as follows:  
 48 29B.109 MALINGERING.  
 49 Any person subject to this code ~~who shall be~~  
 50 punished as a court-martial may direct if the person

Page 5

1 for the purpose of avoiding work, duty, or service in  
 2 the state military forces does any of the following:  
 3 1. Feigns illness, physical disablement, mental  
 4 lapse or derangement;~~or,~~  
 5 2. Intentionally inflicts self-injury;  
 6 ~~shall be punished as a court-martial may direct.~~  
 7 Sec. \_\_\_\_ Section 29B.113, Code 2005, is amended  
 8 to read as follows:  
 9 29B.113 FRAUDS AGAINST THE GOVERNMENT.  
 10 Any person subject to this code shall, upon  
 11 conviction of any of the following, be punished as a  
 12 court-martial may direct:  
 13 1. ~~Who~~ The person, knowing it to be false or  
 14 fraudulent does any of the following:  
 15 a. Makes any claim against the United States, the  
 16 state, or any officer thereof;~~or~~  
 17 b. Presents to any person in the civil or military  
 18 service thereof, for approval or payment any claim  
 19 against the United States, the state, or any officer  
 20 thereof;  
 21 2. ~~Who~~ The person, for the purpose of obtaining  
 22 the approval, allowance, or payment of any claim  
 23 against the United States, the state, or any officer  
 24 thereof, does any of the following:  
 25 a. Makes or uses any writing or other paper  
 26 knowing it to contain any false or fraudulent  
 27 statements;~~;~~  
 28 b. Makes any oath to any fact or to any writing or  
 29 other paper knowing the oath to be false;~~or,~~  
 30 c. Forges or counterfeits any signature upon any  
 31 writing or other paper, or uses any such signature  
 32 knowing it to be forged or counterfeited;~~;~~  
 33 3. ~~Who~~ The person, having charge, possession,  
 34 custody, or control of any money, or other property of  
 35 the United States or the state, furnished or intended  
 36 for the armed forces of the United States or the state  
 37 military forces, knowingly delivers to any person  
 38 having authority to receive it, any amount thereof  
 39 less than that for which the person receives a  
 40 certificate or receipt;~~or,~~  
 41 4. ~~Who~~ The person, being authorized to make or  
 42 deliver any paper certifying the receipt of any

43 property of the United States or the state, furnished  
44 or intended for the armed forces of the United States  
45 or the state military forces, makes or delivers to any  
46 person such writing without having full knowledge of  
47 the truth of the statements therein contained and with  
48 intent to defraud the United States or the state;  
49 ~~shall, upon conviction, be punished as a court-martial~~  
50 ~~may direct.~~

Page 6

1 Sec. \_\_. Section 29B.114, Coded 2005, is amended  
2 to read as follows:

3 29B.114 LARCENY AND WRONGFUL APPROPRIATION.

4 1. Any person subject to this code who wrongfully  
5 takes, obtains, or withholds, by any means, from the  
6 possession of the owner or of any other person any  
7 money, personal property, or article of value of any  
8 kind:

9 1. a. With intent permanently to deprive or  
10 defraud another person of the use and benefit of  
11 property or to appropriate it to the person's own use  
12 or the use of any person other than the owner, steals  
13 that property and is guilty of larceny; or

14 2. b. With intent temporarily to deprive or  
15 defraud another person of the use and benefit of  
16 property or to appropriate it to the person's own use  
17 or the use of any person other than the owner, is  
18 guilty of wrongful appropriation.

19 2. Any person found guilty of larceny or wrongful  
20 appropriation shall be punished as a court-martial may  
21 direct."

22 3. Page 16, line 19, by striking the word "are"  
23 and inserting the following: "is".

24 4. Page 44, line 23, by striking the words "of  
25 an" and inserting the following: "of ~~an~~ a".

26 5. Page 53, line 15, by striking the words and  
27 figure "~~Public Law 346~~" and inserting the following:  
28 "Public Law 346".

29 6. Page 53, line 16, by striking the words and  
30 figure "~~Session, Pub. L. No. 78-348~~" and inserting the  
31 following: "~~Session, Pub. L. No. 78-268~~".

32 7. Page 53, line 17, by striking the word and  
33 figures "~~58 Stat. 291~~" and inserting the following:  
34 "~~58 Stat. 284~~".

35 8. Page 56, by striking lines 22 through 26, and  
36 inserting the following: "company if ~~(1)~~ such either  
37 of the following apply:

38 1. The securities ~~shall be~~ are registered, or  
39 ~~shall be~~ are required to be registered, pursuant to  
40 section 12 of the Securities Exchange Act of 1934, ~~48~~  
41 ~~48 Stat. L. 881, 15 U.S.C., § 77b et seq.~~ seq., as



- 42 amended, or if (2) such  
 43 2. The domestic stock insurance company shall does  
 44 not have any".  
 45 9. Page 67, line 1, by striking the words "for  
 46 the" and inserting the following: "for the".  
 47 10. By renumbering as necessary.

The committee amendment H-8061 was adopted.

Anderson 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. 2543)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyeke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

Appropriations Calendar

House File 2459, a bill for an act relating to and making appropriations to the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters, and providing effective and retroactive applicability dates, was taken up for consideration.

Hogg of Linn offered the following amendment H-8086 filed by him and moved its adoption:

H-8086

- 1 Amend House File 2459 as follows:
- 2 1. Page 2, by striking line 9 and inserting the
- 3 following:
- 4 "..... \$ 6,515,394"
- 5 2. Page 3, by inserting after line 12 the
- 6 following:
- 7 "ff. From the moneys appropriated under this
- 8 subsection, \$300,000 shall be used for purposes of
- 9 providing financial assistance in the form of grants
- 10 and loans of not more than \$20,000 per applicant under
- 11 the entrepreneurial ventures assistance program
- 12 established in section 15.339. Notwithstanding the
- 13 requirements in section 15.339, any small business
- 14 meeting the criteria in this paragraph is eligible for
- 15 financial assistance from moneys allocated under this
- 16 paragraph. In order to be eligible, an applicant must
- 17 be located in Iowa, have not more than twenty-five
- 18 employees, be owned, operated, and actively managed by
- 19 a resident of Iowa, and have a business plan developed
- 20 with the assistance of a small business development
- 21 center or a business accelerator."
- 22 3. By renumbering and relettering as necessary.

Roll call was requested by Hogg of Linn and Murphy of Dubuque.

On the question "Shall amendment H-8086 be adopted?" (H.F. 2459)

The ayes were, 48:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wildurdyke	Mr. Speaker	
		Rants	

Absent or not voting, 1:

Zirkelbach

Amendment H-8086 lost.

Murphy of Dubuque offered the following amendment H-8081 filed by him and moved its adoption:

H-8081

1 Amend House File 2459 as follows:  
 2 1. Page 4, by inserting after line 18 the  
 3 following:  
 4 "Sec. \_\_\_\_ . BIOSCIENCE. There is appropriated from  
 5 the general fund of the state to the department of  
 6 economic development for the fiscal year beginning  
 7 July 1, 2006, and ending June 30, 2007, four million  
 8 eight hundred thousand dollars to be used for purposes

9 of providing financial assistance to a single  
 10 bioscience development organization determined by the  
 11 department to possess expertise in the promotion and  
 12 commercialization of biotechnology entrepreneurship.  
 13 The recipient of the financial assistance shall use  
 14 the moneys for purposes of advancing the technology  
 15 platforms of bioeconomy, advanced food and feed,  
 16 animal systems, integrated post-geometric medicine,  
 17 integrated drug discovery, integrated biosecurity, and  
 18 biomedical imaging."  
 19 2. By renumbering as necessary.

Amendment H-8081 lost.

Hogg of Linn offered the following amendment H-8087 filed by him and moved its adoption:

H-8087

1 Amend House File 2459 as follows:  
 2 1. Page 4, by inserting after line 18 the  
 3 following:  
 4 "Sec. \_\_\_\_ LEAN MANUFACTURING INSTITUTE. There is  
 5 appropriated from the general fund of the state to the  
 6 department of economic development for the fiscal year  
 7 beginning July 1, 2006, and ending June 30, 2007, the  
 8 following amount, or so much thereof as is necessary,  
 9 to be used for the purposes designated:  
 10 For purposes of establishing a lean manufacturing  
 11 institute designed to provide executive level, in-  
 12 depth training assistance to manufacturing entities in  
 13 the state:  
 14 ..... \$ 250,000  
 15 The department of economic development shall  
 16 consult with the department of management regarding  
 17 the establishment of a lean manufacturing institute.  
 18 The department of economic development may seek  
 19 private sector moneys for purposes of supporting a  
 20 lean manufacturing institute."  
 21 2. By renumbering as necessary.

Amendment H-8087 lost.

Kressig of Black Hawk offered amendment H-8069 filed by Kressig, et al., as follows:

H-8069

1 Amend House File 2459 as follows:  
 2 1. Page 5, by inserting after line 18 the

3 following:

4 "Sec. \_\_. MAINSTREET PROGRAM. There is  
5 appropriated from the federal economic stimulus and  
6 jobs holding fund to the department of economic  
7 development for the fiscal year beginning July 1,  
8 2006, and ending June 30, 2007, the following amount,  
9 or so much thereof as is necessary, for purposes of  
10 the mainstreet program, and for not more than the  
11 following full-time equivalent positions:

12 .....	\$	200,000
13 .....	FTEs	1.50

14 The moneys appropriated in this section shall be in  
15 addition to, and not in lieu of, moneys appropriated  
16 to the department for purposes of the mainstreet  
17 program under section 2 of this Act.

18 Notwithstanding section 8.33, moneys appropriated  
19 in this section that remain unencumbered or  
20 unobligated at the close of the fiscal year shall not  
21 revert but shall remain available for expenditure for  
22 the purposes designated until the close of the  
23 succeeding fiscal year."

24 2. By renumbering as necessary.

Kressig of Black Hawk offered the following amendment H-8093,  
to amendment H-8069, filed by him from the floor and moved its  
adoption:

H-8093

1 Amend the amendment, H-8069, to House File 2459 as  
2 follows:

3 1. Page 1, line 5, by inserting after the word  
4 "from" the following: "any interest or earnings on  
5 moneys in".

Amendment H-8093 was adopted.

On motion by Kressig of Black Hawk, amendment H-8069, as  
amended, lost.

Ford of Polk offered the following amendment H-8083 filed by him  
and moved its adoption:

H-8083

1 Amend House File 2459 as follows:

2 1. Page 5, by inserting after line 18 the  
3 following:

4 "Sec.\_\_\_\_. TARGETED SMALL BUSINESSES. There is  
5 appropriated from any interest or earnings on moneys  
6 in the federal economic stimulus and jobs holding fund  
7 to the department of economic development for the  
8 fiscal year beginning July 1, 2006, and ending June  
9 30, 2007, the following amount, or so much thereof as  
10 is necessary, to be deposited in the targeted small  
11 business financial assistance program account  
12 established within the strategic investment fund  
13 created in section 15.313:  
14 ..... \$ 200,000  
15 Notwithstanding section 8.33, moneys appropriated  
16 in this section that remain unencumbered or  
17 unobligated at the close of the fiscal year shall not  
18 revert but shall remain available for expenditure for  
19 the purpose designated until the close of the  
20 succeeding fiscal year."  
21 2. By renumbering as necessary.

Amendment H-8083 lost.

Reichert of Muscatine offered the following amendment H-8082 filed by him and moved its adoption:

H-8082

1 Amend House File 2459 as follows:  
2 1. Page 6, by inserting after line 20 the  
3 following:  
4 "Sec.\_\_\_\_. HOUSING TRUST FUND. There is  
5 appropriated from the general fund of the state to the  
6 Iowa finance authority for the fiscal year beginning  
7 July 1, 2006, and ending June 30, 2007, the following  
8 amount, or so much thereof as is necessary, for  
9 deposit in the state housing trust fund created in  
10 section 16.181:  
11 ..... \$ 1,000,000  
12 Notwithstanding section 8.33, moneys appropriated  
13 in this section that remain unencumbered or  
14 unobligated at the close of the fiscal year shall not  
15 revert but shall remain available for expenditure for  
16 the purposes designated until the close of the  
17 succeeding fiscal year."  
18 2. By renumbering as necessary.

Amendment H-8082 lost.

Hogg of Linn offered the following amendment H-8085 filed by him and moved its adoption:

H-8085

- 1 Amend House File 2459 as follows:
- 2 1. Page 6, line 28, by inserting after the word
- 3 "research," the following: "advanced renewable energy
- 4 research and development,".
- 5 2. Page 6, by striking line 30 and inserting the
- 6 following:
- 7 ".....\$ 4,363,557"
- 8 3. Page 6, by inserting after line 31 the
- 9 following:
- 10 "From the moneys appropriated in this subsection,
- 11 Iowa state university of science and technology shall
- 12 allocate \$2,000,000 for competitive grants to
- 13 organizations, businesses, colleges, and universities
- 14 located in the state for purposes of encouraging
- 15 research, development, and commercialization of
- 16 cellulose-based fuels, biodiesel, and other advanced
- 17 renewable energy conversion systems and processes that
- 18 may reduce the dependence of Iowans on petroleum or
- 19 other fossil fuels, create jobs and economic growth in
- 20 Iowa, and reduce emissions of greenhouse gases."
- 21 4. By renumbering as necessary.

Hogg of Linn asked and received unanimous consent to withdraw amendments H-8090 and H-8094, to amendment H-8085, filed by him from the floor.

Hogg of Linn moved the adoption of amendment H-8085.

Roll call was requested by Hogg of Linn and Smith of Marshall.

On the question "Shall amendment H-8085 be adopted?" (H.F. 2459)

The ayes were, 48:

Bell	Berry	Bukta	Cphoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevrt	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk .
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdylke	Mr. Speaker	
		Rants	

Absent or not voting, 1:

Zirkelbach

Amendment H-8085 lost.

Miller of Webster offered amendment H-8062 filed by Miller, et al., as follows:

H-8062

- 1 Amend House File 2459 as follows:
- 2 1. Page 6, line 30, by striking the figure
- 3 "2,363,557" and inserting the following: "2,563,557".
- 4 2. Page 6, line 33, by striking the figure
- 5 "550,000" and inserting the following: "750,000".

Lukan of Dubuque offered the following amendment H-8105, to amendment H-8062, filed by him, Tjepkes of Webster and Eichhorn of Hamilton from the floor and moved its adoption:

H-8105

- 1 Amend the amendment, H-8062, to House File 2459 as
- 2 follows:
- 3 1. Page 1, line 3, by striking the figure
- 4 "2,563,557" and inserting the following: "2,463,557".
- 5 2. Page 1, line 5, by striking the figure
- 6 "750,000" and inserting the following: "650,000".
- 7 3. Page 1, by inserting after line 5 the
- 8 following:



9     "\_\_\_\_. Page 6, line 34, by inserting after the  
 10 word "centers" the following: ", including a small  
 11 business development center in Fort Dodge"."

A non-record roll call was requested.

The ayes were 51, nays 26.

Amendment H-8105 was adopted.

On motion by Miller of Webster, amendment H-8062, as amended, was adopted.

Struyk of Pottawattamie offered amendment H-8080 filed by him as follows:

H-8080

1     Amend House File 2459 as follows:  
 2     1. Page 12, by striking lines 8 through 11 and  
 3 inserting the following: "obtain local matching  
 4 moneys on a dollar-for-dollar basis. An award of  
 5 financial assistance to a small business development  
 6 center under this paragraph shall not exceed twenty  
 7 thousand dollars."

Struyk of Pottawattamie offered the following amendment H-8106, to amendment H-8080, filed by him from the floor and moved its adoption:

H-8106

1     Amend the amendment, H-8080, to House File 2459 as  
 2 follows:  
 3     1. Page 1, by striking lines 2 through 7 and  
 4 inserting the following:  
 5     "\_\_\_\_. Page 12, line 4, by inserting after the  
 6 word "centers." the following: "Of the three hundred  
 7 fifty thousand dollars transferred each fiscal year  
 8 pursuant to this paragraph, not more than one hundred  
 9 thousand dollars shall be used for business succession  
 10 activities."  
 11     \_\_\_\_. Page 12, line 5, by inserting after the word  
 12 "not" the following: "exceed fifty thousand dollars  
 13 per fiscal year and shall not".  
 14     \_\_\_\_. Page 12, line 8, by striking the words "~~on a~~

15 ~~dollar for dollar basis~~", and inserting the following:  
16 "on a dollar-for-dollar basis for at least twenty-five  
17 percent of the cost of the center."

Amendment H-8106 was adopted.

On motion by Struyk of Pottawattamie amendment H-8080, as amended, was adopted.

Murphy of Dubuque asked and received unanimous consent to withdraw amendment H-8084 filed by him on March 3, 2006, placing out of order amendment H-8118 filed by Lukan of Dubuque from the floor.

Ford of Polk offered amendment H-8065 filed by him as follows:

H-8065

1 Amend House File 2459 as follows:  
2 1. Page 14, by inserting after line 24 the  
3 following:  
4 "Sec. \_\_\_\_ TAX INCREMENT FINANCING STUDY. The  
5 department of economic development shall contract with  
6 members of the faculty of one or more Iowa  
7 institutions of higher education under the control of  
8 the state board of regents for the purpose of  
9 evaluating the use of tax increment financing for  
10 economic development outside of areas designated as  
11 slum and blighted areas as opposed to areas designated  
12 as slum and blighted areas. The evaluation shall  
13 include an analysis as to whether approved projects  
14 were likely to have been financially feasible or  
15 likely to have occurred without the use of tax  
16 increment financing outside of areas designated as  
17 slum and blighted areas as opposed to areas designated  
18 as slum and blighted areas and whether availability of  
19 tax increment financing for economic development  
20 projects outside of areas designated as slum and  
21 blighted areas diminishes the ability to promote the  
22 economic recovery of slum and blighted areas."  
23 2. By renumbering as necessary.

The House stood at ease at 9:16 p.m., until the fall of the gavel.

The House resumed session at 9:26 p.m., Speaker Rants in the chair.

Murphy of Dubuque offered the following amendment H-8128, to amendment H-8065, filed by him from the floor and moved its adoption:

H-8128

- 1 Amend the amendment, H-8065, to House File 2459 as
- 2 follows:
- 3 1. Page 1, by inserting after line 1 the
- 4 following:
- 5 "    . Page 12, by inserting after line 32 the
- 6 following:
- 7 "Sec.    . Section 91D.1, subsection 1, paragraph
- 8 a, Code 2005, is amended to read as follows:
- 9 a. The hourly wage stated in the federal minimum
- 10 wage law, pursuant to 29 U.S.C. §206, shall be
- 11 increased to ~~\$3.85 on January 1 of 1990, \$4.25 on~~
- 12 ~~January 1 of 1991, and \$4.65~~ \$6.15 on January 1 of
- 13 ~~1992, 2007.~~
- 14 Sec.    . Section 91D.1, subsection 1, paragraph
- 15 d, Code 2005, is amended by striking the paragraph.""
- 16 2. By renumbering as necessary.

Roll call was requested by Gipp of Winneshiek and Raecker of Polk.

On the question "Shall amendment H-8128 be adopted?" (H.F. 2459)

The ayes were, 55:

Arnold	Bell	Berry	Bukta
Cohoon	Dandekar	Davitt	Fallon
Foege	Ford	Frevert	Gaskill
Heaton	Heddens	Hogg	Hunter
Huser	Jacoby	Jochum	Kressig
Kuhn	Lensing	Lukan	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schickel	Schueller	Shomshor
Shultz	Smith	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tomenga
Van Fossen, J.R.	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	

The nays were, 43:

Alons	Anderson	Baudler	Boal
Carroll	Chambers	De Boef	Dix
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Greiner
Hoffman	Horbach	Huseman	Hutter
Jacobs	Jenkins	Jones	Kaufmann
Kurtenbach	Lalk	Maddox	May
Olson, S.	Raecker	Rasmussen	Rayhons
Roberts	Sands	Soderberg	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Watts	Wilderdike	Mr. Speaker	
		Rants	

Absent or not voting, 2:

Paulsen                      Zirkelbach

Amendment H-8128 was adopted.

Murphy of Dubuque asked and received unanimous consent to withdraw amendment H-8129 to amendment H-8065 filed by him from the floor.

Raecker of Polk rose on a point of order that amendment H-8065, as amended, was not germane.

The Speaker ruled the point well taken and amendment H-8065, as amended, not germane.

Murphy of Dubuque asked for unanimous consent to suspend the rules to consider amendment H-8065, as amended.

Objection was raised.

Murphy of Dubuque moved to suspend the rules to consider amendment H-8065, as amended.

Roll call was requested by Murphy of Dubuque and Raecker of Polk.

On the question "Shall the rules be suspended to consider amendment H-8065, as amended?" (HF 2459)

The ayes were, 49:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schickel	Schueller
Shomshor	Shoultz	Smith	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise			

The nays were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wildurdyke	Mr. Speaker		
	Rants		

Absent or not voting, 1:

Zirkelbach

The motion to suspend the rules lost.

Lukan of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2459)

The ayes were, 90:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck

Drake	Eichhorn	Elgin	Foege
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Jones	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk
Lukan	Lykam	Maddox	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyeke
Wise	Mr. Speaker		
	Rants		

The nays were, 9:

Fallon	Ford	Hunter	Lensing
Mascher	Olson, R.	Shoultz	Taylor, T.
Winckler			

Absent or not voting, 1:

Zirkelbach

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

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2346, 2459 and 2543.**

### SUBCOMMITTEE ASSIGNMENT

#### House File 2629

Public Safety: Alons, Chair; Baudler and Berry.

## 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 749), relating to assessing court costs, providing for indigent defense, and making appropriations to the judicial branch and department of inspections and appeals.

Fiscal Note is not required.

Recommended **Do Pass** March 6, 2006.

## COMMITTEE ON COMMERCE, REGULATION AND LABOR

**Committee Bill** (Formerly House File 2446), relating to noncitizens of the United States including restricting the allocation of housing trust fund moneys, prohibiting the servicing of first mortgages, relating to employment, and providing for penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House File 2489), relating to eligibility requirements for the renewable energy tax credit and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 715), supporting the use of traffic roundabouts on Iowa's streets and highways.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 741), relating to deficiencies in the construction or design of residential real property.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 742), relating to laws administered by the labor commissioner regarding the state elevator code and boiler and pressure vessel safety.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 743), relating to long-distance and shared learning efficiencies and operation, providing for technical and substantive charges relating to the Iowa communications network, and providing for supplementary weighting for shared classes taught via the network.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

#### COMMITTEE ON ECONOMIC GROWTH

**Committee Bill** (Formerly House File 2043), relating to criteria for economic enterprise areas.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House File 2497), relating to economic development by creating a bioscience funding board and bioscience fund, providing tax incentives under the high quality job creation Act, and providing an exempt activity for foreign corporations, and including effective and retroactive applicability date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 597), relating to certified capital companies and providing a certified capital company insurance premium tax credit and penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 642), authorizing the rebate of state sales tax revenues to the owner or operator of a significant destination project.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.



**Committee Bill** (Formerly House Study Bill 751), relating to software and technology-related incentives and tax credits and including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

#### COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly House File 2381), relating to sealing juvenile court records.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House File 2516), relating to the reconsideration of the sentence of a person convicted of a felony.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 639), relating to the judicial branch including the assessment of court fees and costs.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 676), relating to medical malpractice, including insurance and tax-related matters, and providing a retroactive applicability provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

**Committee Bill** (Formerly House Study Bill 719), relating to the judicial branch and court administration and procedure and providing a penalty.

Fiscal note is not required.

Recommended **Amend and Do Pass** March 2, 2006.

#### COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly House File 2406), relating to jurisdiction of the natural resource commission over certain lakebeds and riverbeds.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

**Committee Bill** (Formerly House Study Bill 622), relating to the regulation of all-terrain vehicles, and providing penalties.

Fiscal Note is required.

Recommended **Do Pass** March 1, 2006.

#### COMMITTEE ON STATE GOVERNMENT

**House File 2162**, a bill for an act relating to the scope of rulemaking authority delegated to an administrative agency.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

**House File 2215**, a bill for an act relating to requests for regulatory analysis of administrative rules.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

#### COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House File 2460), relating to a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 6, 2006.

#### AMENDMENTS FILED

H—8088	H.F.	2521	Hunter of Polk
H—8089	H.F.	2558	Kuhn of Floyd
H—8091	H.F.	2521	Berry of Black Hawk Hogg of Linn
H—8092	H.F.	2527	D. Olson of Boone
H—8095	H.F.	2558	Mascher of Johnson

H—8096	H.F.	2558	Hogg of Linn
H—8097	H.F.	2510	Eichhorn of Hamilton
H—8098	H.F.	2638	Smith of Marshall
H—8099	H.F.	2595	Thomas of Clayton
H—8100	H.F.	2558	T. Taylor of Linn
H—8101	H.F.	2558	T. Taylor of Linn
H—8103	H.F.	2521	Hunter of Polk
H—8104	H.F.	2660	Committee on Judiciary
H—8107	H.F.	2521	Reichert of Muscatine
H—8108	H.F.	2558	Reichert of Muscatine
H—8109	H.F.	2521	Ford of Polk
H—8111	H.F.	2587	Sands of Louisa
H—8112	H.F.	2521	Hunter of Polk
H—8113	H.F.	2521	Hunter of Polk
H—8114	H.F.	2521	Hunter of Polk
H—8115	H.F.	2521	Hunter of Polk
H—8116	H.F.	2521	Hunter of Polk
H—8117	H.F.	2558	T. Taylor of Linn
H—8119	H.F.	2513	Jochum of Dubuque
H—8120	H.F.	2594	Jochum of Dubuque
H—8121	H.F.	2527	Shoultz of Black Hawk Kressig of Black Hawk
H—8122	H.F.	2521	T. Taylor of Linn
H—8123	H.F.	2558	T. Taylor of Linn
H—8124	H.F.	2558	Kuhn of Floyd
H—8125	H.F.	2457	Anderson of Page
H—8126	H.F.	2521	Kuhn of Floyd Heddens of Story
H—8127	H.F.	2515	Paulsen of Linn

On motion by Gipp of Winneshiek the House adjourned at 9:40 p.m., until 8:45 a.m., Tuesday, March 7, 2006.

# JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day - Fortieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, March 7, 2006

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

Prayer was offered by Reverend Dennis St. Lawrence, pastor of Grace Baptist Church, Chariton. He was the guest of Representative Rich Arnold of Lucas County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, March 6, 2006 was approved.

## INTRODUCTION OF BILLS

**House Joint Resolution 2006**, by Eichhorn, a joint resolution nullifying administrative rules relating to the mandatory reporting of certain acts or omissions by persons licensed by the Iowa board of dental examiners and providing an effective date.

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

**House File 2663**, by committee on natural resources, a bill for an act relating to jurisdiction of the natural resource commission over certain lakebeds and riverbeds.

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

**House File 2664**, by committee on natural resources, a bill for an act relating to the regulation of all-terrain vehicles, and providing penalties.

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

**House File 2665**, by committee on state government, a bill for an act concerning the line of duty death benefit payable to public safety providers.

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

**House File 2666**, by committee on economic growth, a bill for an act establishing an economic enterprise area infrastructure fund and making appropriations.

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

**House File 2667**, by committee on economic growth, a bill for an act relating to the establishment of small business development centers and making appropriations.

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

**House File 2668**, by committee on public safety, a bill for an act providing for the licensure of operators authorized to use and explode fireworks and making penalties applicable.

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

**House File 2669**, by committee on veterans affairs, a bill for an act exempting military duty and retirement pay received from the federal government by members of the armed forces from the individual income tax and including a retroactive applicability date provision.

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

**House File 2670**, by committee on state government, a bill for an act concerning community foundations and economic development relating to the endow Iowa tax credit, the allocation of gambling tax revenues, making an appropriation, and providing an effective date.

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

**House File 2671**, by committee on commerce, regulation and labor, a bill for an act relating to illegal aliens of the United States

including restricting the allocation of housing trust fund moneys, prohibiting the servicing of first mortgages, relating to employment, and providing for penalties.

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

**House File 2672**, by committee on human resources, a bill for an act relating to payment of attorney fees in termination of parental rights proceedings, providing an effective date, and providing for retroactive applicability.

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

**House File 2673**, by committee on human resources, a bill for an act relating to the establishment of a family success counseling demonstration program.

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

**House File 2674**, by committee on judiciary, a bill for an act relating to indecent exposure and providing penalties.

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

**House File 2675**, by committee on judiciary, a bill for an act relating to the reconsideration of the sentence of a person convicted of a felony.

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

**House File 2676**, by committee on judiciary, a bill for an act relating to sealing and confidentiality of juvenile court records.

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

**House File 2677**, by committee on public safety, a bill for an act relating to accidental disability retirement benefits for a peace officer who is exposed to noxious substances.

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

**House File 2678**, by committee on public safety, a bill for an act relating to citations issued to persons under the age of eighteen for alcohol-related offenses and parental and school notification.

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

The House stood at ease at 8:51 a.m., until the fall of the gavel.

The House resumed session at 9:59 a.m., Speaker pro tempore Carroll in the chair.

**CONSIDERATION OF BILLS**  
**Appropriations Calendar**

**House File 2558**, a bill for an act relating to and making appropriations to the justice system and providing an effective date, was taken up for consideration.

Mascher of Johnson offered the following amendment H-8095 filed by her and moved its adoption:

H-8095

- 1 Amend House File 2558 as follows:
- 2 1. Page 1, by striking line 22 and inserting the
- 3 following:
- 4 "..... \$ 205,000"

Roll call was requested by Mascher of Johnson and T. Taylor of Linn.

On the question "Shall amendment H-8095 be adopted?" (H.F. 2558)

The ayes were, 48:

Bell	Berry	Bukta	Cphoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Maddox	Mascher	McCarthy
Mertz	Miller	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor

Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

The nays were, 49:

Alons	Anderson	Arnold	Boal
Chambers	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Freeman
Gipp	Granzow	Greiner	Heaton
Hoffman	Horbach	Huseman	Hutter
Jacobs	Jenkins	Jones	Kaufmann
Kurtenbach	Lalk	Lukan	May
Olson, S.	Paulsen	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wilderdyke
Carroll, Presiding			

Absent or not voting, 3:

Baudler	Murphy	Zirkelbach
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Amendment H-8095 lost.

T. Taylor of Linn offered the following amendment H-8100 filed by him and moved its adoption:

H-8100

- 1 Amend House File 2558 as follows:
- 2 1. Page 5, by striking line 28 and inserting the
- 3 following:
- 4 ..... "\$ 28,997,360"
- 5 2. Page 5, by striking line 32 and inserting the
- 6 following:
- 7 " ..... "\$ 26,150,267"
- 8 3. Page 6, by striking line 5 and inserting the
- 9 following:
- 10 " ..... "\$ 8,604,680"
- 11 4. Page 6, by striking line 18 and inserting the
- 12 following:
- 13 ..... " \$ 14,974,976"
- 14 5. Page 7, by striking line 9 and inserting the
- 15 following:
- 16 ..... " \$ 3,935,025"
- 17 6. Page 10, by striking line 30 and inserting the
- 18 following:
- 19 ..... "\$ 11,248,779"



20	7. Page 11, by striking line 1 and inserting the	
21	following:	
22	.....	"\$ 8,931,030"
23	8. Page 11, by striking line 7 and inserting the	
24	following:	
25	.....	"\$ 5,292,569"
26	9. Page 11, by striking line 13 and inserting the	
27	following:	
28	.....	"\$ 4,817,061"
29	10. Page 11, by striking line 21 and inserting	
30	the following:	
31	.....	"\$ 16,352,504"
32	11. Page 11, by striking line 27 and inserting	
33	the following:	
34	.....	"\$ 11,160,686"
35	12. Page 11, by striking line 33 and inserting	
36	the following:	
37	.....	" \$ 6,354,678"
38	13. Page 12, by striking line 4 and inserting the	
39	following:	
40	.....	" \$ 6,408,344"

Speaker Rants in the chair at 10:22 a.m.

Roll call was requested by T. Taylor of Linn and Heddens of Story.

On the question "Shall amendment H-8100 be adopted?" (H.F. 2558)

The ayes were, 48:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevort	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

The nays were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Carrroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow

Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wilderdryke	Mr. Speaker		
	Rants		

Absent or not voting, 2:

Struyk                      Zirkelbach

Amendment H-8100 lost.

T. Taylor of Linn offered the following amendment H-8101 filed by him and moved its adoption:

H-8101

- 1 Amend House File 2558 as follows:
- 2 1. Page 5, by striking line 28 and inserting the
- 3 following:
- 4 ..... "\$ 31,562,062"

Amendment H-8101 lost.

Hogg of Linn offered the following amendment H-8096 filed by him and moved its adoption:

H-8096

- 1 Amend House File 2558 as follows:
- 2 1. Page 19, line 13, by inserting after the word
- 3 "support," the following: "overtime pay,".
- 4 2. Page 19, by striking line 19 and inserting the
- 5 following:
- 6 "..... \$ 45,885,618"

Roll call was requested by Hogg of Linn and T. Taylor of Linn.

On the question "Shall amendment H-8096 be adopted?" (H.F. 2558)

The ayes were, 49:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Maddox	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Shultz	Smith	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise			

The nays were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	May	Olson, S.	Paulsen
Raecker	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wildurdyke	Mr. Speaker		
	Rants		

Absent or not voting, 1:

Zirkelbach

Amendment H-8096 lost.

Reichert of Muscatine offered the following amendment H-8108 filed by him and moved its adoption:

H-8108

- 1 Amend House File 2558 as follows:
- 2 1. Page 20, by inserting after line 16 the
- 3 following:
- 4 "\_\_\_\_\_. For a sex offender compliance grant program:
- 5 ..... \$ 2,000,000
- 6 The moneys appropriated in this subsection shall be

7 used by local authorities to determine whether sex  
 8 offenders are complying with the registration  
 9 requirements and residency restrictions imposed under  
 10 Code chapter 692A. A local authority may apply to the  
 11 department for a grant to cover additional law  
 12 enforcement measures undertaken to determine sex  
 13 offender compliance with Code chapter 692A in the  
 14 authority's community."  
 15 2. By renumbering as necessary.

### SPECIAL PRESENTATION

Speaker pro tempore Carroll introduced to the House the Honorable Phil Tyrrell former state representative from Iowa County.

The House rose and expressed its welcome.

Roll call was requested by Reichert of Muscatine and T. Taylor of Linn.

On the question "Shall amendment H-8108 be adopted?" (H.F. 2558)

The ayes were, 48:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.

Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wildurdyke	Mr. Speaker	
		Rants	

Absent or not voting, 1:

Zirkelbach

Amendment H-8108 lost.

Kuhn of Floyd offered the following amendment H-8124 filed by him and moved its adoption:

H-8124

1 Amend House File 2558 as follows:  
 2 1. Page 21, by striking lines 3 and 4 and  
 3 inserting the following:  
 4 ..... " \$ 1,076,452  
 5 ..... FTEs 27.90"

Amendment H-8124 lost.

Kuhn of Floyd offered the following amendment H-8089 filed by him and moved its adoption:

H-8089

1 Amend House File 2558 as follows:  
 2 1. Page 21, by inserting after line 7 the  
 3 following:  
 4 "Sec. \_\_. HOMELAND SECURITY-EMERGENCY PLANNER.  
 5 There is appropriated from the general fund of the  
 6 state to the administrator of the homeland security  
 7 and emergency management division of the department of  
 8 public defense for the fiscal year beginning July 1,  
 9 2006, and ending June 30, 2007, the following amount,  
 10 or so much thereof as is necessary, to be used for the  
 11 purposes designated:  
 12 For the employment of an emergency planner for the  
 13 capitol complex, including salaries, support,  
 14 maintenance, miscellaneous purposes, and for not more  
 15 than the following full-time equivalent positions:  
 16 ..... \$ 82,300  
 17 ..... FTEs 1.00"

Roberts of Carroll in the chair at 11:11 a.m.

A non-record roll call was requested.

The ayes were 45, nays 48.

Amendment H-8089 lost.

T. Taylor of Linn asked and received unanimous consent to withdraw amendment H-8117 filed by him on March 6, 2006.

T. Taylor of Linn offered the following amendment H-8123 filed by him and moved its adoption:

H-8123

1 Amend House File 2558 as follows:  
 2 1. Page 22, line 3, by inserting after the word  
 3 "companies." the following: "The employee mileage  
 4 reimbursement under section 8A.363 for the use of a  
 5 personal vehicle for the fiscal year shall be at least  
 6 the maximum allowable under the federal internal  
 7 revenue service rules per mile, and the reimbursement  
 8 rates for per diem allowances shall also provide the  
 9 maximum allowable during the fiscal year under the  
 10 federal travel regulations for government travel  
 11 applicable to the appropriate type of expense."

Amendment H-8123 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. 2558)

The ayes were, 54:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Carroll	Chambers
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Freeman	Gipp
Granzow	Greiner	Heaton	Hoffman
Horbach	Huseman	Huser	Hutter
Jacobs	Jenkins	Jones	Kaufmann
Kurtenbach	Lalk	Lukan	Maddox

May	McCarthy	Olson, S.	Paulsen
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wildurdyke	Roberts, Presiding		

The nays were, 45:

Berry	Bukta	Cphoon	Dandekar
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Jacoby	Jochum	Kressig
Kuhn	Lensing	Lykam	Mascher
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Shoultz	Smith	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise			

Absent or not voting, 1:

Zirkelbach

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

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2558** be immediately messaged to the Senate.

**House File 2521**, 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 and providing an effective date, was taken up for consideration.

Gipp of Winneshiek asked and received unanimous consent that House File 2521 be deferred and that the bill retain its place on the calendar.

On motion by Gipp of Winneshiek, the House was recessed at 11:49 a.m., until 12:45 p.m.

## AFTERNOON SESSION

The House reconvened at 12:46 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 fifty-two members present, forty-eight absent.

## INTRODUCTION OF BILLS

**House File 2679**, by committee on agriculture, a bill for an act relating to agricultural drainage wells by providing for the implementation of water quality practices as an alternative to constructing alternative drainage systems.

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

**House File 2680**, by committee on economic growth, a bill for an act relating to criteria and funding for certain economic development regions.

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

**House File 2681**, by committee on commerce, regulation and labor, a bill for an act relating to workers' compensation liability for injuries sustained in the course of employment.

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

**House File 2682**, by committee on commerce, regulation and labor, a bill for an act relating to the renewable energy tax credit program including providing for the extension of certain eligibility deadlines and operational requirements for eligible facilities.

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

**House File 2683**, by committee on economic growth, a bill for an act relating to certain Iowa individual income tax checkoffs involving



community development and fire fighter preparedness, making appropriations, and providing for the Act's retroactive applicability.

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

**House File 2684**, by committee on economic growth, a bill for an act relating to investment tax credits for investments in targeted small businesses.

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

**House File 2685**, by committee on agriculture, a bill for an act relating to state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions.

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

**House File 2686**, by committee on commerce, regulation and labor, a bill for an act providing for technical and substantive changes relating to the Iowa communications network.

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

**House File 2687**, by committee on judiciary, a bill for an act relating to the prosecution of certain criminal offenses and the gathering of evidence for prosecution.

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

**House File 2688**, by committee on public safety, a bill for an act relating to the issuance of permits to carry weapons.

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

**House File 2689**, by committee on appropriations, a bill for an act relating to assessing court costs, providing for indigent defense, and making appropriations to the judicial branch and department of inspections and appeals.

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

The House resumed consideration of House File 2521, previously deferred.

Pettengill of Benton offered the following amendment H-8113 filed by Hunter of Polk and moved its adoption:

H-8113

- 1 Amend House File 2521 as follows:
- 2 1. Page 1, by striking lines 12 and 13, and
- 3 inserting the following:
- 4 ..... "\$ 5,968,840
- 5 ..... FTEs 451.68"

Amendment H-8113 lost.

Hogg of Linn offered amendment H-8063 filed by him as follows:

H-8063

- 1 Amend House File 2521 as follows:
- 2 1. Page 1, by striking lines 17 through 21 and
- 3 inserting the following: "It is the intent of the
- 4 general assembly that the department shall reduce
- 5 utility costs through energy conservation practices.
- 6 The goal of the general assembly is to reduce energy
- 7 use by ten percent to save money, conserve energy
- 8 resources, and reduce pollution. Notwithstanding
- 9 section 8.33, any appropriated funds not expended for
- 10 utility costs shall not revert to the general fund of
- 11 the state at the end of the fiscal year but shall be
- 12 appropriated to the utilities division of the
- 13 department of commerce for public education, training,
- 14 volunteer recruitment, and specific energy
- 15 conservation improvements in support of the goals of
- 16 the Iowa weatherization challenge of the Iowa
- 17 utilities board."

Sands of Louisa offered the following amendment H-8132, to amendment H-8063, filed by him and Hogg of Linn from the floor and moved its adoption:

H-8132

- 1 Amend the amendment, H-8063, to House File 2521 as
- 2 follows:
- 3 1. Page 1, line 8, by striking the word
- 4 "Notwithstanding".
- 5 2. Page 1, by striking lines 9 through 17.

Amendment H-8132 was adopted.

On motion by Hogg of Linn amendment H-8063, as amended, was adopted.

Hunter of Polk asked and received unanimous consent that amendment H-8112 be deferred.

Reichert of Muscatine offered the following amendment H-8107 filed by him and moved its adoption:

H-8107

- 1 Amend House File 2521 as follows:
- 2 1. Page 8, line 8, by striking the word "amount"
- 3 and inserting the following: "amounts".
- 4 2. Page 8, line 10, by inserting before the word
- 5 "For" the following: "a."
- 6 3. Page 8, by inserting after line 16 the
- 7 following:
- 8 "b. To supplement the amount appropriated for the
- 9 federal Edward Byrne memorial justice assistance grant
- 10 program in 2006 Iowa Acts, House File 2238, section 7,
- 11 if enacted, in order to restore a reduction in federal
- 12 funding:
- 13 ..... \$ 1,121,266
- 14 If funds received from the federal government that
- 15 may be used for the purposes of the grant program
- 16 exceed \$2 million, then the amount appropriated in
- 17 this lettered paragraph is reduced by the amount of
- 18 the excess federal funds received."
- 19 4. By renumbering as necessary.

Roll call was requested by Reichert of Muscatine and Whitead of Woodbury.

On the question "Shall amendment H-8107 be adopted?" (H.F. 2521)

The ayes were, 48:

Bell	Berry	Bukta	Cphoon
Dandekar	Davitt	Fallon	Foegen
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz

Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

The nays were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Greiner
Heaton	Horbach	Huseman	Hutter
Jacobs	Jenkins	Jones	Kaufmann
Kurtenbach	Lalk	Lukan	Maddox
May	Olson, S.	Paulsen	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wilderdyke	Dix, Presiding		

Absent or not voting, 2:

Hoffman	Zirkelbach
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Amendment H-8107 lost.

Ford of Polk offered the following amendment H-8109 filed by him and moved its adoption:

H-8109

- 1 Amend House File 2521 as follows:
- 2 1. Page 8, by striking line 15 and inserting the
- 3 following:
- 4 ..... " \$ 453,283"

Roll call was requested by Ford of Polk and Hunter of Polk.

On the question "Shall amendment H-8109 be adopted?" (H.F. 2521)

The ayes were, 48:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foegel

Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
Maddox	May	Olson, S.	Paulsen
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wildurdyke	Dix, Presiding	

Absent or not voting, 1:

Zirkelbach

Amendment H-8109 lost.

Ford of Polk offered the following amendment H-8077 filed by him and moved its adoption:

H-8077

- 1 Amend House File 2521 as follows:
- 2 1. Page 9, by striking lines 12 and 13, and
- 3 inserting the following:
- 4 "For salaries, support, maintenance, and
- 5 miscellaneous purposes, and for not more than the
- 6 following full-time equivalent position:
- 7 ..... \$ 485,000
- 8 .....FTEs 1.00"
- 9 2. Page 9, by striking line 24 and inserting the
- 10 following:
- 11 ".....\$ 485,000"
- 12 3. Page 10, by striking line 2 and inserting the

13 following:

14 ".....\$ 485,000"

Roll call was requested by Ford of Polk and Hunter of Polk.

On the question "Shall amendment H-8077 be adopted?" (H.F. 2521)

The ayes were, 49:

Bell	Berry	Bukta	Cphoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Maddox	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Shoultz	Smith	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise			

The nays were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
May	Olson, S.	Paulsen	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wildurdyke	Dix,		
	Presiding		

Absent or not voting, 1:

Zirkelbach

Amendment H-8077 lost.

Hunter of Polk offered the following amendment H-8116 filed by him and moved its adoption:

H-8116

- 1 Amend House File 2521 as follows:
- 2 1. Page 9, by striking lines 12 and 13, and
- 3 inserting the following:
- 4 "For salaries, support, maintenance, and
- 5 miscellaneous purposes, and for not more than the
- 6 following full-time equivalent position:
- 7 ..... \$ 86,000
- 8 ..... FTEs 1.00"

Amendment H-8116 lost.

Kuhn of Floyd offered the following amendment H-8126 filed by him and Heddens of Story and moved its adoption:

H-8126

- 1 Amend House File 2521 as follows:
- 2 1. Page 9, line 15, by inserting before the word
- 3 "For" the following: "a."
- 4 2. Page 9, by inserting after line 19 the
- 5 following:
- 6 "b. To provide for the review and assessment of
- 7 all buildings and structures owned by the state, or an
- 8 agency of the state, to ensure that such buildings and
- 9 structures are in compliance with the federal
- 10 Americans With Disabilities Act:
- 11 ..... \$ 50,000
- 12 The division of persons with disabilities shall
- 13 gather information and review plans on all buildings
- 14 and structures owned by the state, or an agency of the
- 15 state concerning compliance. The division of persons
- 16 with disabilities shall make on-site inspections of
- 17 capitol-complex buildings. The division of persons
- 18 with disabilities shall assess the progress made
- 19 toward compliance, make recommendations for
- 20 alterations or improvements needed to bring state
- 21 buildings and structures into compliance, and a
- 22 timeline therefore.
- 23 The division of persons with disabilities shall
- 24 consult with the state building code commissioner and
- 25 the director of the department of administrative
- 26 services in conducting such review and assessment.
- 27 The division of persons with disabilities shall
- 28 report the results of such review and assessment,
- 29 including a plan, recommendations, and a timeline for
- 30 bringing all state buildings and structures into
- 31 compliance and, in consultation with the state
- 32 building code commissioner and the department of
- 33 administrative services, the division of persons with
- 34 disabilities shall report to the joint appropriations

35 subcommittee on transportation, infrastructure, and  
 36 capitals and the legislative services agency on or  
 37 before January 1, 2007, an estimate of the cost to  
 38 bring the state's buildings and structures into  
 39 compliance."  
 40 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 45, nays 48.

Amendment H-8126 lost.

Gaskill of Wapello offered the following amendment H-8115 filed by Hunter of Polk and moved its adoption:

H-8115

1 Amend House File 2521 as follows:  
 2 1. Page 9, by striking line 31 and inserting the  
 3 following:  
 4 ..... " \$ 452,501"  
 5 2. Page 9, by inserting after line 32 the  
 6 following:  
 7 "a. Of the moneys appropriated in this subsection,  
 8 \$93,000 shall be used for preemployment services for  
 9 the Iowans in transition program.  
 10 b. Of the moneys appropriated in this subsection,  
 11 \$24,000 shall be used for training on issues of  
 12 violence against women."  
 13 3. By renumbering as necessary.

Paulsen of Linn in the chair at 2:09 p.m.

Roll call was requested by Hunter of Polk and Gaskill of Wapello.

On the question "Shall amendment H-8115 be adopted?" (H.F. 2521)

The ayes were, 48:

- |          |         |          |         |
|----------|---------|----------|---------|
| Bell     | Berry   | Bukta    | Cohoon  |
| Dandekar | Davitt  | Fallon   | Foege   |
| Ford     | Frevert | Gaskill  | Heddens |
| Hogg     | Hunter  | Huser    | Jacoby  |
| Jochum   | Kressig | Kuhn     | Lensing |
| Lykam    | Mascher | McCarthy | Mertz   |



Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdye	Paulsen, Presiding	

Absent or not voting, 1:

Zirkelbach

Amendment H-8115 lost.

Hunter of Polk offered the following amendment H-8114 filed by him and moved its adoption:

H-8114

- 1 Amend House File 2521 as follows:
- 2 1. Page 10, by striking lines 2 and 3, and
- 3 inserting the following:
- 4 ..... "\$ 171.655
- 5 ..... FTEs 3.00"

Amendment H-8114 lost.

Berry of Black Hawk offered the following amendment H-8091 filed by her and Hogg of Linn and moved its adoption:

H-8091

1 Amend House File 2521 as follows:

2 1. Page 10, by striking line 8 and inserting the  
3 following:

4 "..... \$ 1,598,026"

5 2. Page 10, by inserting after line 9 the  
6 following:

7 "Of the moneys appropriated in this subsection, at  
8 least \$500,000 shall be used by the criminal and  
9 juvenile justice planning division to establish a  
10 competitive grant program to expand the availability  
11 of before and after school programs. All school  
12 districts shall be eligible to apply for a grant from  
13 the program. Grant applications for expanding the  
14 availability of a before and after school program  
15 shall be assessed by the division on whether the  
16 program targets at-risk children; demonstrates  
17 partnerships and collaboration with not-for-profit  
18 community organizations; indicates that the school  
19 district and organizations have qualified staff and  
20 training for the program; provides for a safe and  
21 engaging environment; combines academic, enrichment,  
22 cultural, and recreational activities in year-round,  
23 age-appropriate activities; provides for no less than  
24 a twenty percent local match; and demonstrates that  
25 the school district can sustain the program after the  
26 grant is exhausted."

Roll call was requested by Berry of Black Hawk and T. Taylor of Linn.

On the question "Shall amendment H-8091 be adopted?" (H.F. 2521)

The ayes were, 48:

Bell	Berry	Bukta	Cphoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Paulsen, Presiding	

Absent or not voting, 1:

Zirkelbach

Amendment H-8091 lost.

Hunter of Polk offered the following amendment H-8088 filed by him and moved its adoption:

H-8088

- 1 Amend House File 2521 as follows:
- 2 1. Page 11, by striking lines 10 and 11 and
- 3 inserting the following:
- 4 "..... \$ 2,508,609
- 5 ".....FTEs 127.25"

Roll call was requested by Hunter of Polk and T. Taylor of Linn.

On the question "Shall amendment H-8088 be adopted?" (H.F. 2521)

The ayes were, 47:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foegel
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Shoultz
Smith	Swaim	Taylor, D.	Taylor, T.

Thomas Whitead	Wendt Winckler	Wessel-Kroeschell Wise	Whitaker
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The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Paulsen, Presiding	

Absent or not voting, 2:

Jochum	Zirkelbach
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Amendment H-8088 lost.

T. Taylor of Linn offered the following amendment H-8122 filed by him and moved its adoption:

H-8122

- 1 Amend House File 2521 as follows:
- 2 1. Page 18, line 7, by inserting after the word
- 3 "companies." the following: "The employee mileage
- 4 reimbursement under section 8A.363 for the use of a
- 5 personal vehicle for the fiscal year shall be at least
- 6 the maximum allowable under the federal internal
- 7 revenue service rules per mile, and the reimbursement
- 8 rates for per diem allowances shall also provide the
- 9 maximum allowable during the fiscal year under the
- 10 federal travel regulations for government travel
- 11 applicable to the appropriate type of expense."

Amendment H-8122 lost.

Hunter of Polk offered the following amendment H-8103 filed by him and moved its adoption:

H-8103

- 1 Amend House File 2521 as follows:
- 2 1. Page 21, by inserting after line 33 the
- 3 following:
- 4 "Sec. \_\_\_\_\_. Section 11.5B, Code 2005, is repealed."
- 5 2. By renumbering as necessary.

Amendment H-8103 lost.

Hunter of Polk offered the following amendment H-8112, previously deferred, filed by him and moved its adoption:

H-8112

- 1 Amend House File 2521 as follows:
- 2 1. Page 3, by inserting after line 27 the
- 3 following:
- 4 "As a condition of receiving this appropriation,
- 5 the auditor of state shall submit a report by January
- 6 15, 2007, to the joint legislative government
- 7 oversight committee and the co-chairpersons and
- 8 ranking members of the legislative joint
- 9 appropriations subcommittee on administration and
- 10 regulation concerning audits conducted by the auditor
- 11 for the fiscal period commencing July 1, 2003, and
- 12 ending June 30, 2006. The report shall include a
- 13 detailed accounting of the time spent on conducting
- 14 audits for state and local government entities to
- 15 include the billable hours charged to each
- 16 governmental entity and the rates charged to each
- 17 governmental entity, if applicable, for the billable
- 18 hours. The report shall include information as to how
- 19 the rates for governmental entities are determined."

Amendment H-8112 lost.

Dix of Butler in the chair at 3:06 p.m.

Paulsen of Linn in the chair at 3:08 p.m.

Sands of Louisa moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2521)

The ayes were, 53:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Hogg
Horbach	Huseman	Hutter	Jacobs
Jenkins	Jochum	Jones	Kaufmann
Kurtenbach	Lalk	Lukan	Maddox
May	Olson, S.	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wildurdyke
Paulsen, Presiding			

The nays were, 45:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hunter	Huser	Jacoby	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Shoultz	Smith
Swaim	Taylor, D.	Thomas	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise			

Absent or not voting, 2:

Taylor, T.                      Zirkelbach

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, 2006, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2365, a bill for an act relating to committing disorderly conduct near a military funeral, memorial service, funeral procession, or burial, and providing penalties.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2207, a bill for an act relating to the publication of official notices in English language newspapers.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2249, a bill for an act relating to the rights and responsibilities of a person providing family foster care.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2288, a bill for an act providing for postsecondary education subsidy upon a finding of paternity.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2289, a bill for an act relating to identification of publicly owned motor vehicles used by persons who provide off-site or in-home medical or mental health services.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2290, a bill for an act relating to the payment of costs of reasonable attorney fees and other expenses related to certain paternity and adoption proceedings.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2296, a bill for an act relating to dogs, including the right to kill a tagged dog and the liability of a dog's owner for damages caused by the dog.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2299, a bill for an act relating to credit unions and other financial organizations by providing for public funds requirements, membership qualifications, and preservation of records.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2304, a bill for an act relating to indigent defense claims and the reimbursement of costs in juvenile cases paid by a county.

MICHAEL E. MARSHALL, Secretary

## IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2521** be immediately messaged to the Senate.

## Unfinished Business Calendar

**Senate File 2232**, 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 road use tax fund and the primary road fund, with report of committee recommending passage, was taken up for consideration.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8075 filed by him on March 3, 2006.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8076 filed by him on March 3, 2006, placing out of order amendment H-8133 filed by Baudler of Adair from the floor.

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?" (S.F. 2232)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foegen
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.



Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Paulsen, Presiding	

The nays were, 2:

Fallon                      Hogg

Absent or not voting, 3:

Taylor, T.                  Tomenga                  Zirkelbach

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

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **Senate File 2232** be immediately messaged to the Senate.

The House stood at ease at 3:24 p.m., until the fall of the gavel.

The House resumed session at 4:21 p.m., Speaker Rants in the chair.

### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed fifty-three members present, forty-seven absent.

### INTRODUCTION OF BILLS

**House File 2690**, by committee on education, a bill for an act relating to teacher salaries by increasing beginning and career teacher minimum salary levels and creating a teacher shortage salary supplement and making appropriations.

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

**House File 2691**, by committee on public safety, a bill for an act concerning the department of public defense, including the military, civil air patrol, and homeland security and emergency management, and making an appropriation and providing penalties.

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

**House File 2692**, by committee on judiciary, a bill for an act relating to the assessment of a civil penalty when a person receives a deferred judgment in a criminal proceeding.

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

**House File 2693**, by committee on judiciary, a bill for an act relating to the voting requirements for actions by the administrative rules review committee.

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

**House File 2694**, by committee on judiciary, a bill for an act relating to an award of attorney fees in an action to enforce a mechanic's lien.

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

**House File 2695**, by committee on judiciary, a bill for an act relating to landlords and tenants including notice requirements to terminate a periodic tenancy, representation of an owner of residential rental property in small claims court, and service of a petition for forcible entry and detainer by publication.

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

**House File 2696**, by committee on public safety, a bill for an act relating to the disposal of a controlled substance.

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

**House File 2697**, by committee on public safety, a bill for an act relating to the confinement of a prisoner in a municipal holding facility or county jail.

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

**House File 2698**, by committee on state government, a bill for an act concerning the authority of customer councils regarding the funding and providing of services by the department of administrative services and providing an effective date.

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

### Regular Calendar

**House File 2361**, a bill for an act relating to energy conservation standards included in the state building code for new single-family or two-family residential construction, was taken up for consideration.

Wilderdike 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. 2361)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Murphy, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdike	Winckler	Wise	Mr. Speaker
			Rants

The nays were, none.

Absent or not voting, 4:

Dix                      Tjepkes                      Tomenga                      Zirkelbach

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

### HOUSE FILE 2079 WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw House File 2079 from further consideration by the House.

**House File 2397**, a bill for an act relating to an assault upon an employee of a jail or correctional institution, and providing a penalty, was taken up for consideration.

Dolecheck of Ringgold moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2397)

The ayes were, 90

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lukan	Lykam	Maddox
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts

Wendt	Whitaker	Whitead	Wilderdyke
Wise	Mr. Speaker		
	Rants		

The nays were, 7:

Hunter	Lensing	Mascher	Olson, R.
Shoultz	Wessel-Kroeschell	Winckler	

Absent or not voting, 3:

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

**House File 2398**, a bill for an act relating to criminal penalties for a driver convicted of failure to stop and render aid at the scene of a motor vehicle accident, was taken up for consideration.

Heddens 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. 2398)

The ayes were, 94:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven

Van Fossen, J.K.	Van Fossen, J.R.	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdryke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, 2:

Fallon	Olson, R.
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Absent or not voting, 4:

Dix	Tomenga	Watts	Zirkelbach
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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 2461**, a bill for an act updating the Code references to the Internal Revenue Code and including retroactive applicability and effective date provisions, was taken up for consideration.

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. 2461)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel

Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyeke	Winckler	Wise
Mr. Speaker			
Rants			

The nays were, none.

Absent or not voting, 3:

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

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2361, 2397, 2398 and 2461.**

### Regular Calendar

**House File 2541**, a bill for an act eliminating certain duties of the department of natural resources, was taken up for consideration.

S. Olson 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. 2541)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum

Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyeke	Winckler	Wise
Mr. Speaker			
Rants			

The nays were, none.

Absent or not voting, 3:

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

**House File 2465**, a bill for an act relating to the determination of the holding period for purposes of certain capital gains under the individual income tax and including effective and retroactive applicability date provisions, was taken up for consideration.

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. 2465)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter



Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Mr. Speaker			
Rants			

The nays were, none.

Absent or not voting, 3:

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

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2465 and 2541.**

### SENATE FILE 2253 REREFERRED

The Speaker announced that Senate File 2253, previously referred to committee on **judiciary** was **passed on file.**

### 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 7<sup>th</sup> day of March, 2006: House File 2238 and 2347.

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

- 2006\813 Florene Elgin Marlin, Davenport – For celebrating her 90<sup>th</sup> birthday.
- 2006\814 Mr. and Mrs. John Solbrig, Davenport – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2006\815 Mr. and Mrs. Allyn Adams, Davenport – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\816 Mr. and Mrs. Kenneth Jager, Davenport – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\817 Arlynn O'Connor, Sioux City – For celebrating her 85<sup>th</sup> birthday.
- 2006\818 Lois Conway, Tipton – For celebrating her 80<sup>th</sup> birthday.
- 2006\819 Bob and Hazel Von Muenster, Clarence – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\820 Dwaine and Ruby Brewington, Aurora – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2006\821 Frances Pint, Independence – For celebrating her 100<sup>th</sup> birthday.
- 2006\822 Helen Fischels, Gilbertville – For celebrating her 80<sup>th</sup> birthday.
- 2006\823 Ralph Pauley, Sr., Woodbine – For celebrating his 80<sup>th</sup> birthday.
- 2006\824 Evelyn Peterson, Logan – For celebrating her 90<sup>th</sup> birthday.
- 2006\825 Wayne and Regina Jones, Logan – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\826 Milton and Mary Niedermyer, Pisgah – For celebrating their 60<sup>th</sup> wedding anniversary.

- 2006\827      Ralph and Veronica Pauley, Woodbine – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\828      Harley and Janet Mether, Woodbine – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\829      Dale and Edith McHugh, Woodbine – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\830      Burnell and Charlotte Opperman, Oelwein – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\831      Gertrude McIntyre, Hawkeye – For celebrating her 90<sup>th</sup> birthday.
- 2006\832      Andrew Apodaca, Earlham – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\833      Mary Kramer Honrath, Larchwood – For celebrating her 90<sup>th</sup> birthday.
- 2006\834      Jennie Jansma, Rock Rapids – For celebrating her 95<sup>th</sup> birthday.
- 2006\835      Clarence and Jean Heidebrink, Hull – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\836      Marie Pool, Orient – For celebrating her 91<sup>st</sup> birthday.
- 2006\837      Marie Oxley, Creston – For celebrating her 85<sup>th</sup> birthday.
- 2006\838      Jack and Lorraine Tuel, Bayard – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\839      Marshall Koethe, Akron–Westfield High School – For winning 1<sup>st</sup> place in the 125 lb. weight class in the Class 1–A Division of the State Wrestling Tournament.
- 2006\840      Bill Hueser, George –For being inducted into the Iowa High School Athletic Association Hall of Fame.
- 2006\841      Ed Bramstedt, Alvord –For being named a member of the American Legion Dick DeBoer Post of Alvord for 60 years.
- 2006\842      Brandon Vogel, Central Lee High School –For receiving the D.A.R. Good Citizen Award.
- 2006\843      Katie Cochran, Fort Madison High School – For receiving the D.A.R. Good Citizen Award.
- 2006\844      Jennifer Devine, Fort Madison Holy Trinity High School – For receiving the D.A.R. Good Citizen Award.

- 2006\845 Eric Issacs, Keokuk High School – For receiving the D.A.R. Good Citizen Award.
- 2006\846 John and Ruth Glessner, State Center – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2006\847 Frank Rice, Ackley – For celebrating his 80<sup>th</sup> birthday.
- 2006\848 Herb Muhlenbruch, Dows – For celebrating his 80<sup>th</sup> birthday.
- 2006\849 Richard King, Woolstock – For celebrating his 80<sup>th</sup> birthday.
- 2006\850 Leona Antimuro, Webster City – For celebrating her 90<sup>th</sup> birthday.
- 2006\851 Jim Dougan, Hubbard – For celebrating his 85<sup>th</sup> birthday.
- 2006\852 Don and Lois Hanson, Eldora – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\853 Richard and Karen McNickle, Alden – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\854 Jonathon Walling, Hartley – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\855 Genevieve Burger, Gillett Grove – For celebrating her 80<sup>th</sup> birthday.
- 2006\856 Lela Anderson, Spencer – For celebrating her 85<sup>th</sup> birthday.
- 2006\857 Stella Rodenberg, Spirit Lake – For celebrating her 85<sup>th</sup> birthday.
- 2006\858 Jerry Gerard, Mason City – For celebrating his 93<sup>rd</sup> birthday.
- 2006\859 Gilbert Johnson, Mason City – For celebrating his 90<sup>th</sup> birthday.
- 2006\860 Katherine Hvattum, Mason City – For celebrating her 90<sup>th</sup> birthday.
- 2006\861 Clara Hermiston, Davenport – For celebrating her 80<sup>th</sup> birthday.
- 2006\862 Frances Meade, Davenport – For celebrating her 80<sup>th</sup> birthday.
- 2006\863 Paul W. Carroll, Davenport – For celebrating his 90<sup>th</sup> birthday.
- 2006\864 Faye Hui Bretse, Sanborn – For celebrating her 98<sup>th</sup> birthday.
- 2006\865 Morgan Peterman, South Page School District – For being the Overall Page County Spelling Bee winner.
- 2006\866 Bernard and Wealtha Mattes, Sidney – For celebrating their 70<sup>th</sup> wedding anniversary.

- 2006\867 Shirley and Dorothy Dudgeon, Clear Lake – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\868 Duane T. and Shirley D. Ballhagen, Rockwell – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\869 Dena Pals, Belmond – For celebrating her 95<sup>th</sup> birthday.
- 2006\870 Dallas W. Schear, Alexander – For celebrating his 80<sup>th</sup> birthday.
- 2006\871 Eva Norman, Hansell – For celebrating her 95<sup>th</sup> birthday.
- 2006\872 Seth Pugh, Columbus Junction – For winning 1<sup>st</sup> place in the 145 lb. weight class in the Class 2-A Division of the State Wrestling Tournament.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 2529**

Ways and Means: Struyk, Chair; Kaufmann, Paulsen, Quirk and Shomshor.

##### **House File 2568**

Ways and Means: Upmeyer, Chair; Kaufmann and Winckler.

##### **House File 2647**

Ways and Means: Kurtenbach, Chair; Quirk and Soderberg.

##### **House File 2688**

Ways and Means: Kurtenbach, Chair; Eichhorn and Quirk.

##### **Senate File 2147**

Ways and Means: Reasoner, Chair; Kaufmann and Soderberg.

##### **Senate File 2183**

Ways and Means: Struyk, Chair; Schueller and Soderberg.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

##### **House Study Bill 765**

Appropriations: Heaton, Chair; Roberts and Smith.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENT

##### **H.S.B. 765 Appropriations**

Relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund.

### 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 764), relating to and making appropriations to the department of human services, the department of elder affairs, the Iowa department of public health, the department of veterans affairs and the Iowa veterans home, and the department of inspections and appeals, providing for fee increases, and including other related provisions and appropriations, and providing effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 7, 2006.

#### COMMITTEE ON STATE GOVERNMENT

**House File 2380**, a bill for an act concerning disclosure of information by state employees to a member or employee of the general assembly.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

**House File 2394**, a bill for an act relating to the procedures for filing administrative rules.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

**House File 2424**, a bill for an act relating to the approval of emergency rulemaking by the governor.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

## RESOLUTIONS FILED

**HR 137**, by Hoffman, a resolution designating a Technology and Science Day in Iowa.

Laid over under **Rule 25**.

**HR 138**, by Mertz and Drake, a resolution supporting the proposal of Iowa State University to pursue the location of the national bio and agro-defense facility at the site of the current National Center for Animal Health in Ames, Iowa.

Laid over under **Rule 25**.

**HR 139**, by committee on commerce, regulation and labor, a resolution supporting the use of traffic roundabouts on Iowa's streets and highways.

Laid over under **Rule 25**.

**HR 140**, by D. Olson, Gaskill, Wessel-Kroeschell, Lensing, Jochum, T. Taylor, Mascher, Frevert, Schueller, Wise, Whitaker, Bukta, Murphy and Heddens, a resolution supporting efforts to promote comprehensive immigration reforms that encourage legal immigration, deter unauthorized immigration, promote economic growth, and ensure secure borders.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H—8130	H.F.	2515	Paulsen of Linn
H—8131	H.F.	2493	Freeman of Buena Vista
H—8134	H.F.	2332	Heaton of Henry
H—8135	H.F.	2332	Heaton of Henry
H—8136	H.F.	2612	Heddens of Story May of Dickenson Bell of Jasper

H—8137	H.F.	2365	Senate Amendment
H—8138	H.F.	2654	Tjepkes of Webster
H—8139	H.F.	2650	Hutter of Scott
H—8140	H.F.	2509	Ford of Polk

On motion by Gipp of Winneshiek the House adjourned at 4:59 p.m., until 8:45 a.m., Wednesday, March 7, 2006.



# JOURNAL OF THE HOUSE

Fifty-ninth Calendar Day - Forty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 8, 2006

The House met pursuant to adjournment at 8:46 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Loren Strait, pastor of Glen Echo Christian Church, Des Moines. He was the guest of Representative Janet Petersen of Polk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, March 7, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2699**, by committee on economic growth, a bill for an act creating a mathematics and science teacher practical experience incentive program and providing for a tax credit from withholding.

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

**House File 2700**, by committee on economic growth, a bill for an act relating to bioscience financial assistance and making an appropriation.

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

**House File 2701**, by committee on veterans affairs, a bill for an act providing hardship grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including an effective date and retroactive applicability provision.

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

**House File 2702**, by committee on economic growth, a bill for an act relating to alternative and renewable energy for purposes of economic development.

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

**House File 2703**, by committee on judiciary, a bill for an act relating to animal feeding operations, by providing for complaints.

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

**House File 2704**, by committee on state government, a bill for an act providing for the process of congressional and legislative redistricting.

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

**House File 2705**, by committee on state government, a bill for an act providing for changes relating to specified aspects of the operation of the department of administrative services.

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

**House File 2706**, by committee on state government, a bill for an act providing for the confidentiality of certain records relating to charitable donations for the benefit of a government body.

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

**House File 2707**, by committee on state government, a bill for an act concerning alcoholic beverage control relating to manufacturers providing free cleaning services to retailers.

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

**House File 2708**, by committee on veterans affairs, a bill for an act concerning the veterans trust fund by providing for the minimum balance necessary in order to expend funds from the veterans trust fund and providing for an annual report concerning the fund.

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

**House File 2709**, by committee on education, a bill for an act relating to the minimum hours of instructional school time in a school year for grades one through twelve for school districts, charter schools, and accredited nonpublic schools, and providing an effective date.

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

**House File 2710**, by committee on education, a bill for an act relating to the establishment of a statewide educational standards and accountability task force.

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

**House File 2711**, by committee on state government, a bill for an act relating to building regulations, by establishing an internet website in the office of the state building code commissioner and requiring local governmental entities to report the adoption or amendment of local building regulations, and providing an effective date.

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

**House File 2712**, by committee on state government, a bill for an act establishing a deferred retirement option plan for members of the statewide fire and police retirement system and including an implementation provision.

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

**House File 2713**, by committee on state government, a bill for an act changing the bid threshold requirement for certain public improvement contracts and providing for an effective date.

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

#### SENATE MESSAGES CONSIDERED

**Senate File 2207**, by committee on state government, a bill for an act relating to the publication of official notices in English language newspapers.

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

**Senate File 2249**, by committee on human resources, a bill for an act relating to the rights and responsibilities of a person providing family foster care.

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

**Senate File 2288**, by committee on judiciary, a bill for an act providing for a postsecondary education subsidy upon a finding of paternity.

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

**Senate File 2289**, by committee on transportation, a bill for an act relating to identification of publicly owned motor vehicles used by persons who provide off-site or in-home medical or mental health services.

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

**Senate File 2290**, by committee on judiciary, a bill for an act relating to the payment of costs of reasonable attorney fees and other expenses related to certain paternity and adoption proceedings.

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

**Senate File 2296**, by committee on judiciary, a bill for an act relating to dogs, including the right to kill a tagged dog and the liability of a dog's owner for damages caused by the dog.

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

**Senate File 2299**, by committee on commerce, a bill for an act relating to credit unions and other financial organizations by providing for public funds requirements, membership qualifications, and preservation of records.

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

**Senate File 2304**, by committee on judiciary, a bill for an act relating to indigent defense claims and the reimbursement of costs in juvenile cases paid by a county.

Read first time and **passed on file**.

### 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 8, 2006, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 104, a concurrent resolution designating March 2006 as Iowa Women's History Month.

MICHAEL E. MARSHALL, Secretary

### SPECIAL PRESENTATION

Speaker pro tempore Carroll introduced to the House Bill Walling, the retiring Postmaster of the Iowa House of Representatives, and thanked him for his 15 years of service.

The House rose and expressed its appreciation.

### CONSIDERATION OF HOUSE CONCURRENT RESOLUTION 108

Winckler of Scott called up for consideration **House Concurrent Resolution 108**, a concurrent resolution designating March 2006 as Iowa Women's History Month.

### SENATE CONCURRENT RESOLUTION 104 SUBSTITUTED FOR HOUSE CONCURRENT RESOLUTION 108

Gipp of Winneshiek asked and received unanimous consent to substitute Senate Concurrent Resolution 104 for House Concurrent Resolution 108.

Winckler of Scott called up for consideration **Senate Concurrent Resolution 104**, a concurrent resolution designating March 2006 as Iowa Women's History Month, and moved its adoption.

The motion prevailed and the resolution was adopted.

## SPECIAL PRESENTATION

In celebration of "March Women's History Month", the Iowa Commission on the Status of Women, the Iowa Department of Education and the State Historical Society of Iowa sponsored a "Write Women Back Into History" essay contest. Maddox of Polk and Winckler of Scott presented the following winners of the contest:

## Sixth and Seventh Grade Category

First Place — Emily Wrider, Harding Middle School, Cedar Rapids.

Second Place — Stephanie Wenclawski, Harding Middle School, Cedar Rapids.

Third Place — Fontavia Reynolds, Waukee Middle School.

## Eighth and Ninth Grade Category

First Place — Paul Hayden, Thomas Jefferson High School, Council Bluffs.

Second Place — Amanda de Neui, Dunkerton Community School.

Third Place — Rachel Kuenning, Thomas Jefferson High School, Council Bluffs.

Best Essays on Women in Science and Engineering  
Six and Seventh Grade Category

First Place — Connor Steffens, Prairie Middle School, Cedar Rapids.

## Eighth and Ninth Grade Category

First Place — Allison MacKay, Urbandale Middle School, Urbandale.

Second Place — Tess Myer and Mount Ayr Community High School.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Dix of Butler on request of Gipp of Winneshiek.

## HOUSE CONCURRENT RESOLUTION 108 WITHDRAWN

Gipp of Winneshiek asked and received unanimous consent to withdraw House Concurrent Resolution 108 from further consideration by the House.

## IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **Senate Concurrent Resolution 104** be immediately messaged to the Senate.

On motion by Gipp of Winneshiek, the House was recessed at 9:14 a.m., until the completion of the meetings for the committees on appropriations and ways and means.

## AFTERNOON SESSION

The House reconvened at 3:40 p.m., Speaker Rants in the chair.

## INTRODUCTION OF BILLS

**House File 2714**, by committee on judiciary, a bill for an act relating to the judicial branch including the assessment of court fees and costs.

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

**House File 2715**, by committee on education, a bill for an act relating to postsecondary education opportunities for high school students by requiring school districts to publicize the available opportunities and by establishing a jump-start grant program for the postsecondary education expenses of Iowa students who receive high school diplomas prior to enrollment as high school seniors.

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

**House File 2716**, by committee on judiciary, a bill for an act relating to civil actions for personal injury or death, including certain evidentiary, reporting, and procedural requirements.

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

**House File 2717**, by committee on agriculture, a bill for an act providing for an equine industry development commission and related fund.

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

**House File 2718**, by committee on agriculture, a bill for an act relating to requirements for open feedlot operations, by providing for nutrient management plans and operating permits, and providing an effective date and retroactive applicability.

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

**House File 2719**, by committee on agriculture, a bill for an act providing for the conversion of cooperative associations, and providing for an effective date.

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

**House File 2720**, by committee on agriculture, a bill for an act providing for the exhibition of swine.

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

**House File 2721**, by committee on agriculture, a bill for an act relating to drainage districts, by providing for a right to remonstrate.

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

**House File 2722**, by committee on commerce, regulation and labor, a bill for an act relating to deficiencies in the construction or design of residential real property.

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, 2006, passed the following bill in which the concurrence of the Senate was asked:



House File 2543, a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

Also: That the Senate has on March 8, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2241, a bill for an act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers.

Also: That the Senate has on March 8, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2252, a bill for an act relating to adoption petitions and proceedings including the information required to be included in an adoption petition.

Also: That the Senate has on March 8, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2285, a bill for an act relating to the distribution of a presentence investigation report in a criminal proceeding.

Also: That the Senate has on March 8, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2291, a bill for an act relating to the victim compensation fund and mileage reimbursement.

Also: That the Senate has on March 8, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2327, a bill for an act relating to access to confidential information used to secure an arrest warrant.

Also: That the Senate has on March 8, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2341, a bill for an act relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa.

Also: That the Senate has on March 8, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2342, a bill for an act relating to the appointment of district associate judges and magistrates.

Also: That the Senate has on March 8, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2349, a bill for an act providing grounds for termination of parental rights under certain circumstances for parents convicted of certain felonies.

Also: That the Senate has on March 8, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2358, a bill for an act relating to the administrative duties of the state board of regents.

MICHAEL E. MARSHALL, Secretary

## CONSIDERATION OF BILLS Regular Calendar

**House File 2233**, a bill for an act relating to the time limit on executions of judgments and orders for wage garnishments, with report of committee recommending passage, was taken up for consideration.

Anderson 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. 2233)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Mr. Speaker
			Rants

The nays were, none.

Absent or not voting, 4:

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

**House File 2239**, a bill for an act requiring the board of directors of a school district to adopt a parent and guardian involvement policy, was taken up for consideration.

Bukta of Clinton offered the following amendment H-8012 filed by her and moved its adoption:

H-8012

- 1 Amend House File 2239 as follows:
- 2 1. Page 1, line 13, by striking the word "full".

Roll call was requested by Soderberg of Plymouth and Lukan of Dubuque.

On the question "Shall amendment H-8012 be adopted?" (H.F. 2239)

The ayes were, 40:

Bell	Berry	Bukta	Cohoon
Davitt	Fallon	Foege	Ford
Frevort	Gaskill	Heddens	Hunter
Jacoby	Jochum	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Quirk	Reasoner
Schueller	Shomshor	Shoultz	Swaim
Taylor, D.	Taylor, T.	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

The nays were, 57

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	Dandekar
De Boef	Dolecheck	Drake	Elgin
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Hogg	Horbach

Huseman	Huser	Hutter	Jacobs
Jenkins	Jones	Kaufmann	Kressig
Kurtenbach	Lalk	Lukan	Maddox
May	Olson, S.	Paulsen	Pettengill
Raecker	Rasmussen	Rayhons	Reichert
Roberts	Sands	Schickel	Smith
Soderberg	Struyk	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wilderdyeke
Mr. Speaker			
Rants			

Absent or not voting, 3:

Dix	Eichhorn	Zirkelbach
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Amendment H-8012 lost.

Winckler of Scott asked and received unanimous consent to withdraw amendment H-8030 filed by her on February 15, 2006.

Winckler of Scott asked and received unanimous consent to withdraw amendment H-8050 filed by her on February 21, 2006.

Wendt of Woodbury offered the following amendment H-8011 filed by him and moved its adoption:

H-8011

- 1 Amend House File 2239 as follows:
- 2 1. Page 1, line 19, by striking the words
- 3 "published in the student handbook" and inserting the
- 4 following: "made available to parents and guardians".

Amendment H-8011 lost.

Soderberg 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. 2239)

The ayes were, 69:

Alons	Anderson	Arnold	Baudler
Berry	Boal	Carroll	Chambers

Dandekar	Davitt	De Boef	Dolecheck
Drake	Eichhorn	Elgin	Foege
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Hogg	Horbach
Huseman	Huser	Hutter	Jacobs
Jenkins	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lukan
Maddox	May	Mertz	Miller
Murphy	Olson, S.	Paulsen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Shomshor	Smith	Soderberg
Struyk	Swaim	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wilderdyke
Mr. Speaker			
Rants			

The nays were, 29:

Bell	Bukta	Cohoon	Fallon
Ford	Frevert	Gaskill	Heddens
Hunter	Jacoby	Jochum	Lensing
Lykam	Mascher	McCarthy	Oldson
Olson, D.	Olson, R.	Petersen	Schueller
Shoultz	Taylor, D.	Taylor, T.	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise			

Absent or not voting, 2:

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

**House File 2330**, a bill for an act relating to the allowed growth factor adjustment funding for county mental health, mental retardation, and developmental disabilities services funds and including effective date and retroactive applicability provisions, was taken up for consideration.

Carroll of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2330)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Sands	Schickel	Schueller
Shomshor	Shoultz	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdye	Winckler	Wise	Mr. Speaker Rants

The nays were, 2:

Roberts                      Smith

Absent or not voting and 2:

Dix                              Zirkelbach

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

#### HOUSE FILE 2106 WITHDRAWN

Carroll of Poweshiek asked and received unanimous consent to withdraw House File 2106 from further consideration by the House.

#### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2233, 2239 and 2330.**

**House File 2396**, a bill for an act relating to the Iowa early intervention block grant program by requiring school districts to report certain reading assessment results to parents and extending the program's repeal date, was taken up for consideration.

Tomenga of Polk offered the following amendment H-8058 filed by him and moved its adoption:

H-8058

1 Amend House File 2396 as follows:  
2 1. Page 1, line 14, by inserting after the word  
3 "district." the following: "If the parent does not  
4 sign or return the report, the school district shall  
5 note in the student's record the inaction on the part  
6 of the parent."

Amendment H-8058 was adopted.

Hogg of Linn offered the following amendment H-8052 filed by him and moved its adoption:

H-8052

1 Amend House File 2396 as follows:  
2 1. Page 1, by striking lines 18 through 21 and  
3 inserting the following:  
4 "Sec. \_\_\_\_\_. Section 256D.5, Code Supplement 2005,  
5 is amended by adding the following new subsection:  
6 **NEW SUBSECTION.** 5. For the budget year beginning  
7 July 1, 2006, and for each subsequent budget year, the  
8 amount appropriated from the general fund of the state  
9 to the department of education shall be the dollar  
10 amount set forth in subsection 4 multiplied by the  
11 cumulative adjustment factor for that budget year.  
12 For purposes of this subsection, "cumulative  
13 adjustment factor" means the product of the annual  
14 adjustment factor for the budget year beginning July  
15 1, 2006, and all annual adjustment factors for  
16 subsequent budget years. The cumulative adjustment  
17 factor applies to the budget year for which the latest  
18 annual adjustment factor for that budget year has been  
19 determined. For purposes of this subsection, the  
20 annual adjustment factor for a budget year is the  
21 state percent of growth established for that same  
22 budget year pursuant to section 257.8, subsection 1.  
23 Sec. \_\_\_\_\_. Section 256D.9, Code Supplement 2005, is  
24 repealed."

- 25 2. Title page, by striking lines 3 and 4 and  
 26 inserting the following: "reading assessment results  
 27 to parents, eliminating the future repeal of the  
 28 chapter, and providing for a standing appropriation."  
 29 3. By renumbering as necessary.

Amendment H-8052 lost.

Hogg of Linn offered the following amendment H-8053 filed by him and moved its adoption:

H-8053

- 1 Amend House File 2396 as follows:  
 2 1. Page 1, line 21, by striking the figure "2007"  
 3 and inserting the following: "2008".

Roll call was requested by Hogg of Linn and Mascher of Johnson.

On the question "Shall amendment H-8053 be adopted?" (H.F. 2396)

The ayes were, 48:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

The nays were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
Maddox	May	Olson, S.	Paulsen
Raecker	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk



Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wilderdike	Mr. Speaker		
	Rants		

Absent or not voting, 2:

Dix	Zirkelbach
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Amendment H-8053 lost.

Tomenga 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. 2396)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Raecker
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdike	Winckler	Wise
Mr. Speaker			
Rants			

The nays were, none.

Absent or not voting, 3:

Dix

Quirk

Zirkelbach

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

**House File 2445**, a bill for an act authorizing community colleges and state universities to seek approval to establish charter magnet schools and increasing the number of charter schools that may be approved and providing an effective date, was taken up for consideration.

Mascher of Johnson offered the following amendment H-8055 filed by her and moved its adoption:

H-8055

1 Amend House File 2445 as follows:

2 1. Page 1, line 27, by inserting after the word  
3 "schools." the following: "However, if federal funds  
4 are no longer available for purposes of this chapter,  
5 the department may continue to approve charter school  
6 applications."

7 2. Page 1, by striking lines 29 through 32, and  
8 inserting the following: "the applicable provisions  
9 of this chapter. The state board shall monitor and  
10 review charter school progress on the comprehensive  
11 school improvement plan and student achievement goals  
12 established by a charter school pursuant to section  
13 256F.4 and on the performance goals and objectives  
14 described pursuant to section 256F.5."

15 3. By renumbering as necessary.

Amendment H-8055 was adopted, placing out of order amendment H-8051 filed by Wise of Lee on February 22, 2006.

Mascher of Johnson offered the following amendment H-8056 filed by her and moved its adoption:

H-8056

1 Amend House File 2445 as follows:

2 1. Page 3, by inserting after line 12 the

- 3 following:  
 4 "Sec.\_\_\_\_. Section 256F.4, subsection 2, Code  
 5 2005, is amended by adding the following new  
 6 paragraph:  
 7 NEW PARAGRAPH. k. Implement, at a minimum, the  
 8 model core curriculum developed by the state board  
 9 pursuant to section 256.7, subsection 26."  
 10 2. By renumbering as necessary.

Roll call was requested by Murphy of Dubuque and Hunter of Polk.

On the question "Shall amendment H-8056 be adopted?" (H.F. 2445)

The ayes were, 46:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Shomshor	Shoultz
Smith	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Winckler		

The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Drake	Eichhorn	Elgin	Freeman
Gipp	Granzow	Greiner	Heaton
Hoffman	Horbach	Huseman	Hutter
Jacobs	Jenkins	Jones	Kaufmann
Kurtenbach	Lalk	Lukan	Maddox
May	Olson, S.	Paulsen	Raecker
Rasmussen	Rayhons	Roberts	Sands
Schickel	Schueller	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wildurdyke	Wise	Mr. Speaker	
		Rants	

Absent or not voting, 3:

Dix	Dolecheck	Zirkelbach
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Amendment H-8056 lost.

Mascher of Johnson offered the following amendment H-8057 filed by her and moved its adoption:

H-8057

- 1 Amend House File 2445 as follows:
- 2 1. Page 3, by inserting after line 12 the
- 3 following:
- 4 "Sec. \_\_. Section 256F.4, subsection 2, Code
- 5 2005, is amended by adding the following new
- 6 paragraph:
- 7 NEW PARAGRAPH. k. Comply with the federal No
- 8 Child Left Behind Act of 2001, Pub. L. No. 107-110,
- 9 and any federal regulations adopted pursuant to the
- 10 federal Act, and meet the requirements of section
- 11 256.7, subsection 21."
- 12 2. Page 4, by inserting after line 4 the
- 13 following:
- 14 "Sec. \_\_. Section 256F.4, subsection 6, Code
- 15 2005, is amended by striking the subsection."
- 16 3. By renumbering as necessary.

Amendment H-8057 lost.

Pursuant to Rule 31.8, related to the timely filing of amendments, amendment H-8143 filed by Anderson of Page from the floor, was placed out of order.

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. 2445)

The ayes were, 55:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Huser	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	McCarthy
Mertz	Olson, S.	Paulsen	Quirk

Raecker	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wilderdyke	Wise	Mr. Speaker	
		Rants	

The nays were, 42:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Frevert	Gaskill	Heddens	Hogg
Hunter	Jacoby	Jochum	Kressig
Kuhn	Lensing	Lykam	Mascher
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Reasoner
Reichert	Schueller	Shomshor	Shoultz
Smith	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Winckler		

Absent or not voting, 3:

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

**House File 2512**, a bill for an act relating to the jurisdiction of the ethics and campaign disclosure board and including effective date and retroactive applicability provisions and subjecting violators to remedies and penalties, was taken up for consideration.

Tomenga 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. 2512)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton

Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Dix                      Zirkelbach

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

**House File 2515**, a bill for an act relating to obstructions in highways and providing penalties, was taken up for consideration.

Paulsen of Linn offered amendment H-8127 filed by him as follows:

H-8127

- 1 Amend House File 2515 as follows:
- 2 1. Page 3, by striking lines 15 through 18 and
- 3 inserting the following: "All removals shall be
- 4 without liability on the part of any officer ordering
- 5 or effecting such removal."

Paulsen of Linn offered the following amendment H-8130, to amendment H-8127, filed by him and moved its adoption:

H-8130

- 1 Amend the amendment, H-8127, to House File 2515 as  
 2 follows:  
 3 1. Page 1, by inserting before line 2, the  
 4 following:  
 5 "\_\_\_ . Page 1, by striking lines 4 through 11.  
 6 \_\_\_ . Page 2, line 31, by inserting before the  
 7 word "advertising" the following: "or".  
 8 \_\_\_ . Page 2, by striking lines 32 through 33 and  
 9 inserting the following: "devices within the highway  
 10 right-of-way."  
 11 2. By renumbering as necessary.

Amendment H-8130 was adopted.

On motion by Paulsen of Linn, amendment H-8127, as amended, was adopted.

Schickel 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. 2515)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foega
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.

Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

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

**House File 2528**, a bill for an act relating to prohibited business practices by a real estate broker or salesperson, 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. 2528)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell



Whitaker	Whitead	Wilderdylke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

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

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2396, 2445, 2512, 2515 and 2528.**

### HOUSE FILE 2109 WITHDRAWN

Wise of Lee asked and received unanimous consent to withdraw House File 2109 from further consideration by the House.

**House File 2546**, a bill for an act relating to public and private landowners' immunity from premises liability during urban deer control hunts authorized by municipal ordinances, was taken up for consideration.

J.R. Van Fossen 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. 2546)

The ayes were, 56:

Alons	Arnold	Baudler	Bell
Boal	Carroll	Chambers	Davitt
De Boef	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
Lykam	Maddox	May	Olson, S.

Quirk	Raecker	Rasmussen	Rayhons
Reichert	Roberts	Sands	Schickel
Shomshor	Soderberg	Taylor, D.	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wildurdyke	Mr. Speaker Rants

The nays were, 42:

Anderson	Berry	Bukta	Cohoon
Dandekar	Foege	Ford	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Paulsen	Petersen	Pettengill	Reasoner
Schueller	Shultz	Smith	Struyk
Swaim	Taylor, T.	Thomas	Tomenga
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise		

Absent or not voting, 2:

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

**House File 2564**, a bill for an act relating to notification of parents, guardians, or custodians of children receiving child care from an unregistered child care home when it is determined that child abuse involving the home has occurred, was taken up for consideration.

Granzow of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2564)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill

Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Dix                                      Zirkelbach

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

**House File 2587**, a bill for an act relating to financial institutions including the regulation of state banks, bank holding companies, and industrial loan companies, and providing for penalties, was taken up for consideration.

Sands of Louisa offered the following amendment H-8111 filed by him and moved its adoption:

H-8111

- 1 Amend House File 2587 as follows:
- 2 1. Page 1, by striking lines 6 through 24.
- 3 2. By renumbering as necessary.

Amendment H-8111 was adopted.

Sands of Louisa moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2587)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Mr. Speaker			
Rants			

The nays were, 1:

Fallon

Absent or not voting, 2:

Dix                      Zirkelbach

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

**House File 2589**, a bill for an act providing for the release of certain morbidity and mortality study information to the Iowa healthcare collaborative, was taken up for consideration.

Upmeyer of Hancock moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2589)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wildurdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Dix                                      Zirkelbach

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

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2546, 2564, 2587 and 2589.**

## HOUSE FILE 2056 WITHDRAWN

J. R. Van Fossen of Scott asked and received unanimous consent to withdraw House File 2056 from further consideration by the House.

## HOUSE FILE 2255 WITHDRAWN

Granzow of Hardin asked and received unanimous consent to withdraw House File 2255 from further consideration by the House.

**House File 2593**, a bill for an act relating to activities of lobbyists and the ethical conduct of state officials and employees, was taken up for consideration.

Tomenga 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. 2593)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevort	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitaker
Whitead	Wildurdyke	Winckler	Wise
Mr. Speaker			
Rants			

The nays were, none.

Absent or not voting, 3:

Dix                                      Wessel-Kroeschell    Zirkelbach

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

**House File 2612**, a bill for an act providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty, was taken up for consideration.

Heddens of Story offered the following amendment H-8136 filed by Heddens, et al., and moved its adoption:

H-8136

- 1 Amend House File 2612 as follows:
- 2 1. Page 1, line 12, by striking the word
- 3 "serious" and inserting the following: "simple".
- 4 2. Page 1, line 15, by striking the word
- 5 "aggravated" and inserting the following: "serious".
- 6 3. Page 1, by inserting after line 15, the
- 7 following:
- 8 "\_. In the event of a collision, accident, or
- 9 other casualty resulting in a serious injury to a
- 10 person, the operator is guilty upon conviction of an
- 11 aggravated misdemeanor."
- 12 4. By relettering as necessary.

Amendment H-8136 was adopted.

May of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2612)

The ayes were, 92:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Foege	Freeman

Frevert	Gaskill	Gipp	Granzow
Greiner	Heaton	Heddens	Hoffman
Hogg	Horbach	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wilderdike	Winckler	Wise	Mr. Speaker Rants

The nays were, 6:

Fallon	Ford	Hunter	Olson, R.
Shoultz	Wessel-Kroeschell		

Absent or not voting, 2:

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

**House File 2631**, a bill for an act creating the Iowa proprietary tuition grant program, and adding a member to represent proprietary institutions to the college student aid commission, was taken up for consideration.

Pursuant to Rule 31.8, relating to the timely filing of amendments, amendment H-8141 filed by Bukta from the floor was placed out of order.

Chambers of O'Brien moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2631)



The ayes were, 84:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foegé	Ford
Freeman	Gaskill	Gipp	Granzow
Greiner	Heaton	Heddens	Hoffman
Hogg	Horbach	Hunter	Huseman
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kurtenbach	Lalk	Lensing	Lukan
Maddox	Mascher	May	McCarthy
Murphy	Oldson	Olson, D.	Olson, R.
Paulsen	Petersen	Quirk	Raecker
Rayhons	Reasoner	Reichert	Roberts
Sands	Shoultz	Smith	Soderberg
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Mr. Speaker Rants

The nays were, 14:

Bukta	Fevvert	Huser	Kuhn
Lykam	Mertz	Miller	Olson, S.
Pettengill	Rasmussen	Schickel	Schueller
Shomshor	Struyk		

Absent or not voting, 2:

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

**House File 2635**, a bill for an act relating to drainage and levee districts by providing for the publication of notice and the letting of bids, 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. 2635)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Dix                      Zirkelbach

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

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2593, 2612, 2631 and 2635.**

### HOUSE FILE 2249 WITHDRAWN

May of Dickinson asked and received unanimous consent to withdraw House File 2249 from further consideration by the House.

## SENATE MESSAGES CONSIDERED

**Senate File 2241**, by committee on human resources, a bill for an act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers.

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

**Senate File 2252**, by committee on judiciary, a bill for an act relating to adoption petitions and proceedings including the information required to be included in an adoption petition.

Read first time and **passed on file**.

**Senate File 2285**, by committee on judiciary, a bill for an act relating to the distribution of a presentence investigation report in a criminal proceeding.

Read first time and **passed on file**.

**Senate File 2291**, by committee on judiciary, a bill for an act relating to the victim compensation fund and mileage reimbursement.

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

**Senate File 2327**, by committee on judiciary, a bill for an act relating to access to confidential information used to secure an arrest warrant.

Read first time and referred to committee on **judiciary**.

**Senate File 2341**, by committee on judiciary, a bill for an act relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa.

Read first time and **passed on file**.

**Senate File 2342**, by committee on judiciary, a bill for an act relating to the appointment of district associate judges and magistrates.

Read first time and **passed on file**.

**Senate File 2349**, by committee on judiciary, a bill for an act providing grounds for termination of parental rights under certain circumstances for parents convicted of certain felonies.

Read first time and referred to committee on **judiciary**.

**Senate File 2358**, by committee on education, a bill for an act relating to the administrative duties of the state board of regents.

Read first time and referred to committee on **education**.

### REPORT OF THE CHIEF CLERK OF THE HOUSE

MR. SPEAKER: Pursuant to House Rule 42, I report that in engrossing bills the following correction was made:

#### House File 2612

1. Page 1, line 15, by changing the an to a.

MARGARET A. THOMSON  
Chief Clerk of the House

### HOUSE FILE 2689 REREFERRED

The Speaker announced that House File 2689, previously placed on the **appropriations calendar** was rereferred to committee on **ways and means**.

### 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

- |          |  |
|----------|--|
| 2006\882 | William C. Walling, Des Moines – For his 15 years of dedicated service as a Postmaster with the Iowa House of Representatives. |
| 2006\883 | Rachel Kuenning, Council Bluffs – For winning the “Write Women Back Into History” Essay Contest.                               |

## SUBCOMMITTEE ASSIGNMENTS

**House Joint Resolution 2006**

State Government: Paulsen, Chair; Jacobs and Quirk.

**House File 2618**

Appropriations: Chambers, Chair; Jacobs and Mascher.

**House File 2630**

Appropriations: Watts, Chair; Petersen and Roberts.

**House File 2686**

Appropriations: Watts, Chair; Petersen and Roberts.

**House File 2690**

Appropriations: Chambers, Chair; Jacobs and Mascher.

**House File 2691**

Appropriations: Alons, Chair; Bell and Lukan.

**Senate File 2275**

Commerce, Regulation and Labor: Sands, Chair; Hoffman and Kressig.

**Senate File 2289**

Transportation: Lukan, Chair; Mertz and S. Olson.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENT

**H.S.B. 766 Ways and Means**

Relating to property taxation and local budgets by imposing requirements on those cities, counties, townships, and other property tax certifying boards that seek to increase the amount of property taxes certified for levy, requiring funding of real property-related services, changing the number of signatures necessary to protest an adopted county budget, requiring a transition for the imposition of city taxes against annexed property, abolishing county compensation boards, tying together the assessment limitations of certain classes of property, and including effective and retroactive and other applicability date provisions.

## 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 APPROPRIATIONS

**Senate File 2273**, a bill for an act relating to financial and regulatory matters by making and revising appropriations for the fiscal year beginning July 1, 2005, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2006.

**Committee Bill** (Formerly House Study Bill 765), relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2006.

## COMMITTEE ON HUMAN RESOURCES

**House File 2393**, a bill for an act requiring the department of human services to maintain compliance with privacy laws applicable to mental health, mental retardation, developmental disabilities, and brain injury services data.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

## COMMITTEE ON NATURAL RESOURCES

**House File 590**, a bill for an act providing for special senior crossbow deer hunting licenses.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

## COMMITTEE ON WAYS AND MEANS

**Senate File 2147**, a bill for an act relating to the requirement of location as an eligibility criterion for businesses under the enterprise zone program and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2006.

## AMENDMENTS FILED

H—8142	H.F.	2332	Lukan of Dubuque
H—8144	H.F.	2636	Carroll of Poweshiek
H—8145	H.F.	2707	Jacobs of Polk
H—8146	H.F.	2332	Huser of Polk Heddens of Story
H—8147	H.F.	2627	Elgin of Linn
H—8148	H.F.	2627	Carroll of Poweshiek
H—8149	H.C.R.	106	Thomas of Clayton
H—8150	H.F.	2627	Carroll of Poweshiek

On motion by Gipp of Winneshiek the House adjourned at 7:35 p.m., until 8:45 a.m., Thursday, March 9, 2006.

# JOURNAL OF THE HOUSE

Sixtieth Calendar Day - Forty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 9, 2006

The House met pursuant to adjournment at 8:52 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Phil Corr, pastor of First Congregational Church, Charles City. He was the guest of Representative Mark Kuhn of Floyd County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, March 8, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2723**, by committee on commerce, regulation and labor, a bill for an act relating to laws administered by the labor commissioner regarding the state elevator code and boiler and pressure vessel safety.

Read first time and placed on the **calendar**.

**House File 2724**, by committee on human resources, a bill for an act providing for the establishment of a program encouraging health care providers to test children for lead poisoning and providing a means for the department to serve as the payor of last resort.

Read first time and placed on the **calendar**.

**House File 2725**, by committee on judiciary, a bill for an act containing various provisions relating to business entities, including limited partnerships, corporations, limited liability companies, cooperatives, and nonprofit corporations.

Read first time and placed on the **calendar**.



**House File 2726**, by committee on human resources, a bill for an act relating to medical malpractice actions.

Read first time and placed on the **calendar**.

**House File 2727**, by committee on economic growth, a bill for an act authorizing the rebate of state sales tax revenues to the owner or operator of a significant destination project.

Read first time and referred to committee on **ways and means**.

**House File 2728**, by committee on economic growth, a bill for an act relating to software and technology-related incentives and tax credits and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **ways and means**.

**House File 2729**, by committee on human resources, a bill for an act relating to a single point of entry long-term living resources system.

Read first time and placed on the **calendar**.

**House File 2730**, by committee on state government, a bill for an act creating a defined contribution pension option for employees covered by the Iowa public employees' retirement system.

Read first time and placed on the **calendar**.

**House File 2731**, by committee on ways and means, a bill for an act relating to a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas.

Read first time and placed on the **ways and means calendar**.

**House File 2732**, by Kurtenbach, a bill for an act relating to certification to the county auditor of the amount of loans, advances, indebtedness, or bonds issued or incurred for urban renewal purposes.

Read first time and referred to committee on **local government**.

**House File 2733**, by Frevert, Wendt, Pettengill, Berry, Hunter, Swaim, Whitaker, Bukta, Heddens, D. Olson, Gaskill, Kressig, Shoultz, Kuhn, Reasoner, Schueller, Quirk, Freeman, Kaufmann, Chambers, Anderson, Hutter, Baudler, Granzow, Heaton, Dolecheck, Schickel, Drake, Struyk, Roberts, Tjepkes, Hoffman, Wilderdyke and Maddox, a bill for an act relating to the increase in the state sales tax rate with the revenues used for the replacement of the local option sales and services tax for school infrastructure purposes.

Read first time and referred to committee on **ways and means**.

**House File 2734**, by committee on appropriations, a bill for an act relating to and making appropriations to the department of human services, the department of elder affairs, the Iowa department of public health, the department of veterans affairs and the Iowa veterans home, and the department of inspections and appeals, providing for fee increases, and including other related provisions and appropriations, and providing effective dates.

Read first time and placed on the **appropriations calendar**.

#### SPECIAL PRESENTATION

May of Dickenson introduced to the House the Spirit Lake Girls High School basketball team.

The House rose and expressed its welcome.

#### SENATE FILE 98 REREFERRED

The Speaker announced that Senate File 98, previously referred to committee on **local government** was rereferred to committee on **ways and means**.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 9, 2006, he approved and transmitted to the Secretary of State the following bills:

House File 2238, 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.

House File 2347, an Act relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability.

Senate File 2056, an Act relating to the Honey Creek Premier Destination Park bond program and providing an effective date.

## COMMUNICATIONS RECEIVED

The following communications were received and filed in the office of the Chief Clerk:

### AUDITOR OF STATE

Supplemental report of the County Real Estate Electronic Government Advisory Committee, pursuant to Chapter 12B.6, Code of Iowa.

### SEXUAL AND OTHER CRIMINAL OFFENSES, CRIMINAL PENALTIES, AND SENTENCING PRACTICES STUDY COMMITTEE

Final report of recommendations, pursuant to Chapter 701, 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

- |          |   |
|----------|---|
| 2006\873 | Hazel Nardini-Crall, Bloomfield – For celebrating her 90 <sup>th</sup> birthday.  |
| 2006\874 | Blanche Agnus Robertson, Malcom – For celebrating her 91 <sup>st</sup> birthday.  |
| 2006\875 | Derek Moyer, Oskaloosa – For winning his third state title in the Class 3–A Division of the State Wrestling Tournament. |
| 2006\876 | Darrell Beede, Montezuma – For celebrating his 80 <sup>th</sup> birthday.   |
| 2006\877 | Cornie and Marilyn Boender, Oskaloosa – For celebrating their 50 <sup>th</sup> wedding anniversary.                     |
| 2006\878 | Louise Spurgeon, Grinnell – For celebrating her 90 <sup>th</sup> birthday.  |

- 2006\879 James and Virginia Abernathy, Traer – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\880 Mary Habberman–Miller, Toledo – For celebrating her 90<sup>th</sup> birthday.
- 2006\881 Raymond and Grace Thoms, Reinbeck – For celebrating their 60<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### **Senate File 2086**

Education: Paulsen, Chair; Hogg and Tymeson.

##### **Senate File 2288**

Judiciary: Paulsen, Chair; Lensing and Tymeson.

##### **Senate File 2290**

Judiciary: Tymeson, Chair; Eichhorn and R. Olson.

##### **Senate File 2296**

Judiciary: Anderson, Chair; Swaim and J.R. Van Fossen.

#### 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 GOVERNMENT OVERSIGHT

**Committee Bill** (Formerly House File 849), privatize the pool of passenger motor vehicle maintained and operated by the department of administrative services.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 9, 2006.

## COMMITTEE ON STATE GOVERNMENT

**Senate File 2199**, a bill for an act concerning the purchase of service under the Iowa department of public safety peace officers' retirement, accident, and disability system.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2006.

## AMENDMENTS FILED

H—8151	H.F.	2654	Tjepkes of Webster
H—8152	H.F.	2527	Bell of Jasper
			Cohon of Des Moines
			Foege of Linn
			Heddens of Story
			Hogg of Linn
			Kressig of Black Hawk
			Mascher of Johnson
			Jochum of Dubuque
			Lykam of Scott
			D. Olson of Boone
			Pettengill of Benton
			Schueller of Jackson
			T. Taylor of Linn
			Winckler of Scott
			Reichert of Muscatine
			Smith of Marshall
			Wessel-Kroeschell of Story
			Wise of Lee
H—8153	H.F.	2527	Struyk of Pottawattamie
H—8154	H.F.	2527	Wendt of Woodbury
H—8155	H.F.	2527	Wendt of Woodbury
H—8156	H.F.	2544	Mascher of Johnson
H—8157	H.F.	2544	Mascher of Johnson
H—8158	H.F.	2544	Mascher of Johnson
H—8159	H.F.	2709	Mascher of Johnson
H—8160	H.F.	2715	Mascher of Johnson
H—8161	H.F.	2545	Tjepkes of Webster
			J.R. Van Fossen of Scott
			R. Olson of Polk

H—8162	H.F.	2332	Huser of Polk Heddens of Story
H—8163	H.F.	2332	Huser of Polk Heddens of Story
H—8164	H.F.	2672	Roberts of Carroll
H—8165	H.F.	2527	Mascher of Johnson
H—8166	H.F.	2527	Frevert of Palo Alto
H—8167	H.F.	2527	Frevert of Palo Alto
H—8168	H.F.	2627	Carroll of Poweshiek
H—8169	H.F.	2734	Mascher of Johnson
H—8170	H.F.	2734	Hogg of Linn
H—8171	H.F.	2527	Whitaker of Van Buren
			Gaskill of Wapello Hogg of Linn
			Cohoon of Des Moines Davitt of Warren
			Foege of Linn Frevert of Palo Alto
			Hunter of Polk Jacoby of Johnson
			Kressig of Black Hawk Mertz of Kossuth
			Murphy of Dubuque D. Olson of Boone
			Schueller of Jackson Shomshor of Pottawattamie
			Smith of Marshall Thomas of Clayton
			Whitead of Woodbury
H—8172	H.F.	2527	Wendt of Woodbury
			Bell of Jasper Bukta of Clinton
			Dandekar of Linn Fallon of Polk
			Ford of Polk Gaskill of Wapello
			Hogg of Linn Huser of Polk
			Jochum of Dubuque Kuhn of Floyd
			Lykam of Scott Oldson of Polk
			Berry of Black Hawk Cohoon of Des Moines
			Davitt of Warren Foege of Linn
			Frevert of Palo Alto Heddens of Story
			Hunter of Polk Jacoby of Johnson
			Kressig of Black Hawk Lensing of Johnson
			Mascher of Johnson Mertz of Kossuth
			Murphy of Dubuque D. Olson of Boone
			R. Olson of Polk Pettengill of Benton
			Reasoner of Union Schueller of Jackson
			Shoultz of Black Hawk Swaim of Davis
			T. Taylor of Linn Whitaker of Van Buren
			Winckler of Scott Petersen of Polk
			Quirk of Chickasaw Reichert of Muscatine

	Smith of Marshall		D. Taylor of Linn
	Thomas of Clayton		Wessel-Kroeschell of Story
	Whitead of Woodbury		Wise of Lee
H—8173	H.F.	540	Tomenga of Polk
H—8174	H.F.	2527	Gaskill of Wapello
			Whitaker of Van Buren
H—8175	S.F.	2273	Murphy of Dubuque
H—8176	H.F.	2527	Gaskill of Wapello
	Cphoon of Des Moines		Frevert of Palo Alto
	Heddens of Story		Hogg of Linn
	Kressig of Black Hawk		Lensing of Johnson
	Mertz of Kossuth		R. Olson of Polk
	Pettengill of Benton		Reasoner of Union
	Swaim of Davis		Thomas of Clayton
	Wessel-Kroeschell of Story		

On motion by Gipp of Winneshiek the House adjourned at 9:00 a.m., until 9:00 a.m., Friday, March 10, 2006.

# JOURNAL OF THE HOUSE

Sixty-first Calendar Day - Forty-third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, March 10, 2006

The House met pursuant to adjournment at 9:00 a.m., Tymeson of Madison in the chair.

The Journal of Thursday, March 9, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2735**, by committee on agriculture, a bill for an act relating to the formulation of motor fuel, by providing for renewable fuel including ethanol blended fuel and biodiesel blended fuel, providing incentives for infrastructure used to store and dispense renewable fuel, providing for income tax credits and excise taxes, providing for penalties, and providing effective and applicability dates, including retroactive applicability.

Read first time and referred to committee on **ways and means**.

**House File 2736**, by committee on economic growth, a bill for an act relating to economic development by creating a bioscience funding board and bioscience fund, providing tax incentives under the high quality job creation Act, and providing an exempt activity for foreign corporations, and including effective and retroactive applicability date provisions.

Read first time and referred to committee on **ways and means**.

**House File 2737**, by committee on judiciary, a bill for an act relating to civil actions and the foreclosure of real estate mortgages, and providing fees.

Read first time and referred to committee on **ways and means**.

**House File 2738**, by committee on human resources, a bill for an act relating to programs and functions under the purview of the Iowa department of public health.

Read first time and placed on the **calendar**.



**House File 2739**, by committee on judiciary, a bill for an act relating to exemptions for certain personal property from execution by creditors in state court debt collection and federal bankruptcy actions.

Read first time and placed on the **calendar**.

**House File 2740**, by committee on judiciary, a bill for an act relating to the judicial branch and court administration and procedure and providing a penalty.

Read first time and placed on the **calendar**.

**House File 2741**, by committee on state government, a bill for an act establishing statewide licensure of electricians and installers, providing for inspections, establishing fees, and providing penalties.

Read first time and referred to committee on **ways and means**.

**House File 2742**, by committee on judiciary, a bill for an act relating to the probate and trust codes.

Read first time and placed on the **calendar**.

**House File 2743**, by committee on appropriations, a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund.

Read first time and placed on the **appropriations calendar**.

**House File 2744**, by committee on agriculture, a bill for an act precluding certain enforcement actions by the department of natural resources or the attorney general based on detrimental reliance.

Read first time and placed on the **calendar**.

**House File 2745**, by committee on economic growth, a bill for an act relating to certified capital companies and providing a certified capital company insurance premium tax credit and penalties.

Read first time and referred to committee on **ways and means**.

## 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

- 2006\884 Violet Tou Velle, Bettendorf – For celebrating her 80<sup>th</sup> birthday.
- 2006\885 Mr. and Mrs. Robert Young, Bettendorf – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\886 Kristin Nothwehr, Clarinda – For being selected as National Merit Scholarship finalist and candidate for the United States Presidential Scholars program.
- 2006\887 Ruth Sump, Clarinda – For celebrating her 90<sup>th</sup> birthday.
- 2006\888 Ruth Pratt, Clarinda – For celebrating her 90<sup>th</sup> birthday.
- 2006\889 Jonathan Gorczynski, Marcus – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\890 Philip and Shirley Blackwell, Madrid – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\891 Cliff and Ethel Robinett, Madrid – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\892 Logan Polson, Marcus – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\893 Amy Parker-Myers, Sioux City – For being elected President of the Iowa Region of Phi Theta Kappa and for being named to the 2005-2006 All-Iowa Academic Team.
- 2006\894 Paul Bray, Ottumwa – For celebrating his 85<sup>th</sup> birthday.
- 2006\895 Helen Chandler, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\896 Naomi Heckart, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\897 Helen Luke, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\898 Ben Mirgon, Ottumwa – For celebrating his 95<sup>th</sup> birthday.
- 2006\899 Mildred Mooney, Ottumwa – For celebrating her 90<sup>th</sup> birthday.

## AMENDMENTS FILED

H—8177	H.F.	2734	Foege of Linn
H—8178	H.F.	2527	Oldson of Polk
			Bukta of Clinton
			Fallon of Polk
			Gaskill of Wapello
			Jochum of Dubuque
			Lykam of Scott
			Cohoon of Des Moines
			Foege of Linn
			Heddens of Story
			Jacoby of Johnson
			Lensing of Johnson
			Mertz of Kossuth
			D. Olson of Boone
			Pettengill of Benton
			Schueller of Jackson
			Swaim of Davis
			Wendt of Woodbury
			Winckler of Scott
			Quirk of Chickasaw
			Smith of Marshall
			D. Taylor of Linn
			Whitead of Woodbury
			Wise of Lee
H—8179	S.F.	2273	Ford of Polk

On motion by Pettengill of Benton the House adjourned at 9:04 a.m., until 1:00 p.m., Monday, March 13, 2006.

# JOURNAL OF THE HOUSE

Sixty-fourth Calendar Day - Forty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, March 13, 2006

The House met pursuant to adjournment at 1:14 p.m., Speaker Rants in the chair.

Prayer was offered by Reverend Spencer Kcroff, pastor of Assembly of God Church, Centerville. He was the guest of Representative Kurt Swaim of Davis County.

## PLEDGE OF ALLEGIANCE

The National Anthem was sung by Joni Carroll, daughter of Speaker pro tempore Danny Carroll of Poweshiek County.

The Journal of Friday, March 10, 2006 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Dandekar of Linn, for the week of March 13 through March 17, 2006 on request of Murphy of Dubuque; De Boef of Keokuk on request of Gipp of Winneshiek.

The House stood at ease at 1:23 p.m., until the fall of the gavel.

The House resumed session at 2:49 p.m., Roberts of Carroll in the chair.

## 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.

## CONSIDERATION OF BILLS Appropriations Calendar

**Senate File 2273**, a bill for an act relating to financial and regulatory matters by making and revising appropriations for the

fiscal year beginning July 1, 2005, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Murphy of Dubuque offered amendment H-8175 filed by him and requested division as follows:

H-8175

1 Amend Senate File 2273, as amended, passed, and  
2 reprinted by the Senate, as follows:

H-8175A

3 1. Page 1, by inserting after line 20 the  
4 following:

5 "MEDICAL ASSISTANCE PROGRAM – GENERAL FUND

6 Sec. \_\_\_\_, 2005 Iowa Acts, chapter 175, section 9,  
7 unnumbered paragraph 2, is amended to read as follows:

8 For medical assistance reimbursement and associated  
9 costs as specifically provided in the reimbursement  
10 methodologies in effect on June 30, 2005, except as  
11 otherwise expressly authorized by law, including  
12 reimbursement for abortion services, which shall be  
13 available under the medical assistance program only  
14 for those abortions which are medically necessary:

15 ..... \$519,040,317  
16 ..... 549,040,317"

H-8175B

17 2. Page 5, by inserting after line 4 the  
18 following:

19 "DIVISION\_\_ – LOW-INCOME HOME ENERGY ASSISTANCE  
20 PROGRAM

21 Sec. \_\_\_\_. APPROPRIATION. There is appropriated  
22 from the general fund of the state to the division of  
23 community action agencies of the department of human  
24 rights for the fiscal year beginning July 1, 2005, and  
25 ending June 30, 2006, the following amount, or so much  
26 thereof as is necessary, to be used for the purpose  
27 designated:

28 To supplement the federal funding received for the  
29 low-income home energy assistance program:  
30 ..... \$ 6,000,000"

H-8175

31 3. By renumbering as necessary.

Murphy of Dubuque moved the adoption of amendment H-8175A.

Roll call was requested by Murphy of Dubuque and Reasoner of Union.

Rule 75 was invoked.

On the question "Shall amendment H-8175A be adopted?" (S.F. 2273)

The ayes were, 47:

Bell	Berry	Bukta	Cohoon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Shultz
Smith	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	

The nays were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	Dix
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
Maddox	May	Olson, S.	Paulsen
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wilderdyke	Roberts, Presiding		

Absent or not voting, 3:

Dandekar	De Boef	Zirkelbach
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Amendment H-8175A lost.

Ford of Polk offered the following amendment H-8179 filed by him and moved its adoption:

H-8179

1 Amend Senate File 2273, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 20 the  
4 following:

5 "Sec. \_\_\_\_\_. 2005 Iowa Acts, chapter 175, section 2,  
6 subsection 1, unnumbered paragraph 1, is amended to  
7 read as follows:

8 For reducing the prevalence of use of tobacco,  
9 alcohol, and other drugs, and treating individuals  
10 affected by addictive behaviors, including gambling,  
11 and for not more than the following full-time  
12 equivalent positions:

13 .....	\$ 1,759,020
14 .....	10,759,020
15 .....	FTEs 7.45

16 Notwithstanding section 8.33, moneys appropriated  
17 in this subsection that remain unencumbered or  
18 unobligated at the close of the fiscal year shall not  
19 revert but shall remain available for expenditure for  
20 the purposes designated until the close of the  
21 succeeding fiscal year."

22 2. By renumbering as necessary.

Roll call was requested by Ford of Polk and T. Taylor of Linn.

On the question "Shall amendment H-8179 be adopted?" (S.F. 2273)

The ayes were, 47:

Bell	Berry	Bukta	Cohoon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Shoultz
Smith	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	

The nays were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	Dix
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
Maddox	May	Olson, S.	Paulsen
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wildurdyke	Roberts, Presiding		

Absent or not voting, 3:

Dandekar	De Boef	Zirkelbach
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Amendment H-8179 lost.

Murphy of Dubuque moved the adoption of amendment H-8175B.

Roll call was requested by Murphy of Dubuque and Reasoner of Union.

Rule 75 was invoked.

On the question "Shall amendment H-8175B be adopted?" (S.F. 2273)

The ayes were, 46:

Bell	Berry	Bukta	Cohoon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Shoultz	Smith
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise		



The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	Dix
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
Maddox	May	Olson, S.	Paulsen
Pettengill	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Roberts, Presiding	

Absent or not voting, 3:

Dandekar	De Boef	Zirkelbach
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Amendment H-8175B lost.

Watts of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2273)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohon	Davitt
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg

Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdryke	Winckler	Wise
Roberts, Presiding			

The nays were, none.

Absent or not voting, 3:

Dandekar	De Boef	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 13, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2465, a bill for an act relating to the determination of the holding period for purposes of certain capital gains under the individual income tax and including effective and retroactive applicability date provisions.

Also: That the Senate has on March 13, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2541, a bill for an act eliminating certain duties of the department of natural resources.

Also: That the Senate has on March 13, 2006, adopted the following resolution in which the concurrence of the House is asked:

Senate Joint Resolution 4, a joint resolution designating the channel catfish as the official state fish for the state of Iowa.

Also: That the Senate has on March 13, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2316, a bill for an act relating to the procedures for filing administrative rules.

Also: That the Senate has on March 13, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2333, a bill for an act relating to the transfer of veterans commemorative property placed in a cemetery, recodifying a provision regarding veteran markers, and providing a penalty.

Also: That the Senate has on March 13, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2339, a bill for an act relating to the crime victim compensation fund.

Also: That the Senate has on March 13, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2364, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including the securities and regulated industries bureau, insurance premium taxes, the uniform securities Act, insurance division procedures, regulation of insurance companies and other entities including administrative penalties, motor vehicle service contracts, county and state mutual insurance associations, reciprocal or interinsurance insurers, consolidation, merger and reinsurance contracts, insurance holding company systems, and cemeteries.

Also: That the Senate has on March 13, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2378, a bill for an act providing for the conversion of cooperative associations, and providing for an effective date.

MICHAEL E. MARSHALL, Secretary

### Ways and Means Calendar

**Senate File 2147**, a bill for an act relating to the requirement of location as an eligibility criterion for businesses under the enterprise zone program and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Reasoner of Union moved that the bill be read a last time 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. 2147)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Davitt
Dix	Dolecheck	Drake	Eichhorn

Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Roberts, Presiding			

The nays were, none.

Absent or not voting, 3:

Dandekar                      De Boef                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### Regular Calendar

**House File 2712**, a bill for an act establishing a deferred retirement option plan for members of the statewide fire and police retirement system and including an implementation provision, was taken up for consideration.

Tomenga 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. 2712)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdryke	Winckler	Wise	Roberts, Presiding

The nays were, 1:

Pettengill

Absent or not voting, 3:

Dandekar                      De Boef                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2697**, a bill for an act relating to the confinement of a prisoner in a municipal holding facility or county jail, was taken up for consideration.

Horbach of Tama moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2697)

The ayes were, 87:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
Dix	Dolecheck	Drake	Eichhorn
Elgin	Foege	Ford	Freeman
Frevert	Gaskill	Gipp	Granzow
Greiner	Heaton	Heddens	Hoffman
Hogg	Horbach	Huseman	Huser
Hutter	Jacobs	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lukan	Lykam
Maddox	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitaker	Whitead
Wilderdyke	Wise	Roberts, Presiding	

The nays were, 10:

Fallon	Hunter	Jacoby	Lensing
Mascher	Olson, R.	Taylor, D.	Taylor, T.
Wessel-Kroeschell	Winckler		

Absent or not voting, 3:

Dandekar	De Boef	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2644**, a bill for an act relating to department of human services' technical requirements involving individual development accounts, family investment program limited benefit plans, paternity establishment definitions, and the state child care assistance program, and including effective date and retroactive applicability provisions, was taken up for consideration.

Wilderdyke 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. 2644)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wildurdyke	Winckler	Wise
Roberts, Presiding			

The nays were, none.

Absent or not voting, 3:

Dandekar	De Boef	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2644, 2697, 2712** and **Senate Files 2147 and 2273.**

**House File 2625**, a bill for an act relating to the distribution of a presentence investigation report in a criminal proceeding, was taken up for consideration.

SENATE FILE 2285 SUBSTITUTED FOR HOUSE FILE 2625

Alons of Sioux asked and received unanimous consent to substitute Senate File 2285 for House File 2625.

**Senate File 2285**, a bill for an act relating to the distribution of a presentence investigation report in a criminal proceeding, 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?" (S.F. 2285)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Davitt
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Roberts, Presiding			



The nays were, none.

Absent or not voting, 3:

Dandekar

De Boef

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 2625 WITHDRAWN

Alons of Sioux asked and received unanimous consent to withdraw House File 2625 from further consideration by the House.

**House File 2588**, a bill for an act relating to the criminal and abuse registry checks required of a person employed by a licensed health care facility, was taken up for consideration.

Kurtenbach 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. 2588)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson

Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Roberts, Presiding			

The nays were, none.

Absent or not voting, 3:

Dandekar	De Boef	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2569**, a bill for an act relating to the operation of all-terrain vehicles on the highway for limited purposes, was taken up for consideration.

Lukan of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2569)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevrt	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Sands	Schickel	Schueler
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson

Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Roberts, Presiding			

The nays were, none.

Absent or not voting, 3:

Dandekar	De Boef	Zirkelbach
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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:

S. Olson of Clinton on request of Gipp of Winneshiek.

**House File 2567**, a bill for an act creating a multidimensional treatment level foster care program, was taken up for consideration.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2567)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert

Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, 4:

Dandekar	De Boef	Olson, S.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2565**, a bill for an act requiring the department of human services to implement an electronic payment system for the state child care assistance program, was taken up for consideration.

Granzow of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2565)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk

Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, 4:

Dandekar	De Boef	Olson, S.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 2157 WITHDRAWN

Granzow of Hardin asked and received unanimous consent to withdraw House File 2157 from further consideration by the House.

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2565, 2567, 2569 and 2588** and **Senate File 2285**.

### HOUSE FILE 2204 WITHDRAWN

Heaton of Henry asked and received unanimous consent to withdraw House File 2204 from further consideration by the House.

**House File 2509**, a bill for an act relating to financial education for applicants for and participants in the family investment program, was taken up for consideration.

Ford of Polk offered the following amendment H-8140 filed by him and moved its adoption:

H-8140

- 1 Amend House File 2509 as follows:
- 2 1. Page 1, line 4, by striking the words
- 3 "including but not limited" and inserting the
- 4 following: "which may include but is not limited".

Amendment H-8140 was adopted.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2509)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, 4:

Dandekar	De Boef	Olson, S.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## HOUSE FILE 2082 WITHDRAWN

Heaton of Henry asked and received unanimous consent to withdraw House File 2082 from further consideration by the House.

**House File 2493**, a bill for an act providing for the establishment of a viral hepatitis program and study, was taken up for consideration.

Freeman of Buena Vista offered the following amendment H-8131 filed by her and moved its adoption:

H-8131

- 1 Amend House File 2493 as follows:
- 2 1. Page 1, line 23, by striking the word
- 3 "seroprevalence".

Amendment H-8131 was adopted.

Freeman of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2493)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Davitt
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk

Swaim	Taylor, D.	Taylor, T	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Roberts, Presiding

The nays were, none.

Absent or not voting, 4:

Dandekar	De Boef	Olson, S.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2492**, a bill for an act relating to the costs of services provided to persons with mental retardation whose service costs are a state responsibility, was taken up for consideration.

Paulsen of Linn in the chair at 4:45 p.m.

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. 2492)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Davitt
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor



Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Paulsen, Presiding

The nays were, none.

Absent or not voting, 4:

Dandekar	De Boef	Olson, S.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 2021 WITHDRAWN

Carroll of Poweshiek asked and received unanimous consent to withdraw House File 2021 from further consideration by the House.

**House File 2464**, a bill for an act authorizing an approved nursing education program to initiate criminal and child and dependent adult abuse record checks of students and prospective students regarding the students' involvement with the clinical education component of the program, was taken up for consideration.

Hutter 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. 2464)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohon	Davitt
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach

Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdylke
Winckler	Wise	Paulsen, Presiding	

The nays were, none.

Absent or not voting, 5:

Dandekar	De Boef	Olson, S.	Struyk
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2321**, a bill for an act providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date, was taken up for consideration.

#### SENATE FILE 2124 SUBSTITUTED FOR HOUSE FILE 2321

Upmeyer of Hancock asked and received unanimous consent to substitute Senate File 2124 for House File 2321.

**Senate File 2124**, a bill for an act providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date, was taken up for consideration.

Upmeyer 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. 2124)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Paulsen, Presiding

The nays were, none.

Absent or not voting, 4:

Dandekar	De Boef	Olson, S.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### INTRODUCTION OF BILL

**House File 2746**, by committee on government oversight, a bill for an act relating to state employee vehicle usage.

Read first time and placed on the **calendar**.

### SENATE MESSAGES CONSIDERED

**Senate Joint Resolution 4**, By Courtney, Fraise, Dearden, Kettering, Johnson, Hancock, Gaskill, Schoenjahn, Black, Houser,

Wieck, Lundby, Horn, and Stewart, a joint resolution designating the channel catfish as the official state fish for the State of Iowa.

Read first time and referred to committee on **state government**.

**Senate File 2316**, by committee on state government, a bill for an act relating to the procedures for filing administrative rules.

Read first time and **passed on file**.

**Senate File 2333**, by committee on state government, a bill for an act relating to the transfer of veterans commemorative property placed in a cemetery, recodifying a provision regarding veteran markers, and providing a penalty.

Read first time and referred to committee on **veterans affairs**.

**Senate File 2339**, by committee on judiciary, a bill for an act relating to the crime victim compensation fund.

Read first time and referred to committee on **public safety**.

**Senate File 2364**, by committee on commerce, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including the securities and regulated industries bureau, insurance premium taxes, the uniform securities Act, insurance division procedures, regulation of insurance companies and other entities including administrative penalties, motor vehicle service contracts, county and state mutual insurance associations, reciprocal or interinsurance insurers, consolidation, merger and reinsurance contracts, insurance holding company systems, and cemeteries.

Read first time and referred to committee on **commerce, regulation and labor**.

**Senate File 2378**, by committee on agriculture, a bill for an act providing for the conversion of cooperative associations, and providing for an effective date.

Read first time and **passed on file**.

## HOUSE FILE 2321 WITHDRAWN

Upmeyer of Hancock asked and received unanimous consent to withdraw House File 2321 from further consideration by the House.

## IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2464, 2492, 2493 and 2509** and **Senate File 2124**.

## HOUSE FILE 2292 WITHDRAWN

Lukan of Dubuque asked and received unanimous consent to withdraw House File 2292 from further consideration by the House.

## MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 13, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2320, a bill for an act relating to the development of an Iowa studies professional development plan and the establishment of an Iowa studies committee.

Also: That the Senate has on March 13, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2343, a bill for an act revising the membership requirements for the child advocacy board.

Also: That the Senate has on March 13, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2352, a bill for an act relating to the regulation of all-terrain vehicles, and providing penalties for violations committed by snowmobile or all-terrain vehicle operators.

Also: That the Senate has on March 13, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2362, a bill for an act relating to involuntary hospitalization proceedings for chronic substance abusers and persons with mental illness.

Also: That the Senate has on March 13, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2369, a bill for an act relating to requirements for open feedlot operations, by providing for nutrient management plans and operating permits, and providing an effective date and retroactive applicability.

MICHAEL E. MARSHALL, Secretary

## HOUSE FILE 2514 REREFERRED

The Speaker announced that House File 2514, previously referred to the **calendar** was rereferred to committee on **appropriations**.

## 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

- |          |  |
|----------|--|
| 2006\900 | Amos Thrasher, Ottumwa – For celebrating his 90 <sup>th</sup> birthday.  |
| 2006\901 | Margie Christy, Ottumwa – For celebrating her 85 <sup>th</sup> birthday.   |
| 2006\902 | Betty McElroy, Ottumwa – For celebrating her 100 <sup>th</sup> birthday.   |
| 2006\903 | Esther Keasling, Ottumwa – For celebrating her 85 <sup>th</sup> birthday.  |
| 2006\904 | Robert Morgan, Ottumwa – For celebrating his 80 <sup>th</sup> birthday.  |
| 2006\905 | Lorene Henry, Keota – For celebrating her 80 <sup>th</sup> birthday.   |
| 2006\906 | Franklin “Buck” and Colleen Beall, Sigourney – For celebrating their 60 <sup>th</sup> wedding anniversary.   |
| 2006\907 | Margaret Newton, Fairfield – For celebrating her 95 <sup>th</sup> birthday.  |
| 2006\908 | Carrold and Charlotte Lemley, Libertyville – For celebrating their 60 <sup>th</sup> wedding anniversary.   |
| 2006\909 | Robert and Betty Cubbage, Fairfield – For celebrating their 60 <sup>th</sup> wedding anniversary.  |
| 2006\910 | Tess Myer, Mount Ayr – For receiving 2 <sup>nd</sup> place in the Women in Science and Engineering 8 <sup>th</sup> –9 <sup>th</sup> Grade Division in the “Write Women Back Into History” Essay Contest. |

- 2006\911 Gene and Veletta Poush, Nevada – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\912 Kimberly Deer, Independence – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2006\913 Elizabeth Soldwisch, Independence – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2006\914 Lucille Franck, Independence – For celebrating her 85<sup>th</sup> birthday.
- 2006\915 Russell Greenley, Independence – For celebrating his 90<sup>th</sup> birthday.
- 2006\916 Matt Schmitz, Jesup – For celebrating his 80<sup>th</sup> birthday.
- 2006\917 Melvin Weber, Jesup – For celebrating his 80<sup>th</sup> birthday.
- 2006\918 Marvin and JoAnn Yarrington, LaPorte City – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2006\919 Herbert Reddy, Davenport – For celebrating his 90<sup>th</sup> birthday.
- 2006\920 Shirley Fitzgerald, Davenport – For celebrating her 80<sup>th</sup> birthday.
- 2006\921 LuVerne Kohnkamp, Charter Oak – For celebrating her 85<sup>th</sup> birthday.
- 2006\922 Frank Diamond, Anthon – For celebrating his 85<sup>th</sup> birthday.
- 2006\923 Marvin and Roberta Petersen, Anthon – For celebrating their 59<sup>th</sup> wedding anniversary.
- 2006\924 Donald and Sheryl Petersen, Ute – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\925 Duane and Audrey Harrison, Battle Creek – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\926 Forrest Turner, Panora – For celebrating his 85<sup>th</sup> birthday.
- 2006\927 Gilbert and Bernice Mescher, Dubuque – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\928 Nicole Seemann, Girl Scout Troop 158, Spirit Lake – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2006\929 Katie Michelson, Girl Scout Troup 158, Spirit Lake – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2006\930 Katie Hansen, Girl Scout Troop 158, Spirit Lake – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.

- 2006\931 Alyssa Geinitz, Girl Scout Troop 158, Spirit Lake – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2006\932 Danielle Durbala, Girl Scout Troop 158, Spirit Lake – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2006\933 Red White, Melbourne –For celebrating his 80<sup>th</sup> birthday.
- 2006\934 Bernie and MaryAnn Cobie, Ackley – For celebrating their 50<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### Senate File 2207

State Government: Boal, Chair; Gaskill and Hutter.

##### Senate File 2358

Education: Dolecheck, Chair; Hogg and Schickel.

#### HOUSE STUDY BILL COMMITTEE ASSIGNMENT

##### H.S.B. 767 Appropriations

Providing for the appropriation of moneys to support renewable fuel infrastructure, and providing for a contingent effective date.

#### RESOLUTION FILED

**HR 141**, by Watts and Jenkins, a resolution urging the United States Congress to formulate a national energy policy that will provide for the long-term economic and national security needs of the United States of America.

Laid over under **Rule 25**.

#### AMENDMENTS FILED

H—8180	H.F.	2650	R. Olson of Polk
H—8181	H.F.	2527	Wendt of Woodbury
H—8182	H.F.	2742	Paulsen of Linn
H—8183	H.F.	2527	Oldson of Polk
H—8184	H.F.	2710	Tymeson of Madison
H—8185	H.F.	2527	Wendt of Woodbury
H—8186	H.F.	2627	Elgin of Linn



H—8187	H.F.	2627	Elgin of Linn
H—8188	H.F.	2627	Elgin of Linn
H—8189	H.F.	2627	Elgin of Linn
H—8190	H.F.	2662	Eichhorn of Hamilton
H—8191	H.F.	2627	Elgin of Linn
H—8192	H.F.	2627	Lukan of Dubuque
H—8193	H.F.	2704	T. Taylor of Linn
H—8194	H.F.	2734	Smith of Marshall
H—8195	H.F.	2627	Wise of Lee Quirk of Chickasaw
H—8196	H.F.	2627	Wise of Lee Quirk of Chickasaw
H—8197	H.F.	2743	Thomas of Clayton
H—8198	H.F.	2734	Murphy of Dubuque
H—8199	H.F.	2734	Foege of Linn
H—8200	H.F.	2743	Thomas of Clayton
H—8201	H.F.	2734	Foege of Linn
H—8202	H.F.	2734	Mascher of Johnson
H—8203	H.F.	2734	Mascher of Johnson
H—8204	H.F.	2743	Ford of Polk
H—8205	H.F.	2294	Ford of Polk
H—8206	H.F.	2597	Mascher of Johnson
H—8207	H.F.	2627	Ford of Polk
H—8208	H.F.	2627	Ford of Polk Jochum of Dubuque
H—8209	H.F.	2627	Ford of Polk
H—8210	H.F.	2527	Chambers of O'Brien
H—8211	H.F.	2627	Ford of Polk
H—8212	H.F.	2527	Chambers of O'Brien
H—8213	H.F.	2527	Chambers of O'Brien
H—8214	H.F.	2527	Ford of Polk
H—8215	H.F.	2527	Pettengill of Benton
H—8216	H.F.	2743	Petersen of Polk Wise of Lee Reichert of Muscatine Foege of Linn
H—8217	H.F.	2713	Bukta of Clinton Gaskill of Wapello Drake of Pottawattamie

On motion by Gipp of Winneshiek the House adjourned at 5:00 p.m., until 8:45 a.m., Tuesday, March 14, 2006.

# JOURNAL OF THE HOUSE

Sixty-five Calendar Day - Forty-five Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, March 14, 2006

The House met pursuant to adjournment at 8:50 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Mark Urlaub, pastor of Bethlehem Lutheran Church, Vinton. He was the guest of Representative Dawn Pettengill of Benton County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, March 13, 2006 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 March 13, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2208, a bill for an act relating to access to certain burial sites located on private property.

Also: That the Senate has on March 13, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2330, a bill for an act prohibiting monitor vending machines and providing an effective date.

Also: That the Senate has on March 13, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2374, a bill for an act containing various provisions relating to business entities, including limited partnerships, corporations, limited liability companies, cooperatives, and nonprofit corporations.

MICHAEL E. MARSHALL, Secretary

## SENATE MESSAGES CONSIDERED

**Senate File 2208**, by committee on local government, a bill for an act relating to access to certain burial sites located on private property.

Read first time and referred to committee on **local government**.

**Senate File 2320**, by committee on education, a bill for an act relating to the development of an Iowa studies professional development plan and the establishment of an Iowa studies committee.

Read first time and **passed on file**.

**Senate File 2330**, by committee on state government, a bill for an act prohibiting monitor vending machines and providing an excise tax and an effective date.

Read first time and **passed on file**.

**Senate File 2343**, by committee on human resources, a bill for an act revising the membership requirements for the child advocacy board.

Read first time and referred to committee on **human resources**.

**Senate File 2369**, by committee on agriculture, a bill for an act relating to requirements for open feedlot operations, by providing for nutrient management plans and operating permits, and providing an effective date and retroactive applicability.

Read first time and **passed on file**.

**Senate File 2374**, by committee on judiciary, a bill for an act containing various provisions relating to business entities, including corporations, limited liability companies, and nonprofit corporations.

Read first time and **passed on file**.

SPECIAL PRESENTATION  
CELEBRATION OF ST. PATRICKS DAY

Jenkins of Black Hawk and Frevert of Palo Alto introduced to the House, Michael Finucane, elected to Seanad Eireann (Labor Panel) in July, 2002. He is Fine Gael's Spokesperson on Communications and Natural Resources in the Upper House. He addressed the House briefly regarding immigration and the changes in both Ireland and other parts of the world.

The House rose and expressed its welcome.

The House stood at ease at 9:11 a.m., until the fall of the gavel.

The House resumed session at 11:38 a.m., Jacobs of Polk in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed fifty-six members present, forty-four absent.

CONSIDERATION OF BILLS  
Regular Calendar

**House File 2395**, a bill for an act directing the state board of regents to conduct a study of the admissions requirements common to the state universities, was taken up for consideration.

Gipp of Winneshiek asked and received unanimous consent that House File 2395 be deferred and that the bill retain its place on the calendar.

**House File 2462**, a bill for an act relating to the number of eligible electors' signatures necessary in a school district to propose at a regular election the question of providing free textbooks for the use of the school district's pupils, was taken up for consideration.

Schickel 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. 2462)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Lalk
Lensing	Lukan	Lykam	Maddox
Mascher	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Olson, S.	Paulsen	Petersen
Pettengill	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Jacobs,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Dandekar	Kurtenbach	Quirk	Van Fossen, J.K.
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 2005 WITHDRAWN

Schickel of Cerro Gordo asked and received unanimous consent to withdraw House File 2005 from further consideration by the House.

## IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2462** be immediately messaged to the Senate.

**House File 2395**, a bill for an act directing the state board of regents to conduct a study of the admissions requirements common to the state universities, previously deferred, was taken up for consideration.

Tomenga 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. 2395)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foegen
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Roberts	Sands	Schickel	Schueler
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Jacobs, Presiding

The nays were, none.

Absent or not voting, 4:

Dandekar                      Reichert                      Taylor, T.                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2395** be immediately messaged to the Senate.

**House File 2505**, a bill for an act authorizing the labor commissioner to represent laborers or employees seeking wage claims in pending receivership or seizure actions and providing an applicability date, was taken up for consideration.

Horbach of Tama moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2505)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foegel
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schuessler	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.

Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wildurdyke	Winckler
Wise	Jacobs, Presiding		

The nays were, none.

Absent or not voting, 2:

Dandekar	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2463**, a bill for an act relating to adoption and termination of jurisdiction of a court involving prior child support and custody proceedings, was taken up for consideration.

Lukan of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2463)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schuessler	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell



Whitaker	Whitead	Wilderdyke	Winckler
Wise	Jacobs, Presiding		

The nays were, none.

Absent or not voting, 2:

Dandekar	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 14, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2464, a bill for an act authorizing an approved nursing education program to initiate criminal and child and dependent adult abuse record checks of students and prospective students regarding the students' involvement with the clinical education component of the program.

Also: That the Senate has on March 14, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2644, a bill for an act relating to department of human services' technical requirements involving individual development accounts, family investment program limited benefit plans, paternity establishment definitions, and the state child care assistance program, and including effective date and retroactive applicability provisions.

Also: That the Senate has on March 14, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2301, a bill for an act relating to exemptions for certain personal property from execution by creditors in state court debt collection and federal bankruptcy actions.

Also: That the Senate has on March 14, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2368, a bill for an act concerning alcoholic beverage control relating to manufacturers providing free cleaning services to retailers.

Also: That the Senate has on March 14, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2387, a bill for an act relating to the housing trust fund and making appropriations.

MICHAEL E. MARSHALL, Secretary

### HOUSE FILE 2293 WITHDRAWN

Lukan of Dubuque asked and received unanimous consent to withdraw House File 2293 from further consideration by the House.

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2463** and **2505** be immediately messaged to the Senate.

On motion by Gipp of Winneshiek, the House was recessed at 12:01 p.m., until 1:00 p.m.

### AFTERNOON SESSION

The House reconvened at 1:02 p.m., Speaker Rants in the chair.

### 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.

### 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 14, 2006, adopted the following resolution in which the concurrence of the Senate was asked:

House Joint Resolution 5, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors.

Also: That the Senate has on March 14, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2587, a bill for an act relating to financial institutions including the regulation of state banks, bank holding companies, and industrial loan companies, and providing for penalties.

Also: That the Senate has on March 14, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2272, a bill for an act relating to the duties and operations of the state board of education, the department of education, and local school boards.

Also: That the Senate has on March 14, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2318, a bill for an act relating to an exception from emergency medical care requirements for persons providing care within the scope of their certification.

MICHAEL E. MARSHALL, Secretary

## RULES SUSPENDED

Gipp of Winneshiek asked and received unanimous consent to suspend Rule 31.8, related to the timely filing of amendments, for amendments filed for House File 2627 and Senate File 2330.

## CONSIDERATION OF BILLS

### Regular Calendar

**House File 2627**, a bill for an act prohibiting monitor vending machines and providing an effective date, was taken up for consideration.

The following amendments were deferred by unanimous consent:

Amendment H-8147 filed by Elgin of Linn.

Amendment H-8150 filed by Carroll of Poweshiek.

Amendment H-8196 filed by Wise of Lee.

Elgin of Linn offered the following amendment H-8218 filed by him from the floor and moved its adoption:

H-8218

1 Amend House File 2627 as follows:

2 1. By striking everything after the enacting

3 clause and inserting the following:

4 "Section 1. Section 99G.3, subsection 7, Code

5 2005, is amended to read as follows:

6 7. "Lottery", "lotteries", "lottery game",  
7 "lottery games" or "lottery products" means any game  
8 of chance approved by the board and operated pursuant  
9 to this chapter and games using mechanical or  
10 electronic devices, provided that the authority shall  
11 not authorize a monitor vending machine or a player-  
12 activated gaming machine that utilizes an internal  
13 randomizer to determine winning and nonwinning plays  
14 and that upon random internal selection of a winning  
15 play dispenses coins, currency, or a ticket, credit,  
16 or token to the player that is redeemable for cash or  
17 a prize, and excluding gambling or gaming conducted  
18 pursuant to chapter 99B, 99D, or 99F.

19 Sec. 2. Section 99G.3, Code 2005, is amended by  
20 adding the following new subsection:

21 NEW SUBSECTION. 8A. "Monitor vending machine"  
22 means a machine or other similar electronic device  
23 that includes a video monitor and audio capabilities  
24 that dispenses to a purchaser lottery tickets that  
25 have been determined to be winning or losing tickets  
26 by a predetermined pool drawing machine prior to the  
27 dispensing of the tickets.

28 Sec. 3. NEW SECTION. 99G.30A MONITOR VENDING  
29 MACHINE – TAX IMPOSED.

30 1. If revenues are generated from monitor vending  
31 machines on or after forty-five days following the  
32 effective date of this Act, then there shall be a  
33 monitor vending machine excise tax imposed on net  
34 monitor vending machine revenue receipts at the rate  
35 of sixty-five percent.

36 2. a. The director of revenue shall administer  
37 the monitor vending machine excise tax as nearly as  
38 possible in conjunction with the administration of  
39 state sales tax laws. The director shall provide  
40 appropriate forms or provide appropriate entries on  
41 the regular state tax forms for reporting local sales  
42 and services tax liability.

43 b. All powers and requirements of the director to  
44 administer the state sales and use tax law are  
45 applicable to the administration of the monitor  
46 vending machine excise tax, including but not limited  
47 to the provisions of section 422.25, subsection 4,  
48 sections 422.30, 422.67, and 422.68, section 422.69,  
49 subsection 1, sections 422.70 to 422.75, section  
50 423.14, subsection 1 and subsection 2, paragraphs "b"

Page 2

1 through "e", and sections 423.15, 423.23, 423.24,  
2 423.25, 423.31 to 423.35, 423.37 to 423.42, 423.46,  
3 and 423.47.

4 c. Frequency of deposits and quarterly reports of  
5 the monitor vending machine excise tax with the  
6 department of revenue are governed by the tax  
7 provisions in section 423.31. Monitor vending machine  
8 excise tax collections shall not be included in  
9 computation of the total tax to determine frequency of  
10 filing under section 423.31.

11 3. For purposes of this section, "net monitor  
12 vending machine revenue receipts" means the gross  
13 receipts received from monitor vending machines less  
14 prizes awarded.

15 Sec. 4. TRANSITION PROVISIONS – MONITOR VENDING  
16 MACHINES. Notwithstanding any provision of section  
17 99G.3, as amended by this Act, to the contrary, a  
18 retailer that has acquired a monitor vending machine  
19 prior to the effective date of this Act shall be  
20 allowed to offer the machine to the public for only  
21 forty-five days following the effective date of this  
22 Act. On or after forty-five days following the  
23 effective date of this Act, a retailer shall not make  
24 a monitor vending machine available to the public.

25 Sec. 5. EFFECTIVE DATE. This Act, being deemed of  
26 immediate importance, takes effect upon enactment."

27 2. Title page, line 1, by inserting after the  
28 word "providing" the following: "an excise tax and".

Amendment H-8218 was adopted.

With the adoption of amendment H-8218, the following amendments were placed out of order:

Amendment H-8147 filed by Elgin of Linn on March 8, 2006.

Amendment H-8148 filed by Carroll of Poweshiek on March 8, 2006.

Amendment H-8150 filed by Carroll of Poweshiek on March 8, 2006.

Amendment H-8168 filed by Carroll of Poweshiek on March 9, 2006.

Amendment H-8186 filed by Elgin of Linn on March 13, 2006.

Amendment H-8187 filed by Elgin of Linn on March 13, 2006.

Amendment H-8188 filed by Elgin of Linn on March 13, 2006.

Amendment H-8189 filed by Elgin of Linn on March 13, 2006.

Amendment H-8191 filed by Elgin of Linn on March 13, 2006.

Amendment H-8192 filed by Lukan of Dubuque on March 13, 2006.

Amendment H-8195 filed by Wise of Lee and Quirk of Chickasaw on March 13, 2006.

Amendment H-8196 filed by Wise of Lee and Quirk of Chickasaw on March 13, 2006.

Amendment H-8207 filed by Ford of Polk on March 13, 2006.

Amendment H-8208 filed by Ford of Polk and Jochum of Dubuque on March 13, 2006.

Amendment H-8209 filed by Ford of Polk on March 13, 2006.

Amendment H-8211 filed by Ford of Polk on March 13, 2006.

Amendment H-8223 filed by Jenkins of Black Hawk and Kurtenbach of Story from the floor.

Amendment H-8226 filed by D. Taylor of Linn from the floor.

Amendment H-8237 filed by Elgin of Linn from the floor.

Amendment H-8249 filed by Ford of Polk from the floor.

#### SENATE FILE 2330 SUBSTITUTED FOR HOUSE FILE 2627

Elgin of Linn asked and received unanimous consent to substitute Senate File 2330 for House File 2627.

**Senate File 2330**, a bill for an act prohibiting monitor vending machines and providing an excise tax and an effective date, was taken up for consideration.

The House stood at ease at 1:18 p.m., until the fall of the gavel.

The House resumed session at 1:20 p.m., Speaker Rants in the chair.

#### RULE 32 INVOKED

Murphy of Dubuque rose on a point of order invoking Rule 32, relating to the commitment of appropriation and revenue bills on Senate File 2330.

The Speaker ruled the point well taken and referred Senate File 2330 to the committee on ways and means.

#### RULE 57 SUSPENDED

Gipp of Winneshiek asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for an immediate meeting of the committee on ways and means to consider Senate File 2330.

The House stood at ease at 1:21 p.m., until the fall of the gavel.

The House resumed session and consideration of Senate File 2330 at 1:57 p.m., Speaker Rants in the chair.

### 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

**Senate File 2330**, a bill for an act prohibiting monitor vending machines and providing an excise tax and an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2006.

Quirk of Chickasaw asked and received unanimous consent that amendment H-8228 be deferred.

D. Taylor of Linn offered the following amendment H-8232 filed by him from the floor and moved its adoption:

H-8232

1 Amend Senate File 2330, 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 "Section 1. Section 99G.9, Code 2005, is amended  
6 by adding the following new subsection:  
7 NEW SUBSECTION. 4A. To establish a process to  
8 allow a person to be voluntarily excluded for life  
9 from purchasing a lottery ticket or share for lottery  
10 games authorized by this chapter. The process  
11 established shall require that the authority  
12 disseminate information regarding persons voluntarily  
13 excluded to all retailers under this chapter and, if  
14 applicable, to licensees under chapters 99D and 99F.  
15 The state, the authority, retailers under this  
16 chapter, and, if applicable, any licensee under  
17 chapter 99D or 99F shall not be liable to any person  
18 for any claim which may arise from this process. In  
19 addition to any other penalty provided by law, any  
20 money or thing of value that has been obtained by, or  
21 is owed to, a voluntarily excluded person by the  
22 authority as a result of playing any lottery game by  
23 the person after the person has been voluntarily  
24 excluded shall not be paid to the person but shall be  
25 deposited into the gambling treatment fund created in

26 section 135.150. The authority shall coordinate with  
27 the racing and gaming commission to establish a  
28 unified process for allowing persons to be excluded  
29 for life under this chapter and chapters 99D and 99F,  
30 and to establish a statewide database of persons  
31 excluded under this process and those excluded under  
32 the process for racetrack enclosures and all other  
33 licensed facilities under chapters 99D and 99F.

34 Sec. 2. Section 99G.30, subsection 4, Code 2005,  
35 is amended to read as follows:

36 4. Except for the authority, a retailer shall only  
37 sell lottery products on the licensed premises and not  
38 through the mail or by technological means except as  
39 the authority may provide or authorize and subject to  
40 the requirements of section 99G.30A.

41 Sec. 3. Section 99G.30, Code 2005, is amended by  
42 adding the following new subsection:

43 **NEW SUBSECTION. 8.** Lottery products or shares  
44 shall only be sold by a person at least eighteen years  
45 of age.

46 Sec. 4. **NEW SECTION.** 99G.30A MONITOR VENDING  
47 MACHINES – RESTRICTIONS.

48 1. It shall be lawful for a retailer to sell  
49 lottery products or tickets by means of a monitor  
50 vending machine pursuant to the requirements of the

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1 authority, but only if all of the following conditions  
2 are met:

3 a. A monitor vending machine shall only be  
4 permitted or offered for use by a retailer that is a  
5 fraternal or charitable organization in any single  
6 location or premises for which a class "A" or class  
7 "C" liquor control license has been issued pursuant to  
8 chapter 123.

9 b. A monitor vending machine shall not be located  
10 on the premises of a retailer within twenty feet of an  
11 automated teller machine.

12 c. A retailer may locate no more than four monitor  
13 vending machines at the retailer's premises.

14 d. The authority shall not advertise or promote  
15 the availability of monitor vending machines to the  
16 public. In addition, a person or retailer shall not  
17 advertise or promote the availability of a monitor  
18 vending machine to the public as anything other than a  
19 monitor vending machine dispensing lottery products or  
20 tickets pursuant to rules adopted by the authority.

21 e. A monitor vending machine offered to the public  
22 shall be designed so as to be inaudible and with a  
23 blank video monitor screen until the machine is  
24 activated by a player. To activate a machine, a



25 player shall be required to obtain a code or similar  
 26 activating device from the retailer each time a player  
 27 wishes to activate and play a machine. In addition,  
 28 each machine shall be designed to require each player  
 29 to affirmatively respond to questions on the machine  
 30 as determined by the authority prior to playing the  
 31 machine. The questions shall require responses  
 32 related to the minimum age required to play the  
 33 machine, the consequences if a person excluded from  
 34 purchasing lottery products plays the machine, and the  
 35 availability of gambling treatment programs.

36 f. The minimum cost for a person to activate and  
 37 play a game on a monitor vending machine shall be no  
 38 less than one dollar.

39 g. A retailer with a monitor vending machine shall  
 40 make brochures concerning available gambling treatment  
 41 information readily available to players of the  
 42 machine.

43 h. A retailer offering a monitor vending machine  
 44 to the public shall require that all employees  
 45 authorized to provide the code or similar activating  
 46 device to persons prior to activating and playing a  
 47 monitor vending machine shall be at least eighteen  
 48 years of age.

49 i. The number of monitor vending machines  
 50 authorized by the authority and offered to the public

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1 shall not exceed the number of monitor vending  
 2 machines that had been authorized and either located  
 3 on the licensed premises of a retailer or ordered by a  
 4 retailer from an authorized manufacturer as of January  
 5 7, 2006.

6 2. For purposes of this section, "monitor vending  
 7 machine" means a machine or other similar electronic  
 8 device that includes a video monitor and audio  
 9 capabilities that dispenses to a purchaser lottery  
 10 tickets that have been determined to be winning or  
 11 losing tickets by a predetermined pool drawing machine  
 12 prior to the dispensing of the tickets.

13 Sec. 5. NEW SECTION. 99G.30B AGE RESTRICTIONS –  
 14 PENALTIES.

15 1. A person under the age of twenty-one years  
 16 shall not purchase or attempt to purchase a lottery  
 17 ticket or share. A person who violates this  
 18 subsection commits a scheduled violation under section  
 19 805.8C, subsection 5.

20 2. If any retailer, or employee of a retailer, is  
 21 convicted or found in violation of section 99G.30,  
 22 subsection 3, the authority shall, in addition to  
 23 criminal penalties fixed for violation of that

24 subsection, assess a civil penalty as follows:  
25 a. A first violation shall subject the retailer to  
26 a civil penalty in the amount of five hundred dollars.  
27 b. A second violation within two years shall  
28 subject the retailer to a thirty-day suspension of the  
29 retailer's license and a civil penalty in the amount  
30 of one thousand five hundred dollars.  
31 c. A third violation within three years shall  
32 subject the retailer to a sixty-day suspension of the  
33 retailer's license and a civil penalty in the amount  
34 of one thousand five hundred dollars.  
35 d. A fourth violation within three years shall  
36 result in revocation of the retailer's license.  
37 e. For purposes of this subsection:  
38 (1) The date of any violation shall be used in  
39 determining the period between violations.  
40 (2) Suspension shall be limited to the specific  
41 license for the premises found in violation.  
42 Sec. 6. Section 99G.33, Code 2005, is amended to  
43 read as follows:  
44 99G.33 LAW ENFORCEMENT INVESTIGATIONS.  
45 The department of public safety, division of  
46 criminal investigation, shall be the primary state  
47 agency responsible for investigating criminal  
48 violations under this chapter. The chief executive  
49 officer shall contract with the department of public  
50 safety for investigative services, including the

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1 employment of special agents and support personnel,  
2 and procurement of necessary equipment to carry out  
3 the responsibilities of the division of criminal  
4 investigation under the terms of the contract and this  
5 chapter. The contract shall provide, at a minimum,  
6 for random checks of retailers at all hours for  
7 compliance with the provisions of this chapter,  
8 especially as it relates to the purchase of lottery  
9 products or access to monitor vending machines by a  
10 person who has not reached the age of twenty-one.  
11 Sec. 7. Section 99G.39, subsection 1, paragraph a,  
12 Code 2005, is amended to read as follows:  
13 a. An amount equal to one-half of one percent of  
14 the gross lottery revenue for the year shall be  
15 deposited in the gambling treatment fund created in  
16 section 135.150. However, an amount equal to one  
17 percent of the gross lottery revenue for the year  
18 derived from monitor vending machines shall be  
19 deposited in the gambling treatment fund created in  
20 section 135.150.  
21 Sec. 8. Section 805.8C, subsection 5, Code  
22 Supplement 2005, is amended to read as follows:

23 5. GAMBLING VIOLATIONS. For violations of legal  
 24 age for gambling wagering under section 99D.11,  
 25 subsection 7, section 99F.9, subsection 5, section  
 26 99G.30B, subsection 1, and section 725.19, subsection  
 27 1, the scheduled fine is five hundred dollars.  
 28 Failure to pay the fine by a person under the age of  
 29 eighteen shall not result in the person being detained  
 30 in a secure facility."  
 31 2. Title page, by striking lines 1 and 2 and  
 32 inserting the following: "An Act concerning the Iowa  
 33 lottery, including provisions on authorized lottery  
 34 games and machines, and providing penalties."  
 35 3. By renumbering as necessary.

Amendment H-8232 lost.

Heaton of Henry asked and received unanimous consent that amendment H-8234 be deferred.

Quirk of Chickasaw offered amendment H-8228, previously deferred, filed by him from the floor as follows:

H-8228

1 Amend Senate File 2330, 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 "Section 1. Section 99G.3, subsection 7, Code  
 6 2005, is amended to read as follows:  
 7 7. "Lottery", "lotteries", "lottery game",  
 8 "lottery games" or "lottery products" means any game  
 9 of chance approved by the board and operated pursuant  
 10 to this chapter and games using mechanical or  
 11 electronic devices, provided that the authority shall  
 12 not authorize a monitor vending machine or a player-  
 13 activated gaming machine that utilizes an internal  
 14 randomizer to determine winning and nonwinning plays  
 15 and that upon random internal selection of a winning  
 16 play dispenses coins, currency, or a ticket, credit,  
 17 or token to the player that is redeemable for cash or  
 18 a prize, and excluding gambling or gaming conducted  
 19 pursuant to chapter 99B, 99D, or 99F.  
 20 Sec. 2. Section 99G.3, Code 2005, is amended by  
 21 adding the following new subsection:  
 22 NEW SUBSECTION. 8A. "Monitor vending machine"  
 23 means a machine or other similar electronic device  
 24 that includes a video monitor and audio capabilities  
 25 that dispenses to a purchaser lottery tickets that  
 26 have been determined to be winning or losing tickets

27 by a predetermined pool drawing machine prior to the  
28 dispensing of the tickets.

29 Sec. 3. TRANSITION PROVISIONS – MONITOR VENDING  
30 MACHINES.

31 1. Notwithstanding any provision of section 99G.3,  
32 as amended by this Act, to the contrary, a retailer  
33 that has acquired a monitor vending machine prior to  
34 the effective date of this Act shall be allowed to  
35 offer the machine to the public for only forty-five  
36 days following the effective date of this Act. On or  
37 after forty-five days following the effective date of  
38 this Act, a retailer shall not make a monitor vending  
39 machine available to the public except as provided in  
40 subsection 2.

41 2. However, a retailer that has acquired a monitor  
42 vending machine prior to the effective date of this  
43 Act may continue to offer the machine to the public  
44 until September 15, 2006, if prior to forty-five days  
45 following the effective date of this Act a waiver has  
46 been filed by the retailer with the Iowa lottery. The  
47 waiver shall be signed by the retailer, and the  
48 manufacturer and distributor of the machine to be  
49 offered to the public pursuant to this subsection by  
50 the retailer, and provide that all parties agree to

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1 waive any and all claims any party may have against  
2 the Iowa lottery and the state arising out of the  
3 operation of this Act.

4 3. Upon filing a waiver as provided by subsection  
5 2, lottery revenues derived from monitor vending  
6 machines of the retailer and otherwise required to be  
7 payable to the Iowa lottery shall not be required to  
8 be paid to the Iowa lottery for the period on or after  
9 the date the waiver is filed and prior to September  
10 15, 2006. Instead, revenues otherwise required to be  
11 paid to the Iowa lottery shall be retained by the  
12 retailer and allocated to the retailer, manufacturer,  
13 and distributor of the machine in the same percentage  
14 as revenues are to be allocated between the parties  
15 pursuant to the contracts entered into by the parties.

16 Sec. 4. EFFECTIVE DATE. This Act, being deemed of  
17 immediate importance, takes effect upon enactment."

18 2. Title page, line 2, by striking the words  
19 "excise tax and an".

Quirk of Chickasaw offered the following amendment H-8233, to amendment H-8228, filed by him from the floor and moved its adoption:

H-8233

- 1 Amend the amendment, H-8228, to Senate File 2330,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 2, by striking lines 4 through 15.
- 5 2. By renumbering as necessary.

Amendment H-8233 was adopted.

The House stood at ease at 2:55 p.m., until the fall of the gavel.

The House resumed session at 3:44 p.m., Speaker Rants in the chair.

Carroll of Poweshiek offered amendment H-8241, to amendment H-8228, filed by him from the floor as follows:

H-8241

- 1 Amend the amendment, H-8228, to Senate File 2330,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. By striking page 1, line 5, through page 2,
- 5 line 19, and inserting the following:
- 6 "Sec. \_\_. Section 99G.3, subsection 7, Code 2005,
- 7 is amended to read as follows:
- 8 7. "Lottery", "lotteries", "lottery game",
- 9 "lottery games" or "lottery products" means any game
- 10 of chance approved by the board and operated pursuant
- 11 to this chapter and games using mechanical or
- 12 electronic devices, provided that the authority shall
- 13 not authorize a monitor vending machine or a player-
- 14 activated gaming machine that utilizes an internal
- 15 randomizer to determine winning and nonwinning plays
- 16 and that upon random internal selection of a winning
- 17 play dispenses coins, currency, or a ticket, credit,
- 18 or token to the player that is redeemable for cash or
- 19 a prize, and excluding gambling or gaming conducted
- 20 pursuant to chapter 99B, 99D, or 99F.
- 21 Sec. \_\_. Section 99G.3, Code 2005, is amended by
- 22 adding the following new subsection:
- 23 NEW SUBSECTION. 8A. "Monitor vending machine"
- 24 means a machine or other similar electronic device
- 25 that includes a video monitor and audio capabilities
- 26 that dispenses to a purchaser lottery tickets that
- 27 have been determined to be winning or losing tickets
- 28 by a predetermined pool drawing machine prior to the
- 29 dispensing of the tickets.

30 Sec. \_\_. NEW SECTION. 99G.30A MONITOR VENDING  
31 MACHINE – TAX IMPOSED.

32 1. If revenues are generated from monitor vending  
33 machines on or after forty-five days following the  
34 effective date of this Act, then there shall be a  
35 monitor vending machine excise tax imposed on net  
36 monitor vending machine revenue receipts at the rate  
37 of sixty-five percent.

38 2. a. The director of revenue shall administer  
39 the monitor vending machine excise tax as nearly as  
40 possible in conjunction with the administration of  
41 state sales tax laws. The director shall provide  
42 appropriate forms or provide appropriate entries on  
43 the regular state tax forms for reporting local sales  
44 and services tax liability.

45 b. All powers and requirements of the director to  
46 administer the state sales and use tax law are  
47 applicable to the administration of the monitor  
48 vending machine excise tax, including but not limited  
49 to the provisions of section 422.25, subsection 4,  
50 sections 422.30, 422.67, and 422.68, section 422.69,

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1 subsection 1, sections 422.70 to 422.75, section  
2 423.14, subsection 1 and subsection 2, paragraphs "b"  
3 through "e", and sections 423.15, 423.23, 423.24,  
4 423.25, 423.31 to 423.35, 423.37 to 423.42, 423.46,  
5 and 423.47.

6 c. Frequency of deposits and quarterly reports of  
7 the monitor vending machine excise tax with the  
8 department of revenue are governed by the tax  
9 provisions in section 423.31. Monitor vending machine  
10 excise tax collections shall not be included in  
11 computation of the total tax to determine frequency of  
12 filing under section 423.31.

13 3. For purposes of this section, "net monitor  
14 vending machine revenue receipts" means the gross  
15 receipts received from monitor vending machines less  
16 prizes awarded.

17 Sec. \_\_. TRANSITION PROVISIONS – MONITOR VENDING  
18 MACHINES. Notwithstanding any provision of section  
19 99G.3, as amended by this Act, to the contrary, a  
20 retailer that has acquired a monitor vending machine  
21 prior to the effective date of this Act shall be  
22 allowed to offer the machine to the public for only  
23 forty-five days following the effective date of this  
24 Act. On or after forty-five days following the  
25 effective date of this Act, a retailer shall not make  
26 a monitor vending machine available to the public.

27 Sec. \_\_. EFFECTIVE DATE. This Act, being deemed  
28 of immediate importance, takes effect upon enactment."

Roberts of Carroll in the chair at 4:15 p.m.

Speaker Rants in the Chair at 4:25 p.m.

The House stood at ease at 4:28 p.m., until the fall of the gavel.

The House resumed session at 5:22 p.m., Speaker Rants in the chair.

The House stood at ease at 5:22 p.m., until the fall of the gavel.

The House resumed session at 5:58 p.m., Speaker Rants in the chair.

Carroll of Poweshiek asked and received unanimous consent to withdraw amendment H-8241 to amendment H-8228 filed by him from the floor.

Quirk of Chickasaw asked and received unanimous consent to withdraw amendment H-8253, to amendment H-8228, filed by him from the floor.

Quirk of Chickasaw asked and received unanimous consent to withdraw amendment H-8252, to amendment H-8228, filed by him from the floor.

Quirk of Chickasaw moved the adoption of amendment H-8228, as amended.

Rule 75 was invoked.

Roll call was requested by Quirk of Chickasaw and Hunter of Polk.

On the question "Shall amendment H-8228, as amended, be adopted?" (S.F. 2330)

The ayes were, 41:

Anderson	Baudler	Bell	Berry
Bukta	Cohoon	Davitt	Foege
Ford	Frevert	Gaskill	Heddens
Hunter	Jacoby	Jochum	Kressig
Lensing	Lykam	Maddox	Mertz

Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Schueller	Shoultz	Smith
Swaim	Taylor, T.	Thomas	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise			

The nays were, 57:

Alons	Arnold	Boal	Carroll
Chambers	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Hogg	Horbach
Huseman	Huser	Hutter	Jacobs
Jenkins	Jones	Kaufmann	Kuhn
Kurtenbach	Lalk	Lukan	Mascher
May	McCarthy	Olson, S.	Paulsen
Raecker	Rasmussen	Rayhons	Reichert
Roberts	Sands	Schickel	Shomshor
Soderberg	Struyk	Taylor, D.	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wildurdyke
Mr. Speaker			
Rants			

Absent or not voting, 2:

Dandekar	Zirkelbach
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Amendment H-8228, as amended, lost, placing out of order amendment H-8257 filed by Fallon of Polk from the floor.

Ford of Polk offered the following amendment H-8250 filed by him from the floor and moved its adoption:

H-8250

1 Amend Senate File 2330, 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 "Section 1. Section 99G.30, subsection 4, Code  
 6 2005, is amended to read as follows:  
 7 4. Except for the authority, a retailer shall only  
 8 sell lottery products on the licensed premises and not  
 9 through the mail or by technological means except as  
 10 the authority may provide or authorize and subject to  
 11 the requirements of section 99G.30A.  
 12 Sec. 2. NEW SECTION. 99G.30A MONITOR VENDING



13 MACHINES – REFERENDUM.

14 1. It shall be lawful for a retailer to sell  
 15 lottery products or tickets by means of a monitor  
 16 vending machine pursuant to the requirements of the  
 17 authority, but only in a county in which the result of  
 18 the most recent referendum conducted in that county  
 19 pursuant to section 99G.30B was approval of a proposal  
 20 to authorize monitor vending machines.

21 2. For purposes of this section, "monitor vending  
 22 machine" means a machine or other similar electronic  
 23 device that includes a video monitor and audio  
 24 capabilities that dispenses to a purchaser lottery  
 25 tickets that have been determined to be winning or  
 26 losing tickets by a predetermined pool drawing machine  
 27 prior to the dispensing of the tickets.

28 Sec. 3. NEW SECTION. 99G.30B MONITOR VENDING  
 29 MACHINES – CONDUCT OF REFERENDUM.

30 1. The board of supervisors of each county shall  
 31 direct the commissioner of elections to submit a  
 32 proposition concerning monitor vending machines to the  
 33 county electorate at the general election held in 2006  
 34 and at the general election held at each subsequent  
 35 ten-year interval.

36 2. The proposition to be submitted to the electors  
 37 shall be in the following form:

38 Should monitor vending machines approved by the  
 39 Iowa lottery be allowed for (name of applicable  
 40 county)?

41 3. If a majority of the county voters voting in  
 42 the most recent referendum on the proposition favors  
 43 allowing monitor vending machines, then retailers may  
 44 offer monitor vending machines to the public in that  
 45 county pursuant to the requirements of this chapter.  
 46 If a majority of the county voters voting in the most  
 47 recent referendum on the proposition does not favor  
 48 allowing monitor vending machines, then monitor  
 49 vending machines shall not be permitted in the county  
 50 and retailers shall not make any monitor vending

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1 machines available to the public within sixty days  
 2 after the election."

3 2. Title page, by striking lines 1 and 2 and  
 4 inserting the following: "An Act concerning the Iowa  
 5 lottery, including provisions on authorized lottery  
 6 games and machines."

Amendment H-8250 lost.

Fallon of Polk asked and received unanimous consent to withdraw amendment H-8236 filed by him from the floor.

Ford of Polk offered the following amendment H-8239 filed by him from the floor and moved its adoption:

H-8239

- 1 Amend Senate File 2330, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 2, by inserting after line 26 the
- 4 following:
- 5 "Sec. \_\_\_\_ IOWA LOTTERY REIMBURSEMENT GRANTS.
- 6 There is appropriated from the general fund of the
- 7 state to the Iowa lottery division for the fiscal year
- 8 beginning July 1, 2006, and ending June 30, 2007, the
- 9 following amount, or so much thereof as is necessary,
- 10 to be used for the purpose designated:
- 11 For providing monitor vending machine reimbursement
- 12 grants as provided by this section:
- 13 ..... \$149,000,000
- 14 The Iowa lottery shall establish an application
- 15 process for retailers that have acquired a monitor
- 16 vending machine prior to the effective date of this
- 17 Act, as well as manufacturers and distributors of
- 18 machines offered to the public prior to the effective
- 19 date of this Act, to obtain a monitor vending machine
- 20 reimbursement grant from the amount appropriated in
- 21 this section. As a condition of a retailer,
- 22 manufacturer, or distributor receiving a grant
- 23 pursuant to this section, the applicable retailer,
- 24 manufacturer, or distributor shall waive any and all
- 25 claims any party may have against the Iowa lottery and
- 26 the state arising out of the operation of this Act."
- 27 2. Title page, line 2, by inserting after the
- 28 word "tax" the following: ", an appropriation,".
- 29 3. By renumbering as necessary.

Amendment H-8239 lost.

Heaton of Henry asked and received unanimous consent to withdraw amendment H-8234, previously deferred, filed by him, Horbach of Tama and Granzow of Hardin from the floor.

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. 2330)

The ayes were, 80:

Alons	Anderson	Arnold	Bell
Boal	Bukta	Carroll	Chambers
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gipp	Granzow	Greiner	Heaton
Heddens	Hogg	Huseman	Huser
Hutter	Jacobs	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Maddox	Mascher	May	McCarthy
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Paulsen	Petersen	Pettengill
Raecker	Rasmussen	Rayhons	Reichert
Roberts	Sands	Schickel	Shomshor
Shoultz	Smith	Soderberg	Struyk
Taylor, D.	Taylor, T.	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Wise	Mr. Speaker Rants

The nays were, 18:

Baudler	Berry	Cphoon	Gaskill
Hoffman	Horbach	Hunter	Jacoby
Lykam	Mertz	Olson, R.	Quirk
Reasoner	Schuessler	Swaim	Thomas
Tomenga	Winckler		

Absent or not voting, 2:

Dandekar	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### 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 14, 2006, passed the following bill in which the concurrence of the House is asked:

Senate file 2322, a bill for an act relating to notification procedures concerning diseases, health conditions, unusual clusters, or suspicious events which may be the cause of a public health disaster.

MICHAEL E. MARSHALL, Secretary

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **Senate File 2330** be immediately messaged to the Senate.

### HOUSE FILE 2627 WITHDRAWN

Elgin of Linn asked and received unanimous consent to withdraw House File 2627 from further consideration by the House.

### RULE 57 SUSPENDED

Gipp of Winneshiek asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on ways and means to consider House Study Bill 770.

The House stood at ease at 8:06 p.m., until the fall of the gavel.

The House resumed session at 8:27 p.m., Speaker Rants in the chair.

### INTRODUCTION OF BILL

**House File 2747**, by committee on ways and means, a bill for an act relating to prohibiting monitor vending machines and providing an effective date.

Read first time and placed on the **ways and means calendar**.

### SENATE MESSAGES CONSIDERED

**Senate File 2272**, by committee on education, a bill for an act relating to the duties and operations of the state board of education, the department of education, and local school boards and including effective and applicability provisions.

Read first time and referred to committee on **education**.

**Senate File 2301**, by committee on judiciary, a bill for an act relating to exemptions for certain personal property from execution by creditors in state court debt collection and federal bankruptcy actions.

Read first time and **passed on file**.

**Senate File 2318**, by committee on human resources, a bill for an act relating to an exception from emergency medical care requirements for persons providing care within the scope of their certification.

Read first time and referred to committee on **human resources**.

**Senate File 2322**, by committee on human resources, a bill for an act relating to the investigation and control of communicable and infectious diseases and notification procedures concerning diseases, health conditions, unusual clusters, or suspicious events which may be the cause of a public health disaster.

Read first time and referred to committee on **human resources**.

**Senate File 2352**, by committee on natural resources and environment, a bill for an act relating to the regulation of all-terrain vehicles, and providing penalties for violations committed by snowmobile or all-terrain vehicle operators.

Read first time and **passed on file**.

**Senate File 2362**, by committee on judiciary, a bill for an act relating to involuntary hospitalization proceedings for chronic substance abusers and persons with mental illness.

Read first time and **passed on file**.

**Senate File 2368**, by committee on state government, a bill for an act concerning alcoholic beverage control relating to manufacturers providing free cleaning services to retailers.

Read first time and **passed on file**.

**Senate File 2387**, by committee on appropriations, a bill for an act relating to the housing trust fund and making appropriations.

Read first time and referred to committee on **appropriations**.

## COMMITTEE RECOMMENDATION

### COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House Study Bill 770), relating to prohibiting monitor vending machines and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2006.

Gipp of Winneshiek asked and received unanimous consent for the immediate consideration of House File 2747.

### Ways and Means Calendar

**House File 2747**, a bill for an act relating to prohibiting monitor vending machines and providing an effective date, was taken up for consideration.

Boal of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2747)

The ayes were, 92:

Anderson	Arnold	Baudler	Bell
Berry	Boal	Bukta	Carroll
Cohoon	Davitt	De Boef	Dix
Dolecheck	Drake	Eichhorn	Elgin
Fallon	Foege	Ford	Freeman
Frevert	Gaskill	Gipp	Granzow
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy

Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Mr. Speaker
			Rants

The nays were, 6:

Alons	Chambers	Hogg	Kuhn
Raecker	Taylor, D.		

Absent or not voting, 2:

Dandekar	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2747** be immediately messaged to the Senate.

#### HOUSE FILE 2714 REREFERRED

The Speaker announced that House File 2714, previously referred to committee on **ways and means** was rereferred to committee on **appropriations**.

#### EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 13, 2006. Had I been present, I would have voted "aye" on House Files 2464, 2492, 2493, 2509, 2565, 2567, 2569, 2588, 2644, 2697, 2712 and Senate Files 2124, 2147 and 2273.

DE BOEF of Keokuk

## 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

- 2006\935 Helen Mielke, Monona – For celebrating her 90<sup>th</sup> birthday.
- 2006\936 Richard Opperman, Fayette – For celebrating his 80<sup>th</sup> birthday.
- 2006\937 Leon and Ruth Jacob, Elgin – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\938 Phil Rausch, Guttenberg – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\939 Kyle Pedretti, MFL MarMac High School – For winning 1<sup>st</sup> place in the 119lb. weight class in the Class 2–A Division of the 2006 State Wrestling Tournament.
- 2006\940 Guy Lane, Madrid – For celebrating his 95<sup>th</sup> birthday.
- 2006\941 Gladys Jans, Ames – For celebrating her 95<sup>th</sup> birthday.
- 2006\942 Chrystal Eckard, Ames – For celebrating her 90<sup>th</sup> birthday.
- 2006\943 Marjorie Johnson, Ames – For celebrating her 90<sup>th</sup> birthday.
- 2006\944 Donald Voelker, Ames – For celebrating his 85<sup>th</sup> birthday.
- 2006\945 Reuben Peterson, Madrid – For celebrating his 85<sup>th</sup> birthday.
- 2006\946 Mildred Engquist, Madrid – For celebrating her 85<sup>th</sup> birthday.
- 2006\947 Barbara Kane, Ames – For celebrating her 85<sup>th</sup> birthday.
- 2006\948 Laura Hellickson, Madrid – For celebrating her 85<sup>th</sup> birthday.
- 2006\949 Ardis Boyd, Ames – For celebrating her 85<sup>th</sup> birthday.
- 2006\950 Lester Larson, Ames – For celebrating his 85<sup>th</sup> birthday.
- 2006\951 Dale Edwards, Ames – For celebrating his 85<sup>th</sup> birthday.
- 2006\952 Gwendolyn Albright, Ames – For celebrating her 85<sup>th</sup> birthday.
- 2006\953 Josephine Ugolini, Madrid – For celebrating her 85<sup>th</sup> birthday.



- 2006\954 Harriet Welshons, Ames – For celebrating her 85<sup>th</sup> birthday.
- 2006\955 Virgil Lagomarcino, Ames – For celebrating his 85<sup>th</sup> birthday.
- 2006\956 Mary Pepper, Boone – For celebrating her 85<sup>th</sup> birthday.
- 2006\957 Elinor Gilbert, Madrid – For celebrating her 85<sup>th</sup> birthday.
- 2006\958 Virginia Acker, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\959 Iva Nelson, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\960 Martha Russell, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\961 Betty Spicer, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\962 Dorothy Conley, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\963 Annabelle Rickerl, Gilbert – For celebrating her 80<sup>th</sup> birthday.
- 2006\964 Maridee Hegstrom, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\965 Hugh Ostberg, Madrid – For celebrating his 80<sup>th</sup> birthday.
- 2006\966 Esther Hollenbach, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\967 Mary Cox, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\968 Dorothy McFarlane, Madrid – For celebrating her 80<sup>th</sup> birthday.
- 2006\969 Iris Jenney, Ames – For celebrating her 80<sup>th</sup> birthday.
- 2006\970 Donald Pietz, Ames – For celebrating his 80<sup>th</sup> birthday.
- 2006\971 Steve Coonrod, Cedar Rapids – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\972 Donald Taylor, Mason City – For celebrating his 80<sup>th</sup> birthday.
- 2006\973 Laura Patchen, Mason City – For celebrating her 90<sup>th</sup> birthday.
- 2006\974 Mildred Erbe, Mason City – For celebrating her 94<sup>th</sup> birthday.
- 2006\975 Laurine Byerly, Mason City – For celebrating her 87<sup>th</sup> birthday.
- 2006\976 Raymond and Jean Groth, Mason City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\977 Helen Sheets, Montezuma – For celebrating her 80<sup>th</sup> birthday.
- 2006\978 Gerald and Margaret Klyn, Oskaloosa – For celebrating their 60<sup>th</sup> wedding anniversary.

- 2006\979 Walter Gravitt, Oskaloosa – For celebrating his 91<sup>st</sup> birthday.
- 2006\980 Homer Cameron, Oskaloosa – For celebrating his 90<sup>th</sup> birthday.
- 2006\981 Woodrow and Zelda Jones, Grinnell – For celebrating their 72<sup>nd</sup> wedding anniversary.
- 2006\982 Marvin and Darlene Blaess, Grinnell – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2006\983 Edna Chyma, Grinnell – For celebrating her 95<sup>th</sup> birthday.
- 2006\984 Hunter Watkins, Johnston – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\985 Mildred Burdette, Clear Lake – For celebrating her 100<sup>th</sup> birthday.
- 2006\986 LaVon Brown, Garner – For celebrating her 80<sup>th</sup> birthday.
- 2006\987 Don Rover, Hampton – For celebrating his 80<sup>th</sup> birthday.
- 2006\988 Lela Siebrands, Dumont – For celebrating her 90<sup>th</sup> birthday.
- 2006\989 Dallas and Haroldine Schear, Alexander – For celebrating their 62<sup>nd</sup> wedding anniversary.
- 2006\990 Esther and John Day, Hampton – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2006\991 Sam and Marilyn Hasapopoulos, Clear Lake – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\992 Cecelia Johannes, Sibley – For celebrating her 90<sup>th</sup> birthday.
- 2006\993 Marcus Kreykes, Sheldon – For celebrating his 90<sup>th</sup> birthday.
- 2006\994 Carl and Clara Wassman, Sibley – For celebrating their 74<sup>th</sup> wedding anniversary.
- 2006\995 Richard and Ann Van Meeteren, Sheldon – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\996 Dr. Ken and Darlene Hansen, Sibley – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\997 Carole Moffett, Toledo – For celebrating her 90<sup>th</sup> birthday.
- 2006\998 Richard Crawford, Dysart – For celebrating his 80<sup>th</sup> birthday.

## SUBCOMMITTEE ASSIGNMENTS

**House File 2494**

Ways and Means: Eichhorn, Chair; Jochum and Kaufmann.

**House File 2514**

Appropriations: Jacobs, Chair; Jenkins and Petersen.

**House File 2606**

Ways and Means: Tomenga, Chair; Kurtenbach and Quirk.

**House File 2670**

Ways and Means: Kurtenbach, Chair; Kaufmann and Quirk.

**House File 2689**

Ways and Means: Paulsen, Chair; Eichhorn and Hogg.

**House File 2701**

Ways and Means: Kaufmann, Chair; Davitt and Paulsen.

**House File 2714**

Ways and Means: Eichhorn, Chair; Jochum and Paulsen.

**House File 2735**

Ways and Means: Drake, Chair; Lalk and Reasoner.

**House File 2736**

Ways and Means: Struyk, Chair; Huser, Lalk, Reasoner and Upmeyer.

**House File 2737**

Ways and Means: Kaufmann, Chair; Paulsen and Winckler.

**Senate File 2291**

Judiciary: Tymeson, Chair; Berry and Carroll.

**Senate File 2327**

Judiciary: Hutter, Chair; Alons and Smith.

**Senate File 2349**

Judiciary: Boal, Chair; Eichhorn and R. Olson.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT****House Study Bill 767**

Appropriations: Sands, Chair; De Boef and Thomas.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS****H.S.B. 768 Ways and Means**

Relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions.

**H.S.B. 769 Ways and Means**

Modifying allocations and apportionments of road use tax funds.

**H.S.B. 770 Ways and Means**

Relating to prohibiting monitor vending machines and providing an effective date.

**RESOLUTION FILED**

**HR 142**, by Raecker, a resolution to congratulate the Urbandale Senior League All-Star Team for winning the 2005 Senior League Baseball World Series Championship.

Laid over under **Rule 25**.

**AMENDMENTS FILED**

H—8219	H.F.	2506	Sands of Louisa
H—8220	H.F.	2671	Sands of Louisa
H—8221	H.F.	2632	Dix of Butler
H—8222	H.F.	2734	Mascher of Johnson
H—8224	H.F.	2527	Pettengill of Benton
H—8225	H.F.	2713	Paulsen of Linn
H—8227	H.F.	2678	Alons of Sioux
H—8229	H.F.	2414	Anderson of Page
H—8230	H.F.	2664	Baudler of Adair
H—8231	H.F.	2703	Whitaker of Van Buren

H—8235	H.F.	2734	Carroll of Poweshiek
			J.R. Van Fossen of Scott
			Upmeyer of Hancock
			Kurtenbach of Story
			Boal of Polk
			Jenkins of Black Hawk
			Jacobs of Polk
			Paulsen of Linn
			Berry of Black Hawk
			Foege of Linn
			Huser of Polk
			T. Taylor of Linn
			Shoultz of Black Hawk
			Lensing of Johnson
			Lykam of Scott
			R. Olson of Polk
H—8238	H.F.	2674	Anderson of Page
H—8240	H.F.	2734	Heaton of Henry
			Freeman of Buena Vista
			Kaufmann of Cedar
			Tymeson of Madison
H—8242	H.F.	2738	Lalk of Fayette
H—8243	H.F.	2734	Foege of Linn
H—8244	H.F.	2738	Roberts of Carroll
			Heddens of Story
H—8245	H.F.	2730	Wendt of Woodbury
			Jochum of Dubuque
H—8246	H.F.	2671	Ford of Polk
H—8247	H.F.	2637	Carroll of Poweshiek
H—8248	H.F.	2566	Ford of Polk
H—8251	H.F.	2527	Pettengill of Benton
			Chambers of O'Brien
H—8254	H.F.	2730	Kurtenbach of Story
			T. Taylor of Linn
			Tomenga of Polk
H—8255	H.F.	2621	Kaufmann of Cedar
H—8256	H.F.	2734	Smith of Marshall
H—8258	H.F.	2713	Struyk of Pottawattamie
			Jochum of Dubuque
			Eichhorn of Hamilton

H—8259	H.F.	2648	Struyk of Pottawattamie
H—8260	H.F.	2734	Hogg of Linn
H—8261	H.F.	2648	Horbach of Tama
H—8262	H.F.	2743	Heaton of Henry
H—8263	H.F.	2734	Petersen of Polk
H—8264	H.F.	2613	Ford of Polk
H—8265	H.F.	2743	Foege of Linn
H—8266	H.F.	2734	Upmeyer of Hancock
H—8267	H.F.	2734	Upmeyer of Hancock
H—8268	H.F.	2734	Heaton of Henry

On motion by Gipp of Winneshiek the House adjourned at 8:41 p.m. until 8:45 a.m., Wednesday, March 15, 2006.

# JOURNAL OF THE HOUSE

Sixty-sixth Calendar Day - Forty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 15, 2006

The House met pursuant to adjournment at 8:45 a.m., Speaker Rants in the chair.

Prayer was offered by Pandit Krishna Pandey, Priest of the Hindu Temple and Cultural Center of Iowa, Madrid. He was the guest of Representative Lisa Heddens of Story County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, March 14, 2006 was approved.

## SPECIAL PRESENTATIONS

Kaufmann of Cedar introduced to the House the Honorable Jan Torrence, former state representative from Muscatine County.

The House rose and expressed its welcome.

Upmeyer of Hancock introduced to the House Carolyn Nicholas (Miss Iowa 2004) and her sister Emily (2006 Miss Iowa candidate) who sang before the House prior to convening.

The House rose and expressed its welcome.

The House stood at ease at 8:48 a.m., until the fall of the gavel.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

D. Taylor of Linn, for March 15-16, 2006, on request of T. Taylor of Linn.

The House resumed session at 9:22 a.m., Speaker Rants in the chair.

## CONSIDERATION OF BILLS Appropriations Calendar

**House File 2527**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of cultural affairs, the department of education, and the state board of regents and including effective and retroactive applicability dates, was taken up for consideration.

Whitaker of Van Buren asked and received unanimous consent that amendment H-8171 be deferred.

The following amendments were deferred by unanimous consent:

Amendment H-8167, amendment H-8174, amendment H-8166 and amendment H-8152.

Wendt of Woodbury offered the following amendment H-8172 filed by Wendt, et al., and moved its adoption:

H-8172

- 1 Amend House File 2527 as follows:
- 2 1. Page 10, by striking lines 15 through 19.
- 3 2. Page 33, line 22, by striking the figures
- 4 "~~2005 2006~~" and inserting the following: "2005".
- 5 3. Page 33, line 23, by striking the figures
- 6 "~~2006 2007~~" and inserting the following: "2006".
- 7 4. Page 33, by striking lines 29 through 30 and
- 8 inserting the following: "in paragraph "d" and are
- 9 subject to the provisions of section 284.7, subsection
- 10 6. A school district shall submit a".
- 11 5. Page 34, by striking lines 3 through 5 and
- 12 inserting the following: "services agency not later
- 13 than January 15, 2006."
- 14 6. Page 35, by inserting after line 14 the
- 15 following:
- 16 "Sec. \_\_\_\_. NEW SECTION. 284.14 APPROPRIATIONS.
- 17 There is appropriated from the general fund of the
- 18 state to the department of education, the following
- 19 amounts, for the following fiscal years, for the
- 20 student achievement and teacher quality program:
- 21 1. For the fiscal year beginning July 1, 2006, and
- 22 ending June 30, 2007, the sum of ninety-nine million
- 23 five hundred ninety-three thousand eight hundred
- 24 ninety-four dollars.



- 25 2. For the fiscal year beginning July 1, 2007, and  
 26 ending June 30, 2008, the sum of one hundred twenty-  
 27 nine million five hundred ninety-three thousand eight  
 28 hundred ninety-four dollars.
- 29 3. For the fiscal year beginning July 1, 2008, and  
 30 ending June 30, 2009, the sum of one hundred fifty-  
 31 nine million five hundred ninety-three thousand eight  
 32 hundred ninety-four dollars.
- 33 4. For the fiscal year beginning July 1, 2009, and  
 34 ending June 30, 2010, the sum of one hundred eighty-  
 35 nine million five hundred ninety-three thousand eight  
 36 hundred ninety-four dollars.
- 37 5. For the fiscal year beginning July 1, 2010, and  
 38 ending June 30, 2011, and for each succeeding fiscal  
 39 year, the sum of two hundred nineteen million five  
 40 hundred ninety-three thousand eight hundred ninety-  
 41 four dollars."
- 42 7. By renumbering as necessary.

Dix of Butler in the chair at 9:35 a.m.

Speaker Rants in the chair at 9:41 a.m.

Roll call was requested by Murphy of Dubuque and Wendt of Woodbury.

On the question "Shall amendment H-8172 be adopted?" (H.F. 2527)

The ayes were, 46:

Bell	Berry	Bukta	Cohoon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Shoultz
Smith	Swaim	Taylor, T.	Thomas
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise		

The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn

Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Mr. Speaker	
		Rants	

Absent or not voting, 3:

Dandekar                      Taylor, D.                      Zirkelbach

Amendment H-8172 lost.

Mascher of Johnson asked and received unanimous consent that amendment H-8165 be deferred.

Oldson of Polk offered the following amendment H-8178 filed by Oldson, et al., and moved its adoption:

H-8178

1 Amend House File 2527 as follows:

2 1. Page 10, by inserting after line 35 the  
3 following:

4 "\_\_\_\_. PRESCHOOL FOR FOUR-YEAR-OLD CHILDREN PROGRAM

5 For allocation to eligible school districts for a  
6 four-year-old preschool program:

7 ..... \$ 15,000,00

8 a. PROGRAM ESTABLISHED – ADMINISTRATION. A

9 preschool for four-year-old children program is  
10 established under the supervision of the department of  
11 education. From the moneys appropriated pursuant to  
12 this section, not more than \$281,250 shall be used by  
13 the department for administration of the program.

14 b. PURPOSE. The purpose of the preschool for  
15 four-year-old children program shall be to provide an  
16 opportunity for all young children in the state to  
17 enter school ready to learn by expanding voluntary  
18 access to quality preschool curricula for all children  
19 who are four years old in order to increase the  
20 statewide percentage of four-year-olds who have access  
21 to such curricula.

22 c. ELIGIBLE CHILDREN.

23 (1) A child who is a resident of Iowa and is four  
24 years of age by September 15 of a school year shall be

25 eligible to enroll in the preschool program. If space  
26 and funding are available, a school district approved  
27 to participate in the program may enroll a younger  
28 child in the program; however, the child shall not be  
29 counted for state funding purposes.

30 (2) An eligible child who is enrolled in a child  
31 care center licensed under chapter 237A or in an  
32 existing public or private preschool or  
33 prekindergarten program located within the boundaries  
34 of the school district is also eligible to receive  
35 services through the preschool program.

36 (3) An eligible child who is receiving care from a  
37 child care home that is not registered under chapter  
38 237A, from a child development home that is registered  
39 under chapter 237A, or from another care provider that  
40 is not subject to regulation under chapter 237A, shall  
41 receive preschool program services through a child  
42 care center licensed under chapter 237A or through a  
43 preschool that is authorized by departmental rule to  
44 provide preschool program services.

45 d. TEACHER REQUIREMENTS.

46 (1) An individual serving as a teacher in the  
47 preschool for four-year-old children program shall be  
48 appropriately licensed under chapter 272, meet  
49 requirements under chapter 284, and be employed by the  
50 school district implementing the program.

Page 2

1 (2) A teacher in the preschool for four-year-old  
2 children program shall collaborate with other  
3 agencies, organizations, and boards in the community  
4 to further the program's capacity to meet the diverse  
5 needs of students and student families, such as early  
6 care, health, and human services. In addition, a  
7 teacher in the program shall work to maintain  
8 relationships with each student's family in order to  
9 enhance the student's development in all settings by  
10 collaborating with providers of parent education and  
11 parent involvement opportunities.

12 e. PROGRAM REQUIREMENTS. The state board shall  
13 adopt rules to further define the following preschool  
14 for four-year-old children program requirements:

15 (1) Maximum and minimum teacher-to-child ratios  
16 and class sizes shall be identified.

17 (2) A school district shall incorporate applicable  
18 state and federal program standards.

19 (3) A school district shall incorporate student  
20 learning standards.

21 (4) A school district shall provide for the  
22 integration of children from other state and federally  
23 funded preschools.

24 (5) A school district shall collaborate with  
25 participating families, early care providers, and  
26 community partners including but not limited to  
27 community empowerment area boards, head start  
28 programs, shared visions and other programs provided  
29 under the auspices of the child development  
30 coordinating council, licensed child care centers,  
31 area education agencies, child care resource and  
32 referral services provided under section 237A.26,  
33 early childhood special education programs, services  
34 funded by Title I of the federal Elementary and  
35 Secondary Education Act of 1965, and family support  
36 programs in accordance with the rules adopted by the  
37 state board.

38 (6) A school district shall provide for parental  
39 involvement in the preschool for four-year-old  
40 children program.

41 f. SCHOOL DISTRICT REQUIREMENTS. The state board  
42 shall adopt rules to further define the following  
43 requirements of school districts implementing the  
44 preschool for four-year-old children program:

45 (1) Methods of demonstrating community readiness  
46 to implement high-quality programming in a local  
47 program shall be identified. The methods may include  
48 but are not limited to a school district providing  
49 evidence of a public hearing on the proposed  
50 programming and written documentation of collaboration

Page 3

1 agreements between the school district, existing  
2 community providers, and other community stakeholders  
3 addressing operational procedures and other critical  
4 measures.

5 (2) A school district shall provide transportation  
6 of students enrolled in the preschool program as  
7 required for prekindergarten programs in section  
8 285.1.

9 (3) Subject to implementation of agreements  
10 between a school district and community-based  
11 providers of services to four-year-old children  
12 residing in the school district, a four-year-old child  
13 residing in a school district who is enrolled in a  
14 child care center licensed under chapter 237A or in an  
15 existing public or private preschool program shall be  
16 eligible for services provided by the school  
17 district's preschool program.

18 (4) A school district shall participate in data  
19 collection or performance measurement processes and  
20 reporting as defined by rule.

21 (5) Career development for school district  
22 preschool teachers shall be addressed in the school

23 district's career development plan implemented in  
 24 accordance with section 284.6.  
 25 g. DEPARTMENT OF EDUCATION REQUIREMENTS.  
 26 (1) The department shall implement an application  
 27 and selection process for school district  
 28 participation in the preschool for four-year-old  
 29 children program.  
 30 (2) The department shall track the progress of  
 31 students served by a school district preschool for  
 32 four-year-old children program and the students'  
 33 performance in elementary and secondary education.  
 34 (3) The department shall implement procedures to  
 35 monitor the quality of the programming provided under  
 36 the preschool for four-year-old children program."  
 37 2. By renumbering as necessary.

Roll call was requested by Oldson of Polk and Wendt of Woodbury.

On the question "Shall amendment H-8178 be adopted?" (H.F. 2527)

The ayes were, 46:

Bell	Berry	Bukta	Cohoon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Shoultz
Smith	Swaim	Taylor, T.	Thomas
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise		

The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson

Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wildurdyke	Mr. Speaker	
		Rants	

Absent or not voting, 3:

Dandekar	Taylor, D.	Zirkelbach
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Amendment H-8178 lost.

Wendt of Woodbury offered the following amendment H-8155 filed by him and moved its adoption:

H-8155

- 1 Amend House File 2527 as follows:
- 2 1. Page 10, by inserting after line 35 the
- 3 following:
- 4 "\_\_\_ PROFESSIONAL DEVELOPMENT
- 5 For materials, training, and other resources
- 6 necessary for school districts to provide professional
- 7 development to instructional staff:
- 8 ..... \$ 4,000,00
- 9 Funds allocated pursuant to this subsection shall
- 10 be distributed to school districts in accordance with
- 11 the following formula:
- 12 (1) Fifty percent of the allocation shall be in
- 13 the proportion that the basic enrollment of a school
- 14 district bears to the sum of the basic enrollments of
- 15 all school districts in the state for the budget year.
- 16 (2) Fifty percent of the allocation shall be based
- 17 upon the proportion that the number of full-time
- 18 equivalent teachers employed by a school district
- 19 bears to the sum of the number of full-time equivalent
- 20 teachers who are employed by all school districts in
- 21 the state for the base year."
- 22 2. By renumbering as necessary.

Amendment H-8155 lost.

Ford of Polk offered amendment H-8214 filed by him as follows:

H-8214

- 1 Amend House File 2527 as follows:
- 2 1. Page 10, by inserting after line 35 the
- 3 following:
- 4 "\_\_\_ HIGH-RISK TEACHER COMPENSATION GRANTS
- 5 For competitive grants to school districts. The

6 department shall determine grant criteria for the  
 7 awarding of high-risk teacher compensation grants to  
 8 school districts to pay teachers who are employed by  
 9 school districts in attendance centers in high crime  
 10 areas that have a high incidence of police calls to  
 11 the attendance center and who have high numbers of  
 12 student suspensions. Individual grant awards shall be  
 13 not more than \$5,000."

14 2. By striking page 33, line 22 through page 34,  
 15 line 5.

16 3. By renumbering as necessary.

Ford of Polk offered the following amendment H-8272, to amendment H-8214, filed by him from the floor and moved its adoption:

H-8272

1 Amend the amendment, H-8214, to House File 2527 as  
 2 follows:

3 1. Page 1, by striking line 5 and inserting the  
 4 following:

5 "For competitive high-risk teacher compensation  
 6 grants to school districts:

7 ..... \$ 1,000,00  
 8 The".

9 2. Page 1, by striking lines 14 and 15.

Amendment H-8272 was adopted.

On motion by Ford of Polk, amendment H-8214, as amended, lost.

Gaskill of Wapello offered the following amendment H-8176 filed by Gaskill, et al., and moved its adoption:

H-8176

1 Amend House File 2527 as follows:

2 1. Page 11, line 4, by striking the figure  
 3 "155,579,244" and inserting the following:  
 4 "160,829,244".

5 2. Page 11, by striking lines 8 through 22 and  
 6 inserting the following:

7	a. Merged Area I .....	\$ 7,857,801
8	b. Merged Area II .....	\$ 8,799,656
9	c. Merged Area III .....	\$ 8,120,130
10	d. Merged Area IV .....	\$ 3,988,693
11	e. Merged Area V .....	\$ 8,790,877
12	f. Merged Area VI .....	\$ 7,744,638

13	g. Merged Area VII .....	\$ 11,382,434
14	h. Merged Area IX .....	\$ 14,081,578
15	i. Merged Area X .....	\$ 23,573,984
16	j. Merged Area XI .....	\$ 23,839,165
17	k. Merged Area XII .....	\$ 9,331,165
18	l. Merged Area XIII .....	\$ 9,420,626
19	m Merged Area XIV .....	\$ 4,039,142
20	n. Merged Area XV .....	\$ 12,683,057
21	o. Merged Area XVI .....	\$ 7,176,298"

Roll call was requested by Gaskill of Wapello and Smith of Marshall.

On the question "Shall amendment H-8176 be adopted?" (H.F. 2527)

The ayes were, 47

Bell	Berry	Bukta	Cphoon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Maddox	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, T.
Thomas	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	

The nays were, 49:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
May	Olson, S.	Paulsen	Raecker
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wilderdyeke
Mr. Speaker			
Rants			



Absent or not voting, 4:

Dandekar

Heaton

Taylor, D.

Zirkelbach

Amendment H-8176 lost.

Gipp of Winneshiek asked and received unanimous consent that House File 2527 be deferred and that the bill retain its place on the calendar.

On motion by Gipp of Winneshiek, the House was recessed at 12:02 p.m., until 1:00 p.m.

### AFTERNOON SESSION

The House reconvened at 1:19 p.m., Speaker pro tempore Carroll 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.

### CONSIDERATION OF BILLS

#### Regular Calendar

The House resumed consideration of **House File 2527**, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of cultural affairs, the department of education, and the state board of regents and including effective and retroactive applicability dates, previously deferred.

Wendt of Woodbury offered amendment H-8154 filed by him as follows:

H-8154

1 Amend House File 2527 as follows:

2 1. Page 14, by inserting after line 34 the  
3 following:

4 "Sec. \_\_\_ AREA EDUCATION AGENCY INFRASTRUCTURE

5 GRANT PROGRAM. There is appropriated from the rebuild  
6 Iowa infrastructure fund to the department of  
7 education for the fiscal year beginning July 1, 2006,  
8 and ending June 30, 2007, the following amount, or so  
9 much thereof as is necessary, to be used for the  
10 purpose designated:  
11 For the establishment and implementation of an area  
12 education agency infrastructure grant program which  
13 provides up to \$200,000 to area education agencies for  
14 infrastructure purposes, notwithstanding section 8.57,  
15 subsection 6, paragraph "c":  
16 ..... \$ 1,000,000

17 For purposes of the grant program, "infrastructure  
18 purposes" includes land acquisition and construction,  
19 major renovation and major repair of buildings, all  
20 appurtenant structures, utilities, site development,  
21 recreational trails, and routine, recurring  
22 maintenance or operational expenses or leasing of a  
23 building, appurtenant structure, or utility without a  
24 lease-purchase agreement.

25 Area education agencies that have reorganized or  
26 are planning to reorganize shall receive priority in  
27 receiving grants.

28 Notwithstanding section 8.33, moneys appropriated  
29 in this section that remain unencumbered or  
30 unobligated at the close of the fiscal year shall not  
31 revert but shall remain available for expenditure for  
32 purposes of the grant program until the close of the  
33 succeeding fiscal year."

34 2. By renumbering as necessary.

Wendt of Woodbury offered the following amendment H-8185, to  
amendment H-8154, filed by him and moved its adoption:

H-8185

- 1 Amend the amendment, H-8154, to House File 2527 as
- 2 follows:
- 3 1. Page 1, line 20, by striking the words "site
- 4 development," and inserting the following: "and site
- 5 development."
- 6 2. Page 1, by striking lines 21 through 24.

Amendment H-8185 was adopted.

Chambers of O'Brien rose on a point of order that amendment  
H-8154, as amended, was not germane.

The Speaker ruled the point well taken and amendment H-8154,  
as amended, not germane.

Pettengill of Benton offered amendment H-8215 filed by her as follows:

H-8215

1 Amend House File 2527 as follows:  
 2 1. Page 15, by inserting after line 19 the  
 3 following:  
 4 "aa. The state board of regents shall not take  
 5 action to change the current status of the Iowa  
 6 braille and sight saving school unless both of the  
 7 following have occurred:  
 8 (1) The board submits to the general assembly a  
 9 comprehensive plan, program, and fiscal analysis of  
 10 the existing circumstances and the circumstances which  
 11 would prevail upon the proposed change. The analysis  
 12 shall include a detailed study of the educational  
 13 implications of the change, the impact on the  
 14 students, and the opinions and research of nationally  
 15 recognized experts in the field of the education of  
 16 visually impaired students.  
 17 (2) The general assembly studies the plans,  
 18 programs, and fiscal analysis, reviews their impact on  
 19 the programs, and enacts legislation authorizing the  
 20 change proposed under this lettered paragraph."  
 21 2. By renumbering as necessary.

Pettengill of Benton asked and received unanimous consent to withdraw amendment H-8224, to amendment H-8215, filed by her on March 14, 2006.

Pettengill of Benton offered the following amendment H-8251, to amendment H-8215, filed by her and Chambers of O'Brien and moved its adoption:

H-8251

1 Amend the amendment, H-8215, to House File 2527 as  
 2 follows:  
 3 1. Page 1, by striking lines 4 through 20 and  
 4 inserting the following:  
 5 ""The state board of regents shall not circumvent  
 6 the requirements of section 270.10 and as the board  
 7 develops any plan regarding the Iowa braille and sight  
 8 saving school, it shall comply with the requirements  
 9 of section 270.10 and shall report monthly to the  
 10 legislative standing committee on government oversight  
 11 during the legislative interim.""

Amendment H-8251 was adopted.

On motion by Pettengill of Benton, amendment H-8215, as amended, was adopted.

Shoultz of Black Hawk offered the following amendment H-8121 filed by him and Kressig of Black Hawk and moved its adoption:

H-8121

- 1 Amend House File 2527 as follows:
- 2 1. Page 16, line 11, by striking the figure
- 3 "6,000,000" and inserting the following:
- 4 "40,000,000".

Gipp of Winneshiek asked and received unanimous consent that House File 2527 be deferred and that the bill retain its place on the calendar. (Amendment H-8121 pending)

#### ADOPTION OF HOUSE RESOLUTION 130

Upmeyer of Hancock and Wise of Lee called up for consideration **House Resolution 130**, a resolution honoring John G. Pappajohn, a 2006 nationally recognized Outstanding Community College Alumnus, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House resumed consideration of House File 2527 and amendment H-8121.

Roberts of Carroll in the chair at 2:25 p.m.

Shoultz of Black Hawk moved the adoption of amendment H-8121.

Roll call was requested by Kressig of Black Hawk and Shoultz of Black Hawk.

On the question "Shall amendment H-8121 be adopted?" (H.F. 2527)

The ayes were, 46:

Bell	Berry	Bukta	Cphoon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Shoultz
Smith	Swaim	Taylor, T.	Thomas
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise		

The nays were, 48:

Anderson	Arnold	Baudler	Boal
Carroll	Chambers	De Boef	Dix
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Greiner
Hoffman	Horbach	Huseman	Hutter
Jacobs	Jenkins	Jones	Kaufmann
Lalk	Lukan	Maddox	May
Olson, S.	Paulsen	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wilderdyeke	Roberts, Presiding

Absent or not voting, 6:

Alons	Dandekar	Heaton	Kurtenbach
Taylor, D.	Zirkelbach		

Amendment H-8121 lost.

D. Olson of Boone offered the following amendment H-8092 filed by him and moved its adoption:

H-8092

- 1 Amend House File 2527 as follows:
- 2 1. Page 19, line 25, by striking the figure
- 3 "3,849,461" and inserting the following: "3,949,461".
- 4 2. Page 19, by inserting after line 26 the
- 5 following:
- 6 "From the funds appropriated in this lettered
- 7 paragraph, \$100,000 shall be allocated for purposes of
- 8 conducting a one-year biomonitoring pilot study to

- 9 anonymously test the blood of newborns for metals.
- 10 The study shall plot the results geographically to
- 11 identify areas in the state where hazardous substances
- 12 threaten the public's health."

Amendment H-8092 lost.

Struyk of Pottawattamie asked and received unanimous consent to withdraw amendment H-8153 filed by him on March 9, 2006.

Chambers of O'Brien asked and received unanimous consent to withdraw amendment H-8210 filed by him on March 13, 2006, placing out of order amendment H-8270 filed by Petersen of Polk, Heddens of Story, Wise of Lee, Smith of Marshall, Swaim of Davis, Thomas of Clayton, Whitaker of Van Buren, Foege of Linn, Reasoner of Union, D. Olson of Boone, Kuhn of Floyd, Reichert of Muscatine, Frevert of Palo Alto, Gaskill of Wapello, Pettengill of Benton, Oldson of Polk, Murphy of Dubuque and Kressig of Black Hawk from the floor.

Oldson of Polk offered the following amendment H-8183 filed by her and moved its adoption:

H-8183

- 1 Amend House File 2527 as follows:
- 2 1. Page 27, by striking lines 1 and 2 and
- 3 inserting the following: "~~nine~~ forty-seven million
- 4 ~~six~~ three hundred ~~seventy-three~~ eighty-eight thousand
- 5 five hundred ~~seventy-five~~ ninety-one dollars for".
- 6 2. Page 27, line 26, by striking the words "one
- 7 hundred sixty-seven" and inserting the following:
- 8 "two hundred sixty-five".
- 9 3. Page 27, line 27, by striking the word "fifty-
- 10 eight" and inserting the following: "ninety-nine".

Amendment H-8183 lost.

Chambers of O'Brien offered the following amendment H-8212 filed by him and moved its adoption:

H-8212

- 1 Amend House File 2527 as follows:
- 2 1. Page 27, by inserting after line 28 the
- 3 following:

4 "Sec. \_\_\_\_\_. Section 261.35, subsection 2, Code  
 5 2005, is amended to read as follows:  
 6 2. "Eligible borrower" means a person, or the  
 7 parent of a person, who is a resident of this state  
 8 and is enrolled or will be enrolled at an eligible  
 9 institution within or without the state or who is a  
 10 nonresident of this state and is enrolled or will be  
 11 enrolled at an eligible institution within the state,  
 12 or who is a resident of another state and is borrowing  
 13 from an Iowa-based eligible lender and is enrolled or  
 14 will be enrolled at an eligible institution within or  
 15 without the state, or who has previously received a  
 16 loan guaranteed by the commission. All eligible  
 17 borrowers must meet the eligibility requirements  
 18 established by the commission. The commission shall  
 19 establish the qualifications for being a resident of  
 20 this state; however, the qualifications shall not be  
 21 more stringent than those established by the state  
 22 board of regents."

Amendment H-8212 was adopted.

Chambers of O'Brien offered amendment H-8213 filed by him as follows:

H-8213

- 1 Amend House File 2527 as follows:  
 2 1. Page 28, line 32, by striking the word "in".  
 3 2. Page 28, by striking lines 33 and 34.

Quirk of Chickasaw asked and received unanimous consent to withdraw amendment H-8273, to amendment H-8213, filed by him from the floor.

On motion by Chambers of O'Brien, amendment H-8213 was adopted.

Wendt of Woodbury offered amendment H-8181 filed by him as follows:

H-8181

- 1 Amend House File 2527 as follows:  
 2 1. Page 29, by inserting after line 9 the  
 3 following:  
 4 "Sec. \_\_\_\_\_. Section 280.12, subsection 2, Code  
 5 2005, is amended by adding the following new  
 6 paragraph:

7 NEW PARAGRAPH. f. Harassment or bullying  
8 prevention goals, programs, training, and other  
9 initiatives.

10 Sec. \_\_\_\_\_. NEW SECTION. 280.28 HARASSMENT AND  
11 BULLYING PROHIBITED – POLICY – IMMUNITY.

12 1. PURPOSE – FINDINGS – POLICY. The state of  
13 Iowa is committed to providing all students with a  
14 safe and civil school environment in which all members  
15 of the school community are treated with dignity and  
16 respect. The general assembly finds that a safe and  
17 civil school environment is necessary for students to  
18 learn and achieve at high academic levels. Harassing  
19 and bullying behavior can seriously disrupt the  
20 ability of school employees to maintain a safe and  
21 civil environment, and the ability of students to  
22 learn and succeed. Therefore, it is the policy of the  
23 state of Iowa that school employees, volunteers, and  
24 students in Iowa schools shall not engage in harassing  
25 or bullying behavior.

26 2. DEFINITIONS. For purposes of this section,  
27 unless the context otherwise requires:

28 a. "Harassment" and "bullying" shall be construed  
29 to mean the same and mean any conduct toward a student  
30 that is based on any actual or perceived trait or  
31 characteristic of the student and that creates an  
32 objectively hostile school environment which meets any  
33 of the following conditions:

34 (1) Places the student in reasonable fear of harm  
35 to the student's person or property.

36 (2) Has a substantially detrimental effect on the  
37 student's physical or mental health.

38 (3) Has the effect of substantially interfering  
39 with a student's academic performance.

40 (4) Has the effect of substantially interfering  
41 with the student's ability to participate in or  
42 benefit from the services, activities, or privileges  
43 provided by a school.

44 b. "Trait or characteristic of the student"  
45 includes, but is not limited to, age, color, creed,  
46 national origin, race, religion, marital status, sex,  
47 sexual orientation, gender identity, physical  
48 attributes, physical or mental ability or disability,  
49 ancestry, political party preference, socioeconomic  
50 status, or familial status.

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1 3. POLICY. On or before January 1, 2007, the  
2 board of directors of a school district and the  
3 authorities in charge of each accredited nonpublic  
4 school shall adopt a policy declaring harassment and  
5 bullying in schools, on school property, and at any



6 school function, or school-sponsored activity  
7 regardless of its location, in a manner consistent  
8 with this section, as against state and school policy.  
9 The board and the authorities shall make a copy of the  
10 policy available to all school employees, volunteers,  
11 students, and parents and shall take all appropriate  
12 steps to bring the policy against harassment and  
13 bullying, and the responsibilities set forth in the  
14 policy to the attention of school employees,  
15 volunteers, students, and parents. Each policy shall,  
16 at a minimum, include all of the following components:  
17 a. A statement declaring harassment and bullying  
18 to be against state and school policy. The statement  
19 shall include, but not be limited to, the following  
20 provisions:  
21 (1) School employees, volunteers, and students in  
22 school, on school property, or at any school function  
23 or school-sponsored activity shall not engage in  
24 harassing and bullying behavior.  
25 (2) School employees, volunteers, and students  
26 shall not engage in reprisal, retaliation, or false  
27 accusation against a victim, witness, or an individual  
28 who has reliable information about such an act of  
29 harassment or bullying.  
30 b. A definition of harassment and bullying that is  
31 no less inclusive than the definition set forth in  
32 this section.  
33 c. A description of the type of behavior expected  
34 from school employees, volunteers, and students  
35 relative to prevention measures, reporting, and  
36 investigation of harassment or bullying.  
37 d. The consequences and appropriate remedial  
38 action for a person who violates the harassment and  
39 bullying policy.  
40 e. A procedure for reporting an act of harassment  
41 or bullying, including the identification by job title  
42 of the school official responsible for ensuring that  
43 the policy is implemented, and the identification of  
44 the person or persons to whom reports of harassment or  
45 bullying shall be submitted.  
46 f. A procedure for the prompt investigation of  
47 complaints, either identifying the school principal,  
48 or the principal's designee as the individual  
49 responsible for conducting the investigation,  
50 including a statement that investigators will consider

Page 3

1 the totality of circumstances presented in determining  
2 whether conduct objectively constitutes harassment or  
3 bullying under this section.  
4 g. A statement of the manner in which the policy

5 will be publicized.

6 4. PROGRAMS ENCOURAGED. The board of directors of  
7 a school district and the authorities in charge of  
8 each accredited nonpublic school are encouraged to  
9 establish programs designed to eliminate harassment  
10 and bullying in schools. To the extent that funds are  
11 available for these purposes, school districts and  
12 accredited nonpublic schools shall do the following:

13 a. Provide training on harassment and bullying  
14 policies to school employees and volunteers who have  
15 significant contact with students.

16 b. Develop a process to provide school employees,  
17 volunteers, and students with the skills and knowledge  
18 to help reduce incidents of harassment and bullying.

19 5. IMMUNITY. A school employee, volunteer, or  
20 student, or a student's parent or guardian, who  
21 promptly, reasonably, and in good faith reports an  
22 incident of harassment or bullying, in compliance with  
23 the procedures in the policy adopted pursuant to this  
24 section, to the appropriate school official designated  
25 by the school district or accredited nonpublic school,  
26 shall be immune from civil or criminal liability  
27 relating to such report, as well as for participating  
28 in any administrative or judicial proceeding resulting  
29 from or relating to the report.

30 6. COLLECTION REQUIREMENT. The board of directors  
31 of a school district and the authorities in charge of  
32 each nonpublic school shall develop and maintain a  
33 system to collect harassment and bullying incidence  
34 data.

35 7. INTEGRATION OF POLICY AND REPORTING. The board  
36 of directors of a school district and the authorities  
37 in charge of each nonpublic school shall integrate its  
38 antiharassment and antibullying policy into the  
39 comprehensive school improvement plan required under  
40 section 256.7, subsection 21, and shall report data  
41 collected under subsection 6, as specified by the  
42 department to the local community.

43 8. EXISTING REMEDIES NOT AFFECTED. This section  
44 shall not be construed to preclude a victim from  
45 seeking administrative or legal remedies under any  
46 applicable provision of law."

47 2. Page 35, by inserting after line 14 the  
48 following:

49 "Sec. \_\_\_\_ STATE MANDATE FUNDING SPECIFIED. In  
50 accordance with section 25B.2, subsection 3, the state

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1 cost of requiring compliance with any state mandate  
2 included in the sections of this Act amending section  
3 280.12 and enacting section 280.28 shall be paid by a

4 school district from state school foundation aid  
 5 received by the school district under section 257.16.  
 6 This specification of the payment of the state cost  
 7 shall be deemed to meet all the state funding-related  
 8 requirements of section 25B.2, subsection 3, and no  
 9 additional state funding shall be necessary for the  
 10 full implementation of those sections of this Act by  
 11 and enforcement of those sections of this Act against  
 12 all affected school districts."  
 13 3. By renumbering as necessary.

Chambers of O'Brien rose on a point of order that amendment H-8181 was not germane.

The Speaker ruled the point well taken and amendment H-8181 not germane.

Whitaker of Van Buren offered the following amendment H-8171, previously deferred, filed by Whitaker, et al., and moved its adoption:

H-8171

1 Amend House File 2527 as follows:  
 2 1. Page 2, line 9, by striking the figure  
 3 "3,725,000" and inserting the following: "3,800,000".

Amendment H-8171 lost.

### SPECIAL PRESENTATION

Kaufmann of Cedar introduced to the House the Honorable Dan Boddicker, former state representative from Cedar County.

The House rose and expressed its welcome.

Frevert of Palo Alto offered the following amendment H-8167, previously deferred, filed by her and moved its adoption:

H-8167

1 Amend House File 2527 as follows:  
 2 1. Page 2, by striking lines 21 through 33.  
 3 2. By renumbering as necessary.

Amendment H-8167 lost.

Gaskill of Wapello offered the following amendment H-8174, previously deferred, filed by her and Whitaker of Van Buren and moved its adoption:

H-8174

- 1 Amend House File 2527 as follows:
- 2 1. Page 4, line 17, by striking the figure
- 3 "534,676" and inserting the following: "554,676".
- 4 2. Page 4, by inserting after line 18 the
- 5 following:
- 6 "From the funds appropriated in this subsection,
- 7 \$20,000 shall be used for the American gothic house
- 8 visitor center in Wapello county."

Amendment H-8174 lost.

Frevort of Palo Alto offered the following amendment H-8166, previously deferred, filed by her and moved its adoption:

H-8166

- 1 Amend House File 2527 as follows:
- 2 1. Page 6, line 2, by striking the figure
- 3 "4,779,655" and inserting the following: "5,149,655".

A non-record roll call was requested.

The ayes were 40, nays 49.

Amendment H-8166 lost.

Bell of Jasper offered the following amendment H-8152, previously deferred, filed by Bell, et al., and moved its adoption:

H-8152

- 1 Amend House File 2527 as follows:
- 2 1. Page 7, line 6, by striking the figure
- 3 "1,420,694" and inserting the following: "1,620,694".
- 4 2. Page 7, line 9, by striking the figure
- 5 "1,698,432" and inserting the following: "2,913,432".
- 6 3. Page 7, line 12, by striking the figure
- 7 "1,376,558" and inserting the following: "1,426,558".

Amendment H-8152 lost.

Mascher of Johnson offered amendment H-8165, previously deferred, filed by her and requested division as follows:

H-8165

1 Amend House File 2527 as follows:

H-8165A

2 1. Page 10, line 25, by striking the figure  
3 "400,000" and inserting the following: "600,000".

H-8165B

4 2. Page 29, by inserting after line 9 the  
5 following:  
6 "Sec. \_\_. Section 279.61, Code Supplement 2005,  
7 is amended by adding the following new subsection:  
8 NEW SUBSECTION. 3. The board of directors of each  
9 school district shall adopt a policy which requires  
10 that each attendance center identify the students who  
11 will most likely have difficulty meeting the  
12 attendance requirements of section 299.1A and hold at  
13 least one meeting with each student identified, the  
14 student's parent or guardian, and school personnel to  
15 develop options for the student which may include but  
16 are not limited to opportunities under the jobs for  
17 America's graduates program, regional or alternative  
18 high school programs, postsecondary enrollment options  
19 under chapter 261C, and district-to-community college  
20 sharing programs."  
21 3. Page 35, by inserting after line 14 the  
22 following:  
23 "Sec. \_\_. Section 299.1A, Code 2005, is amended  
24 to read as follows:  
25 299.1A COMPULSORY ATTENDANCE AGE.  
26 A child who has reached the age of six and is under  
27 ~~sixteen~~ eighteen years of age by September 15 is of  
28 compulsory attendance age. However, if a child  
29 enrolled in a school district or accredited nonpublic  
30 school reaches the age of ~~sixteen~~ eighteen on or after  
31 September 15, the child remains of compulsory age  
32 until the end of the regular school calendar."  
33 4. By renumbering as necessary.

Mascher of Johnson asked and received unanimous consent to withdraw amendment H-8165B.

On motion by Mascher of Johnson, amendment H-8165A lost.

Chambers of O'Brien moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2527)

The ayes were, 53:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Huser	Hutter	Jacobs
Jenkins	Jones	Kaufmann	Kurtenbach
Lalk	Lukan	Maddox	May
Olson, S.	Paulsen	Pettengill	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wilderdye
Roberts, Presiding			

The nays were, 44:

Bell	Berry	Bukta	Cphoon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Jacoby	Jochum	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Petersen
Quirk	Reasoner	Reichert	Schueller
Shomshor	Shultz	Smith	Swaim
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

Absent or not voting, 3:

Dandekar	Taylor, D.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 15, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2177, a bill for an act requiring the county auditor to evidence approval of the name of a subdivision plat and requiring such statement for filing the subdivision plat with the county recorder.

Also: That the Senate has on March 15, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2264, a bill for an act relating to the duties of county recorders and county auditors concerning instruments affecting real estate and certain other filings recorded by the county recorder.

Also: That the Senate has on March 15, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2353, a bill for an act relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties.

MICHAEL E. MARSHALL, Secretary

### Appropriations Calendar

**House File 2743**, a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund, was taken up for consideration.

The House stood at ease at 4:31 p.m., until the fall of the gavel.

The House resumed session at 5:38 p.m., Speaker Rants in the chair.

### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-eight members present, twenty-two absent.

The House resumed consideration of House File 2743.

Foege of Linn offered amendment H-8265 filed by him as follows:

H-8265

1 Amend House File 2743 as follows:

2 1. Page 1, by inserting before line 1 the  
3 following:

4 "DIVISION I"

5 2. Page 10, by inserting after line 16 the  
6 following:

7 "DIVISION II

8 Sec.\_\_\_\_. Section 12.65, subsection 1, Code 2005,  
9 is amended to read as follows:

10 1. A healthy Iowans tobacco trust is created in  
11 the office of the treasurer of state. Moneys  
12 transferred to the healthy Iowans tobacco trust from  
13 the endowment for Iowa's health account of the tobacco  
14 settlement trust fund established in section 12E.12  
15 and appropriated or transferred from any other source  
16 shall be deposited in the healthy Iowans tobacco  
17 trust. Additionally, proceeds derived from payment of  
18 taxes pursuant to section 453A.6, subsection 1,  
19 paragraph "a", subparagraph (2); section 453A.6,  
20 subsection 1, paragraph "b", subparagraph (2); section  
21 453A.43, subsection 1, paragraph "b"; and section  
22 453A.43, subsection 2, paragraph "b", shall be  
23 credited to the healthy Iowans tobacco trust.

24 Sec.\_\_\_\_. Section 453A.6, subsection 1, Code 2005,  
25 is amended to read as follows:

26 1. There is imposed, and shall be collected and  
27 paid to the department, the following taxes on all  
28 cigarettes used or otherwise disposed of in this state  
29 for any purpose whatsoever:

30 a. CLASS A.

31 (1) On cigarettes weighing not more than three  
32 pounds per thousand, ~~eighteen mills~~ one and  
33 eight-tenths cents on each such cigarette.

34 (2) In addition to the tax imposed in subparagraph  
35 (1), on cigarettes weighing not more than three pounds  
36 per thousand, three and two-tenths cents on each  
37 cigarette.

38 b. CLASS B.

39 (1) On cigarettes weighing more than three pounds  
40 per thousand, ~~eighteen mills~~ one and eight-tenths  
41 cents on each such cigarette.

42 (2) In addition to the tax imposed in subparagraph  
43 (1), on cigarettes weighing more than three pounds per  
44 thousand, three and two-tenths cents on each  
45 cigarette.

46 Sec.\_\_\_\_. Section 453A.35, Code 2005, is amended  
47 to read as follows:

48 453A.35 TAX AND FEES PAID TO GENERAL FUND.

49 The proceeds derived from the sale of stamps and  
50 the payment of taxes, fees and penalties provided for



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1 under this chapter, and the permit fees received from  
2 all permits issued by the department, with the  
3 exception of the proceeds derived from payment of  
4 taxes pursuant to section 453A.6, subsection 1,  
5 paragraph "a", subparagraph (2); section 453A.6,  
6 subsection 1, paragraph "b", subparagraph (2); section  
7 453A.43, subsection 1, paragraph "b"; and section  
8 453A.43, subsection 2, paragraph "b", which shall be  
9 credited to the healthy lowans tobacco trust created  
10 in section 12.65, shall be credited to the general  
11 fund of the state. All permit fees provided for in  
12 this chapter and collected by cities in the issuance  
13 of permits granted by the cities shall be paid to the  
14 treasurer of the city where the permit is effective,  
15 or to another city officer as designated by the  
16 council, and credited to the general fund of the city.  
17 Permit fees so collected by counties shall be paid to  
18 the county treasurer.

19 Sec.\_\_\_\_. Section 453A.40, subsection 1, Code  
20 2005, is amended to read as follows:

21 1. All of the following persons shall be subject  
22 to an inventory tax on the following items as provided  
23 in this section:

24 a. All persons required to be licensed obtain a  
25 permit under section 453A.13 as distributors or to be  
26 licensed under section 453A.44 as a distributor or  
27 subjobber, having in their possession and held for  
28 resale on the effective date of an increase in the tax  
29 rate cigarettes, or little cigars, or tobacco products  
30 upon which the tax under section 453A.6 or 453A.43 has  
31 been paid, unused cigarette tax stamps which have been  
32 paid for under section 453A.8, or unused metered  
33 imprints which have been paid for under section  
34 453A.12 shall be subject to an inventory tax on the  
35 items as provided in this section.

36 b. All consumers having for use or storage on the  
37 effective date of an increase in the tax rate, tobacco  
38 products upon which the tax under section 453A.43 has  
39 been paid.

40 c. All consumers subject to section 453A.46,  
41 subsection 6, who have acquired title to or possession  
42 of tobacco products for storage in this state, upon  
43 which tobacco products the tax imposed by section  
44 453A.43 has not been paid.

45 Sec.\_\_\_\_. Section 453A.43, subsections 1 and 2,  
46 Code 2005, are amended to read as follows:

47 1. a. A tax is imposed upon all tobacco products  
48 in this state and upon any person engaged in business  
49 as a distributor of tobacco products, at the rate of  
50 twenty-two percent of the wholesale sales price of the

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1 tobacco products, except little cigars as defined in  
2 section 453A.42.

3 b. In addition to the tax imposed under paragraph  
4 "a", a tax is imposed upon all tobacco products in  
5 this state and upon any person engaged in business as  
6 a distributor of tobacco products, at the rate of  
7 thirty-three percent of the wholesale sales price of  
8 the tobacco products, except little cigars as defined  
9 in section 453A.42.

10 c. Little cigars shall be subject to the same rate  
11 of tax imposed upon cigarettes in section 453A.6,  
12 payable at the time and in the manner provided in  
13 section 453A.6; and stamps shall be affixed as  
14 provided in division I of this chapter.

15 d. The ~~tax~~ taxes on tobacco products, excluding  
16 little cigars, shall be imposed at the time the  
17 distributor does any of the following:

18 a- (1) Brings, or causes to be brought, into this  
19 state from without the state tobacco products for  
20 sale.

21 b- (2) Makes, manufactures, or fabricates tobacco  
22 products in this state for sale in this state.

23 e- (3) Ships or transports tobacco products to  
24 retailers in this state, to be sold by those  
25 retailers.

26 2. a. A tax is imposed upon the use or storage by  
27 consumers of tobacco products in this state, and upon  
28 the consumers, at the rate of twenty-two percent of  
29 the cost of the tobacco products.

30 b. In addition to the tax imposed in paragraph  
31 "a", a tax is imposed upon the use or storage by  
32 consumers of tobacco products in this state, and upon  
33 the consumers, at a rate of thirty-three percent of  
34 the cost of the tobacco products.

35 c. The ~~tax~~ taxes imposed by this subsection shall  
36 not apply if the ~~tax~~ taxes imposed by subsection 1 on  
37 the tobacco products ~~has~~ have been paid.

38 d. This tax The taxes imposed under this  
39 subsection shall not apply to the use or storage of  
40 tobacco products in quantities of:

41 a- (1) Less than 25 cigars.  
42 b- (2) Less than 10 oz. snuff or snuff powder.  
43 e- (3) Less than 1 lb. smoking or chewing tobacco  
44 or other tobacco products not specifically mentioned  
45 herein, in the possession of any one consumer.

46 Sec.\_\_\_\_. EFFECTIVE DATE. The sections of this  
47 division of this Act amending section 12.65; section  
48 453A.6, subsection 1; section 453A.35; section  
49 453A.40, subsection 1; and section 453A.43,  
50 subsections 1 and 2, being deemed of immediate

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- 1 importance, take effect on the first day of the month
- 2 that begins following enactment of this Act."
- 3 3. By renumbering as necessary.

Raecker of Polk rose on a point of order that amendment H-8265 was not germane.

The Speaker ruled the point well taken and amendment H-8265 not germane.

Heaton of Henry offered the following amendment H-8262 filed by him and moved its adoption:

H-8262

- 1 Amend House File 2743 as follows:
- 2 1. Page 1, by striking lines 15 and 16 and
- 3 inserting the following: "for the fiscal year
- 4 beginning July 1, 2006, and ending June 30, 2007,
- 5 pursuant to 2006 Iowa Acts, House File 2734, if
- 6 enacted;"
- 7 2. Page 1, by striking lines 23 and 24 and
- 8 inserting the following: "beginning July 1, 2006, and
- 9 ending June 30, 2007, pursuant to 2006 Iowa Acts,
- 10 House File 2734, if enacted; and for provision of".
- 11 3. Page 4, by inserting after line 3 the
- 12 following:
- 13 "(7) The department shall use the additional
- 14 \$2,000,000 in funds appropriated in this paragraph "c"
- 15 to fund existing substance abuse treatment programs."
- 16 4. Page 5, line 8, by striking the figure
- 17 "800,000" and inserting the following: "850,000".
- 18 5. Page 5, by inserting after line 30 the
- 19 following:
- 20 "(5) Of the funds appropriated in this paragraph
- 21 "h", \$50,000 shall be used to administer substance
- 22 abuse prevention program evaluations."
- 23 6. Page 6, line 5, by striking the figure
- 24 "3,772,999" and inserting the following: "3,782,999".
- 25 7. Page 6, line 12, by striking figure "396,217"
- 26 and inserting the following: "406,217".
- 27 8. Page 6, line 15, by striking the word
- 28 "corrections," and inserting the following:
- 29 "corrections and".
- 30 9. Page 6, by striking line 18 and inserting the
- 31 following: "program with \$50,000 of this amount being

32 used for".

33 10. Page 7, line 12, by striking the words "drug

34 courts" and inserting the following: "the drug court

35 program".

36 11. By renumbering as necessary.

Amendment H-8262 was adopted.

Petersen of Polk offered the following amendment H-8216 filed by Petersen, et al., and moved its adoption:

H-8216

1 Amend House File 2743 as follows:

2 1. Page 2, by striking lines 13 and 14, and

3 inserting the following: "as provided in chapter

4 142A, for tobacco use prevention and control efforts

5 and enforcement at the state and local levels, and for

6 not more than the following full-time".

7 2. Page 2, line 30, by inserting after the word

8 "commerce" the following: ", and of the funds

9 appropriated in this paragraph "a", \$75,000 shall be

10 used to provide grants to any city, county, or board

11 of health that adopts an ordinance or rule regulating

12 smoking, notwithstanding any provision of law to the

13 contrary, for enforcement of the ordinance or rule".

A non-record roll call was requested.

The ayes were 44, nays 49.

Amendment H-8216 lost.

Thomas of Clayton asked and received unanimous consent to withdraw amendments H-8197 and H-8200 filed by him on March 13, 2006.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8204 filed by him on March 13, 2006.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2743)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Bukta	Carroll
Chambers	Cohoon	Davitt	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 5:

Berry	Dandekar	Taylor, D.	Tomenga
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2527 and 2743.**

**House File 2734**, a bill for an act relating to and making appropriations to the department of human services, the department of elder affairs, the Iowa department of public health, the department of veterans affairs and the Iowa veterans home, and the department

of inspections and appeals, providing for fee increases, and including other related provisions and appropriations, and providing effective dates, was taken up for consideration.

Hogg of Linn offered amendment H-8170 filed by him as follows:

H-8170

1 Amend House File 2734 as follows:

2 1. Page 1, line 18, by inserting after the word  
3 "handicapped," the following: "for the development  
4 and implementation of a comprehensive senior living  
5 program,".

6 2. Page 1, line 23, by striking the figure  
7 "3,627,645" and inserting the following:  
8 "11,924,375".

9 3. Page 1, line 24, by striking the figure  
10 "30.50" and inserting the following: "33.50".

11 4. Page 2, by inserting after line 19 the  
12 following:

13 " \_\_\_\_\_. Of the funds appropriated in this section,  
14 \$2,196,967 shall be used for case management for the  
15 frail elderly. Of the funds allocated in this  
16 subsection, \$1,010,000 shall be transferred to the  
17 department of human services in equal amounts on a  
18 quarterly basis for reimbursement of case management  
19 services provided under the medical assistance elderly  
20 waiver. The monthly cost per client for case  
21 management for the frail elderly services provided  
22 shall not exceed \$70. It is the intent of the general  
23 assembly that the additional funding provided for case  
24 management for the frail elderly for the fiscal year  
25 beginning July 1, 2006, and ending June 30, 2007,  
26 shall be used to provide case management services for  
27 an additional 1,650 individuals.

28 \_\_\_\_\_. The department of elder affairs shall  
29 distribute up to \$400,000 of the funds appropriated in  
30 this section in a manner that will supplement and  
31 maximize federal funds under the federal Older  
32 Americans Act and shall not use the amount distributed  
33 for any administrative purposes of either the  
34 department of elder affairs or the area agencies on  
35 aging."

36 5. Page 2, by inserting before line 20 the  
37 following:

38 "INSPECTIONS AND APPEALS

39 Sec. \_\_\_\_\_. DEPARTMENT OF INSPECTIONS AND APPEALS.

40 There is appropriated from the general fund of the  
41 state to the department of inspections and appeals for  
42 the fiscal year beginning July 1, 2006, and ending

43 June 30, 2007, the following amount, or so much  
 44 thereof as is necessary, to be used for the purpose  
 45 designated:  
 46 For the inspection and certification of assisted  
 47 living facilities and adult day care services,  
 48 including program administration and costs associated  
 49 with implementation, salaries, support, maintenance,  
 50 and miscellaneous purposes and for not more than the

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1 following full-time equivalent positions:  
 2 ..... \$ 758,474  
 3 ..... FTEs 5.00

4 IOWA FINANCE AUTHORITY

5 Sec.\_\_\_\_. IOWA FINANCE AUTHORITY. There is  
 6 appropriated from the general fund of the state to the  
 7 Iowa finance authority for the fiscal year beginning  
 8 July 1, 2006, and ending June 30, 2007, the following  
 9 amount, or so much thereof as is necessary, to be used  
 10 for the purpose designated:

11 To provide reimbursement for rent expenses to  
 12 eligible persons:  
 13 ..... \$ 700,000

14 Participation in the rent subsidy program shall be  
 15 limited to only those persons who meet the nursing  
 16 facility level of care for home and community-based  
 17 services waiver services as established on or after  
 18 July 1, 2006."

19 6. Page 15, line 16, by striking the figure  
 20 "708,671,610" and inserting the following:  
 21 "766,671,610".

22 7. Page 36, line 4, by striking the figure  
 23 "1,885.87" and inserting the following: "1,890.87".

24 8. By striking page 48, line 6, through page 50,  
 25 line 19.

26 9. Page 60, by inserting after line 13 the  
 27 following:

28 "Sec.\_\_\_\_. Section 453A.6, subsection 1, Code  
 29 2005, is amended to read as follows:

30 1. There is imposed, and shall be collected and  
 31 paid to the department, ~~the following taxes~~ on all  
 32 cigarettes used or otherwise disposed of in this state  
 33 for any purpose whatsoever:

34 ~~Class A. On cigarettes weighing not more than~~  
 35 ~~three pounds per thousand, eighteen mills on each such~~  
 36 ~~cigarette.~~

37 ~~Class B. On cigarettes weighing more than three~~  
 38 ~~pounds per thousand, eighteen mills a tax of five~~  
 39 ~~cents on each such cigarette.~~

40 Sec.\_\_\_\_. Section 453A.40, subsection 1, Code  
 41 2005, is amended to read as follows:

42 1. All of the following persons shall be subject  
 43 to an inventory tax on the following items as provided  
 44 in this section:  
 45 a. All persons required to be licensed obtain a  
 46 permit under section 453A.13 as distributors or to be  
 47 licensed under section 453A.44 as a distributor or  
 48 subjobber, having in their possession and held for  
 49 resale on the effective date of an increase in the tax  
 50 rate cigarettes, or little cigars, or tobacco products

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1 upon which the tax under section 453A.6 or 453A.43 has  
 2 been paid, unused cigarette tax stamps which have been  
 3 paid for under section 453A.8, or unused metered  
 4 imprints which have been paid for under section  
 5 453A.12 ~~shall be subject to an inventory tax on the~~  
 6 ~~items as provided in this section.~~

7 b. All consumers having for use or storage on the  
 8 effective date of an increase in the tax rate, tobacco  
 9 products upon which the tax under section 453A.43 has  
 10 been paid.

11 c. All consumers subject to section 453A.46,  
 12 subsection 6, who have acquired title to or possession  
 13 of tobacco products for storage in this state, upon  
 14 which tobacco products the tax imposed by section  
 15 453A.43 has not been paid.

16 Sec. \_\_\_\_ Section 453A.43, subsection 1,  
 17 unnumbered paragraph 1, Code 2005, is amended to read  
 18 as follows:

19 A tax is imposed upon all tobacco products in this  
 20 state and upon any person engaged in business as a  
 21 distributor of tobacco products, at the rate of  
 22 ~~twenty two~~ fifty-five percent of the wholesale sales  
 23 price of the tobacco products, except little cigars as  
 24 defined in section 453A.42. Little cigars shall be  
 25 subject to the same rate of tax imposed upon  
 26 cigarettes in section 453A.6, payable at the time and  
 27 in the manner provided in section 453A.6; and stamps  
 28 shall be affixed as provided in division I of this  
 29 chapter. The tax on tobacco products, excluding  
 30 little cigars, shall be imposed at the time the  
 31 distributor does any of the following:

32 Sec. \_\_\_\_ Section 453A.43, subsection 2,  
 33 unnumbered paragraph 1, Code 2005, is amended to read  
 34 as follows:

35 A tax is imposed upon the use or storage by  
 36 consumers of tobacco products in this state, and upon  
 37 the consumers, at the rate of ~~twenty two~~ fifty-five  
 38 percent of the cost of the tobacco products."

39 10. Page 60, by inserting after line 31 the  
 40 following:



41 "Sec. \_\_\_\_ EFFECTIVE DATE. The sections of this  
 42 division of this Act amending section 453A.6,  
 43 subsection 1, section 453A.40, subsection 1, and  
 44 section 453A.43, subsections 1 and 2, being deemed of  
 45 immediate importance, take effect on the first day of  
 46 the month that begins following enactment of this  
 47 Act."  
 48 11. By renumbering as necessary.

Raecker of Polk rose on a point of order that amendment H-8170 was not germane.

The Speaker ruled the point well taken and amendment H-8170 not germane.

Hogg of Linn asked for unanimous consent to suspend the rules to consider amendment H-8170.

Objection was raised.

Heaton of Henry offered the following amendment H-8268 filed by him as follows:

H-8268

1 Amend House File 2734 as follows:  
 2 1. Page 2, line 5, by inserting after the word  
 3 "waiver." the following: "The department of human  
 4 services shall adopt rules for case management  
 5 services provided under the medical assistance elderly  
 6 waiver in consultation with the department of elder  
 7 affairs."  
 8 2. Page 2, line 11, by inserting after the word  
 9 "for" the following: "up to".  
 10 3. Page 3, line 16, by striking the figure  
 11 "1,866,264" and inserting the following: "2,341,264".  
 12 4. Page 3, by inserting after line 27, the  
 13 following:  
 14 "Of the funds appropriated in this subsection,  
 15 \$150,000 shall be used for the access to baby and  
 16 child dentistry (ABCD) program to improve child dental  
 17 care by reaching all Iowa counties with a demonstrated  
 18 oral health program for children from birth through  
 19 five years of age.  
 20 Of the funds appropriated in this subsection,  
 21 \$325,000 shall be used to address the healthy mental  
 22 development of children from birth through five years  
 23 of age through local evidence-based strategies that

24 engage both the public and private sectors in  
25 promoting healthy development, prevention, and  
26 treatment for children."  
27 5. Page 3, line 32, by striking the figure  
28 "1,442,840" and inserting the following: "1,792,840".  
29 6. Page 3, line 35, by striking the figure  
30 "100,000" and inserting the following: "280,000".  
31 7. Page 4, by inserting after line 2 the  
32 following:  
33 "Of the funds appropriated in this subsection,  
34 \$170,000 is allocated for the department to enter into  
35 a contract with the university of Iowa hospitals and  
36 clinics to implement and administer the prescription  
37 drug donation repository program authorized pursuant  
38 to chapter 135M."  
39 8. Page 4, line 7, by striking the figure  
40 "1,418,662" and inserting the following: "1,718,662".  
41 9. Page 4, by inserting after line 12 the  
42 following:  
43 "Of the funds appropriated in this subsection,  
44 \$300,000 is allocated for an initiative implemented at  
45 the university of Iowa to expand and improve the  
46 workforce engaged in mental health treatment and  
47 services. The initiative shall be guided by the  
48 collaborative efforts between the Iowa department of  
49 public health and the mental health, mental  
50 retardation, developmental disabilities, and brain

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1 injury commission to address the focus of the  
2 initiative and both the department and the commission  
3 shall receive regular updates concerning the status of  
4 the initiative."  
5 10. Page 4, by striking lines 23 through 30, and  
6 inserting the following:  
7 "The amount appropriated in this subsection  
8 includes an additional \$200,000 for childhood lead  
9 poisoning prevention activities. Of this amount,  
10 \$80,000 is allocated to implement blood lead testing  
11 pursuant to section 135.105D, if enacted by 2006 Iowa  
12 Acts, House File 2724, \$50,000 is allocated for a  
13 pilot project to address lead poisoning prevention and  
14 remediation activities in a three-county program in  
15 north central Iowa with a combined population of at  
16 least 50,000, and \$70,000 is allocated for lead hazard  
17 remediation. The department shall select a local  
18 childhood lead poisoning program to receive the amount  
19 allocated for lead hazard remediation. The selection  
20 shall be based on the number of lead-poisoned children  
21 living in the service area of the local childhood lead  
22 poisoning prevention program, the capacity of the

23 program to work with housing agencies to administer  
24 the lead hazard remediation program, and the lack of  
25 other resources available for lead hazard remediation  
26 in the service area of the program."

27 11. Page 5, line 11, by striking the figure  
28 "109.80" and inserting the following: "112.80".

29 12. By striking page 7, line 33, through page 8,  
30 line 6, and inserting the following:

31 "Of the funds appropriated in this subsection,  
32 \$50,000 is allocated for outreach efforts utilizing  
33 retired and senior volunteers in programs established  
34 pursuant to chapter 15H. If possible, for the fiscal  
35 year beginning July 1, 2006, and ending June 30, 2007,  
36 the department shall contract with individuals  
37 currently coordinating volunteers with existing  
38 programs. The department shall be responsible for  
39 ensuring individuals responsible for claims processing  
40 receive adequate training."

41 13. Page 8, line 30, by striking the figure  
42 "43,096,689" and inserting the following:  
43 "40,858,316".

44 14. Page 8, line 35, by striking the figure  
45 "13,545,163" and inserting the following:  
46 "17,827,536".

47 15. Page 9, by striking lines 1 through 15.

48 16. Page 9, line 17, by striking the figure  
49 "16,782,495" and inserting the following:  
50 "17,557,495".

Page 3

1 17. Page 9, by inserting after line 17 the  
2 following:  
3 "Of the funds appropriated in this section,  
4 \$775,000 is allocated for 12 new clinical consultant  
5 positions in field operations."

6 18. Page 9, line 23, by striking the figure  
7 "14,556,560" and inserting the following:  
8 "15,756,560".

9 19. Page 11, by inserting after line 16 the  
10 following:

11 "\_\_\_\_. For a contract to enhance and streamline  
12 income maintenance processing to help manage growing  
13 caseloads:  
14 ..... \$ 150,000"

15 20. Page 14, line 2, by striking the figure  
16 "42,749,885" and inserting the following:  
17 "42,874,885".

18 21. Page 14, by inserting after line 14 the  
19 following:

20 "\_\_\_\_. Of the funds appropriated in this section,  
21 \$125,000 is allocated for provision of financial

22 education services to persons who are not participants  
23 in the family investment program. The department  
24 shall utilize a request for proposals process to  
25 contract for the financial education services."  
26 22. Page 14, by inserting after line 14 the  
27 following:  
28 " \_\_\_\_\_. Subject to the provisions of section 8.39,  
29 for the fiscal year beginning July 1, 2006, if  
30 necessary to meet federal maintenance of effort  
31 requirements or to transfer federal temporary  
32 assistance for needy families block grant funding to  
33 be used for purposes of the federal social services  
34 block grant or to meet cash flow needs resulting from  
35 delays in receiving federal funding or to implement,  
36 in accordance with this division of this Act,  
37 activities currently funded with juvenile court  
38 services, county, or community moneys and state moneys  
39 used in combination with such moneys, the department  
40 of human services may transfer funds within or between  
41 any of the appropriations made in this division of  
42 this Act and appropriations in law for the federal  
43 social services block grant to the department for the  
44 following purposes, provided that the combined amount  
45 of state and federal temporary assistance for needy  
46 families block grant funding for each appropriation  
47 remains the same before and after the transfer:  
48 a. For the family investment program.  
49 b. For child care assistance.  
50 c. For child and family services.

Page 4

1 d. For field operations.  
2 e. For general administration.  
3 \_\_\_\_\_. MH/MR/DD/BI community services (local  
4 purchase).  
5 This subsection shall not be construed to prohibit  
6 existing state transfer authority for other purposes."  
7 23. Page 15, line 16, by striking the figure  
8 "708,671,610" and inserting the following:  
9 "708,121,610".  
10 24. Page 17, line 11, by striking the word  
11 "available" and inserting the following:  
12 "appropriated".  
13 25. Page 18, by inserting after line 5 the  
14 following:  
15 " \_\_\_\_\_. Of the amount appropriated in this section,  
16 \$250,000 shall be used for a dollar-for-dollar  
17 matching grant to a nonprofit organization of medical  
18 providers established to provide direction in  
19 promoting a health care culture of continuous  
20 improvement in quality, patient safety, and value

21 through collaborative efforts by hospitals and  
22 physicians.

23 \_\_\_\_\_. The department may amend the Medicaid state  
24 plan to provide medical assistance reciprocity for  
25 children who receive an adoption subsidy who are not  
26 eligible for funding under Title IV-E of the federal  
27 Social Security Act."

28 26. Page 22, by striking lines 5 through 9 and  
29 inserting the following: "this division of this Act  
30 to receive reports. Leadership for the study group  
31 shall be provided by the division of criminal and  
32 juvenile justice planning of the department of human  
33 rights. The study group membership shall also include  
34 but is not limited to two departmental service area  
35 administrators or their designees, a representative of  
36 the division of the commission on the status of women  
37 of the department of human rights, a member of the  
38 council on human services, a departmental division  
39 administrator, two representatives of juvenile court  
40 services, and two representatives of child welfare  
41 service provider agencies. In addition, the study  
42 group membership shall include four members of the  
43 general assembly so that the majority and minority  
44 parties of both chambers are represented. Legislative  
45 members are eligible for reimbursement of actual  
46 expenses paid under section 2.10."

47 27. Page 27, lines 19 and 20, by striking the  
48 words and figures "on or after October 1, 2006." and  
49 inserting the following: "as early as possible in the  
50 fiscal year. The department may adopt emergency rules

Page 5

1 to implement the program."

2 28. Page 27, line 27, by inserting after the word  
3 "courts." the following: "The amount allocated in  
4 this subsection shall be distributed as follows:

5 a. To the judicial branch for salaries to assist  
6 with the operation of juvenile drug court programs  
7 operated in the following jurisdictions:

8 (1) Marshall county:		
9 .....	\$	60,00
10 (2) Woodbury county:		
11 .....	\$	120,254
12 (3) Polk county:		
13 .....	\$	187,434
14 (4) For establishing a program in the eighth 15 judicial district and in another judicial district:		
16 .....	\$	130,000

17 b. For court-ordered services to support substance  
18 abuse and related services provided to the juveniles  
19 participating in the juvenile drug court programs

20 listed in paragraph "a":

21 ..... \$ 502,312

22 The state court administrator shall allocate the  
23 funding designated in this paragraph among the  
24 programs."

25 29. Page 27, by inserting after line 32 the  
26 following:

27 "\_\_\_\_. During the fiscal year beginning July 1,  
28 2006, the department shall continue funding one or  
29 more child welfare diversion and mediation pilot  
30 projects implemented pursuant to 2004 Iowa Acts,  
31 chapter 1130, section 1. The department shall do all  
32 of the following in continuing the pilot projects:

33 a. If an agency providing mediation services under  
34 the pilot project has not demonstrated the ability to  
35 deliver services throughout the entire fiscal year  
36 within the funding allocated, the department shall not  
37 renew the contract with the agency.

38 b. If a contract is not renewed as provided in  
39 paragraph "a", the department shall select a  
40 replacement provider agency with the experience and  
41 capacity to provide mediation services in the county  
42 or counties served by the provider agency whose  
43 contract was not renewed. Whenever possible in  
44 selecting a replacement provider agency, the  
45 department shall select a provider agency whose  
46 primary operations office is located within the  
47 largest county served by the pilot project."

48 30. Page 29, by striking lines 17 and 18 and  
49 inserting the following:

50 "5. For funding of the state match for the federal

Page 6

1 substance abuse and mental health services  
2 administration (SAMSHA) system of care grant:

3 ..... \$ 67,60

4 If the federal grant is not approved on or before  
5 January 1, 2007, the amount designated in this  
6 subsection shall be allocated as provided in  
7 subsection 6."

8 31. Page 31, line 21, by striking the figure  
9 "746,333" and inserting the following: "1,071,074".

10 32. Page 31, line 22, by striking the figure  
11 "96.84" and inserting the following: "102.84".

12 33. Page 31, by inserting after line 22 the  
13 following:

14 "The department shall implement a new 20-bed  
15 substance abuse treatment unit beginning October 1,  
16 2006."

17 34. Page 36, line 4, by striking the figure  
18 "1,885.87" and inserting the following: "1,897.87".

- 19 35. Page 36, line 6, by inserting after the word  
20 "services." the following: "The full-time equivalent  
21 positions authorized in this section include clinical  
22 consultation positions relating to child protection  
23 services."
- 24 36. Page 37, line 25, by inserting after the  
25 words "adjust the" the following: "skilled nursing  
26 facility market basket".
- 27 37. Page 37, line 33, by inserting after the  
28 figure "162,315,695." the following: "The inflation  
29 factor applied from the mid-point of the cost report  
30 to the first day of the state fiscal year rate period  
31 shall not be less than zero percent."
- 32 38. Page 38, line 33, by striking the figure  
33 "2006" and inserting the following: "2007".
- 34 39. Page 41, line 35, by inserting after the  
35 figure "2006," the following: "effective January 1,  
36 2007,".
- 37 40. Page 42, by inserting after line 19 the  
38 following:  
39 " \_\_\_\_\_. The department shall adopt rules pursuant to  
40 chapter 17A to provide reimbursement for covered  
41 services provided by psychology interns and psychology  
42 residents to recipients of medical assistance, subject  
43 to limitations and exclusions the department finds  
44 necessary on the basis of federal laws and  
45 regulations."
- 46 41. Page 44, by inserting after line 26 the  
47 following:  
48 "Sec. \_\_\_\_\_. 2005 Iowa Acts, chapter 175, section 9,  
49 is amended by adding the following new subsection:  
50 NEW SUBSECTION. 15. Notwithstanding section 8.33,

Page 7

- 1 \$500,000 of the moneys appropriated in this section  
2 that remain unencumbered or unobligated at the close  
3 of the fiscal year shall not revert but shall remain  
4 available for expenditure for the operational costs  
5 associated with Part D of the federal Medicare  
6 Prescription Drug, Improvement, and Modernization Act  
7 of 2003, Pub. L. No. 108-173, until the close of the  
8 succeeding fiscal year."
- 9 42. Page 46, by striking lines 9 through 15 and  
10 inserting the following: "shall not revert but shall  
11 remain available for expenditure for the purposes  
12 designated until the close of the succeeding fiscal  
13 year."
- 14 43. Page 46, by inserting after line 3 the  
15 following:  
16 "Sec. \_\_\_\_\_. 2005 Iowa Acts, chapter 175, section  
17 22, subsection 1, is amended by adding the following

18 new unnumbered paragraph:

19 NEW UNNUMBERED PARAGRAPH. Notwithstanding sections

20 8.33 and 222.92, \$1,000,000 of the revenues available

21 to the state resource center at Glenwood that remain

22 unencumbered or unobligated at the close of the fiscal

23 year shall not revert but shall remain available for

24 expenditure for the purposes of the state resource

25 center until the close of the succeeding fiscal year.

26 Sec. \_\_\_\_\_. 2005 Iowa Acts, chapter 175, section 23,

27 is amended by adding the following new subsection:

28 NEW SUBSECTION. 3. Notwithstanding section 8.33,

29 \$200,000 of the moneys appropriated in this section

30 that remain unencumbered or unobligated at the close

31 of the fiscal year shall not revert but shall remain

32 available for expenditure for the purposes designated

33 until the close of the succeeding fiscal year."

34 44. Page 47, by inserting after line 21 the

35 following:

36 "\_\_\_\_\_. The provision amending 2005 Iowa Acts,

37 chapter 175, section 9."

38 45. Page 47, by inserting after line 31 the

39 following:

40 "\_\_\_\_\_. The provision amending 2005 Iowa Acts,

41 chapter 175, section 22.

42 \_\_\_\_\_. The provision amending 2005 Iowa Acts,

43 chapter 175, section 23."

44 46. Page 48, line 31, by inserting after the word

45 "for" the following: "up to".

46 47. By renumbering as necessary.

Heaton of Henry offered the following amendment H-8282, to amendment H-8268, filed by him from the floor and moved its adoption:

H-8282

1 Amend the amendment, H-8268, to House File 2734 as  
2 follows:

3 1. Page 1, by striking lines 33 through 38 and

4 inserting the following:

5 "Of the funds appropriated in this subsection,

6 \$170,000 shall be used to implement and administer the

7 prescription drug donation repository program

8 authorized pursuant to chapter 135M. The department

9 shall issue a request for proposals to select a

10 contractor to implement and administer the program."

11 2. Page 1, by striking lines 47 and 48 and

12 inserting the following: "services. The initiative

13 shall receive input from the university of Iowa, the

14 department of human services, the Iowa department of".

15 3. Page 2, by striking line 2 and inserting the



16 following: "initiative. The department of human  
17 services, the Iowa department of public health, and  
18 the commission".

19 4. Page 2, by striking lines 7 through 17 and  
20 inserting the following:

21 "Of the amount appropriated in this subsection,  
22 \$100,000 is allocated for childhood lead poisoning  
23 prevention activities for counties not otherwise  
24 receiving funding under this subsection, \$80,000 is  
25 allocated to implement blood lead testing pursuant to  
26 section 135.105D, if enacted by 2006 Iowa Acts, House  
27 File 2724, \$50,000 is allocated to continue the pilot  
28 project to address lead poisoning prevention and  
29 remediation activities in a three-county program in  
30 north central Iowa with a combined population of at  
31 least 50,000, and \$120,000 is allocated for lead  
32 hazard remediation. The department shall select a  
33 local".

34 5. Page 2, by inserting after line 28 the  
35 following:

36 "\_\_\_ Page 5, by inserting after line 14, the  
37 following:

38 "The department shall post all county biological  
39 emergency response plans addressing pandemic influenza  
40 preparedness on the department's official internet  
41 website.""

42 6. Page 4, by striking line 3 and inserting the  
43 following:

44 "f. MH/MR/DD/BI community services (local  
45 purchase)."

46 7. Page 5, by inserting after line 47, the  
47 following:

48 "\_\_\_ Page 28, line 5, by striking the figure  
49 "31,746,063" and inserting the following:  
50 "31,446,063"."

Page 2

1 8. Page 6, by inserting after line 16 the  
2 following:

3 "\_\_\_ Page 31, line 31, by striking the figure  
4 "14,506,583" and inserting the following:

5 "14,006,583".

6 \_\_\_ Page 33, line 9, by striking the figure  
7 "10,786,619" and inserting the following:

8 "10,586,619"."

9 9. Page 7, by inserting after line 8 the  
10 following:

11 "\_\_\_ Page 45, line 22, by striking the figure  
12 "1,700,000" and inserting the following:

13 "2,000,000"."

14 10. Page 7, by inserting after line 45 the

15 following:  
16 "\_\_\_ Page 60, by inserting after line 31 the  
17 following:  
18 "Sec. \_\_\_. VETERANS TRUST FUND – FEDERAL  
19 REPLACEMENT FUNDS. If funds are received from the  
20 United States department of veterans affairs for the  
21 establishment and operation of a veterans cemetery in  
22 this state, a portion of those funds, not to exceed  
23 \$500,000, is appropriated to and shall be deposited in  
24 the veterans trust fund established in section 35A.13,  
25 subject to the requirements of this section and  
26 consistent with any federal requirements associated  
27 with such funds. The portion deposited in the  
28 veterans trust fund shall be equal to moneys expended  
29 for the establishment and operation of a veterans  
30 cemetery from moneys appropriated for that purpose  
31 pursuant to 2004 Iowa Acts, chapter 1175, section 288,  
32 subsection 16.""  
33 11. By renumbering as necessary.

Amendment H-8282 was adopted.

Smith of Marshall offered the following amendment H-8275, to amendment H-8268, filed by him from the floor and moved its adoption:

H-8275

1 Amend the amendment, H-8268, to House File 2734 as  
2 follows:  
3 1. Page 1, line 40, by striking the figure  
4 "1,718,662" and inserting the following: "1,898,662".  
5 2. Page 2, by inserting after line 4 the  
6 following:  
7 "Of the funds appropriated in this subsection,  
8 \$180,000 is allocated for the creation of two  
9 additional psychiatric residency slots at the  
10 university of Iowa college of medicine. In order to  
11 be eligible for the residency program funds, a  
12 resident shall agree to work in an Iowa mental health  
13 shortage area for five years upon completion of the  
14 program."

Amendment H-8275 lost.

Mascher of Johnson offered the following amendment H-8280, to amendment H-8268, filed by her from the floor and moved its adoption:

H-8280

- 1 Amend the amendment, H-8268, to House File 2734 as
- 2 follows:
- 3 1. Page 4, line 9, by striking the figure
- 4 "708,121,610" and inserting the following:
- 5 "709,271,610".
- 6 2. Page 4, by inserting after line 27 the
- 7 following:
- 8 "\_\_\_ Of the amount appropriated in this section,
- 9 \$150,000 shall be used to provide adult periodontal
- 10 services to medical assistance recipients."

Amendment H-8280 lost.

Hogg of Linn offered the following amendment H-8286, to amendment H-8268, filed by him from the floor and moved its adoption:

H-8286

- 1 Amend the amendment, H-8268, to House File 2734 as
- 2 follows:
- 3 1. Page 1, by inserting after line 1 the
- 4 following:
- 5 "\_\_\_ Page 1, line 23, by striking the figure
- 6 "3,627,645" and inserting the following: "5,950,145".
- 7 \_\_\_ Page 1, line 24, by striking the figure
- 8 "30.50" and inserting the following: "31.50".
- 9 \_\_\_ Page 1, line 34, by striking the figure
- 10 "2,153,208" and inserting the following: "4,475,708".
- 11 \_\_\_ Page 2, line 1, by striking the figure
- 12 "750,000" and inserting the following: "3,000,000".
- 13 2. Page 1, by inserting after line 7 the
- 14 following:
- 15 "\_\_\_ Page 2, line 7, by striking the figure "70"
- 16 and inserting the following: "114"."
- 17 3. Page 7, by inserting after line 43 the
- 18 following:
- 19 "\_\_\_ Page 48, line 27, by striking the figure
- 20 "70" and inserting the following: "114"."
- 21 4. By renumbering as necessary.

Roll call was requested by Hogg of Linn and Smith of Marshall.

On the question "Shall amendment H-8286 be adopted?" (H.F. 2734)

## The ayes were, 44:

Bell	Berry	Cohoon	Davitt
Fallon	Foege	Ford	Frevert
Gaskill	Heddens	Hogg	Hunter
Huser	Jacoby	Jochum	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Petersen
Pettengill	Reasoner	Reichert	Schueller
Shomshor	Shoultz	Smith	Swaim
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

## The nays were, 49:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	De Boef	Dix
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Heaton
Hoffman	Huseman	Hutter	Jacobs
Jenkins	Jones	Kaufmann	Kurtenbach
Lalk	Lukan	Maddox	May
Olson, S.	Paulsen	Quirk	Raecker
Rasmussen	Rayhons	Roberts	Sands
Schickel	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wildurdyke
Mr. Speaker			
Rants			

## Absent or not voting, 7:

Bukta	Carroll	Dandekar	Greiner
Horbach	Taylor, D.	Zirkelbach	

Amendment H-8286 lost.

On motion by Heaton of Henry, amendment H-8268, as amended, was adopted, placing out of order the following amendments:

Amendment H-8169 filed by Mascher of Johnson on March 9, 2006.

Amendment H-8194 filed by Smith of Marshall on March 13, 2006.

Amendment H-8198 filed by Murphy of Dubuque on March 13, 2006.

Amendment H-8202 filed by Mascher of Johnson on March 13, 2006.

Amendment H-8222 filed by Mascher of Johnson on March 14, 2006.

Foege of Linn offered the following amendment H-8177 filed by him and moved its adoption:

H-8177

- 1 Amend House File 2734 as follows:
- 2 1. Page 2, line 32, by striking the figure
- 3 "1,761,036" and inserting the following: "5,761,036".

Amendment H-8177 lost.

Foege of Linn asked and received unanimous consent to withdraw amendment H-8243 filed by him on March 14, 2006.

Heaton of Henry offered the following amendment H-8240 filed by Heaton, et al., and moved its adoption:

H-8240

- 1 Amend House File 2734 as follows:
- 2 1. Page 8, by inserting after line 6 the
- 3 following:
- 4 "The department of veterans affairs shall report to
- 5 the senate state government committee and to the
- 6 veterans committee of the house of representatives by
- 7 October 15, 2006, regarding employment of the
- 8 additional field service officers authorized under
- 9 this subsection."

Amendment H-8240 was adopted.

Mascher of Johnson offered the following amendment H-8203 filed by her and moved its adoption:

H-8203

- 1 Amend House File 2734 as follows:
- 2 1. Page 19, by inserting after line 34, the
- 3 following:
- 4 "The director of human services shall seek a waiver
- 5 from the centers for Medicare and Medicaid services of
- 6 the United States department of health and human
- 7 services to provide family coverage under the state
- 8 children's health insurance program created under

9 Title XXI of the federal Social Security Act. The  
 10 program shall provide for payment of premiums for  
 11 private insurance for families if the cost of coverage  
 12 for the entire family is less than the cost of  
 13 enrollment of only the children of the family in the  
 14 state children's health insurance program. The  
 15 employers' private insurance benefit packages and  
 16 contribution levels shall comply with all federal  
 17 requirements. The department shall report progress  
 18 regarding the request for a waiver under this section  
 19 to the general assembly on a periodic basis."

Roll call was requested by Mascher of Johnson and Raecker of Polk.

On the question "Shall amendment H-8203 be adopted?" (H.F. 2734)

The ayes were, 44:

Bell	Berry	Cphoon	Davitt
Fallon	Foege	Ford	Frevert
Gaskill	Heddens	Hogg	Hunter
Huser	Hutter	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Maddox	Mascher	McCarthy	Mertz
Miller	Oldson	Olson, D.	Olson, R.
Petersen	Pettengill	Reasoner	Reichert
Schueller	Shomshor	Shultz	Smith
Swaim	Taylor, T.	Thomas	Wendt
Wessel-Kroeschell	Whitead	Winckler	Wise

The nays were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
May	Olson, S.	Paulsen	Quirk
Raecker	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wilderdye	Mr. Speaker		
	Rants		

Absent or not voting, 6:

Bukta  
Whitaker

Dandekar  
Zirkelbach

Murphy

Taylor, D.

Amendment H-8203 lost.

Hogg of Linn offered the following amendment H-8260 filed by him and moved its adoption:

H-8260

1 Amend House File 2734 as follows:

2 1. Page 21, by inserting after line 17 the  
3 following:

4 "Sec. \_\_\_\_ CHILD CARE AT NIGHT PILOT PROJECT.

5 There is appropriated from the general fund of the  
6 state to the department of human services for the  
7 fiscal year beginning July 1, 2006, and ending June  
8 30, 2007, the following amount, or so much thereof as  
9 is necessary, to be used for the purpose designated:

10 For implementation of a child care at night pilot  
11 project in accordance with this section:

12 ..... \$ 300,000

13 1. The department shall utilize the state child  
14 care advisory council created in section 237A.21 to  
15 develop and review grant applications made by licensed  
16 child care centers, identify request for proposals  
17 requirements, make recommendations regarding selection  
18 of grantees, and perform other functions relating to  
19 the child care at night pilot project.

20 2. The pilot project shall subsidize the cost of  
21 child care provided in a child care center licensed  
22 under chapter 237A to children whose parents are  
23 working during the hours of 5 p.m. to 8 a.m. by paying  
24 a provider reimbursement supplement of \$3 per hour per  
25 child for up to 2,000 hours per child per year. The  
26 pilot project shall be implemented in three pilot  
27 project locations. The pilot project is subject to  
28 all of the following requirements:

29 a. One project shall be located in a large city  
30 and shall provide support for up to 20 children on a  
31 regular basis. The total amount of the provider  
32 reimbursement supplement payable for this location in  
33 a fiscal year shall be limited to \$120,000.

34 b. One project shall be located in a small city  
35 and shall provide support for up to 10 children on a  
36 regular basis. The total amount of the provider  
37 reimbursement supplement payable for this location in  
38 a fiscal year shall be limited to \$60,000.

39 c. One project shall be located in a rural area

40 and shall provide support for up to 10 children on a  
41 regular basis. The total amount of the provider  
42 reimbursement supplement payable for this location in  
43 a fiscal year shall be limited to \$60,000.  
44 d. The department may adjust the amount of the  
45 provider reimbursement supplement or the maximum  
46 number of hours per child authorized to the extent  
47 necessary to remain within the funding limitation  
48 applicable to a pilot project location.  
49 e. In addition to the provider reimbursement  
50 supplement, a grantee shall be reimbursed up to

Page 2

1 \$20,000 for facility and equipment improvements made  
2 to a pilot project location in connection with the  
3 pilot project.

4 f. A grantee must provide evaluation information  
5 identified by the advisory council and the department.

6 g. A portion of the children served by a pilot  
7 project location must be receiving support from the  
8 state child care assistance program under section  
9 237A.13. The portion shall be identified in the grant  
10 requirements.

11 3. The grant period shall begin on or before  
12 August 15, 2006.

13 4. The grantees participating in the pilot project  
14 shall provide an evaluation report to the state child  
15 care advisory council on or before August 31, 2007.  
16 The advisory council shall include the reports  
17 received and provide its own findings and  
18 recommendations in making a report concerning the  
19 pilot project to the governor and the general assembly  
20 on or before November 1, 2007. The evaluation report  
21 information to be provided by grantees shall be  
22 specified by the advisory council and shall include  
23 but is not limited to a description of the demand for  
24 services, identification of the cost of the services  
25 provided, the public safety benefits accruing from the  
26 pilot project, and customer issues with the pilot  
27 project."

28 2. By renumbering as necessary.

Amendment H-8260 lost.

Smith of Marshall offered the following amendment H-8256 filed  
by him and moved its adoption:



H-8256

- 1 Amend House File 2734 as follows:
- 2 1. Page 22, line 31, by striking the figure
- 3 "80,715,373" and inserting the following:
- 4 "80,965,373".
- 5 2. Page 27, by inserting after line 32, the
- 6 following:
- 7 "\_\_\_\_. Of the funds appropriated in this section,
- 8 \$250,000 is allocated for education and outreach
- 9 programs for children and for parents and adults to
- 10 reduce the incidence of sexual abuse and exploitation
- 11 of children. The amount allocated in this subsection
- 12 shall be distributed in accordance with section
- 13 235A.1."
- 14 3. By renumbering as necessary.

Amendment H-8256 lost.

Foegen of Linn asked and received unanimous consent to withdraw amendments H-8199 and H-8201 filed by him on March 13, 2006.

Carroll of Poweshiek offered amendment H-8235 filed by Carroll, et al., as follows:

H-8235

- 1 Amend House File 2734 as follows:
- 2 1. Page 56, by striking lines 25 through 28 and
- 3 inserting the following: "~~section 426B.5, subsection~~
- 4 ~~2~~ For deposit in the per capita expenditure target
- 5 pool created in the property tax relief fund and for
- 6 distribution in accordance with section 426B.5,
- 7 subsection 1:"
- 8 2. Page 57, line 10, by striking the figure
- 9 "23,925,724" and inserting the following:
- 10 "25,925,724".

Winckler of Scott asked and received unanimous consent to withdraw amendment H-8287, to amendment H-8235, filed by Winckler, Lykam of Scott, Whitead of Woodbury, Jochum of Dubuque, Shultz of Black Hawk, T. Taylor of Linn, Lensing of Johnson, Wessel-Kroeschell of Story, Wendt of Woodbury, Berry of Black Hawk, Kressig of Black Hawk, Hogg of Linn, Jacoby of Johnson, R. Olson of Polk, Hunter of Polk and Mascher of Johnson, from the floor.

Carroll of Poweshiek offered the following amendment H-8279, to amendment H-8235, filed by him from the floor and moved its adoption:

H-8279

- 1 Amend the amendment, H-8235, to House File 2734 as
- 2 follows:
- 3 1. Page 1, by inserting after line 10 the
- 4 following:
- 5 "\_\_\_\_. Page 58, line 10, by inserting after the
- 6 word "percent." the following: "However, the amount
- 7 withheld shall be limited to the amount by which the
- 8 county's ending balance was in excess of the ending
- 9 balance percentage of 10 percent.""
- 10 2. By renumbering as necessary.

Amendment H-8279 was adopted.

On motion by Carroll of Poweshiek, amendment H-8235, as amended, was adopted.

Petersen of Polk offered amendment H-8263 filed by her as follows:

H-8263

- 1 Amend House File 2734 as follows:
- 2 1. Page 59, by inserting after line 27 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 249J.6, subsection 2, paragraph
- 5 a, Code Supplement 2005, is amended to read as
- 6 follows:
- 7 a. Beginning no later than March 1, 2006, within
- 8 ninety days of enrollment in the expansion population,
- 9 each expansion population member shall participate, in
- 10 conjunction with receiving a single comprehensive
- 11 medical examination and completing a personal health
- 12 improvement plan, in a health risk assessment
- 13 coordinated by a health consortium representing
- 14 providers, consumers, and medical education
- 15 institutions. An expansion population member who
- 16 enrolls in the expansion population prior to March 1,
- 17 2006, shall participate in the health risk assessment,
- 18 receive the single comprehensive medical examination,
- 19 and complete the personal health improvement plan by
- 20 June 1, 2006. The criteria for the health risk
- 21 assessment, the comprehensive medical examination, and
- 22 the personal health improvement plan shall be

23 developed and applied in a manner that takes into  
 24 consideration cultural variations that may exist  
 25 within the expansion population. The health risk  
 26 assessment shall utilize a gender-specific approach  
 27 that assesses health risk factors unique to men and  
 28 women. Specifically for women, in addition to health  
 29 risk factors identified for both men and women, the  
 30 health risk assessment shall include queries and  
 31 provide for necessary laboratory tests relating to  
 32 musculoskeletal health including but not limited to  
 33 osteoporosis, endocrine and hormonal health including  
 34 but not limited to thyroid health, and sexual and  
 35 reproductive health including but not limited to  
 36 fertility-related issues and sexually transmitted  
 37 diseases. In developing the queries unique to women,  
 38 a clinical advisory team shall be utilized that  
 39 includes women's health professionals including but  
 40 not limited to those with specialties in obstetrics  
 41 and gynecology, endocrinology, mental health,  
 42 behavioral health, oncology, cardiology, and  
 43 rheumatology. The health risk assessment shall also  
 44 provide queries relating to an individual's  
 45 environment, including but not limited to the presence  
 46 of domestic violence."

47 2. Page 60, by inserting after line 31 the  
 48 following:

49 "Sec. \_\_\_\_ . EFFECTIVE DATE. The section of this  
 50 division of this Act amending section 249J.6, being

Page 2

1 deemed of immediate importance, takes effect upon  
 2 enactment."

Petersen of Polk offered the following amendment H-8289, to  
 amendment H-8263, filed by her and Carroll of Poweshiek from the  
 floor and moved its adoption:

H-8289

1 Amend the amendment, H-8263, to House File 2734 as  
 2 follows:

3 1. Page 1, by striking lines 26 through 46 and  
 4 inserting the following: "assessment shall utilize a  
 5 gender-specific approach. In developing the queries  
 6 unique to women, a clinical advisory team shall be  
 7 utilized that includes women's health professionals  
 8 including but not limited to those with specialties in  
 9 obstetrics and gynecology, endocrinology, mental  
 10 health, behavioral health, oncology, cardiology, and  
 11 rheumatology."

Amendment H-8289 was adopted.

On motion by Petersen of Polk, amendment H-8263, as amended, was adopted.

Carroll of Poweshiek asked and received unanimous consent to withdraw amendment H-8267 filed by Upmeyer of Hancock on March 14, 2006.

Upmeyer of Hancock offered the following amendment H-8266 filed by her and moved its adoption:

H-8266

- 1 Amend House File 2734 as follows:
- 2 1. Page 60, by inserting after line 31, the
- 3 following:
- 4 "Sec.\_\_\_\_. SINGLE POINT OF ENTRY LONG-TERM LIVING
- 5 SYSTEM INTERIM STUDY COMMITTEE. The legislative
- 6 council is requested to establish an interim study
- 7 committee to make recommendations for establishing a
- 8 single point of entry to the long-term living system.
- 9 The membership of the interim study committee shall
- 10 include four members of the senate, three members of
- 11 the house of representatives, and not more than four
- 12 members of the public. The study committee shall
- 13 report its findings and recommendations, including
- 14 recommendations for coordinating state efforts to
- 15 provide access to informational and educational
- 16 resources to assist individuals in making informed
- 17 choices to address their long-term living needs and
- 18 recommendations for funding the single point of entry,
- 19 to the general assembly for consideration during the
- 20 2007 Legislative Session."
- 21 2. By renumbering as necessary.

Amendment H-8266 was adopted.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2734)

The ayes were, 79:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Foege	Ford	Freeman
Gaskill	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jacoby	Jenkins
Jones	Kaufmann	Kressig	Kurtenbach
Lalk	Lukan	Lykam	Maddox
May	McCarthy	Mertz	Miller
Olson, R.	Olson, S.	Paulsen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Soderberg	Struyk	Swaim	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, 17:

Fallon	Frevert	Heddens	Hogg
Hunter	Huser	Jochum	Kuhn
Lensing	Mascher	Murphy	Oldson
Olson, D.	Petersen	Smith	Taylor, T.
Wessel-Kroeschell			

Absent or not voting, 4:

Dandekar	Elgin	Taylor, D.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### SENATE MESSAGE CONSIDERED

**Senate File 2264**, by committee on local government, a bill for an act relating to the duties of county recorders and county auditors concerning instruments affecting real estate and certain other filings recorded by the county recorder.

Read first time and **passed on file**.

## IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2734** be immediately messaged to the Senate.

### REPORT OF THE CHIEF CLERK OF THE HOUSE

**MR. SPEAKER:** Pursuant to House Rule 42, I report that in engrossing bills the following corrections were made:

#### House File 2543

1. Page 12, line 26 – Deleted the word “or” which was struck in the bill. (“or” is not in Code)
2. Page 16, line 7 and 10 – Added an underscored period at the end of these lines.
3. Page 29, line 7 – Added an s to the word “follow”.
4. Page 39, line 33 – Added an underscored comma after the stricken semicolon.
5. Page 59, line 32 – Added an underscored comma after the stricken semicolon.
6. Page 60, line 17 – Deleted the strike through on the comma.
7. Page 61, line 1 and 2 – Added an underscored comma after the stricken semicolon on both lines.

**MARGARET A. THOMSON**  
Chief Clerk of the House

### 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

- |           |  |
|-----------|--|
| 2006\999  | “Mike” and Jim Cullen, Spencer – For celebrating their 50 <sup>th</sup> wedding anniversary. |
| 2006\1000 | Vyonne Backstrom Pieratt, Spencer – For celebrating her 90 <sup>th</sup> birthday.           |
| 2006\1001 | Everlyn Schuck, Spencer – For celebrating her 90 <sup>th</sup> birthday.                     |
| 2006\1002 | Margaret Zinn, Spencer – For celebrating her 80 <sup>th</sup> birthday.                      |
| 2006\1003 | Clarence Scharnberg, Iowa Lakes Area – For celebrating his 95 <sup>th</sup> birthday.        |

- 2006\1004 Fire Chief Wally Jorgenson, Spirit Lake – For his dedicated services as Fire Chief.
- 2006\1005 Mary Barloon, West Union – For celebrating her 90<sup>th</sup> birthday.
- 2006\1006 Newton and Belva Bauer, Hawkeye – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1007 Paul Alverado, Sioux City – For being named to the Iowa Community College 2005–2006 All–Iowa Academic Team.
- 2006\1008 Kelly Ruch, Sioux City – For being named to the Iowa Community College 2005–2006 All–Iowa Academic Team.
- 2006\1009 Lester and Margaret Zinn, Spencer – For celebrating their 61<sup>st</sup> wedding anniversary.
- 2006\1010 Mark, Dean, Roger and Rick Schroeder, Remsen – For being named 2005 Master Pork Producers by the Iowa Pork Producers Association.
- 2006\1011 Dana and Nicky Sleezer, Aurelia – For being named 2005 Master Pork Producers by the Iowa Pork Producers Association.
- 2006\1012 Marlyn and Shirley Grunder, Wilton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1013 Kenneth and Mary Edith Jeffries, West Branch – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1014 Darlene Gade, Clarence – For celebrating her 80<sup>th</sup> birthday.
- 2006\1015 James Moore, Tipton – For celebrating his 85<sup>th</sup> birthday.
- 2006\1016 Ed Karrsen, Alton – For celebrating his 80<sup>th</sup> birthday.
- 2006\1017 Neva Marienau, Hawarden – For celebrating her 80<sup>th</sup> birthday.
- 2006\1018 Ruth Wilde, Le Mars – For celebrating her 80<sup>th</sup> birthday.
- 2006\1019 Gerald and Fannie Vande Brake, Orange City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1020 Myrtle Braun, Le Mars – For celebrating her 100<sup>th</sup> birthday.
- 2006\1021 Rachel Engelhardt, Elkader – For celebrating her 80<sup>th</sup> birthday.
- 2006\1022 Marion B. Rhodes, Bettendorf – For celebrating her 85<sup>th</sup> birthday.

## SUBCOMMITTEE ASSIGNMENTS

**House File 2081**

Ways and Means: Paulsen, Chair; Kaufmann and Quirk.

**House File 2714**

Appropriations: Horbach, Chair; May and Reichert.

**Senate File 2208**

Local Government: Rasmussen, Chair; Arnold and Schueller.

**Senate File 2268**

Ways and Means: Drake, Chair; Frevert and Lalk.

**Senate File 2272**

Education: Kaufmann, Chair; Roberts and Wendt.

**Senate File 2276**

Commerce, Regulation and Labor: Tomenga, Chair; Freeman, Jacobs, Kressig, Petersen, Sand and Wise.

**Senate File 2299**

Commerce, Regulation and Labor: Soderberg, Chair; Kressig and Sands.

**Senate File 2364**

Commerce, Regulation and Labor: Hoffman, Chair; Horbach and Oldson.

**Senate File 2387**

Appropriations: Jacobs, Chair; Dandekar and Roberts.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 766**

Ways and Means: Paulsen, Chair; Carroll, Kurtenbach, Shoultz and Winckler.

**House Study Bill 768**

Ways and Means: Paulsen, Chair; Kaufmann and Quirk.

**House Study Bill 769**

Ways and Means: Boal, Chair; Reasoner and Struyk.



**House Study Bill 770**

Ways and Means: Boal, Chair; Shomshor and J.K. Van Fossen.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENT**

**H.S.B. 771 Government Oversight**

Relating to the removal of social security numbers from documents filed with the county recorder.

**COMMITTEE RECOMMENDATION**

**MR. SPEAKER:** The Chief Clerk of the House respectfully reports that the following committee recommendations 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**

**House File 2686**, a bill for an act providing for technical and substantive changes relating to the Iowa communications network.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2006.

**RESOLUTIONS FILED**

**HR 143**, by Kuhn, a resolution to recognize the sesquicentennial of the city of Osage, Iowa.

Laid over under **Rule 25**.

**HR 144**, by Reasoner, a resolution congratulating the Matilda J. Gibson Memorial Library in Creston, Iowa, on its 75<sup>th</sup> anniversary.

Laid over under **Rule 25**.

**AMENDMENTS FILED**

H—8269      H.F.      2706      Kurtenbach of Story

H—8271	H.F.	2661	Lukan of Dubuque
H—8274	H.F.	2687	R. Olson of Polk
H—8276	H.F.	2709	Mascher of Johnson
H—8277	H.F.	2621	Mascher of Johnson
H—8278	H.F.	2592	Wilderdyke of Harrison Upmeyer of Hancock Smith of Marshall
H—8281	H.F.	2708	Freeman of Buena Vista Whitead of Woodbury
H—8283	H.F.	2695	Eichhorn of Hamilton
H—8284	H.F.	2686	Watts of Dallas
H—8285	H.F.	2592	Thomas of Clayton
H—8288	H.F.	2654	Tjepkes of Webster
H—8290	H.F.	2621	Kaufmann of Cedar Mascher of Johnson

On motion by Gipp of Winneshiek the House adjourned at 7:42 p.m., until 8:45 a.m., Thursday, March 16, 2006.

# JOURNAL OF THE HOUSE

Sixty-seventh Calendar Day - Forty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 16, 2006

The House met pursuant to adjournment at 8:45 a.m., Speaker Rants in the chair.

Prayer was sung by Anthony Menendez former House Page from Estherville. He was the guest of Representative Marcella Frevert of Palo Alto County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, March 15, 2006 was approved.

## SENATE MESSAGE CONSIDERED

**Senate File 2353**, by committee on commerce, a bill for an act relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties.

Read first time and referred to committee on **commerce, regulation and labor**.

## SPECIAL PRESENTATION

Speaker Rants introduced to the House Ambassador Kenneth M. Quinn, president of the World Food Prize Foundation whom introduced Dr. Norman E. Borlaug, U.S. Medal of Science recipient and Nobel Peace Prize Laureate who addressed the House briefly regarding his work with world hunger.

The House rose and expressed its welcome.

On motion by Gipp of Winneshiek, the House was recessed at 9:13 a.m., until 10:15 a.m.

The House resumed session at 10:20 a.m., Speaker Rants in the chair.

The House stood at ease at 10:20 a.m., until the fall of the gavel.

The House resumed session at 1:05 p.m., Speaker Rants in the chair.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Kaufmann of Cedar, until his arrival, on request of Gipp of Winneshiek; R. Olson of Polk, until his arrival, on request of Bukta of Clinton.

### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty members present, forty absent.

### CONSIDERATION OF BILLS

#### Regular Calendar

**House File 2506**, a bill for an act relating to the issuance of identity theft passports by the attorney general, was taken up for consideration.

Sands of Louisa offered the following amendment H-8219 filed by him and moved its adoption:

H-8219

- 1 Amend House File 2506 as follows:
- 2 1. Page 1, by striking lines 25 through 31 and
- 3 inserting the following:
- 4 "4. A law enforcement agency or creditor may
- 5 accept an identity theft passport issued pursuant to
- 6 this section and presented by a victim at the
- 7 discretion of the law enforcement agency or creditor.
- 8 A law enforcement agency or creditor may consider
- 9 the".

Amendment H-8219 was adopted.

Sands of Louisa moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2506)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroschell	Whitaker	Whitead	Wilderdyeke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 5:

Dandekar	Kaufmann	Olson, R.	Taylor, D.
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HOUSE FILE 2247 WITHDRAWN

Sands of Louisa asked and received unanimous consent to withdraw House File 2247 from further consideration by the House.

**House File 2507**, a bill for an act relating to priority of labor or wage claims over other debts when an employer's property is placed in receivership or otherwise seized by creditors, was taken up for consideration.

Horbach of Tama moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2507)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufman	Kressig	Kuhn
Kurtenbach	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wildurdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 5:

Dandekar	Lalk	Olson, R.	Taylor, D.
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2590**, a bill for an act providing for the confidentiality of information concerning security procedures or emergency preparedness information developed and maintained by a government body, 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. 2590)

The ayes were, 94:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 6:

Dandekar	Kaufmann	Olson, R.	Taylor, D.
Wildurdyke	Zirkelbach		

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 2506, 2507 and 2590.**

**House File 2508**, a bill for an act relating to direct deposit of wages and creating an exception to the payday information employers are required to provide each employee under the Iowa wage payment collection law and providing for retroactive applicability, was taken up for consideration.

Horbach of Tama moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2508)

The ayes were, 93:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kressig	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
Mascher	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Mr. Speaker			
Rants			



The nays were, 1:

Hunter

Absent or not voting, 6:

Dandekar	Kaufmann	Olson, R.	Taylor, D.
Van Fossen, J.K.	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2623**, a bill for an act relating to the membership, authority, and duties of the board of educational examiners, was taken up for consideration.

The House stood at ease at 1:31 p.m., until the fall of the gavel.

The House resumed session at 1:40 p.m., Speaker Rants in the chair.

Chambers of O'Brien moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2623)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufman	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor

Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.K.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wildurdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, 1:

Fallon

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2562**, an act to make electronic mail and telephone billing records of law enforcement agencies confidential if that information is part of an investigation, was taken up for consideration.

Horbach of Tama moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2562)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foegen	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufman	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rasmussen

Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wildurdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, 1:

Fallon

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HOUSE FILE 2316 WITHDRAWN

Horbach of Tama asked and received unanimous consent to withdraw House File 2316 from further consideration by the House.

**House File 2571**, a bill for an act relating to the confidentiality and release of an intelligence assessment or intelligence data, was taken up for consideration.

Tjepkes 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. 2571)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs

Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wildurdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, 1:

Fallon

Absent or not voting, 4:

Dandekar                      Olson, R.                      Taylor, D.                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2586**, a bill for an act relating to the collection of liquidated debts owed to and various authorizations issued by the labor commissioner, was taken up for consideration.

Horbach of Tama moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2586)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter

Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wildurdyke	Winckler	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 5:

Dandekar	Olson, R.	Taylor, D.	Wise
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2619**, a bill for an act relating to high school graduation, dropout, and equivalency reporting requirements, was taken up for consideration.

Schickel 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. 2619)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foega
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum

Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Mr. Speaker Rants

The nays were, none.

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2620**, a bill for an act providing an exception to the age of admission to kindergarten, was taken up for consideration.

Jacobs of Polk asked and received unanimous consent that House File 2620 be deferred and that the bill retain its place on the calendar.

#### IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2508, 2562, 2571, 2586, 2619 and 2623.**

**House File 2671**, a bill for an act relating to illegal aliens of the United States including restricting the allocation of housing trust fund moneys, prohibiting the servicing of first mortgages, relating to employment, and providing for penalties, was taken up for consideration.

Sands of Louisa offered amendment H-8220 filed by him as follows:

H-8220

- 1 Amend House File 2671 as follows:  
 2 1. Page 3, by striking lines 19 through 22 and  
 3 inserting the following:  
 4 "A licensee or other mortgagee shall not knowingly  
 5 originate a first mortgage loan for residential real  
 6 estate located in this state on or after July 1, 2007,  
 7 that is".

Wise of Lee offered the following amendment H-8297, to amendment H-8220, filed by him, Quirk of Chickasaw and Pettengill of Benton from the floor and moved its adoption:

H-8297

- 1 Amend the amendment, H-8220, to House File 2671, as  
 2 follows:  
 3 1. Page 1, line 2, by striking the figures and  
 4 words "19 through 22 and" and inserting the following:  
 5 "17 through 31."  
 6 2. Page 1, by striking lines 3 through 7 and  
 7 inserting the following:  
 8 "\_\_\_ Title page, by striking line 3 and  
 9 inserting the following: "relating to".  
 10 3. By renumbering as necessary.

Roll call was requested by Wise of Lee and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment H-8297 be adopted?" (H.F. 2671)

The ayes were, 45:

Bell	Berry	Bukta	Cohoon
Davitt	Fallon	Foegen	Ford
Frevort	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Shoultz	Smith
Swaim	Taylor, T.	Thomas	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise			

The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Mr. Speaker	
		Rants	

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	Zirkelbach
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Amendment H-8297 lost.

Ford of Polk offered the following amendment H-8299, to amendment H-8220, filed by him from the floor and moved its adoption:

H-8299

1 Amend the amendment, H-8220, to House File 2671, as  
 2 follows:  
 3 1. Page 1, by inserting before line 2 the  
 4 following:  
 5 "\_\_\_ Page 3, by inserting after line 16 the  
 6 following:  
 7 "5. An employer shall not discharge an employee or  
 8 take or fail to take action regarding an employee's  
 9 appointment or proposed appointment or promotion or  
 10 proposed promotion, or regarding any advantage of an  
 11 employee, or make a report regarding the status of the  
 12 employee as an unauthorized alien to any federal  
 13 department or agency as a reprisal against an employee  
 14 that made a report to a law enforcement agency that  
 15 the employee has been a victim of sexual abuse or  
 16 sexual harassment by another employee of the employer.  
 17 A law enforcement agency that accepts a report of  
 18 sexual abuse or sexual harassment as described in this  
 19 subsection shall not make a report regarding the  
 20 status of the victim as an unauthorized alien to any  
 21 federal department or agency."  
 22 2. By renumbering as necessary.



Roll call was requested by Murphy of Dubuque and T. Taylor of Linn.

On the question "Shall amendment H-8299 be adopted?" (H.F. 2671)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carrroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wildurdyke	Winckler	Wise	Mr. Speaker
			Rants

The nays were, none.

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	Zirkelbach
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Amendment H-8299 was adopted.

### SPECIAL PRESENTATION

Speaker pro tempore Carroll introduced to the House the Honorable Rich Vande Hoef, former state representative from Osceola County.

The House rose and expressed its welcome.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8301, to amendment H-8220, filed by him from the floor.

Wise of Lee asked and received unanimous consent to withdraw amendment H-8298, to amendment H-8220, filed by him from the floor.

Sands of Louisa asked and received unanimous consent that amendment H-8220, as amended, be deferred.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8246 filed by him on March 14, 2006.

Jacobs of Polk asked and received unanimous consent that House File 2671 be deferred and that the bill retain its place on the calendar. (Amendment H-8220, as amended, pending)

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 16, 2006, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2612, a bill for an act providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty.

Also: That the Senate has on March 16, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2251, a bill for an act directing the department of education and the Iowa department of public health to convene a healthy children task force and providing an effective date.

Also: That the Senate has on March 16, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2309, a bill for an act relating to technology transfer and commercialization in certain core platform areas.

Also: That the Senate has on March 16, 2006, passed the following bill in which the concurrence of the house is asked:

Senate File 2332, a bill for an act establishing an Iowa food policy council.

Also: That the Senate has on March 16, 2006 passed the following bill in which the concurrence of the House is asked:

Senate File 2363, a bill for an act relating to water quality standards.

Also: That the Senate has on March 16, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2377, a bill for an act relating to animal feeding operations, by providing for standards and evaluations by the department of natural resources.

MICHAEL E. MARSHALL, Secretary

**House File 2713**, a bill for an act changing the bid threshold requirement for certain public improvement contracts and providing for an effective date, was taken up for consideration.

Drake of Pottawattamie offered amendment H-8217 filed by him as follows:

H-8217

- 1 Amend House File 2713 as follows:
- 2 1. Page 1, line 17, by inserting after the word
- 3 "regents" the following: "and the state department of
- 4 transportation".
- 5 2. Page 1, line 18, by striking the word
- 6 "structure" and inserting the following: "construction
- 7 work".
- 8 3. Page 6, line 19, by inserting after the word
- 9 "entity" the following: "or the state department of
- 10 transportation".
- 11 4. Page 6, line 22, by striking the word "that:"
- 12 and inserting the following: "as provided in this
- 13 section. For purposes of this section, "department"
- 14 means the state department of transportation."
- 15 5. Page 6, line 24, by inserting after the word
- 16 "improvement" the following: "or highway, bridge, or
- 17 culvert project".
- 18 6. Page 6, line 31, by inserting after the word
- 19 "entity" the following: "or the department".
- 20 7. Page 7, line 3, by inserting after the word
- 21 "entity" the following: "or the department".
- 22 8. Page 7, line 12, by inserting after the word
- 23 "entity's" the following: "or the department's".
- 24 9. Page 7, line 15, by inserting after the word
- 25 "entity" the following: "or the department".
- 26 10. Page 7, line 17, by inserting after the word
- 27 "entity's" the following: "or the department's".

- 28 11. Page 7, line 27, by inserting after the word  
29 "project" the following: "or the highway, bridge, or  
30 culvert project".
- 31 12. Page 7, line 28, by inserting after the word  
32 "improvement" the following: "or the highway, bridge,  
33 or culvert project".
- 34 13. Page 7, line 33, by inserting after the word  
35 "entity" the following: "or the department".
- 36 14. Page 8, line 3, by inserting after the word  
37 "project" the following: "or the highway, bridge, or  
38 culvert project".
- 39 15. Page 8, line 8, by inserting after the word  
40 "entity" the following: "or the department".
- 41 16. Page 8, line 14, by inserting after the word  
42 "entity" the following: "or the department".
- 43 17. Page 8, by striking line 16 and inserting the  
44 following: "contractor."
- 45 18. Page 8, line 20, by inserting after the word  
46 "project" the following: "or the highway, bridge, or  
47 culvert project".
- 48 19. Page 8, line 26, by inserting before the word  
49 "designated" the following: "or a highway, bridge, or  
50 culvert project".

## Page 2

- 1 20. Page 8, line 29, by inserting after the word  
2 "entity" the following: "or department".
- 3 21. Page 8, line 31, by inserting after the word  
4 "entity" the following: "or department".
- 5 22. Page 8, line 33, by inserting after the word  
6 "entity" the following: "or department".
- 7 23. Page 16, line 1, by striking the words and  
8 figure "in accordance with the provisions of chapter  
9 573".
- 10 24. Page 17, line 24, by striking the word "an"  
11 and inserting the following: "an horizontal and  
12 vertical infrastructure".
- 13 25. Page 17, line 25, by striking the word  
14 "committee" and inserting the following: "committee  
15 committees".
- 16 26. Page 18, line 1, by inserting after the word  
17 "the" the following: "appropriate".
- 18 27. Page 18, line 31, by inserting after the word  
19 "the" the following: "appropriate".
- 20 28. Page 19, line 8, by striking the words "and  
21 quotation".
- 22 29. Page 19, line 24, by striking the words and  
23 figures "Prior to January 1, 2012" and inserting the  
24 following: "Beginning July 1, 2006".
- 25 30. Page 22, line 3, by striking the word "not"  
26 and inserting the following: "not".

- 27 31. Page 22, line 4, by striking the word  
 28 "section" and inserting the following: "section".  
 29 32. Page 22, line 5, by striking the word  
 30 "chapter" and inserting the following: "38.2,  
 31 subsection 3, except for purposes of section 38.12."  
 32 33. Page 22, by striking lines 6 through 11 and  
 33 inserting the following: "However, if a lease-  
 34 purchase contract is funded in advance by means of the  
 35 lessor depositing moneys to be administered by a city,  
 36 with the city's obligations to make rent payments  
 37 commencing with its receipt of moneys, a contract for  
 38 construction of the property in question awarded by  
 39 the city is subject to ~~division VI of chapter 384.38.~~"  
 40 34. Page 22, by striking lines 12 through 26.  
 41 35. By striking page 23, line 19, through page  
 42 24, line 1.  
 43 36. Page 24, line 16, by inserting after the  
 44 figure "904.315," the following: "unnumbered  
 45 paragraph 1,".  
 46 37. Page 24, by striking line 18.  
 47 38. Page 24, by striking lines 27 through 33.  
 48 39. By renumbering as necessary.

Paulsen of Linn offered the following amendment H-8225, to amendment H-8217, filed by him and moved its adoption:

H-8225

- 1 Amend the amendment, H-8217, to House File 2713 as  
 2 follows:  
 3 1. Page 2, by inserting after line 24 the  
 4 following:  
 5 "\_\_\_ Page 21, by inserting after line 7 the  
 6 following:  
 7 "Sec. \_\_\_ Section 331.341, subsection 4, Code  
 8 2005, is amended to read as follows:  
 9 4. If the contract price for a public improvement  
 10 is ~~fifteen~~ twenty-five thousand dollars or more, the  
 11 board shall require a contractor's bond in accordance  
 12 with chapter 573."  
 13 2. By renumbering as necessary.

Amendment H-8225 was adopted.

On motion by Drake of Pottawattamie, amendment H-8217, as amended, was adopted.

Struyk of Pottawattamie offered the following amendment H-8258 filed by Struyk, et al., and moved its adoption:

H-8258

- 1 Amend House File 2713 as follows:
- 2 1. Page 2, line 11, by striking the word
- 3 "Alternatively" and inserting the following:
- 4 "Additionally".

Amendment H-8258 was adopted.

Drake of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2713)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Mr. Speaker
			Rants

The nays were, none.

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 321 WITHDRAWN

Drake of Pottawattamie asked and received unanimous consent to withdraw House File 321 from further consideration by the House.

**House File 2162**, a bill for an act relating to the scope of rulemaking authority delegated to an administrative agency, 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. 2162)

The ayes were, 94:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Ford
Freeman	Gaskill	Gipp	Granzow
Greiner	Heaton	Heddens	Hogg
Hoffman	Horbach	Hunter	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Jones	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
Mascher	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, 2:

Fallon                      Frevert

Absent or not voting, 4:

Dandekar                  Olson, R.                  Taylor, D.                  Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2394**, a bill for an act relating to the procedures for filing administrative rules, was taken up for consideration.

SENATE FILE 2316 SUBSTITUTED FOR HOUSE FILE 2394

Paulsen of Linn asked and received unanimous consent to substitute Senate File 2316 for House File 2394.

**Senate File 2316**, a bill for an act relating to the procedures for filing administrative rules, was taken up for consideration.

Paulsen 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. 2316)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Reasoner	Reichert



Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Mr. Speaker
			Rants

The nays were, none.

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HOUSE FILE 2394 WITHDRAWN

Paulsen of Linn asked and received unanimous consent to withdraw House File 2394 from further consideration by the House.

**House File 2215**, a bill for an act relating to requests for regulatory analysis of administrative rules, with report of committee recommending passage, 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. 2215)

The ayes were, 93:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Ford
Freeman	Gaskill	Gipp	Granzow
Greiner	Heaton	Heddens	Hoffman
Hogg	Horbach	Hunter	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Jones	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk

Lensing	Lukan	Lykam	Maddox
Mascher	May	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wildurdyke	Winckler	Wise
Mr. Speaker			
Rants			

The nays were, 2:

Fallon                      Frevert

Absent or not voting, 5:

Dandekar                      McCarthy                      Olson, R.                      Taylor, D.  
Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2662**, a bill for an act relating to the effective period and legislative review of administrative rules, was taken up for consideration.

Eichhorn of Hamilton offered amendment H-8190 filed by him as follows:

H-8190

- 1 Amend House File 2662 as follows:
- 2 1. By striking page 1, line 32, through page 2,
- 3 line 3, and inserting the following:
- 4 "Sec. \_\_\_\_ NEW SECTION. 17A.5A COMPREHENSIVE
- 5 REVIEW AND RECISSION.
- 6 1. Each agency shall develop an ongoing plan for
- 7 the comprehensive review of all agency rules over a
- 8 five-year period. The initial review shall commence
- 9 July 1, 2010. Each state agency shall commence its
- 10 review by developing a plan in consultation with major
- 11 stakeholders and constituent groups. The plan shall
- 12 specifically identify all rules exempt from the
- 13 requirements of this section due to state or federal

14 law and shall contain an explanation of the  
15 exemptions.

16 a. The plan shall provide a realistic, workable,  
17 and effective scheme for the review of agency rules  
18 and for the identification and elimination of all  
19 rules of the agency that are outdated, redundant,  
20 overbroad, ineffective, unnecessary, or otherwise  
21 undesirable.

22 b. The plan shall include a schedule for review  
23 and of each rule within the five-year period. Any  
24 rule not scheduled for review under this plan is void  
25 on January 1, 2011.

26 c. The review shall be accomplished through a  
27 rulemaking process as provided in sections 17A.4 and  
28 17A.5. As part of this process, the agency shall  
29 either readopt the rule, amend and readopt the rule,  
30 or rescind the rule.

31 d. Each agency shall annually prepare a report  
32 that summarizes the results of each review and  
33 documents the rule changes that have been made  
34 pursuant to the review. Copies of the report shall be  
35 provided to the governor, the president of the senate,  
36 and the speaker of the house.

37 2. This section does not apply to the department  
38 of revenue, the state board of regents, or a licensing  
39 board as described in section 272C.1, or any rule that  
40 is required by a federal law and that does not exceed  
41 the minimum scope and intent of that federal law."

42 2. Page 2, by inserting after line 11 the  
43 following:

44 "Sec. \_\_\_\_\_. Section 17A.7, subsection 2, Code 2005,  
45 is amended by striking the subsection."

46 3. Title page, by striking lines 1 and 2 and  
47 inserting the following: "An Act requiring all  
48 administrative rules to be periodically reviewed and  
49 repromulgated by state agencies and providing for  
50 legislative review."

Page 2

1 4. By renumbering as necessary.

J.K. Van Fossen of Scott offered the following amendment H-8295,  
to amendment H-8190, filed by him from the floor and moved its  
adoption:

H-8295

1 Amend the amendment, H-8190, to House File 2662 as  
2 follows:

3 1. Page 1, by striking lines 4 though 41 and

4 inserting the following:

5 ""Sec. \_\_. NEW SECTION. 17A.5A AUTOMATIC SUNSET  
6 AND LEGISLATIVE REAUTHORIZATION.

7 1. Commencing July 1, 2007, all rules shall expire  
8 on June 30, one year following the initial effective  
9 date of the rule, excluding the effective dates of any  
10 amendment to the rules.

11 2. By the second Monday in January of each year  
12 each agency shall prepare a listing of those rules  
13 which will expire on June 30 and submit that list to  
14 the president of the senate and the speaker of the  
15 house of representatives, who shall refer the list to  
16 the appropriate standing committees of the general  
17 assembly. A standing committee shall review the list  
18 within twenty-one days after it is referred to the  
19 committee by the speaker of the house of  
20 representatives or the president of the senate and  
21 shall take formal committee action by proposing  
22 legislation to extend the effective date of some or  
23 all of the rules contained on that list for an  
24 additional year.

25 3. Any rule which has not had its effective date  
26 extended as provided in subsection 2 is void the  
27 following June 30 and the administrative code editor  
28 shall remove it from the Iowa administrative code.""

29 2. Page 1, by striking lines 46 though 50 and  
30 inserting the following:

31 " \_\_. Title page, by striking lines 1 and 2 and  
32 inserting the following: "An Act providing for the  
33 automatic expiration of all administrative rules, for  
34 their reauthorization by the general assembly, and  
35 providing additional legislative review.""

36 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 50, nays 42.

Amendment H-8295 was adopted.

Gipp of Winneshiek asked and received unanimous consent that House File 2662 be deferred and that the bill retain its place on the calendar. (Amendment H-8190, as amended, pending).

The House resumed consideration of **House File 2671**, a bill for an act relating to illegal aliens of the United States including restricting the allocation of housing trust fund moneys, prohibiting

the servicing of first mortgages, relating to employment, and providing for penalties, previously deferred. (Amendment H-8220, as amended, pending)

Wise of Lee offered the following amendment H-8305, to amendment H-8220, as amended, filed by him, Quirk of Chickasaw and Sands of Louisa from the floor and moved its adoption:

H-8305

- 1 Amend the amendment, H-8220, to House File 2671, as
- 2 follows:
- 3 1. Page 1, by inserting after line 7 the
- 4 following:
- 5 "\_\_\_ Page 3, by inserting after line 31 the
- 6 following:
- 7 "If a person who has agreed to buy residential real
- 8 property is denied a first mortgage loan pursuant to
- 9 this section and cannot otherwise comply with the
- 10 terms of the agreement, the seller of the property
- 11 shall be entitled to any earnest money or other trust
- 12 funds held by a real estate broker pursuant to section
- 13 543B.46 paid by the person or on behalf of the person
- 14 pursuant to the agreement.""

Amendment H-8305 was adopted.

Winckler of Scott moved to suspend Rule 31.8 to consider amendment H-8294 filed by her from the floor.

Roll call was requested by Winckler of Scott and Murphy of Dubuque.

On the question "Shall Rule 31.8 be suspended to consider amendment H-8294?" (H.F. 2671)

The ayes were, 44:

Bell	Berry	Bukta	Cphoon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Jacoby	Jochum	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Shultz	Smith	Swaim

Taylor, T. Whitaker	Thomas Whitead	Wendt Winckler	Wessel-Kroeschell Wise
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The nays were, 50:

Alons	Arnold	Baudler	Boal
Carroll	Chambers	De Boef	Dix
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
Maddox	May	Olson, S.	Paulsen
Raecker	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wilderdyke	Mr. Speaker Rants		

Absent or not voting, 6:

Anderson	Dandekar	Huser	Olson, R.
Taylor, D.	Zirkelbach		

The motion to suspend the rules lost, placing amendment H-8294 out of order.

On motion by Sands of Louisa, amendment H-8220, as amended, was adopted.

Dix of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2671)

The ayes were, 69:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Carroll	Chambers
Cohoon	Davitt	De Boef	Dix
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gaskill	Gipp	Granzow
Greiner	Heaton	Hogg	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kressig	Kurtenbach
Lalk	Lukan	Lykam	Maddox
May	Mertz	Murphy	Olson, S.
Paulsen	Pettengill	Quirk	Raecker

Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schueller	Shomshor
Soderberg	Struyk	Swaim	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Whitaker	Whitead	Wildurdyke	Wise
Mr. Speaker			
Rants			

The nays were, 25:

Berry	Bukta	Fallon	Foege
Ford	Frevert	Heddens	Hunter
Jacoby	Jochum	Kuhn	Lensing
Mascher	McCarthy	Miller	Oldson
Olson, D.	Petersen	Schickel	Shultz
Smith	Taylor, T.	Wendt	Wessel-Kroeschell
Winckler			

Absent or not voting, 6:

Dandekar	Hoffman	Huser	Olson, R.
Taylor, D.	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to, placing out of order amendment H-8293 filed by Ford of Polk from the floor.

**House File 2424**, a bill for an act relating to the approval of emergency rulemaking by the governor, 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. 2424)

The ayes were, 92:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hogg	Horbach	Hunter	Huseman
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing

Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Oldson	Olson, D.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Mr. Speaker Rants

The nays were, none.

Absent or not voting, 8:

Dandekar	Drake	Hoffman	Huser
Murphy	Olson, R.	Taylor, D.	Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2693**, a bill for an act relating to the voting requirements for actions by the administrative rules review committee, was taken up for consideration.

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. 2693)

The ayes were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carrroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Mr. Speaker Rants	



The nays were, 45:

Bell	Berry	Bukta	Cohoon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Shoultz	Smith
Swaim	Taylor, T.	Thomas	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise			

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2661**, a bill for an act relating to the linked investments for tomorrow Act, was taken up for consideration.

Lukan of Dubuque offered amendment H-8271 filed by him as follows:

H-8271

- 1 Amend House File 2661 as follows:
- 2 1. Page 8, by striking lines 2 through 4.

Lukan of Dubuque asked and received unanimous consent to withdraw amendment H-8296, to amendment H-8271, filed by him from the floor.

Lukan of Dubuque offered the following amendment H-8304, to amendment H-8271, filed by him from the floor and moved its adoption:

H-8304

- 1 Amend the amendment, H-8271, to House File 2661 as
- 2 follows:
- 3 1. Page 1, by inserting after line 1 the
- 4 following:

5 " \_\_\_\_\_. Page 3, by striking line 2 and inserting  
 6 the following: "businesses which are fifty-one  
 7 percent or more owned, operated, and actively managed  
 8 by one or more women, minority persons, or persons  
 9 with disabilities. "Disability" means the same as  
 10 defined in section 15.102, subsection 5, A."  
 11 2. By renumbering as necessary.

Amendment H-8304 was adopted.

On motion by Lukan of Dubuque amendment H-8271, as amended, was adopted.

Lukan of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2661)

The ayes were, 94:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacoby	Jochum	Jones	Kaufman
Kressig	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
Mascher	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdye	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 6:

Dandekar	Jacobs	Jenkins	Olson, R.
Taylor, D.	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2632**, a bill for an act relating to real estate, including real estate broker and salesperson licensing and real estate disclosures, was taken up for consideration.

Dix of Butler offered the following amendment H-8221 filed by him and moved its adoption:

H-8221

- 1 Amend House File 2632 as follows:
- 2 1. Page 1, lines 10 and 11, by striking the words
- 3 "~~or lessor, or prospective purchaser,~~" and inserting
- 4 the following: "lessor, or prospective purchaser who
- 5 does not make repeated and successive transactions of
- 6 a like character,".
- 7 2. Page 1, line 15, by striking the words and
- 8 figure "subsections 3 and" and inserting the
- 9 following: "subsection".
- 10 3. Page 1, line 16, by striking the word "are"
- 11 and inserting the following: "is".
- 12 4. Page 1, by striking lines 17 through 31.

Amendment H-8221 was adopted.

Dix of Butler moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2632)

The ayes were, 94:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton

Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacoby	Jochum	Jones	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
Mascher	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 6:

Dandekar	Jacobs	Jenkins	Olson, R.
Taylor, D.	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILES 2389 and 2446 WITHDRAWN

Dix of Butler asked and received unanimous consent to withdraw House Files 2389 and 2446 from further consideration by the House.

### INTRODUCTION OF BILLS

**House File 2748**, by committee on ways and means, a bill for an act providing for the retention of fees by licensing boards, and the bureau of radiological health, under the purview of the Iowa department of public health, providing for the nontransferability of specified fees, and providing effective dates.

Read first time and placed on the **ways and means calendar**.

**House File 2749**, by committee on ways and means, a bill for an act relating to debt management, mortgage bankers and brokers,

delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties.

Read first time and placed on the **ways and means calendar**.

### SENATE MESSAGES CONSIDERED

**Senate File 2251**, by committee on education, a bill for an act directing the department of education and the Iowa department of public health to convene a healthy children task force and providing an effective date.

Read first time and referred to committee on **education**.

**Senate File 2309**, by committee on economic growth, a bill for an act relating to technology transfer and commercialization in certain core platform areas.

Read first time and referred to committee on **economic growth**.

**Senate File 2332**, by committee on state government, a bill for an act establishing an Iowa food policy council.

Read first time and referred to committee on **state government**.

**Senate File 2363**, by committee on natural resources and environment, a bill for an act relating to water quality standards.

Read first time and referred to committee on **environmental protection**.

**Senate File 2377**, by committee on natural resources and environment, a bill for an act relating to animal feeding operations, by providing for standards and evaluations by the department of natural resources.

Read first time and referred to committee on **agriculture**.

## IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2162, 2215, 2424, 2632, 2661, 2671, 2693, 2713** and **Senate File 2316**.

## 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

- |           |  |
|-----------|--|
| 2006\1023 | Tena Johnson, Jewell – For celebrating her 104 <sup>th</sup> birthday.                               |
| 2006\1024 | Lucille Cobet, Tama – For celebrating her 85 <sup>th</sup> birthday.                                 |
| 2006\1025 | Mr. and Mrs. Grover Walker, Jewell – For celebrating their 65 <sup>th</sup> wedding anniversary.     |
| 2006\1026 | Simon Jr. and Corinne Steenhoek, Pella – For celebrating their 50 <sup>th</sup> wedding anniversary. |
| 2006\1027 | Lloyd and Nettie Van Zante, Pella – For celebrating their 60 <sup>th</sup> wedding anniversary.      |
| 2006\1028 | Jerry and Lois Ann Weber, Bancroft – For celebrating their 50 <sup>th</sup> wedding anniversary.     |

## SUBCOMMITTEE ASSIGNMENTS

### House File 2295

Ways and Means: Paulsen, Chair; Lalk and Quirk.

### House File 2471

Ways and Means: Reasoner, Chair; Kaufmann and Lalk.

### House File 2503

Ways and Means: Lalk, Chair; Drake and Frevert.

### House File 2530

Ways and Means: Boal, Chair; Tymeson and Winckler.

**House File 2584**

Ways and Means: Struyk, Chair; Frevert and Lalk.

**House File 2617**

Ways and Means: Tymeson, Chair; Boal and Hogg.

**House File 2685**

Ways and Means: Drake, Chair; Frevert and Lalk.

**Senate File 2333**

Veterans Affairs: Alons, Chair; Hutter and Quirk.

**Senate File 2387 Reassigned**

Appropriations: Jacobs, Chair; Reichert and Roberts.

**HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT****House Study Bill 771**

Government Oversight: Alons, Chair; Hutter and Winckler.

**COMMITTEE RECOMMENDATIONS**

**MR. SPEAKER:** The Chief Clerk of the House respectfully reports that the following committee recommendations has been received and is on file in the office of the Chief Clerk.

**MARGARET A. THOMSON**  
Chief Clerk of the House

**COMMITTEE ON GOVERNMENT OVERSIGHT**

**Committee Bill** (Formerly House Study Bill 508), relating to state bidding requirements for purchases.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 16, 2006.

**COMMITTEE ON STATE GOVERNMENT**

**Senate File 2207**, a bill for an act relating to the publication of official notices in English language newspapers.

Fiscal Note is not required.

Recommended **Do Pass** March 16, 2006.

## COMMITTEE ON TRANSPORTATION

**Senate File 2289**, a bill for an act relating to identification of publicly owned motor vehicles used by persons who provide off-site or in-home medical or mental health services.

Fiscal Note is not required.

Recommended **Do Pass** March 16, 2006.

## COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House File 2081), relating to eligibility for the military service property tax credit and exemption and including effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2006.

**Committee Bill** (Formerly House File 2494), relating to the practices and procedures of the department of corrections and the judicial district departments of correctional services, including increasing the penalty for sexual misconduct by an officer, employee, or agent of the department of corrections or a judicial district department of correctional services, and providing for a fee.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2006.

**Committee Bill** (Formerly House File 2568), providing for the retention of fees by licensing boards, and the bureau of radiological health, under the purview of the Iowa department of public health, providing for the nontransferability of specified fees, and providing effective dates.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2006.

**Committee Bill** (Formerly House File 2606), relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans and industrial loans, and providing for fees and penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2006.

**Committee Bill** (Formerly House File 2688), relating to the issuance of permits to carry weapons.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2006.



**Committee Bill** (Formerly House File 2735), relating to the formulation of motor fuel, by providing for renewable fuel including ethanol blended fuel and biodiesel blended fuel, providing incentives for infrastructure used to store and dispense renewable fuel, providing for income tax credits and excise taxes, providing for penalties, and providing effective and applicability dates, including retroactive applicability.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2006.

#### AMENDMENTS FILED

H—8291	H.F.	2522	J.R. Van Fossen of Scott
H—8292	H.F.	2709	Tymeson of Madison
H—8300	H.F.	2620	Huser of Polk Struyk of Pottawattamie De Boef of Keokuk
H—8302	H.F.	2717	Davitt of Warren Struyk of Pottawattamie
H—8303	H.F.	2612	Senate Amendment
H—8306	H.F.	2725	Paulsen of Linn
H—8307	H.F.	2717	Struyk of Pottawattamie
H—8308	H.F.	2637	Carroll of Poweshiek
H—8309	H.F.	2716	Jochum of Dubuque

On motion by Gipp of Winneshiek the House adjourned at 4:45 p.m., until 8:00 a.m., Friday, March 17, 2006.

# JOURNAL OF THE HOUSE

Sixty-eighth Calendar Day - Forty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, March 17, 2006

The House met pursuant to adjournment at 8:06 a.m., Speaker Rants in the chair.

The Journal of Thursday, March 16, 2005 was approved.

## INTRODUCTION OF BILLS

**House File 2750**, by committee on ways and means, a bill for an act relating to the practices and procedures of the department of corrections and the judicial district departments of correctional services, including increasing the penalty for sexual misconduct by an officer, employee, or agent of the department of corrections or a judicial district department of correctional services, and providing for a fee.

Read first time and placed on the **ways and means calendar**.

**House File 2751**, by committee on ways and means, a bill for an act relating to eligibility for the military service property tax credit and exemption and including effective and applicability date provisions.

Read first time and placed on the **ways and means calendar**.

## 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 joint resolution has been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to Secretary of State for his approval on this 17<sup>th</sup> day of March, 2006: 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

- |           |   |
|-----------|---|
| 2006\1029 | Jack and Patricia (Pat) McCreight, New London – For celebrating their 50 <sup>th</sup> wedding anniversary.         |
| 2006\1030 | Bert and Martha Wellborn, Donnellson – For celebrating their 60 <sup>th</sup> wedding anniversary.                  |
| 2006\1031 | Keith and Patricia Glenn, Fairfield – For celebrating their 50 <sup>th</sup> wedding anniversary.                   |
| 2006\1032 | Megan Dial, Shenandoah – For her outstanding achievements at state and national levels in FCCLA.                    |
| 2006\1033 | Colan Joseph Reiter, Vail – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.   |
| 2006\1034 | Jered Allen Greene, Denison – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |

## RESOLUTION FILED

**HR 145**, by Bell, a resolution supporting a proposal to invite the Republic of China (Taiwan) to participate in the upcoming meeting of the World Health Assembly as an observer.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H—8310	H.F.	2662	J.K. Van Fossen of Scott
H—8311	H.F.	2662	J.K. Van Fossen of Scott

On motion by Gipp of Winneshiek the House adjourned at 8:07 a.m., until 1:00 p.m., Monday, March 20, 2006.

# JOURNAL OF THE HOUSE

Seventy-first Calendar Day - Forty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, March 20, 2006

The House met pursuant to adjournment at 1:00 p.m., Speaker Rants in the chair.

Prayer was offered by the Honorable Dwayne Alons, state representative from Sioux County.

The Journal of Friday, March 17, 2006 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Jacobs of Polk, until her arrival, and Jenkins of Black Hawk, until his arrival, on request of Gipp of Winneshiek.

## INTRODUCTION OF BILL

**House File 2752**, by committee on government oversight, a bill for an act relating to state bidding requirements for purchases.

Read first time and placed on the **calendar**.

The House stood at ease at 1:11 p.m., until the fall of the gavel.

The House resumed session at 2:27 p.m., Speaker pro tempore Carroll in the chair.

## 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.

CONSIDERATION OF BILLS  
Regular Calendar

**House File 2652**, a bill for an act relating to civil and criminal procedure including the issuance of and violations of certain civil protective orders and criminal no-contact orders, was taken up for consideration.

Boal of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2652)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dolecheck	Drake	Eichhorn
Elgin	Foege	Ford	Freeman
Frevert	Gaskill	Gipp	Granzow
Greiner	Heaton	Heddens	Hoffman
Hogg	Horbach	Hunter	Huseman
Huser	Hutter	Jacoby	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Carroll,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Dix	Fallon	Jacobs	Jenkins
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2708**, a bill for an act concerning the veterans trust fund by providing for the minimum balance necessary in order to expend funds from the veterans trust fund and providing for an annual report concerning the fund, was taken up for consideration.

Freeman of Buena Vista offered the following amendment H-8281 filed by her and Whitead of Woodbury and moved its adoption:

H-8281

1 Amend House File 2708 as follows:

2 1. Page 1, by inserting after line 22 the  
3 following:

4 "Sec. \_\_\_. **NEW SECTION.** 422.12G INCOME TAX  
5 CHECKOFF FOR VETERANS TRUST FUND.

6 1. A person who files an individual or a joint  
7 income tax return with the department of revenue under  
8 section 422.13 may designate one dollar or more to be  
9 credited to the veterans trust fund created in section  
10 35A.13. If the refund due on the return or the  
11 payment remitted with the return is insufficient to  
12 pay the additional amount designated by the taxpayer  
13 to the veterans trust fund, the amount designated  
14 shall be reduced to the remaining amount of the refund  
15 or the remaining amount remitted with the return. The  
16 designation of a contribution to the veterans trust  
17 fund under this section is irrevocable.

18 2. The director of revenue shall draft the income  
19 tax form to allow the designation of contributions to  
20 the veterans trust fund on the tax return. The  
21 department of revenue, on or before January 31, shall  
22 transfer the total amount designated on the tax return  
23 forms due in the preceding calendar year to the  
24 veterans trust fund created in section 35A.13.  
25 However, before a checkoff pursuant to this section  
26 shall be permitted, all liabilities on the books of  
27 the department of revenue and accounts identified as  
28 owing under section 421.17 and the political  
29 contribution allowed under section 68A.601 shall be  
30 satisfied.

31 3. The department of revenue shall adopt rules to  
32 administer this section.

33 4. This section is subject to repeal under section  
34 422.12E.

35 Sec. \_\_\_. **IMPLEMENTATION.** The checkoff created in  
36 this Act shall be eligible for placement on the

37 individual income tax return form beginning for the  
 38 tax year commencing January 1, 2006.  
 39 Sec. \_\_. RETROACTIVE APPLICABILITY. The section  
 40 of this Act enacting section 422.12G applies  
 41 retroactively to the tax year commencing January 1,  
 42 2006."  
 43 2. Title page, line 3, by inserting after the  
 44 words "trust fund" the following: ", providing an  
 45 individual income tax checkoff for the fund,".  
 46 3. Title page, line 4, by inserting after the  
 47 word "fund" the follow: ", and including a  
 48 retroactive applicability provision".

Amendment H-8281 was adopted.

Kaufmann 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. 2708)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacoby
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyeke	Winckler	Wise	Carroll, Presiding

The nays were, none.

Absent or not voting, 4:

Dix

Jacobs

Jenkins

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**House File 2624**, a bill for an act extending the statute of limitations for the filing of an indictment or information in a felony or aggravated or serious misdemeanor proceeding involving DNA profiling, was taken up for consideration.

Hutter 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. 2624)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacoby	Jochum	Jones	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Carroll, Presiding

The nays were, none.



Absent or not voting, 4:

Jacobs                      Jenkins                      Maddox                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2645**, a bill for an act relating to services and requirements for current and former participants in the child welfare system, was taken up for consideration.

Roberts of Carroll in the chair at 2:43 p.m.

Granzow of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2645)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	Dix	De Boef	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacoby	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Roberts, Presiding			

The nays were, none.

Absent or not voting, 3:

Jacobs                      Jenkins                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2651**, a bill for an act relating to a restitution order in a juvenile delinquency proceeding, was taken up for consideration.

Carroll of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

Paulsen of Linn in the chair at 2:49 p.m.

On the question "Shall the bill pass?" (H.F. 2651)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacoby	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyeke	Winckler	Wise
Paulsen, Presiding			

The nays were, none.

Absent or not voting, 3:

Jacobs

Jenkins

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2624, 2645, 2651, 2652 and 2708.**

**House File 2672**, a bill for an act relating to payment of attorney fees in termination of parental rights proceedings, providing an effective date, and providing for retroactive applicability, was taken up for consideration.

Roberts of Carroll offered the following amendment H-8164 filed by him and moved its adoption:

H-8164

- 1 Amend House File 2672 as follows:
- 2 1. Page 1, by striking lines 12 through 17 and
- 3 inserting the following:
- 4 "2. If the person filing the petition is a private
- 5 child-placing agency as defined in section 238.2 or if
- 6 the person filing the petition or the person on whose
- 7 behalf the petition is filed is indigent, the
- 8 appointed attorney shall be paid reasonable attorney
- 9 fees as determined by the state public defender."

Amendment H-8164 was adopted.

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. 2672)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacoby	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyeke	Winckler	Wise
Paulsen, Presiding			

The nays were, none.

Absent or not voting, 3:

Jacobs	Jenkins	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2717**, a bill for an act providing for an equine industry development commission and related fund, was taken up for consideration.

Davitt of Warren offered amendment H-8302 filed by him and Struyk of Pottawattamie as follows:

H-8302

- 1 Amend House File 2717 as follows:
- 2 1. Page 1, by striking line 17 and inserting the

3 following:

4 "(1) The bureau chief of the horse and dog bureau  
5 of the department of agriculture and land stewardship,  
6 or the bureau chief's designee."

7 2. Page 2, line 8, by striking the word  
8 "ferriers" and inserting the following: "farriers".

9 3. Page 2, lines 10 and 11, by striking the words  
10 "members based on a list of" and inserting the  
11 following: "members. The governor shall consider".

12 4. Page 3, line 35, by striking the word  
13 "ferriers" and inserting the following: "farriers".

Davitt of Warren offered the following amendment H-8318, to amendment H-8302, filed by him from the floor and moved its adoption:

H-8318

1 Amend the amendment, H-8302, to House File 2717 as  
2 follows:

3 1. Page 1, by inserting after line 6, the  
4 following:

5 "\_\_\_\_. Page 1, line 24, by inserting after the  
6 word "governor" the following: "and confirmed by the  
7 senate pursuant to section 2.32"."

8 2. By renumbering as necessary.

Amendment H-8318 was adopted.

Struyk of Pottawattamie offered the following amendment H-8307, to amendment H-8302, filed by him and moved its adoption:

H-8307

1 Amend the amendment H-8302, to House File 2717, as  
2 follows:

3 1. Page 1, by inserting after line 13 the  
4 following:

5 "\_\_\_\_. Page 5, by inserting after line 13 the  
6 following:

7 "Sec. \_\_\_\_ . EFFECTIVE DATE. This Act takes effect  
8 on February 1, 2007."

9 \_\_\_\_ . Title page, line 2, by inserting after the  
10 word "fund" the following: ", and providing an  
11 effective date"."

12 2. By renumbering as necessary.

Amendment H-8307 was adopted.

On motion by Davitt of Warren, amendment H-8302, as amended, was adopted.

Struyk 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. 2717)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacoby	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyeke	Wise	Paulsen, Presiding

The nays were, none.

Absent or not voting, 4:

Jacobs	Jenkins	Winckler	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

## HOUSE FILE 2452 WITHDRAWN

Roberts of Carroll asked and received unanimous consent to withdraw House File 2452 from further consideration by the House.

**House File 590**, a bill for an act providing for special senior crossbow deer hunting licenses, was taken up for consideration.

Lukan of Dubuque moved that the bill be read a last time now and 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, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacoby	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueler
Shomshor	Shultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise	Paulsen,	
		Presiding	

The nays were, none.

Absent or not voting, 5:

Jacobs	Jenkins	Watts	Wildurdyke
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2613**, a bill for an act concerning programs and reports related to economic development, was taken up for consideration.

Ford of Polk offered amendment H-8264 filed by him as follows:

H-8264

- 1 Amend House File 2613 as follows:
- 2 1. Page 2, by inserting after line 20 the
- 3 following:
- 4 "Sec. \_\_\_\_\_. TAX INCREMENT FINANCING STUDY. The
- 5 department of economic development shall contract with
- 6 members of the faculty of one or more Iowa
- 7 institutions of higher education under the control of
- 8 the state board of regents for the purpose of
- 9 evaluating the use of tax increment financing for
- 10 economic development outside of areas designated as
- 11 slum and blighted areas as opposed to areas designated
- 12 as slum and blighted areas. The evaluation shall
- 13 include an analysis as to whether approved projects
- 14 were likely to have been financially feasible or
- 15 likely to have occurred without the use of tax
- 16 increment financing outside of areas designated as
- 17 slum and blighted areas as opposed to areas designated
- 18 as slum and blighted areas and whether availability of
- 19 tax increment financing for economic development
- 20 projects outside of areas designated as slum and
- 21 blighted areas diminishes the ability to promote the
- 22 economic recovery of slum and blighted areas. The
- 23 department shall report concerning the results of the
- 24 study on or before December 1, 2006, to the governor
- 25 and to any legislative interim committee addressing
- 26 economic development or taxation issues."
- 27 2. By renumbering as necessary.

May of Dickinson rose on a point of order that amendment H-8264 was not germane.

The Speaker ruled the point well taken and amendment H-8264 not germane.



May of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2613)

The ayes were, 92:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Huseman	Huser	Hutter	Jacoby
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Paulsen, Presiding

The nays were, 4:

Fallon	Hunter	Olson, R.	Shoultz
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Absent or not voting, 4:

Jacobs	Jenkins	Maddox	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2621**, a bill for an act requiring reports from the department of education and from school districts relating to student achievement, percentile rank, and grade equivalency levels, was taken up for consideration.

Kaufmann of Cedar offered the following amendment H-8290 filed by him and Mascher of Johnson and moved its adoption:

H-8290

- 1 Amend House File 2621 as follows:
- 2 1. Page 1, line 15, by striking the word "four"
- 3 and inserting the following: "three".
- 4 2. Page 1, by striking lines 16 and 17 and
- 5 inserting the following: "the Iowa test of basic
- 6 skills or the Iowa test of educational development,
- 7 the Iowa and national percentile rank and the Iowa and
- 8 national grade level equivalency in each of the".
- 9 3. Page 1, line 18, by striking the word
- 10 "evaluated" and inserting the following: "tested".
- 11 4. Page 1, by striking lines 19 and 20 and
- 12 inserting the following: "district shall provide a
- 13 brief description of how the Iowa testing program
- 14 determined the levels."
- 15 5. Page 1, line 22, by inserting after the word
- 16 "includes" the following: "Iowa and national".
- 17 6. Page 1, by striking line 25 and inserting the
- 18 following: "number and percentage of students at the
- 19 six achievement levels provided by the Iowa testing
- 20 program."
- 21 7. Title page, line 3, by striking the words
- 22 "equivalency levels" and inserting the following:
- 23 "level equivalency".

Amendment H-8290 was adopted.

Kaufmann of Cedar asked and received unanimous consent to withdraw amendment H-8255 filed by him on March 14, 2006, placing out of order amendment H-8277 filed by Mascher of Johnson on March 15, 2006.

Kaufmann 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. 2621)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck

Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacoby	Jochum	Jones	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyeke
Winckler	Wise	Paulsen, Presiding	

The nays were, 1:

Fallon

Absent or not voting, 4:

Jacobs

Jenkins

Maddox

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 590, 2613, 2621, 2672 and 2717.**

### RULES SUSPENDED

Gipp of Winneshiek asked and received unanimous consent to suspend the rules for the committees on appropriations and ways and means to meet immediately upon adjournment.

## EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 20, 2006. Had I been present, I would have voted "aye" on House Files 590, 2613, 2621, 2624, 2645, 2651, 2652, 2672, 2708 and 2717.

JACOBS of Polk

I was necessarily absent from the House chamber on March 20, 2006. Had I been present, I would have voted "aye" on House Files 590, 2613, 2621, 2624, 2645, 2651, 2652, 2672, 2708 and 2717.

JENKINS of Black Hawk

I was necessarily absent from the House chamber on March 20, 2006. Had I been present, I would have voted "aye" on House File 590.

WATTS of Dallas

## 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 March, 2006: House Files 2464 and 2543.

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

- 2006\1035 Ryan Bankson, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1036 Benjamin J. Boxleiter, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1037 Christopher L. Schultz, Dubuque – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1038 Janette Twait, Sioux City – For being elected to serve a term of three years on the board of directors for America's Blood Centers.
- 2006\1039 Dennis "Bing" and Verna Welte, Sioux City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1040 Virginia Lawrenson, Sioux City – For celebrating her 85<sup>th</sup> birthday.
- 2006\1041 Steven Philip Hadley, Sioux Center – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1042 Tillie Tensen, Hull – For celebrating her 90<sup>th</sup> birthday.
- 2006\1043 Albert and Janet Van Oort, Rock Valley – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1044 James and Meta Bown, Delta – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1045 Howard and Betty Linder, Sigourney – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1046 Michael Eekhoff, Western Christian High School – For being named to the Des Moines Register's All-State 2-A Boys Basketball First-Team.
- 2006\1047 Jim Eekhoff, Hull – For being named Boys Basketball Coach of the Year in the All-Lakes Conference.
- 2006\1048 George-Little Rock Boys Basketball Team and Coach Ben Gerleman, George-Little Rock High School – For winning the 2006 Class 1-A Boys State Basketball Championship.

2006\1049 Ryan Hoogveen, Hull – For being named to the Des Moines Register's All-State 1-A Boys Basketball Third-Team.

2006\1050 Tyler Fluth, George – For being named to the Des Moines Register's All-State 1-A Boys Basketball Second-Team.

#### SUBCOMMITTEE ASSIGNMENTS

##### Senate File 2241

Human Resources: Upmeyer, Chair; Petersen and Tymeson.

##### Senate File 2249

Human Resources: Carroll, Chair; Jacoby and Roberts.

##### Senate File 2318

Human Resources: Lukan, Chair; Hunter and Wilderdyke.

##### Senate File 2322

Human Resources: Upmeyer, Chair; Tymeson and Wendt.

##### Senate File 2343

Human Resources: Hutter, Chair; Berry and Granzow.

#### AMENDMENTS FILED

H—8312	H.F.	2729	J.K. Van Fossen of Scott
H—8313	H.F.	2725	Kaufmann of Cedar
H—8314	H.F.	2331	Upmeyer of Hancock
H—8315	H.F.	2750	Horbach of Tama
H—8316	H.F.	2620	Wendt of Woodbury
H—8317	H.F.	2730	Roberts of Carroll
H—8319	H.F.	2676	Carroll of Poweshiek
H—8320	H.F.	2716	Paulsen of Linn
H—8321	H.F.	2705	Roberts of Carroll
			Lensing of Johnson
H—8322	H.F.	2716	Upmeyer of Hancock
H—8323	H.F.	2698	Roberts of Carroll
			Lensing of Johnson
H—8324	H.F.	2716	Upmeyer of Hancock
H—8325	H.F.	2716	Upmeyer of Hancock

On motion by Gipp of Winneshiek the House adjourned at 3:43 p.m., until 8:45 a.m., Tuesday, March 21, 2006.

# JOURNAL OF THE HOUSE

Seventy-second Calendar Day - Fiftieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, March 21, 2006

The House met pursuant to adjournment at 8:49 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Brad Braley, pastor of First Presbyterian Church, Cedar Falls. He was the guest of Representative Bob Kressig of Black Hawk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, March 21, 2006 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 March 20, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2194, a bill for an act relating to county, city, and school board publication of allowed claims.

Also: That the Senate has on March 20, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2231, a bill for an act concerning accrued sick leave and the conversion of sick leave for state employees.

Also: That the Senate has on March 20, 2006, passed the following bill in which the concurrence of the House is asked:

Senate file 2292, a bill for an act relating to farm tenancies.

Also: That the Senate has on March 20, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2305, a bill for an act concerning wine, including the allowable alcohol content of wine and inspection of certain wine permittees.

Also: That the Senate has on March 20, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2313, a bill for an act relating to confidentiality of voter registration records and property assessment information for certain persons and providing an effective date.

Also: That the Senate has on March 20, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2319, a bill for an act relating to littering and illegal discarding of solid waste and increasing fines and penalties and making appropriations.

Also: That the Senate has on March 20, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2338, a bill for an act modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation.

Also: That the Senate has on March 20, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2346, a bill for an act relating to driver education, graduated driver licensing provisions, and passenger restraint requirements, and making a penalty applicable.

Also: That the Senate has on March 20, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2381, a bill for an act relating to combustion of solid waste with energy recovery.

MICHAEL E. MARSHALL, Secretary

## INTRODUCTION OF BILLS

**House File 2753**, by committee on ways and means, a bill for an act relating to the issuance of permits to carry weapons.

Read first time and placed on the **ways and means calendar**.

**House File 2754**, by committee on ways and means, a bill for an act relating to the formulation of motor fuel, by providing for



renewable fuel including ethanol blended fuel and biodiesel blended fuel, providing incentives for infrastructure used to store and dispense renewable fuel, providing for income tax credits and excise taxes, providing for penalties, and providing effective and applicability dates, including retroactive applicability.

Read first time and placed on the **ways and means calendar**.

The House stood at ease at 8:55 a.m., until the fall of the gavel.

The House resumed session at 9:29 a.m., Speaker Rants in the chair.

### SENATE MESSAGES CONSIDERED

**Senate File 2194**, by committee on local government, a bill for an act relating to county, city, and school board publication of allowed claims.

Read first time and **passed on file**.

**Senate File 2231**, by committee on state government, a bill for an act concerning accrued sick leave and the conversion of sick leave for state employees.

Read first time and referred to committee on **state government**.

**Senate File 2292**, by committee on agriculture, a bill for an act relating to farm tenancies.

Read first time and **passed on file**.

**Senate File 2305**, by committee on natural resources and environment, a bill for an act concerning wine, including the allowable alcohol content of wine and inspection of certain wine permittees.

Read first time and **passed on file**.

**Senate File 2313**, by committee on state government, a bill for an act relating to confidentiality of certain information on voter

registration records and city and county public records for certain persons and including effective and applicability date provisions.

Read first time and referred to committee on **state government**.

**Senate File 2319**, by committee on natural resources and environment, a bill for an act relating to littering and illegal discarding of solid waste and increasing fines and penalties and making appropriations.

Read first time and referred to committee on **environmental protection**.

**Senate File 2338**, by committee on government oversight, a bill for an act modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation.

Read first time and **passed on file**.

**Senate File 2346**, by committee on transportation, a bill for an act concerning the operation of motor vehicles by minors by establishing criminal and civil liability for providing alcoholic beverages to persons under legal age, and including driver education requirements, graduated driver licensing provisions, and passenger restraint requirements, and making penalties applicable and providing an effective date.

Read first time and referred to committee on **transportation**.

**Senate File 2381**, by committee on natural resources and environment, a bill for an act relating to combustion of solid waste with energy recovery.

Read first time and referred to committee on **environmental protection**.

**CONSIDERATION OF BILLS**  
Regular Calendar

**House File 2656**, a bill for an act relating to school reorganization and dissolution by allowing certain landowners in a reorganizing or dissolving school district to petition to join a contiguous school district, was taken up for consideration.

Granzow of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2656)

The ayes were, 60:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Freeman
Frevert	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kressig	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Pettengill	Raecker	Rasmussen
Rayhons	Roberts	Sands	Schickel
Smith	Soderberg	Struyk	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Whitead	Wildurdyke	Mr. Speaker
			Rants

The nays were, 38:

Bell	Berry	Bukta	Cohon
Dandekar	Foege	Ford	Gaskill
Heddens	Hogg	Hunter	Huser
Jacoby	Jochum	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Reasoner	Reichert
Schueller	Shomshor	Shoultz	Swaim
Taylor, D.	Taylor, T.	Wessel-Kroeschell	Whitaker
Winckler	Wise		

Absent or not voting and 2:

Quirk                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 2048 WITHDRAWN

Granzow of Hardin asked and received unanimous consent to withdraw House File 2048 from further consideration by the House.

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2656** be immediately messaged to the Senate.

**House File 2679**, a bill for an act relating to agricultural drainage wells by providing for the implementation of water quality practices as an alternative to constructing alternative drainage systems, 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. 2679)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell

Whitaker  
Wise

Whitead  
Mr. Speaker  
Rants

Wilderdyke

Winckler

The nays were, none.

Absent or not voting, 2:

Quirk

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 2551 WITHDRAWN

Mertz of Kossuth asked and received unanimous consent to withdraw House File 2551 from further consideration by the House.

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2679** be immediately messaged to the Senate.

**House File 2709**, a bill for an act relating to the minimum hours of instructional school time in a school year for grades one through twelve for school districts, charter schools, and accredited nonpublic schools, and providing an effective date, was taken up for consideration.

Mascher of Johnson offered amendment H-8276 filed by her as follows:

H-8276

- 1 Amend House File 2709 as follows:
- 2 1. Page 1, by striking lines 8 through 11 and
- 3 inserting the following: "Instructional time shall
- 4 not include the lunch period, late arrival or early
- 5 dismissal times required for emergency health or
- 6 safety factors, weather-related late starts or early
- 7 releases, or time used for".

Tymeson of Madison offered the following amendment H-8292, to amendment H-8276, filed by her and moved its adoption:

H-8292

- 1 Amend the amendment, H-8276, to House File 2709 as
- 2 follows:
- 3 1. Page 1, line 4, by inserting after the word
- 4 "period," the following: "recess, time for
- 5 noninstructional assemblies,".

Amendment H-8292 was adopted.

On motion by Mascher of Johnson, amendment H-8276, as amended, was adopted.

Mascher of Johnson offered the following amendment H-8159 filed by her and moved its adoption:

H-8159

- 1 Amend House File 2709 as follows:
- 2 1. Page 2, line 17, by striking the figure "2007"
- 3 and inserting the following: "2008".

Amendment H-8159 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. 2709)

The ayes were, 55:

Alons	Anderson	Arnold	Baudler
Berry	Boal	Carroll	Chambers
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Freeman	Gipp
Granzow	Greiner	Heaton	Hoffman
Horbach	Huseman	Hutter	Jacobs
Jenkins	Jones	Kaufmann	Kurtenbach
Lalk	Lukan	Maddox	May
Olson, S.	Paulsen	Raecker	Rasmussen
Rayhons	Roberts	Sands	Schickel
Shoultz	Soderberg	Struyk	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wilderdyke	Wise	Mr. Speaker	
		Rants	

The nays were, 44:

Bell	Bukta	Cohoon	Dandekar
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Smith
Swaim	Taylor, D.	Taylor, T.	Thomas
Wessel-Kroeschell	Whitaker	Whitead	Winckler

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2709** be immediately messaged to the Senate.

Speaker pro tempore Carroll in the chair at 10:27 a.m.

**House File 2620**, a bill for an act providing an exception to the age of admission to kindergarten, previously deferred and found on page 747 of the House Journal, was taken up for consideration.

Huser of Polk offered amendment H-8300 filed by Huser, et al., as follows:

H-8300

- 1 Amend House File 2620 as follows:
- 2 1. Page 1, line 10, by inserting after the word
- 3 "state," the following: "A school district may enroll
- 4 a child in kindergarten who is five years of age after
- 5 September 15 of the current school year and who has
- 6 demonstrated the possession of sufficient ability to
- 7 benefit from kindergarten work on the basis of tests
- 8 or other means of evaluation recommended or approved
- 9 by the department of education."
- 10 2. Title page, line 1, by striking the words "an
- 11 exception" and inserting the following: "exceptions".

Wendt of Woodbury offered the following amendment H-8316, to amendment H-8300, filed by him and moved its adoption:

H-8316

1 Amend the amendment, H-8300, to House File 2620 as  
2 follows:  
3 1. Page 1, by inserting after line 9 the  
4 following:  
5 "Sec. \_\_. FUTURE EFFECTIVE DATE. This Act takes  
6 effect July 1, 2007."  
7 2. Page 1, by inserting after line 11 the  
8 following:  
9 " \_\_. Title page, line 2, by inserting after the  
10 word "kindergarten" the following: "and providing an  
11 effective date"."

Amendment H-8316 lost.

Wendt of Woodbury rose on a point of order that amendment H-8300 was not germane.

The Speaker ruled the point not well taken and amendment H-8300 germane.

Huser of Polk moved the adoption of amendment H-8300.

A non-record roll call was requested.

The ayes were 51, nays 35.

Amendment H-8300 was adopted.

Mascher of Johnson rose on a point of order invoking Rule 32, relating to collection of taxes, requesting House File 2620, as amended, be sent to the committee on ways and means.

The Speaker ruled the point not well taken.

Granzow of Hardin moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.



### On the question "Shall the bill pass?" (H.F. 2620)

The ayes were, 55:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Dandekar	De Boef
Dolecheck	Drake	Eichhorn	Elgin
Fallon	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Huser	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Mertz
Olson, R.	Olson, S.	Paulsen	Pettengill
Rants, Spkr.	Rasmussen	Rayhons	Roberts
Sands	Soderberg	Struyk	Swaim
Taylor, D.	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wildurdyke	Carroll, Presiding	

The nays were, 43:

Bell	Berry	Bukta	Cphoon
Davitt	Dix	Foegel	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Jacoby	Jochum	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Miller	Murphy	Oldson
Olson, D.	Petersen	Quirk	Raecker
Reasoner	Reichert	Schickel	Schueller
Shomshor	Shoultz	Smith	Taylor, T.
Thomas	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	

Absent or not voting, 2:

Freeman	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### 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, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2713, a bill for an act changing the bid threshold requirement for certain public improvement contracts and providing for an effective date.

Also: That the Senate has on March 21, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2312, a bill for an act providing hardship grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including an effective date and retroactive applicability provision.

Also: That the Senate has on March 21, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2337, a bill for an act establishing preclicensing and continuing education requirements for used motor vehicle dealers.

Also: That the Senate has on March 21, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2348, a bill for an act requiring certain minor children to wear personal flotation devices while on board certain vessels operated on state waters and providing for a penalty and an effective date.

Also: That the Senate has on March 21, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2359, a bill for an act restricting fundraising activities by specified professional associations under certain circumstances, and providing for fundraising activity oversight by the department of public safety.

MICHAEL E. MARSHALL, Secretary

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2620** be immediately messaged to the Senate.

On motion by Gipp of Winneshiek, the House was recessed at 11:38 a.m., until 1:00 p.m.

### AFTERNOON SESSION

The House reconvened at 1:05 p.m., Speaker Rants 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.

CONSIDERATION OF BILLS  
Regular Calendar

The House resumed consideration of **House File 2662**, a bill for an act relating to the effective period and legislative review of administrative rules, previously deferred and found on page 761 of the House Journal. (Amendment H-8190 pending)

Eichhorn of Hamilton asked and received unanimous consent to withdraw amendment H-8190 filed by him on March 13, 2006, placing out of order amendment H-8310 filed by J.K. Van Fossen of Scott on March 17, 2006.

J.K. Van Fossen of Scott offered the following amendment H-8311 filed by him and moved its adoption:

H-8311

1 Amend House File 2662 as follows:

2 1. By striking page 1, line 32, through page 2,  
3 line 3, and inserting the following:

4 "Sec. \_\_\_\_ **NEW SECTION. 17A.5A AUTOMATIC SUNSET**  
5 **AND LEGISLATIVE REAUTHORIZATION.**

6 1. Commencing July 1, 2007, each rule adoption  
7 shall expire on June 30, at least one year following  
8 the initial effective date of the rule adoption.

9 2. By the second Monday in January of each year  
10 each agency shall prepare a listing of those rule  
11 adoptions which will expire on June 30 and submit that  
12 list to the president of the senate and the speaker of  
13 the house of representatives, who shall refer the list  
14 to the appropriate standing committees of the general  
15 assembly. A standing committee shall review the list  
16 within twenty-one days after it is referred to the  
17 committee by the speaker of the house of  
18 representatives or the president of the senate and  
19 shall take formal committee action by proposing  
20 legislation to extend the effective date of some or  
21 all of the rule adoptions contained on that list for  
22 an additional specified period or make the rule  
23 adoption permanent.

24 3. Any rule adoption which has not had its  
25 effective date extended as provided in subsection 2 is  
26 void the following June 30 and the administrative code  
27 editor shall remove it from the Iowa administrative  
28 code.

29 4. This section does not apply to rule adoptions  
30 by the department of revenue, the state board of

31 regents, or a licensing board as described in section  
 32 272C.1, or any rule adoption that is required by a  
 33 federal law and that does not exceed the minimum scope  
 34 and intent of that federal law."

35 2. Title page, by striking lines 1 and 2 and  
 36 inserting the following: "An Act providing for the  
 37 automatic expiration of all administrative rule  
 38 adoptions, for their reauthorization by the general  
 39 assembly, and providing additional legislative  
 40 review."

41 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 50, nays 41.

Amendment H-8311 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. 2662)

The ayes were, 54:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Pettengill	Raecker	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Swaim	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wilderdyke	Mr. Speaker		
	Rants		

The nays were, 45:

Bell	Berry	Bukta	Cphoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing

Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Quirk	Reasoner
Reichert	Schueller	Shomshor	Shoultz
Smith	Taylor, D.	Taylor, T.	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise			

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**House File 2648**, a bill for an act relating to private sector drug testing, was taken up for consideration.

Struyk of Pottawattamie asked and received unanimous consent to withdraw amendment H-8259 filed by him on March 14, 2006.

Horbach of Tama offered amendment H-8261 filed by him as follows:

H-8261

- 1 Amend House File 2648 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section 730.5, subsection 1, paragraph
- 5 h, Code Supplement 2005, is amended to read as
- 6 follows:
- 7 h. "Prospective employee" means a person who has
- 8 made application, whether written or oral, to an
- 9 employer to become an employee or an employee who has
- 10 made application, whether written or oral, to become
- 11 employed in a safety-sensitive position with the
- 12 employer."
- 13 2. By renumbering as necessary.

Wise of Lee offered the following amendment H-8330, to amendment H-8261, filed by him from the floor and moved its adoption:

H-8330

- 1 Amend the amendment, H-8261, to House File 2648 as
- 2 follows:
- 3 1. Page 1, by inserting after line 12 the

- 4 following:  
 5 "\_\_\_". Page 1, line 12, by striking the word "may"  
 6 and inserting the following: "shall."  
 7 2. By renumbering as necessary.

Amendment H-8330 lost.

On motion by Horbach of Tama, amendment H-8261 was adopted.

Freeman of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2648)

The ayes were, 58:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	Dandekar
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Freeman	Gipp
Granzow	Greiner	Heaton	Hoffman
Hogg	Horbach	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Mertz
Olson, S.	Paulsen	Quirk	Raecker
Rasmussen	Rayhons	Roberts	Sands
Schickel	Shomshor	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wildurdyke	Mr. Speaker		
	Rants		

The nays were, 41:

Bell	Berry	Bukta	Cphoon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hunter
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Petersen	Pettengill	Reasoner	Reichert
Schueller	Shoultz	Smith	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise			

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2648 and 2662.**

Roberts of Carroll in the chair at 2:27 p.m.

**House File 2706**, a bill for an act providing for the confidentiality of certain records relating to charitable donations for the benefit of a government body, was taken up for consideration.

Kurtenbach of Story offered the following amendment H-8269 filed by him and moved its adoption:

H-8269

1 Amend House File 2706 as follows:

2 1. Page 1, line 4, by striking the words "for the  
3 benefit of a government body" and inserting the  
4 following: "made to a foundation acting solely for  
5 the support of an institution governed by the state  
6 board of regents, to a private foundation as defined  
7 in section 509 of the Internal Revenue Code organized  
8 for the support of a government body, or to an endow  
9 Iowa qualified community foundation, as defined in  
10 section 15E.303, organized for the support of a  
11 government body".

12 2. Page 1, line 22, by striking the word "of" and  
13 inserting the following: "from".

14 3. Title page, lines 2 and 3, by striking the  
15 words "for the benefit of a government body" and  
16 inserting the following: "made to a foundation acting  
17 solely for the support of an institution governed by  
18 the state board of regents, to a private foundation as  
19 defined in section 509 of the Internal Revenue Code  
20 organized for the support of a government body, or to  
21 an endow Iowa qualified community foundation, as  
22 defined in section 15E.303, organized for the support  
23 of a government body".

24 4. By renumbering as necessary.

Amendment H-8269 was adopted.

Kurtenbach 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. 2706)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Sands	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdye	Winckler	Wise	Roberts, Presiding

The nays were, 2:

Fallon                      Schickel

Absent or not voting, 2:

Greiner                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.



## IMMEDIATE MESSAGE

S. Olson of Clinton asked and received unanimous consent that **House File 2706** be immediately messaged to the Senate.

**House File 2687**, a bill for an act relating to the prosecution of certain criminal offenses and the gathering of evidence for prosecution, was taken up for consideration.

R. Olson of Polk offered the following amendment H-8274 filed by him and moved its adoption:

H-8274

- 1 Amend House File 2687 as follows:
- 2 1. Page 3, by striking line 19 and inserting the
- 3 following: "CREATING A SUBSTANTIAL RISK OF DEATH -
- 4 OWI".
- 5 2. Page 3, line 23, by striking the words
- 6 "serious injury" and inserting the following: "bodily
- 7 injury creating a substantial risk of death".
- 8 3. Page 3, line 31, by striking the words
- 9 "serious injury" and inserting the following: "bodily
- 10 injury creating a substantial risk of death".

A non-record roll call was requested.

The ayes were 36, nays 48.

Amendment H-8274 lost.

Kaufmann 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. 2687)

The ayes were, 71:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Carrroll	Chambers
Dandekar	Davitt	De Boef	Dix
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gaskill	Gipp	Granzow
Greiner	Heaton	Heddens	Hoffman
Hogg	Horbach	Huseman	Hutter
Jacobs	Jacoby	Jenkins	Jones

Kaufmann	Kressig	Kurtenbach	Lalk
Lukan	Lykam	Maddox	May
McCarthy	Mertz	Olson, D.	Olson, S.
Paulsen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Shomshor	Smith
Soderberg	Struyk	Swaim	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Whitaker	Wilderdyeke	Roberts, Presiding	

The nays were, 28:

Berry	Bukta	Cohoon	Fallon
Foege	Ford	Frevert	Hunter
Huser	Jochum	Kuhn	Lensing
Mascher	Miller	Murphy	Oldson
Olson, R.	Petersen	Pettengill	Schueller
Shoultz	Taylor, D.	Taylor, T.	Wendt
Wessel-Kroeschell	Whitead	Winckler	Wise

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2332**, a bill for an act relating to income withholding under the child support recovery program, was taken up for consideration.

Heaton of Henry offered the following amendment H-8134 filed by him and moved its adoption:

H-8134

1 Amend House File 2332 as follows:  
 2 1. Page 1, by inserting before line 1, the  
 3 following:  
 4 "Sec. \_\_\_\_ Section 252B.9, subsection 1, Code  
 5 Supplement 2005, is amended by adding the following  
 6 new paragraph:  
 7 **NEW PARAGRAPH.** j. Notwithstanding any provision  
 8 of law making this information confidential, data  
 9 provided to the department by an insurance carrier  
 10 under section 505.25 shall also be provided to the  
 11 unit. Provision of data to the unit under this

12 paragraph shall not require an agreement or  
 13 modification of an agreement between the department  
 14 and an insurance carrier, but the provisions of this  
 15 section applicable to information received by the unit  
 16 shall apply to the data received pursuant to section  
 17 505.25 in lieu of any confidentiality, privacy,  
 18 disclosure, use, or other provisions of an agreement  
 19 between the department and an insurance carrier."

20 2. Page 1, by inserting after line 26, the  
 21 following:

22 "Sec. \_\_\_\_ Section 505.25, Code Supplement 2005,  
 23 is amended to read as follows:

24 505.25 INFORMATION PROVIDED TO MEDICAL ASSISTANCE  
 25 AND HAWK-I PROGRAMS AND THE CHILD SUPPORT RECOVERY  
 26 UNIT.

27 A carrier, as defined in section 514C.13, shall  
 28 enter into a health insurance data match program with  
 29 the department of human services for the sole purpose  
 30 of comparing the names of the carrier's insureds with  
 31 the names of recipients of the medical assistance  
 32 program under chapter 249A, individuals under the  
 33 purview of the child support recovery unit pursuant to  
 34 chapter 252B, or enrollees of the hawk-i program under  
 35 chapter 514I."

36 3. Page 1, by striking lines 27 and 28, and  
 37 inserting the following:

38 "Sec. \_\_\_\_ RETROACTIVE APPLICABILITY -- AMENDING  
 39 RULES. The sections of this Act creating section  
 40 252D.16A and amending section 252D.18 are  
 41 retroactively applicable to support orders and  
 42 income".

43 4. Title page, line 1, by inserting after the  
 44 word "withholding" the following: "and information  
 45 sharing".

46 5. By renumbering as necessary.

Amendment H-8134 was adopted.

Lukan of Dubuque offered the following amendment H-8142 filed  
 by him and moved its adoption:

H-8142

1 Amend House File 2332 as follows:

2 1. Page 1, by inserting before line 1 the  
 3 following:

4 "Sec. \_\_\_\_ Section 252B.15, Code 2005, is amended  
 5 by adding the following new subsection:

6 NEW SUBSECTION. 3. Chapter 556 shall not apply to  
 7 payments received by the collection services center."

8 2. Title page, line 1, by inserting after the  
9 word "to" the following: "child support, including  
10 processing and disbursement of support payments and".

Amendment H-8142 was adopted.

Huser of Polk asked and received unanimous consent to withdraw amendment H-8146 filed by her and Heddens of Story on March 8, 2006.

Huser of Polk asked and received unanimous consent to withdraw amendment H-8163 filed by her and Heddens of Story on March 9, 2006.

Heaton of Henry offered the following amendment H-8135 filed by him and moved its adoption:

H-8135

1 Amend House File 2332 as follows:  
2 1. Page 1, by inserting after line 19, the  
3 following:  
4 "Sec. \_\_\_ Section 252D.17, subsection 8, Code  
5 2005, is amended to read as follows:  
6 8. If the payor knowingly fails to withhold income  
7 or to pay the amounts withheld to the collection  
8 services center or the clerk of court in accordance  
9 with the provisions of the order, the notice of the  
10 order, or the notification of payors of income  
11 provisions established in section 252B.13A, the payor  
12 commits a simple misdemeanor for a first offense and  
13 is liable for the accumulated amount which should have  
14 been withheld, together with costs, interest, and  
15 reasonable attorney fees related to the collection of  
16 the amounts due from the payor. For each subsequent  
17 offense prescribed under this subsection, the payor  
18 commits a serious misdemeanor and is liable for the  
19 accumulated amount which should have been withheld,  
20 together with costs, interest, and reasonable attorney  
21 fees related to the collection of the amounts due from  
22 the payor."  
23 2. By renumbering as necessary.

Amendment H-8135 was adopted.

Huser of Polk offered the following amendment H-8162 filed by her and Heddens of Story and moved its adoption:

H-8162

1 Amend House File 2332 as follows:

2 1. Page 1, by inserting after line 26 the  
3 following:

4 "Sec. \_\_\_. Section 598.21C, subsection 1,  
5 paragraph k, Code Supplement 2005, is amended to read  
6 as follows:

7 k. Entry of a dispositional or permanency order in  
8 juvenile court pursuant to chapter 232 placing custody  
9 or physical care of a child with a party who is  
10 obligated to pay support for a child. Any filing fees  
11 or court costs for a modification filed or ordered  
12 pursuant to this paragraph are waived.

13 Sec. \_\_\_. APPLICABILITY. The section of this Act  
14 amending section 598.21C applies to permanency orders  
15 entered by the juvenile court on or after July 1,  
16 2006."

17 2. Page 1, by striking lines 27 and 28 and  
18 inserting the following:

19 "Sec. \_\_\_. RETROACTIVE APPLICABILITY – AMENDING  
20 RULES. The sections of this Act creating section  
21 252D.16A and amending section 252D.18 are  
22 retroactively applicable to support orders and  
23 income".

24 3. Page 1, line 31, by inserting after the words  
25 "conform to" the following: "those sections of".

26 4. Title page, line 1, by inserting after the  
27 word "to" the following: "child support, including  
28 modification of support based upon permanency orders  
29 of the juvenile court and".

30 5. Title page, line 2, by inserting after the  
31 word "program" the following: "and providing for  
32 applicability and retroactive applicability".

33 6. By renumbering as necessary.

Amendment H-8162 was adopted.

Lukan of Dubuque moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2332)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dix	Dolecheck

Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Roberts, Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**House File 2566**, a bill for an act relating to placement of a juvenile in the state training school or other facility, was taken up for consideration.

Ford of Polk offered the following amendment H-8248 filed by him and moved its adoption:

H-8248

- 1 Amend House File 2566 as follows:
- 2 1. Page 1, by inserting after line 6 the
- 3 following:
- 4 "Sec. \_\_\_\_ STATE JUVENILE INSTITUTIONS --
- 5 POPULATION STUDY. An analysis of the juveniles placed
- 6 at the Iowa juvenile home and the state training
- 7 school shall be conducted by the division of criminal
- 8 and juvenile justice planning of the department of

9 human rights with the cooperation and assistance of  
 10 the department of human services. The analysis shall  
 11 address the backgrounds, demographic aspects, and  
 12 factors involved with the placement of children at the  
 13 institutions over a period of time identified in the  
 14 analysis. The purpose of the analysis is to identify  
 15 any trends or patterns that exist in the children's  
 16 admissions, referrals, treatment received, outcomes,  
 17 or behaviors exhibited by the children upon departure  
 18 from an institution. The division shall provide an  
 19 initial report on the analysis during the fiscal year  
 20 beginning July 1, 2006, progress updates, and a final  
 21 report when the analysis is completed."  
 22 2. By renumbering as necessary.

Amendment H-8248 was adopted.

Heaton of Henry moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2566)

The ayes were, 86:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lukan	Lykam	Maddox
May	McCarthy	Mertz	Miller
Oldson	Olson, D.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Schueller	Shomshor
Soderberg	Struyk	Swaim	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Whitaker	Whitead	Wilderdyke
Wise	Roberts,		
	Presiding		

The nays were, 12:

Fallon	Jochum	Lensing	Mascher
Murphy	Olson, R.	Shoultz	Smith
Taylor, D.	Taylor, T.	Wessel-Kroeschell	Winckler

Absent or not voting, 2:

Rants, Spkr.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 2108 WITHDRAWN

Heaton of Henry asked and received unanimous consent to withdraw House File 2108 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: **House Files 2332, 2566 and 2687**

Jacobs of Polk asked and received unanimous consent to suspend the rules for the consideration of House File 2696.

**House File 2611**, a bill for an act authorizing the department of natural resources to issue a fishing permit to certain students, was taken up for consideration.

Frevert of Palo Alto moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2611)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert



Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Roberts, Presiding		

The nays were, none.

Absent or not voting, 2:

Rants, Spkr.            Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2695**, a bill for an act relating to landlords and tenants including notice requirements to terminate a periodic tenancy, representation of an owner of residential rental property in small claims court, and service of a petition for forcible entry and detainer by publication, was taken up for consideration.

Eichhorn of Hamilton offered the following amendment H-8283 filed by him and moved its adoption:

H-8283

- 1 Amend House File 2695 as follows:
- 2 1. By striking page 1, line 8, through page 2,
- 3 line 4.
- 4 2. Title page, by striking lines 2 through 4 and
- 5 inserting the following: "requirements to terminate a
- 6 periodic tenancy and service of a petition for
- 7 forcible entry and".
- 8 3. By renumbering as necessary.

Amendment H-8283 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. 2695)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyeke
Winckler	Wise	Roberts,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**House File 2665**, a bill for an act concerning the line of duty death benefit payable to public safety providers, was taken up for consideration.

Drake of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2665)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wildurdyke
Winckler	Wise	Roberts, Presiding	

The nays were, none.

Absent or not voting and 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## HOUSE FILE 2399 WITHDRAWN

Frevert of Palo Alto asked and received unanimous consent to withdraw House File 2399 from further consideration by the House.

## HOUSE FILE 2172 WITHDRAWN

Drake of Pottawattamie asked and received unanimous consent to withdraw House File 2172 from further consideration by the House.

**House File 2696**, a bill for an act relating to the disposal of a controlled substance, was taken up for consideration.

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. 2696)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdryke
Winckler	Wise	Roberts,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2611, 2665, 2695 and 2696.**

The House stood at ease at 3:32 p.m., until the fall of the gavel.

The House resumed session at 4:50 p.m., Boal of Polk in the chair.

### INTRODUCTION OF BILLS

**House File 2755**, by committee on ways and means, a bill for an act relating to confinement feeding operations by requiring the submission of updated manure management plans on a multiyear basis, providing for fees, and making penalties applicable.

Read first time and placed on the **ways and means calendar.**

**House File 2756**, by committee on ways and means, a bill for an act providing for the extension of a reduction in the foundation property tax levy for reorganized or dissolved districts, and the extension of the period during which supplementary weighting may be received as a reorganization incentive by school districts, and providing an effective date.

Read first time and placed on the **ways and means calendar.**

### SENATE MESSAGES CONSIDERED

**Senate File 2312**, by committee on state government, a bill for an act providing grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including an effective date and retroactive applicability provision.

Read first time and referred to committee on **veterans affairs**.

**Senate File 2337**, by committee on transportation, a bill for an act establishing preclicensing and continuing education requirements for used motor vehicle dealers.

Read first time and referred to committee on **state government**.

**Senate File 2348**, by committee on natural resources and environment, a bill for an act requiring certain minor children to wear personal flotation devices while on board certain vessels operated on state waters and providing for a penalty and an effective date.

Read first time and referred to committee on **natural resources**.

**House File 2698**, a bill for an act concerning the authority of customer councils regarding the funding and providing of services by the department of administrative services and providing an effective date, was taken up for consideration.

Roberts of Carroll offered the following amendment H-8323 filed by him and Lensing of Johnson and moved its adoption:

H-8323

1 Amend House File 2698 as follows:

2 1. By striking page 1, line 1, through page 2,  
3 line 17, and inserting the following:

4 "Sec.\_\_\_\_. Section 8A.121, subsection 1, Code  
5 2005, is amended to read as follows:

6 1. The ~~department governor, in consultation with~~  
7 ~~customer councils and the department, shall establish~~  
8 ~~a process by which the department shall~~ determine,  
9 ~~annually,~~ which services provided by the department  
10 shall be funded by an appropriation to the department  
11 and which services shall be funded by the governmental  
12 entity receiving the service.

13 Sec.\_\_\_\_. Section 8A.121, subsection 2, Code 2005,  
14 is amended to read as follows:

15 2. a. For services which the ~~department governor~~  
16 determines shall be funded by the governmental entity  
17 receiving the service, the ~~department governor~~ shall  
18 establish a process for determining whether the  
19 department shall be the sole provider of the service

20 or not.

21 b. ~~For services which the department governo r~~  
 22 ~~determines that it the department shall be the sole~~  
 23 ~~provider of a the service, the department shall~~  
 24 ~~establish, by rule, a customer council responsible for~~  
 25 ~~overseeing departmental operations with regard to the~~  
 26 ~~service provided to ensure that the department meets~~  
 27 ~~the needs of affected governmental entities and the~~  
 28 ~~citizens those entities serve. The rules adopted~~  
 29 ~~shall provide for, at a minimum, for the method of~~  
 30 ~~appointment of members to the council by governmental~~  
 31 ~~entities required to receive the service from the~~  
 32 ~~department, the procedure for resolving complaints~~  
 33 ~~concerning the service provided, and for the powers~~  
 34 ~~and duties of the council as it relates to the service~~  
 35 ~~provided, which shall include the authority of~~  
 36 ~~approving, on an annual basis, business plans~~  
 37 ~~submitted by the department for performance of the~~  
 38 ~~service, the procedure for resolving complaints~~  
 39 ~~concerning the service provided, and the procedure for~~  
 40 ~~setting to annually review, negotiate, and determine~~  
 41 ~~the scope, levels of service, and rates for the~~  
 42 ~~service provided. The scope, levels of service, and~~  
 43 ~~rates determined by the customer council should be~~  
 44 ~~mutually acceptable to the affected government~~  
 45 ~~entities, as represented by the customer council, and~~  
 46 ~~the department. The rules may also provide an impasse~~  
 47 ~~resolution mechanism to resolve disputes which may~~  
 48 ~~allow for the imposition of a temporary rate for the~~  
 49 ~~service provided for up to three months while the~~  
 50 ~~impasse is resolved.~~ In addition, if the service to

Page 2

1 be provided may also be provided to the judicial  
 2 branch and legislative branch, then the rules shall  
 3 provide that the chief justice of the supreme court  
 4 and the legislative council may, in their discretion,  
 5 each appoint a member to the applicable customer  
 6 council."

7 2. Title page, by striking line 1 and inserting  
 8 the following: "An Act concerning".

9 3. Title page, line 3, by inserting after the  
 10 word "services" the following: ", including the  
 11 authority of customer councils,".

12 4. By renumbering as necessary.

Amendment H-8323 was adopted.

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. 2698)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Boal,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**House File 2705**, a bill for an act providing for changes relating to specified aspects of the operation of the department of administrative services, was taken up for consideration.



Roberts of Carroll offered the following amendment H-8321 filed by him and Lensing of Johnson and moved its adoption:

H-8321

1 Amend House File 2705 as follows:

2 1. Page 1, by inserting before line 1 the  
3 following:

4 "Section 1. Section 8A.204, subsection 3,  
5 paragraph g, subparagraph (4), Code Supplement 2005,  
6 is amended to read as follows:

7 (4) Review and approval of all concept papers and  
8 documentation related to requests for proposals prior  
9 to issuance for all information technology devices,  
10 hardware acquisition, information technology services,  
11 software development projects, and information  
12 technology outsourcing for agencies that exceed the  
13 greater of a total cost of fifty thousand dollars or a  
14 total involvement of seven hundred fifty agency staff  
15 hours. The review and approval of concept papers and  
16 documentation as provided in this subparagraph shall  
17 occur prior to the issuance of the related request for  
18 proposals. Notwithstanding section 21.5, subsection  
19 1, the board, by vote of at least six members, may  
20 hold a closed session to review and discuss concept  
21 papers and documentation related to a request for  
22 proposals if the board determines that the public  
23 disclosure of such discussion prior to the issuance of  
24 the request for proposals may disadvantage any  
25 potential vendors.

26 The board shall keep detailed minutes of all  
27 discussion, persons present, and action occurring at a  
28 closed session, and shall also tape record all of the  
29 closed session. The minutes and the tape recording of  
30 a session closed under this subparagraph shall be made  
31 available for public examination when a final decision  
32 is made regarding whether to issue the request for  
33 proposals. All board actions and decisions regarding  
34 this information shall be made in open meetings and  
35 appropriately recorded."

36 2. Page 1, by inserting after line 20 the  
37 following:

38 "Sec. \_\_\_\_ Section 8A.311, Code Supplement 2005, is  
39 amended by adding the following new subsection:  
40 NEW SUBSECTION. 1A. Notwithstanding section 72.3,  
41 if the competitive bidding procedure used by the  
42 department involves the use of a reverse auction or  
43 similar competitive bidding procedure requiring the  
44 disclosure of bid information submitted by vendors,

- 45 the department shall disclose the bid information as  
 46 necessary and appropriate."  
 47 3. By renumbering as necessary.

Amendment H-8321 was adopted.

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. 2705)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Bukta	Carroll
Chambers	Cphoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdryke
Winckler	Wise	Boal,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### Appropriations Calendar

**House File 2686**, a bill for an act providing for technical and substantive changes relating to the Iowa communications network, was taken up for consideration.

Watts of Dallas offered the following amendment H-8284 filed by him and moved its adoption:

H-8284

- 1 Amend House File 2686 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. Section 8D.3, subsection 3, paragraph
- 5 f, Code Supplement 2005, is amended by striking the
- 6 paragraph and inserting in lieu thereof the following:
- 7 f. Include in the commission's annual report
- 8 related to the network the actual income and expenses
- 9 for the network for the preceding fiscal year and
- 10 estimates for income and expenses for the network for
- 11 the two-year fiscal period that includes the fiscal
- 12 year during which the report is submitted. The report
- 13 shall include the amount of any general fund
- 14 appropriations to be requested, any recommendations of
- 15 the commission related to changes in the system, and
- 16 other items as deemed appropriate by the commission."
- 17 2. By renumbering as necessary.

Amendment H-8284 was adopted.

Watts of Dallas moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2686)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevort	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum

Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wildurdyke
Winckler	Wise	Boal, Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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 2686, 2698 and 2705.**

**House File 2729**, a bill for an act relating to a single point of entry long-term living resources system, was taken up for consideration.

Upmeyer of Hancock offered amendment H-8312 filed by J.K. Van Fossen of Scott as follows:

H-8312

- 1 Amend House File 2729 as follows:
- 2 1. By striking page 1, line 33, through page 2,
- 3 line 17, and inserting the following:
- 4 "(9) The director of an area agency on aging who
- 5 is also the chairperson of the national association of
- 6 area agencies on aging.
- 7 (10) Four consumers selected by the co-

8 chairpersons of the senate standing committee on human  
9 resources and the co-chairperson and ranking member of  
10 the house of representatives standing committee on  
11 human resources.

12 (11) The co-chairpersons of the senate standing  
13 committee on human resources and the co-chairperson  
14 and ranking member of the house of representatives  
15 standing committee on human resources."

16 2. Page 2, by striking lines 29 and 30 and  
17 inserting the following:

18 "(1) Hold at least two public meetings to  
19 receive".

20 3. By renumbering as necessary.

Upmeyer of Hancock asked and received unanimous consent to withdraw amendment H-8329, to amendment H-8312, filed by her from the floor.

Upmeyer of Hancock offered the following amendment H-8339, to amendment H-8312, filed by her from the floor and moved its adoption:

H-8339

1 Amend the amendment, H-8312, to House File 2729, as  
2 follows:

3 1. Page 1, by striking lines 2 through 20 and  
4 inserting the following:

5 " \_\_\_. By striking page 1, line 17, through page  
6 2, line 24, and inserting the following:

7 "(1) The director of an area agency on aging who  
8 is also the chairperson of the national association of  
9 area agencies on aging.

10 (2) Four consumers selected by the co-chairpersons  
11 of the senate standing committee on human resources  
12 and the chairperson and ranking member of the house of  
13 representatives standing committee on human resources.  
14 Of the four consumer members, one shall be a member of  
15 the older Iowans legislature and one shall be a member  
16 of AARP Iowa. The older Iowans legislature and AARP  
17 Iowa shall submit nominations to the legislative  
18 members who shall make the final selection for  
19 membership.

20 (3) The co-chairpersons of the senate standing  
21 committee on human resources and the chairperson and  
22 ranking member of the house of representatives  
23 standing committee on human resources."

24 \_\_\_. Page 2, by striking lines 29 and 30, and  
25 inserting the following:

26 "(1) Hold at least two public meetings to

- 27 receive".  
 28 \_\_\_\_ Page 3, line 5, by striking the figure  
 29 "2007" and inserting the following: "2006".  
 30 2. By renumbering as necessary.

Amendment H-8339 was adopted.

On motion by Upmeyer of Hancock amendment H-8312, as amended, was adopted.

Upmeyer of Hancock moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2729)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyeke
Winckler	Wise	Boal,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that **House File 2729** 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 21, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2094, a bill for an act relating to the criminal penalties for certain offenses involving sexual abuse in the second degree, lascivious acts with a child, and sexual exploitation, and establishing a duty to inform law enforcement about a registered sex offender.

Also: That the Senate has on March 21, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2217, a bill for an act requiring the department of human services to maintain compliance with privacy laws applicable to mental health, mental retardation, developmental disabilities, and brain injury services data.

Also: That the Senate has on March 21, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2221, a bill for an act extending the reduction in the foundation property tax levy for reorganized and dissolved districts, extending supplementary weighting for whole grade sharing, providing supplementary weighting for shared school district operational functions, and providing effective and applicability dates.

Also: That the Senate has on March 21, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2314, a bill for an act concerning the awarding of cash prizes for participation in a card or parlor game or tournament conducted by an organization primarily representing veterans.

Also: That the Senate has on March 21, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2366, a bill for an act regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

MICHAEL E. MARSHALL, Secretary

### HOUSE FILE 2732 REREFERRED

The Speaker announced that House File 2732, previously referred to committee on **local government** was rereferred to committee on **ways and means**.

### SENATE FILE 2251 REREFERRED

The Speaker announced that Senate File 2251, previously referred to committee on **education** was rereferred to committee on **human resources**.

### SENATE FILE 2353 REREFERRED

The Speaker announced that Senate File 2353, previously referred to committee on **commerce, regulation and labor** was **passed on file**.

### EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 15 and 16, 2006. Had I been present, I would have voted "aye" on amendments H—8121, H—8172, H—8176, H—8178 to House File 2527, H—8268 to House File 2734 and on House Files 2162, 2215, 2424, 2506, 2507, 2508, 2562, 2571, 2586, 2590, 2619, 2632, 2661, 2671, 2693, 2713 and "nay" on amendment H—8203 to House File 2734, House File 2527 and 2734.

D. TAYLOR of Linn

### BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 20, 2006, he approved and transmitted to the Secretary of State the following bill:



Senate File 2330, an Act prohibiting monitor vending machines and providing an excise tax and an effective date.

Also: That on March 21, 2006, he approved and transmitted to the Secretary of State the following bills:

House File 2464, an Act authorizing an approved nursing education program to initiate criminal and child and dependent adult abuse record checks of students and prospective students regarding the students' involvement with the clinical education component of the program.

Senate File 2124, an Act providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date.

Senate File 2232, 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 road use tax fund and the primary road fund.

Senate File 2285, an Act relating to the distribution of a presentance investigation report in a criminal proceeding.

### 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

- 2006\1051 James Hinson, Ottumwa – For celebrating his 75<sup>th</sup> birthday.
- 2006\1052 Lyle Jackson, Ottumwa – For celebrating his 85<sup>th</sup> birthday.
- 2006\1053 Calvin Sheeley, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\1054 Pauline Logan, Ottumwa – For celebrating her 90<sup>th</sup> birthday.
- 2006\1055 Donald Butts, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\1056 Bernard Shaw, Ottumwa – For celebrating his 75<sup>th</sup> birthday.
- 2006\1057 George Shaw, Ottumwa – For celebrating his 75<sup>th</sup> birthday.
- 2005\1058 Nancy Wilcox, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\1059 Vera Brooks, Ottumwa – For celebrating her 80<sup>th</sup> birthday.

- 2006\1060 Virginia Schanz, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\1061 Dolores Cudworth, Ottumwa – For celebrating her 75<sup>th</sup> birthday.
- 2006\1062 Martha Smith, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\1063 Margaret Champ, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\1064 Shirley Champ, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\1065 Ergil Hubbard, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\1066 Hoover High School Boys Basketball Team and Coach Charles Zanders, Des Moines – For their undefeated season and for winning the 2006 Class 4–A Boys State Basketball Championship.
- 2006\1067 Elsie Warnke, Sumner – For celebrating her 90<sup>th</sup> birthday.
- 2006\1068 Jason Olsen, Tripoli – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1069 Sharon Mertz, Ottosen – For being named to the 2006 All–Iowa Community College Academic Team.
- 2006\1070 Zachary Beuthien, DeWitt – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1071 Benita Sankey, Independence – For celebrating her 95<sup>th</sup> birthday.
- 2006\1072 Melvin Weber, Jesup – For celebrating his 80<sup>th</sup> birthday.
- 2006\1073 Belle Boyer, Jesup – For celebrating her 80<sup>th</sup> birthday.
- 2006\1074 Harlan and Phyllis Thurn, St. Olaf – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1075 Mildred Preston, Hubbard – For celebrating her 80<sup>th</sup> birthday.
- 2006\1076 Irene Ziesman, Eldora – For celebrating her 85<sup>th</sup> birthday.
- 2006\1077 George Norris, Iowa Falls – For celebrating his 85<sup>th</sup> birthday.
- 2006\1078 Don and Betty Dobbin, State Center – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\1079 Donald and Louise Roberts, Iowa Falls – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2006\1080 Carl and Roberta King, Eldora – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1081 “Jerry” Brinkmeyer, Hubbard – For celebrating her 90<sup>th</sup> birthday.

- 2006\1082 Leo and Frances Keilholtz, Rienbeck – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1083 Donald and Florence Schildroth, Reinbeck – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\1084 Ruth Holst, Traer – For celebrating her 90<sup>th</sup> birthday.
- 2006\1085 Richard King, Woolstock – For celebrating his 80<sup>th</sup> birthday.
- 2006\1086 Glen Bruhl, Eagle Grove – For celebrating his 80<sup>th</sup> birthday.
- 2006\1087 Jean Merryman, Webster City – For celebrating his 80<sup>th</sup> birthday.
- 2006\1088 Frances Steig, Webster City – For celebrating her 80<sup>th</sup> birthday.
- 2006\1089 Vaughna Amosson, Eagle Grove – For celebrating her 90<sup>th</sup> birthday.
- 2006\1090 Ruth Sheehan, Clarion – For celebrating her 91<sup>st</sup> birthday.
- 2006\1091 Tena Johnson, Jewell – For celebrating her 104<sup>th</sup> birthday.
- 2006\1092 Darrell and Lorraine Young, Stratford – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1093 Les and Imogene Crouthamel, Webster City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1094 Mary Ellen and Bob Wolfe, Eagle Grove – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1095 Monroe and Gladys Newcomb, Clarion – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\1096 Mr. and Mrs. Richard Craig, Hiawatha – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1097 Jack and Jan VanGinkel, Ankeny – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1098 Ben Hennings, Hartley – For celebrating his 90<sup>th</sup> birthday.
- 2006\1099 Ryan Budding, Wilton – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1100 Carlos and Nordyce Galindo, Mason City – For celebrating their 66<sup>th</sup> wedding anniversary.
- 2006\1101 Viola Gaines, Mason City – For celebrating her 80<sup>th</sup> birthday.
- 2006\1102 Dan Hartwell, Mason City – For celebrating his 80<sup>th</sup> birthday.

- 2006\1103 Mildred Hoveland, Mason City – For celebrating her 90<sup>th</sup> birthday.
- 2006\1104 Helen Glaspey, Mason City – For celebrating her 88<sup>th</sup> birthday.
- 2006\1105 Josh Molstead, Charles City – For being named to the Des Moines Register's All-State 3-A Boys Basketball First-Team.
- 2006\1106 Galen and Fern Tack, Floyd – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\1107 Terry Stewart, Dubuque – For his 23 years of dedicated service in the Dubuque Fire Department.
- 2006\1108 Susan K. DeCrane, Finley Hospital, Dubuque – For being selected as one of the “100 Great Nurses” by the University of Iowa College of Nursing.
- 2006\1109 Heidi J. Deutmeyer, Finley Hospital, Dubuque – For being selected as one of the “100 Great Nurses” by the University of Iowa College of Nursing.
- 2006\1110 Janet Hefel, Mercy Medical Center, Dubuque – For being selected as one of the “100 Great Nurses” by the University of Iowa College of Nursing.
- 2006\1111 Kay Auderer, Mercy Medical Center, Dubuque – For being selected as one of the “100 Great Nurses” by the University of Iowa College of Nursing.
- 2006\1112 Christian English, Dubuque – For winning 1<sup>st</sup> place in the Telegraph Herald Scripps National Spelling Bee.
- 2006\1113 Ashley Wildermuth, Dubuque – For receiving 2<sup>nd</sup> place in the Telegraph Herald Scripps National Spelling Bee.
- 2006\1114 James Vincent Rasmussen, Audubon – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1115 Mr. and Mrs. Donald Meyer, Moscow – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1116 Louis and Faye Brammeier, Wilton – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2006\1117 Bob Suchomel, Tipton – For celebrating his 80<sup>th</sup> birthday.
- 2006\1118 Rick Vander Woude, Spirit Lake Park – For being named Iowa Class 2-A Wrestling Coach of the Year.
- 2006\1119 Ione Harvy, Iowa Lakes Area – For celebrating her 80<sup>th</sup> birthday.
- 2006\1120 Viola Nordblad, West Okaboji – For celebrating her 80<sup>th</sup> birthday.

- 2006\1121 Mildred "Millie" Prestegard, Spirit Lake – For celebrating her 90<sup>th</sup> birthday.
- 2006\1122 Dorothy Smith, Spirit Lake – For celebrating her 90<sup>th</sup> birthday.
- 2006\1123 Ruby Baechler, Fayette – For celebrating her 100<sup>th</sup> birthday.
- 2006\1124 Robert and Catherine Wells, Clear Lake – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1125 Rex Engebretson, Thornton – For celebrating his 80<sup>th</sup> birthday.
- 2006\1126 Phyllis Brown, Hampton – For celebrating her 90<sup>th</sup> birthday.
- 2006\1127 Don Best, Rockwell – For celebrating his 80<sup>th</sup> birthday.
- 2006\1128 Lawrence and LenaMae Winters, Clear Lake – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2006\1129 Trent and Judy Vogel, Hampton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1130 Evelyn Kammerer, Bettendorf – For celebrating her 95<sup>th</sup> birthday.
- 2006\1131 Pleasant Valley Spartan's Boys Basketball Team and Coach Dallas Duwa, Riverdale – For receiving 2<sup>nd</sup> place in the 2006 Class 4-A Boys State Basketball Championship.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 2383

Ways and Means: Struyk, Chair; Drake and Huser.

##### House File 2561

Appropriations: Heaton, Chair; May and Smith.

##### House File 2616

Appropriations: Heaton, Chair; May and Smith.

##### House File 2682

Ways and Means: Soderberg, Chair; Frevert and Paulsen.

##### House File 2699

Ways and Means: Boal, Chair; Tymeson and Winckler.

##### House File 2728

Ways and Means: Soderberg, Chair; Schueller and Upmeyer.

**House File 2732**

Ways and Means: Kurtenbach, Chair; Paulsen and Quirk.

**House File 2745**

Ways and Means: Kurtenbach, Chair; Kaufmann, Shoultz and Soderberg.

**Senate File 98**

Ways and Means: Kurtenbach, Chair; Reasoner and Struyk.

**Senate File 2231**

State Government: Roberts, Chair; Bukta, Lensing, Paulsen and Tomenga.

**Senate File 2319**

Environmental Protection: De Boef, Chair; Anderson and Pettengill.

**Senate File 2346**

Transportation: Tjepkes, Chair; Arnold, Bukta, Cohoon and Rasmussen.

**Senate File 2363**

Environmental Protection: Anderson, Chair; D. Olson and Watts.

**Senate File 2377**

Agriculture: Drake, Chair; Mertz and Struyk.

**Senate File 2381**

Environmental Protection: Kurtenbach, Chair; Shoultz and J.K. Van Fossen.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENT****H.S.B. 772 Government Oversight**

Concerning the military division of the department of public defense.

**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 File 2618), relating to state aid to reimburse a portion of the advanced placement examination fee for students enrolled in public school districts.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 20, 2006.

**Committee Bill** (Formerly House File 2690), relating to teacher salaries by increasing beginning and career teacher minimum salary levels and creating a teacher shortage salary supplement and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 20, 2006.

## COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House File 2441), relating to the assessment for property taxation purposes of machinery, equipment, and fixtures used at concrete mixing facilities and including effective date and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 20, 2006.

**Committee Bill** (Formerly House File 2503), relating to confinement feeding operations by requiring the submission of updated manure management plans on a multiyear basis, providing for fees, and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** March 20, 2006.

**Committee Bill** (Formerly House File 2617), providing for the extension of a reduction in the foundation property tax levy for reorganized or dissolved districts, and the extension of the period during which supplementary weighting may be received as a reorganization incentive by school districts, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 20, 2006.

**Committee Bill** (Formerly House File 2685), relating to state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 20, 2006.

### RESOLUTION FILED

**HR 146**, by Smith and Upmeyer, a resolution designating March 23, 2006, through April 10, 2006, as "Underage Drinking Prevention Days" in Iowa.

Laid over under **Rule 25**.

### AMENDMENTS FILED

H—8326	H.F.	2650	Alons of Sioux
H—8327	H.F.	2663	May of Dickinson
H—8328	H.F.	2750	Wise of Lee T. Taylor of Linn
H—8331	H.F.	2716	Paulsen of Linn Upmeyer of Hancock
H—8332	S.F.	2374	Paulsen of Linn
H—8333	H.F.	2563	De Boef of Keokuk
H—8334	H.F.	2753	Shoultz of Black Hawk Hogg of Linn
H—8335	H.F.	2716	R. Olson of Polk
H—8336	S.F.	2341	Heaton of Henry
H—8337	H.F.	2634	Greiner of Washington
H—8338	H.F.	2597	Jacobs of Polk
H—8340	H.F.	2634	Whitaker of Van Buren
H—8341	H.F.	2658	Ford of Polk
H—8342	H.F.	2634	Mertz of Kossuth
H—8343	H.F.	2716	Jochum of Dubuque R. Olson of Polk

On motion by Jacobs of Polk the House adjourned at 5:25 p.m., until 8:45 a.m., Wednesday, March 22, 2006.



# JOURNAL OF THE HOUSE

Seventy-third Calendar Day - Fifty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 22, 2006

The House met pursuant to adjournment at 8:47 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Bill Kerns, pastor of the First Christian Church, Ft. Dodge. He was the guest of Representative Helen Miller of Webster County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, March 21, 2006 was approved.

## SENATE MESSAGES CONSIDERED

**Senate File 2094**, by Lamberti, McKibben, Angelo, Beall, Behn, Black, Boettger, Bolkcom, Connolly, Courtney, Danielson, Dearden, Dotzler, Dvorsky, Fraise, Gaskill, Gronstal, Hahn, Hancock, Horn, Iverson, Johnson, Kettering, Kibbie, Kreiman, Larson, Lundby, Mccoy, McKinley, Miller, Mulder, Putney, Ragan, Rielly, Schoenjahn, Seng, Seymour, Stewart, Tinsman, Ward, Warnstadt, Wieck, Wood, Zaun and Ziemann, a bill for an act relating to the criminal penalties for certain offenses involving sexual abuse in the second degree, lascivious acts with a child, and sexual exploitation, and establishing a duty to inform law enforcement about a registered sex offender.

Read first time and referred to committee on **public safety**.

**Senate File 2217**, by administrative rules review committee, a bill for an act requiring the department of human services to maintain compliance with privacy laws applicable to mental health, mental retardation, developmental disabilities, and brain injury services data.

Read first time and **passed on file**.

**Senate File 2221**, by committee on education, a bill for an act extending the reduction in the foundation property tax levy for reorganized and dissolved districts, extending supplementary weighting for whole grade sharing, providing supplementary weighting for shared school district operational functions, and providing effective and applicability dates.

Read first time and **passed on file**.

**Senate File 2314**, by committee on state government, a bill for an act concerning the licensure, operation, and taxation of card game tournaments by organizations representing veterans and allowable prizes at annual game nights.

Read first time and referred to committee on **state government**.

**Senate File 2359**, by committee on state government, a bill for an act restricting fundraising activities by specified professional associations under certain circumstances, and providing for fundraising activity oversight by the department of public safety.

Read first time and referred to committee on **state government**.

**Senate File 2366**, by committee on natural resources and environment, a bill for an act regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

Read first time and referred to committee on **natural resources**.

On motion by Gipp of Winneshiek, the House was recessed at 8:58 a.m., until 3:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 3:04 p.m., Speaker Rants 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 March 22, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2344, a bill for an act requiring development of a uniform application form for small employer group health insurance coverage.

Also: That the Senate has on March 22, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2373, a bill for an act relating to the certification and registration of real estate appraisers and providing a penalty.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 3:04 p.m., until the fall of the gavel.

The House resumed session at 4:44 p.m., Speaker Rants in the chair.

### CONSIDERATION OF BILLS Regular Calendar

**House File 2147**, a bill for an act relating to the temporary appointment of a conservator for a dependent adult in an emergency situation, 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?" (H.F. 2147)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.

Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 2:

Fallon                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2716**, a bill for an act relating to civil actions for personal injury or death, including certain evidentiary, reporting, and procedural requirements, was taken up for consideration.

Upmeyer of Hancock asked and received unanimous consent to withdraw amendments H-8322, H-8324 and H-8325 filed by her on March 20, 2006.

Jochum of Dubuque offered the following amendment H-8343 filed by her and R. Olson of Polk and moved its adoption:

H-8343

- 1 Amend House File 2716 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. NEW SECTION. 135N.1 TITLE.
- 5 This chapter shall be known and may be cited as the
- 6 "Patient Safety and Quality Assurance Act".
- 7 Sec. 2. NEW SECTION. 135N.2 DEFINITIONS.
- 8 As used in this chapter:
- 9 1. "Action plan" means a written plan prepared
- 10 after a root cause analysis that identifies strategies
- 11 that a health care provider intends to implement to
- 12 reduce the risk and reoccurrence of actual and
- 13 potential risks to patient safety. The plan shall

14 address health care provider responsibility for  
15 implementation, oversight, pilot testing as  
16 appropriate, timelines, and strategies for measuring  
17 the effectiveness of the actions.

18 2. "Health care provider" means a physician or  
19 surgeon, osteopath, osteopathic physician or surgeon,  
20 dentist, podiatric physician, optometrist, pharmacist,  
21 chiropractor, or nurse licensed in this state, a  
22 hospital licensed pursuant to chapter 135B, or a  
23 health care facility licensed pursuant to chapter  
24 135C.

25 3. "Health care provider leaders" means a health  
26 care provider, executive, physician as defined in  
27 section 135C.1, registered or licensed practical nurse  
28 or nurse practitioner, or health care provider  
29 administrator.

30 4. "Quality assessment and assurance activities"  
31 means the procedure by which a quality assessment and  
32 assurance committee monitors, evaluates, recommends,  
33 and implements actions to improve and assure the  
34 delivery and quality of services and patient safety  
35 through identification, correction, and prevention of  
36 sentinel events.

37 5. "Quality assessment and assurance committee"  
38 means a committee of a health care provider consisting  
39 of individuals responsible for the identification of  
40 sentinel events that may adversely impact the health  
41 and safety of patients, and for the development of  
42 root cause analyses, action plans, and other plans to  
43 correct identified quality of care issues. The  
44 quality assessment and assurance committee shall  
45 include health care provider leaders, including but  
46 not limited to the health care provider administrator  
47 and the director of nursing.

48 6. "Quality assessment and assurance committee  
49 records" means complaint files, investigation files,  
50 reports, and other investigative information relating

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1 to licensee discipline or professional competence in  
2 the possession of a quality assessment and assurance  
3 committee or an employee of the committee.

4 7. "Risk of death or serious injury" means any  
5 variation in a process related to quality of care or  
6 patient safety which may result in a serious adverse  
7 outcome.

8 8. "Root cause analysis" means the process for  
9 identifying causal factors that relate to any  
10 variation in the delivery and quality of services and  
11 patient safety, including the occurrence or possible  
12 occurrence of a sentinel event. A root cause analysis

13 focuses primarily on systems and processes, and not on  
14 individual performances.

15 9. "Sentinel event" means an unexpected occurrence  
16 resulting in the death or serious physical or  
17 psychological injury of a patient of a health care  
18 provider, or a risk of death or serious physical or  
19 psychological injury to a patient of a health care  
20 provider.

21 10. "Unanticipated outcome" means a result that  
22 differs significantly from what was anticipated to be  
23 the result of a treatment or procedure, including an  
24 outcome caused by an error of an employee of a health  
25 care provider or an independent practitioner who  
26 provides medical services at a health care provider's  
27 facility.

28 Sec. 3. NEW SECTION. 135N.3 ACCOUNTABILITY OF  
29 HEALTH CARE PROVIDER LEADERS.

30 The health care provider leaders, including the  
31 health care provider administrator and director of  
32 nursing, and the quality assessment and assurance  
33 committee, are responsible for all of the following:

34 1. Assuring the implementation of an integrated  
35 patient safety program throughout the health care  
36 provider facility. The patient safety program shall  
37 include, at a minimum, all of the following:

38 a. A designation of one or more qualified  
39 individuals or an interdisciplinary group to manage  
40 the health care provider safety program.

41 b. A definition of the scope of the program  
42 activities, including the types of occurrences to be  
43 addressed.

44 c. A procedure for immediate response to medical  
45 or health care errors or patient abuse, including care  
46 of an affected patient, containment of risk to others,  
47 and the preservation of factual information for  
48 subsequent analysis.

49 d. A system for internal and external reporting of  
50 information relating to medical and health care errors

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1 or patient abuse.

2 e. A defined mechanism for support of staff  
3 involved in a sentinel event.

4 f. An annual report to the department of  
5 inspections and appeals concerning medical or health  
6 care errors and patient neglect or abuse, and actions  
7 taken to improve patient safety, both proactively and  
8 in response to actual occurrences.

9 2. Defining and implementing processes for  
10 identifying and managing sentinel events, including  
11 establishing processes for the identification,

12 reporting, analysis, and prevention of sentinel events  
13 and assuring the consistent and effective  
14 implementation of a mechanism to accomplish those  
15 activities.

16 3. Establishing a continuous proactive program for  
17 identifying risks to patient safety and reducing  
18 medical and health care errors and patient neglect or  
19 abuse.

20 4. Allocating adequate resources for measuring,  
21 assessing, and improving patient safety.

22 5. Assigning personnel to participate in  
23 activities to improve patient safety and providing  
24 adequate time for personnel to participate in such  
25 activities.

26 6. Providing staff training on the improvement of  
27 patient safety.

28 7. Allocating physical and financial resources to  
29 support safety improvement.

30 8. Analyzing undesirable patterns or trends in  
31 staff performance and sentinel events.

32 9. Assuring the health care provider identifies  
33 changes for improved patient safety.

34 Sec. 4. NEW SECTION. 135N.4 PATIENT RIGHTS AND  
35 DUTY OF DISCLOSURE.

36 1. Patients and their immediate families have a  
37 right to know about the quality of care outcomes  
38 involved in patient care, including unanticipated  
39 outcomes and sentinel events.

40 2. The health care provider leaders shall fully  
41 disclose all of the facts and circumstances relating  
42 to a sentinel event or an unanticipated outcome.

43 Sec. 5. NEW SECTION. 135N.5 SENTINEL EVENT  
44 REPORTING.

45 1. A health care provider involved in a sentinel  
46 event shall submit a root cause analysis and an action  
47 plan that describes the health care provider's risk  
48 reduction strategy and a strategy for evaluating the  
49 effectiveness of the risk reduction strategy to the  
50 department of inspections and appeals.

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1 2. A root cause analysis shall contain an analysis  
2 focusing primarily on systems and processes involved  
3 in quality of care and patient safety which includes  
4 changes that may be made to such systems and  
5 processes, and shall be thorough, credible, and  
6 acceptable as defined by industry standards.

7 Sec. 6. NEW SECTION. 135N.6 CONFIDENTIALITY OF  
8 RECORDS.

9 1. Quality assessment and assurance committee  
10 records shall be confidential and privileged and shall

11 not be subject to discovery or subpoena.  
12 2. Information or documents discoverable from  
13 sources other than a quality assessment and assurance  
14 committee, a health care provider, or the department  
15 of inspections and appeals do not become  
16 nondiscoverable from the other sources because they  
17 are subject to a claim of confidentiality under this  
18 section."

19 2. Page 4, by inserting after line 13 the  
20 following:

21 "Sec. \_\_\_\_ Section 515F.5, Code 2005, is amended  
22 by adding the following new subsection:

23 NEW SUBSECTION. 1A. The commissioner shall  
24 provide written notice to the public, as provided in  
25 rules adopted under chapter 17A, that an insurer has  
26 made a rate filing pursuant to this section, including  
27 the proposed effective date of the filing, and the  
28 character and extent of the coverage contemplated."

29 3. Page 5, by inserting after line 4 the  
30 following:

31 "Sec. \_\_\_\_ Section 622.10, subsection 3, paragraph  
32 d, Code 2005, is amended to read as follows:

33 d. Any physician or surgeon, physician assistant,  
34 advanced registered nurse practitioner, or mental  
35 health professional who provides records or consults  
36 with the counsel for the adverse party shall be  
37 entitled to charge a reasonable fee for production of  
38 the records, diagnostic imaging, and consultation.  
39 Any party seeking consultation shall be responsible  
40 for payment of all charges. ~~The fee for copies of any~~  
41 ~~records shall be based upon actual cost of production.~~  
42 Upon written request from a party or a party's  
43 representative accompanied by a legally sufficient  
44 patient's waiver, copies of the requested records or  
45 diagnostic images shall be provided to the party or  
46 the party's representative within thirty days of  
47 receipt of the written request. A fee shall be  
48 charged for the cost of producing such copies but the  
49 fee shall not exceed the following:

50 (1) For printed or photocopied records, twelve

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1 cents per single-sided page or seventeen cents per  
2 double-sided page based upon a page measuring eight  
3 and one-half inches by eleven inches or less.

4 (2) For X rays, diagnostic images, photographs, or  
5 other graphic image records, the actual cost of  
6 materials and supplies used to produce the copies of  
7 such images or ten dollars per item, whichever is  
8 less.

9 (3) For electronically scanned or produced



10 records, the actual cost of the materials and supplies  
11 incurred in producing the records, or five dollars,  
12 whichever is less.

13 (4) If applicable, reasonable and actual costs of  
14 postage or delivery charges.

15 Fees charged pursuant to this subsection are not  
16 subject to a sales or use tax. A physician or  
17 surgeon, physician assistant, advanced registered  
18 nurse practitioner, or mental health professional may  
19 require payment in advance if the copies are requested  
20 in writing and fees are itemized."

21 4. Page 5, line 5, by striking the words "REGRET  
22 OR" and inserting the following: "REGRET."

23 5. Page 5, by striking line 6.

24 6. Page 5, line 13, by inserting after the word  
25 "occupation," the following: "that portion of".

26 7. Page 5, line 14, by striking the word  
27 "apology,".

28 8. By striking page 5, line 22, through page 6,  
29 line 6, and inserting the following:

30 "Sec.\_\_\_\_. CLOSED-CLAIM REPORT. An insurer  
31 providing medical malpractice insurance coverage to a  
32 health care provider or a health care provider who  
33 maintains professional liability insurance coverage  
34 through a self-insurance plan shall file annually with  
35 the commissioner of insurance on or before March 15 a  
36 report of all medical malpractice insurance closed  
37 claims during the preceding calendar year. In  
38 addition, any insurer who provided medical malpractice  
39 insurance coverage to a health care provider or a  
40 health care provider who maintained professional  
41 liability coverage through a self-insurance plan  
42 between January 1, 1991, and December 31, 2005, shall  
43 file a report with the commissioner of all medical  
44 malpractice closed claims during the period. The  
45 commissioner shall prepare a comprehensive analysis of  
46 the closed claim data for that period for submission  
47 to the general assembly on or before January 15,  
48 2007."

49 9. By renumbering as necessary.

50

Amendment H-8343 lost.

Jochum of Dubuque asked and received unanimous consent to withdraw amendment H-8309 filed by her on March 16, 2006, placing out of order amendment H-8335 filed by R. Olson of Polk on March 21, 2006.

Paulsen of Linn offered amendment H-8320 filed by him as follows:

H-8320

- 1 Amend House File 2716 as follows:
- 2 1. By striking page 4, line 14, through
- 3 page 5, line 14.
- 4 2. By renumbering as necessary.

Paulsen of Linn asked and received unanimous consent to withdraw amendment H-8331, to amendment H-8320, filed by him and Upmeyer of Hancock on March 21, 2006.

Upmeyer of Hancock offered the following amendment H-8354, to amendment H-8320, filed by her from the floor and moved its adoption:

H-8354

- 1 Amend the amendment, H-8320, to House File 2716 as
- 2 follows:
- 3 1. Page 1, by striking lines 2 and 3 and
- 4 inserting the following:
- 5 "\_\_\_ . By striking page 1, line 1, through page 5,
- 6 line 4.
- 7 \_\_\_ . Page 5, by striking lines 5 through 11 and
- 8 inserting the following:
- 9 "Sec. NEW SECTION. 622.31 EVIDENCE OF
- 10 REGRET OR SORROW.
- 11 In any civil action for professional negligence,
- 12 personal injury, or wrongful death or in any
- 13 arbitration proceeding for professional negligence,
- 14 personal injury, or wrongful death against a person in
- 15 a profession represented by the examining boards
- 16 listed in section 272C.1 and any other licensed
- 17 profession recognized in this state, a hospital
- 18 licensed pursuant to chapter 135B, or a health care
- 19 facility licensed pursuant to chapter 135C, based upon
- 20 the".
- 21 \_\_\_ . Page 5, by striking lines 13 and 14 and
- 22 inserting the following: "occupation, any portion of
- 23 a statement, affirmation, gesture, or conduct
- 24 expressing sorrow, sympathy, commiseration,
- 25 condolence,".
- 26 \_\_\_ . By striking page 5, line 22, through page 6,
- 27 line 6.

- 28 \_\_\_\_\_. Title page, by striking lines 2 and 3 and  
 29 inserting the following: "including certain  
 30 evidentiary requirements."  
 31 2. By renumbering as necessary.

Amendment H-8354 was adopted.

On motion by Paulsen of Linn, amendment H-8320, as amended, was adopted.

Paulsen 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. 2716)

The ayes were, 77:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Bukta	Carröll
Chambers	Dandekar	Davitt	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Foege	Freeman	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jones	Kaufmann
Kressig	Kurtenbach	Lalk	Lukan
Lykam	Maddox	May	Miller
Oldson	Olson, D.	Olson, S.	Paulsen
Petersen	Quirk	Raecker	Rasmussen
Rayhons	Reichert	Roberts	Sands
Schickel	Shomshor	Smith	Soderberg
Struyk	Swaim	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wessel-Kroeschell
Whitead	Wilderdyke	Winckler	Wise
Mr. Speaker			
Rants			

The nays were, 22:

Berry	Cohoon	Fallon	Ford
Frevert	Hunter	Jochum	Kuhn
Lensing	Mascher	McCarthy	Mertz
Murphy	Olson, R.	Pettengill	Reasoner
Schueller	Shoultz	Taylor, D.	Taylor, T.
Wendt	Whitaker		

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2147 and 2716.**

Roberts of Carroll in the chair at 5:54 p.m.

**House File 2522**, a bill for an act relating to the assessment of a fee when filing a praecipe, was taken up for consideration.

J.R. Van Fossen of Scott asked and received unanimous consent to withdraw amendment H-8291 filed by him on March 16, 2006.

J.R. Van Fossen 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. 2522)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen

Rayhons	Reasoner	Reichert	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdtyke
Winckler	Wise	Roberts,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HOUSE FILE 2231 WITHDRAWN

J.R. Van Fossen of Scott asked and received unanimous consent to withdraw House File 2231 from further consideration by the House.

**House File 2597**, a bill for an act requiring voters to provide certain identification when voting absentee or in person at the polling place, was taken up for consideration.

Gipp of Winneshiek asked and received unanimous consent that House File 2597 be deferred and that the bill retain its place on the calendar.

**House File 2663**, a bill for an act relating to jurisdiction of the natural resource commission over certain lakebeds and riverbeds, was taken up for consideration.

May of Dickinson offered amendment H-8327 filed by him as follows:

H-8327

- 1 Amend House File 2663 as follows:
- 2 1. Page 1, line 5, by inserting after the word
- 3 "include" the following: "inland".
- 4 2. Title page, line 2, by inserting after the
- 5 word "certain" the following: "inland".

May of Dickinson offered the following amendment H-8360, to amendment H-8327, filed by him from the floor and moved its adoption:

H-8360

- 1 Amend the amendment, H-8327, to House File 2663 as
- 2 follows:
- 3 1. Page 1, by inserting after line 3, the
- 4 following:
- 5 "\_\_\_ Page 1, line 6, by inserting after the word
- 6 "mark" the following: "except in those areas where a
- 7 person has installed an encroachment in or on state
- 8 property. For the purposes of this paragraph,
- 9 "encroachment" means the addition of fill materials
- 10 that permanently alter inland lakebeds and riverbeds
- 11 below the ordinary high water mark."
- 12 2. By renumbering as necessary.

Amendment H-8360 was adopted.

On motion by May of Dickinson, amendment H-8327, as amended, was adopted.

May of Dickinson moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2663)

The ayes were, 59:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	Dandekar
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Freeman	Gipp
Granzow	Greiner	Heaton	Hoffman
Horbach	Huseman	Huser	Hutter
Jacobs	Jenkins	Jones	Kaufmann
Kuhn	Kurtenbach	Lalk	Lukan
May	Mertz	Olson, S.	Paulsen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Sands	Schickel
Shomshor	Soderberg	Struyk	Taylor, D.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wildurdyke	Roberts,	
		Presiding	

The nays were, 39:

Bell	Berry	Bukta	Cohoon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Jacoby	Jochum	Kressig	Lensing
Lykam	Maddox	Mascher	McCarthy
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Reasoner	Reichert
Schueller	Shoultz	Smith	Swaim
Taylor, T.	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	

Absent or not voting, 2:

Hunter	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### HOUSE FILE 2406 WITHDRAWN

May of Dickinson asked and received unanimous consent to withdraw House File 2406 from further consideration by the House.

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2663** be immediately messaged to the Senate.

Gipp of Winneshiek asked and received unanimous consent to suspend the rules for the immediate consideration of House File 2633.

**House File 2633**, a bill for an act relating to the definition of recycling property for purposes of the property tax exemption for pollution-control or recycling property and providing an applicability date, was taken up for consideration.

Kurtenbach 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. 2633)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevrt	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wildurdyke	Winckler
Wise	Roberts, Presiding		

The nays were, 1:

Fallon

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2633** be immediately messaged to the Senate.

Gipp of Winneshiek asked and received unanimous consent to suspend the rules for the immediate consideration of House File 2676.



**House File 2676**, a bill for an act relating to sealing and confidentiality of juvenile court records, was taken up for consideration.

Carroll of Poweshiek offered the following amendment H-8319 filed by him and moved its adoption:

H-8319

1 Amend House File 2676 as follows:

2 1. Page 1, by striking lines 1 through 23 and  
3 inserting the following:

4 "Section 1. Section 232.147, subsection 2, Code  
5 Supplement 2005, is amended to read as follows:

6 2. Official juvenile court records in cases  
7 alleging delinquency, including complaints under  
8 section 232.28, shall be public records, subject to  
9 ~~sealing under section 232.150~~ the following  
10 restrictions:

11 a. Official juvenile court records containing a  
12 petition or complaint alleging delinquency filed prior  
13 to January 1, 2007, shall be public records subject to  
14 a confidentiality order under section 232.149A or  
15 sealing under section 232.150.

16 b. Official juvenile court records containing a  
17 petition or complaint alleging delinquency filed on or  
18 after January 1, 2007, shall be public records subject  
19 to a confidentiality order under section 232.149A or  
20 sealing under section 232.150. However, the official  
21 records shall not be available to the public through  
22 the internet or in an electronic customized data  
23 report unless the child has been adjudicated  
24 delinquent.

25 c. If the court has excluded the public from a  
26 hearing under division II of this chapter, the  
27 transcript of the proceedings shall not be deemed a  
28 public record and inspection and disclosure of the  
29 contents of the transcript shall not be permitted  
30 except pursuant to court order or unless otherwise  
31 provided in this chapter.

32 d. Complaints under section 232.28 shall be  
33 released in accordance with section 915.25. Other  
34 official juvenile court records may be released under  
35 this section by a juvenile court officer."

36 2. Page 2, by striking lines 1 through 3 and  
37 inserting the following:

38 "b. Making the records confidential is in the best  
39 interests of the person and the public."

40 3. By striking page 3, line 34, through page 4,  
41 line 8.

42 4. By renumbering as necessary.

Amendment H-8319 was adopted.

Carroll of Poweshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2676)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Roberts, Presiding		

The nays were, none.

Absent or not voting and 2:

Taylor, D.           Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## HOUSE FILE 2381 WITHDRAWN

Carroll of Poweshiek asked and received unanimous consent to withdraw House File 2381 from further consideration by the House.

## IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2522** and **2676**.

## HOUSE FILE 2495 WITHDRAWN

Kurtenbach of Story asked and received unanimous consent to withdraw House File 2495 from further consideration by the House.

The House resumed consideration of **House File 2597**, a bill for an act requiring voters to provide certain identification when voting absentee or in person at the polling place, previously deferred.

Jacobs of Polk offered amendment H-8338 filed by her as follows:

H-8338

- 1 Amend House File 2597 as follows:
- 2 1. Page 5, by inserting after line 17 the
- 3 following:
- 4 "Sec. \_\_\_\_ Section 52.7, Code 2005, is amended by
- 5 striking the section and inserting in lieu thereof the
- 6 following:
- 7 52.7 CONSTRUCTION OF MACHINE APPROVED –
- 8 REQUIREMENTS.
- 9 1. A voting machine approved by the state board of
- 10 examiners for voting machines and electronic voting
- 11 systems shall meet all of the following requirements:
- 12 a. Provide facilities for voting for the
- 13 candidates of at least seven different political
- 14 parties or nonparty political organizations.
- 15 b. Permit a voter to vote for any person for any
- 16 office, although not nominated as a candidate by any
- 17 party or organization.
- 18 c. Permit voting in absolute secrecy.
- 19 d. Prevent voting for more than one person for the
- 20 same office, except where a voter is lawfully entitled
- 21 to vote for more than one person for that office.
- 22 e. Afford a voter an opportunity to vote for any

- 23 or all persons for that office as the voter is by law  
24 entitled to vote for and no more, at the same time  
25 preventing a voter from voting for the same person  
26 twice.
- 27 f. Provide a voter with an opportunity to change a  
28 vote before the ballot is recorded and counted.
- 29 g. Present together the names of each team of  
30 candidates for president and vice president and for  
31 governor and lieutenant governor. The votes for a  
32 team shall be counted as a vote for both candidates of  
33 the team.
- 34 h. Provide a voter with a method for casting  
35 write-in votes for paired offices so that the voter  
36 can specify one person as a candidate for president or  
37 for governor and one person as a candidate for vice  
38 president or for lieutenant governor.
- 39 i. Accurately account for every vote cast upon it.
- 40 j. Remove information from the ballot identifying  
41 the voter before the ballot is recorded and counted.
- 42 2. In addition to the requirements in subsection  
43 1, a voting machine that is a direct recording  
44 electronic device approved by the state board of  
45 examiners for voting machines and electronic voting  
46 systems shall meet all of the following requirements:
- 47 a. Permit straight party voting, pursuant to  
48 section 49.94, for all political parties and nonparty  
49 political organizations on the ballot.
- 50 b. Store an electronic image of each ballot cast

Page 2

- 1 separate from the ballot tabulation function, which  
2 ballot image may be reproduced on paper and considered  
3 as evidence in the case of a recount, manual audit, or  
4 machine malfunction.
- 5 c. Provide an individual paper record as provided  
6 in section 52.7A.
- 7 Sec. \_\_\_\_ NEW SECTION. 52.7A DIRECT RECORDING  
8 ELECTRONIC DEVICES – PAPER RECORD REQUIRED.
- 9 1. A voting machine that is a direct recording  
10 electronic device shall be capable of producing an  
11 individual paper record that the voter may review  
12 before the voter casts the voter's ballot. The paper  
13 record shall meet all of the following requirements:
- 14 a. Be printed on paper separate from all other  
15 individual paper records.
- 16 b. Be readable by the voter without the use of an  
17 electronic device. It may also be machine-readable by  
18 an electronic voting system as described in section  
19 52.26.
- 20 c. Not contain any information that will identify  
21 the person who cast the ballot.

22 d. Be stored at the polling place in a secure  
 23 container. A voter shall not be permitted to remove  
 24 the individual paper record from the polling place.  
 25 2. After the polls close, the precinct election  
 26 officials shall seal all individual paper records in  
 27 the manner prescribed in section 50.12. The county  
 28 commissioner of elections shall preserve the sealed  
 29 individual paper records for twenty-two months  
 30 following federal elections and for six months after  
 31 all other elections.  
 32 3. The paper record produced pursuant to this  
 33 section may be considered as evidence in the event of  
 34 a recount, manual audit, or machine malfunction.  
 35 4. Until voting systems performance and test  
 36 standards relating to paper records required in  
 37 subsection 1 are adopted by the federal elections  
 38 assistance commission, the board of examiners shall  
 39 contract with a testing authority to examine any  
 40 direct recording electronic device that is capable of  
 41 producing a paper record when the board receives a  
 42 request for examination of such a device pursuant to  
 43 section 52.5. The fees of the testing authority shall  
 44 be paid by the person who requested the  
 45 certification."  
 46 2. Page 6, by inserting after line 31 the  
 47 following:  
 48 "Sec. \_\_. EFFECTIVE DATE. The sections of this  
 49 Act amending section 52.7 and enacting section 52.7A  
 50 take effect December 31, 2007."

Page 3

1 3. Title page, line 1, by inserting after the  
 2 word "Act" the following: "relating to the conduct of  
 3 elections by".  
 4 4. Title page, line 2, by inserting after the  
 5 word "place" the following: "and by requiring that  
 6 direct recording electronic voting machines used in  
 7 the state produce paper records to be verified by  
 8 voters and including an effective date provision".  
 9 5. By renumbering as necessary.

Hunter of Polk offered the amendment H-8347, to amendment  
 H-8338, filed by him from the floor and requested division as follows:

H-8347

1 Amend the amendment, H-8338, to House File 2597 as  
 2 follows:

H-8347A

- 3 1. Page 1, by striking lines 2 and 3 and  
 4 inserting the following:  
 5 "\_\_\_\_. By striking everything after the enacting  
 6 clause and inserting the following:"

H-8347B

- 7 2. Page 2, by striking lines 46 and 47.

H-8347A

- 8 3. Page 3, by striking lines 1 through 8 and  
 9 inserting the following:  
 10 "\_\_\_\_. Title page, by striking lines 1 and 2 and  
 11 inserting the following: "An Act requiring that  
 12 direct recording electronic voting machines used in  
 13 the state produce paper records to be verified by  
 14 voters and including an effective date provision."  
 15 4. By renumbering as necessary.

Hunter of Polk moved the adoption of amendment H-8347A.

Roll call was requested by Hunter of Polk and Gaskill of Wapello.

On the question "Shall amendment H-8347A to amendment H-8338 be adopted?" (H.F. 2597)

The ayes were, 48:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow

Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdye	Roberts,	
		Presiding	

Absent or not voting, 1:

Zirkelbach

Amendment H-8347A lost.

Granzow of Hardin offered the following amendment H-8363, to amendment H-8338, filed by her from the floor and moved its adoption:

H-8363

- 1 Amend the amendment, H-8338, to House File 2597 as
- 2 follows:
- 3 1. Page 2, by inserting after line 45 the
- 4 following:
- 5 "\_\_\_\_. Page 6, by inserting after line 31 the
- 6 following:
- 7 "Sec.\_\_\_\_. PRIORITIZATION OF HELP AMERICA VOTE ACT
- 8 FUNDS. The secretary of state shall prepare by August
- 9 1, 2006, a list of planned expenditures of remaining
- 10 funds previously appropriated under federal or state
- 11 law for implementation of the federal Help America
- 12 Vote Act. The list shall be in order of priority.
- 13 The first item on the list shall be to provide funds
- 14 to counties required to purchase new equipment in
- 15 order to meet the requirements of section 52.7A
- 16 relating to direct recording electronic devices. The
- 17 secretary of state shall provide the list to each
- 18 member of the general assembly as soon as possible
- 19 after the list is completed."
- 20 2. Page 3, line 8, by inserting after the word
- 21 "voters" the following: ", including other properly
- 22 related matters,".
- 23 3. By renumbering as necessary.

Amendment H-8363 was adopted.

Hunter of Polk asked and received unanimous consent to withdraw amendment H-8347B to amendment H-8338.

Jacobs of Polk moved the adoption of amendment H-8338, as amended.

Roll call was requested by Murphy of Dubuque and Whitaker of Van Buren.

On the question "Shall amendment H-8338, as amended, be adopted?" (H.F. 2597)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Roberts, Presiding		

The nays were, 1:

Granzow

Absent or not voting, 1:

Zirkelbach

Amendment H-8338, as amended, was adopted.



Mascher of Johnson asked and received unanimous consent to withdraw amendment H-8206 filed by her on March 13, 2006.

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. 2597)

The ayes were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdike	Roberts,	
		Presiding	

The nays were, 48:

Bell	Berry	Bukta	Cphoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

## INTRODUCTION OF BILLS

**House File 2757**, by committee on government oversight, a bill for an act relating to the removal of social security numbers from documents filed with the county recorder.

Read first time and placed on the **calendar**.

**House File 2758**, by committee on ways and means, a bill for an act relating to the assessment for property taxation purposes of machinery, equipment, and fixtures used at concrete mixing facilities and hot mix asphalt facilities and including effective date and retroactive applicability date provisions.

Read first time and placed on the **ways and means calendar**.

**House File 2759**, by committee on appropriations, a bill for an act providing for the appropriation of moneys to support renewable fuel infrastructure, and providing a contingent effective date.

Read first time and placed on the **appropriations calendar**.

**House File 2760**, by committee on appropriations, a bill for an act relating to teacher salaries by increasing beginning and career teacher minimum salary levels and creating a teacher shortage salary supplement and making appropriations.

Read first time and placed on the **appropriations calendar**.

**House File 2761**, by committee on appropriations, a bill for an act relating to state aid to reimburse a portion of the advanced placement examination fee for students enrolled in public school districts and accredited nonpublic schools.

Read first time and placed on the **appropriations calendar**.

**House File 2762**, by committee on ways and means, a bill for an act relating to state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions.

Read first time and placed on the **ways and means calendar**.

**House File 2763**, by committee on ways and means, a bill for an act relating to sales and use tax exemptions for commercial breeders of canines.

Read first time and placed on the **ways and means calendar**.

**House File 2764**, by committee on ways and means, a bill for an act authorizing a school district to share its portion of incremental property taxes with a contiguous school district.

Read first time and placed on the **ways and means calendar**.

**House File 2765**, by committee on government oversight, a bill for an act concerning the military division of the department of public defense.

Read first time and placed on the **calendar**.

**House File 2766**, by Kurtenbach, Struyk and Huser, a bill for an act creating a recreational class of property for purposes of property assessment and taxation.

Read first time and referred to committee on **ways and means**.

#### SENATE MESSAGES CONSIDERED

**Senate File 2344**, by committee on commerce, a bill for an act requiring development of a uniform application form for small employer group health insurance coverage.

Read first time and referred to committee on **commerce, regulation and labor**.

**Senate File 2373**, by committee on state government, a bill for an act relating to the certification and registration of real estate appraisers and providing a penalty and an effective date.

Read first time and referred to committee on **state government**.

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2597** be immediately messaged to the Senate.

## REPORT OF THE CHIEF CLERK OF THE HOUSE

MR. SPEAKER: Pursuant to House Rule 42, I report that in engrossing bills the following correction was made:

### House File 2663

1. Page 1, lines 7 and 8 – Corrected the spelling of encroachment to encroachment.

MARGARET A. THOMSON  
Chief Clerk of the House

## HOUSE FILE 2710 REREFERRED

The Speaker announced that House File 2710, previously referred to the **calendar** was rereferred to committee on **appropriations**.

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 22, 2006, he approved and transmitted to the Secretary of State the following bills:

House File 2543, an Act relating to nonsubstantive code corrections and including effective and retroactive applicability date provisions.

Senate File 2147, an Act relating to the requirement of location as an eligibility criterion for businesses under the enterprise zone program 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

2006\1132 Orvis T. Anderson, Roland – For celebrating his 80<sup>th</sup> birthday.

2006\1133 Cordell and Janet Steelman, Adel – For celebrating their 50<sup>th</sup> wedding anniversary.

- 2006\1134 Ruth Maxwell, Denison – For celebrating her 90<sup>th</sup> birthday.
- 2006\1135 Tom and Eleanor Rosauer, Denison – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1136 Don and Lois Monroe, Ida Grove – For celebrating their 50<sup>th</sup> wedding anniversary.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 2710

Appropriations: Chambers, Chair; Mascher and May.

##### Senate File 2094

Public Safety: Horbach, Chair; Baudler and McCarthy.

##### Senate File 2251

Human Resources: Hutter, Chair; Granzow and Smith.

##### Senate File 2290 Reassigned

Judiciary: Heaton, Chair; Eichhorn and R. Olson.

##### Senate File 2339

Public Safety: Eichhorn, Chair; Alons, Baudler, Bell, Berry, Chambers, De Boef, Dolecheck, Heddens, Horbach, Hunter, Lykam, McCarthy, R. Olson, Rayhons, Reasoner, Sands, Shoultz, Tjepkes, Van Engelenhoven and J.R. Van Fossen.

##### Senate File 2348

Natural Resources: Baudler, Chair; Arnold and Frevert.

##### Senate File 2366

Natural Resources: Baudler, Chair; Van Engelenhoven and Whitaker.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

##### House Study Bill 772

Government Oversight: Alons, Chair; Baudler, Eichhorn, Hutter, Lensing, Thomas, J.K. Van Fossen, Whitead and Winckler.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 773 Ways and Means**

Relating to local option taxes, including the imposition of a local option sales and service tax by a county in a city located in another county and the use of revenues by a city or county under a joint agreement with another city or county.

### **H.S.B. 774 Ways and Means**

Relating to the child and dependent care and early childhood development income tax credits by increasing the net income limits for eligibility, eliminating the limit on the amount of credits allowed, and including a 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 AGRICULTURE

**Senate File 2377**, a bill for an act relating to animal feeding operations, by providing for standards and evaluations by the department of natural resources.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 2006.

### COMMITTEE ON APPROPRIATIONS

**Committee Bill** (Formerly House Study Bill 767), providing for the appropriation of moneys to support renewable fuel infrastructure, and providing for a contingent effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 21, 2006.

## COMMITTEE ON COMMERCE, REGULATION AND LABOR

**Senate File 2275**, a bill for an act relating to debt cancellation coverage offered by banks and credit unions.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 2006.

**Senate File 2299**, a bill for an act relating to credit unions and other financial organizations by providing for public funds requirements, membership qualifications, and preservation of records.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 2006.

## COMMITTEE ON EDUCATION

**Senate File 2358**, a bill for an act relating to the administrative duties of the state board of regents.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 2006.

## COMMITTEE ON GOVERNMENT OVERSIGHT

**Committee Bill** (Formerly House Study Bill 771), relating to the removal of social security numbers from documents filed with the county recorder.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 2006.

**Committee Bill** (Formerly House Study Bill 772), concerning the military division of the department of public defense.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 2006.

## COMMITTEE ON JUDICIARY

**Senate File 2219**, a bill for an act relating to human trafficking and related offenses, including the provision of law enforcement training and victim assistance programs, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—8361** March 22, 2006.

**Senate File 2290**, a bill for an act relating to the payment of costs of reasonable attorney fees and other expenses related to certain paternity and adoption proceedings.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—8359** March 22, 2006.

**Senate File 2327**, a bill for an act relating to access to confidential information used to secure an arrest warrant.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 2006.

#### COMMITTEE ON PUBLIC SAFETY

**Senate File 2339**, a bill for an act relating to the crime victim compensation fund.

Fiscal Note is not required.

Recommended **Without Recommendation** March 22, 2006.

#### COMMITTEE ON TRANSPORTATION

**Senate File 2346**, a bill for an act concerning the operation of motor vehicles by minors by establishing criminal and civil liability for providing alcoholic beverages to persons under legal age, and including driver education requirements, graduated driver licensing provisions, and passenger restraint requirements, and making penalties applicable and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 2006.

#### COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House File 2295), relating to sales and use tax exemptions for commercial breeders of canines.

Fiscal Note is not required.

Recommended **Do Pass** March 21, 2006.

**Committee Bill** (Formerly House File 2530), authorizing a school district to share its portion of incremental property taxes with a contiguous school district.

Fiscal Note is not required.

Recommended **Do Pass** March 21, 2006.



**Senate File 2183**, a bill for an act allowing cities and counties to create enterprise zones near modes of transportation.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—8349** March 21, 2006.

**Committee Bill** (Formerly House Study Bill 701), exempting the services furnished for the production of master audio, video, film, or digital recordings or similar media from the sales and use taxes.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 21, 2006.

### RESOLUTIONS FILED

**HCR 109**, by Rants and Murphy, a concurrent resolution inviting Major General Ron Dardis to present his message of the Condition of the Iowa National Guard on Monday, March 27, 2006 at 1:00 p.m.

Laid over under **Rule 25**.

**HR 147**, by Miller, a resolution to recognize the month of April 2006 as Porcelain Art Month.

Laid over under **Rule 25**.

**HR 148**, by Jenkins, a resolution urging the Iowa department of education to integrate the principles of basic personal finance into public school curricula in Iowa.

Laid over under **Rule 25**.

**HR 149**, by Heddens, Wessel-Kroeschell, Alons, Anderson, Arnold, Baudler, Bell, Berry, Boal, Bukta, Carroll, Chambers, Cohoon, Dandekar, Davitt, De Boef, Dix, Dolecheck, Drake, Eichhorn, Elgin, Fallon, Foege, Ford, Freeman, Frevert, Gaskill, Gipp, Granzow, Greiner, Heaton, Hoffman, Hogg, Horbach, Hunter, Huseman, Huser, Hutter, Jacobs, Jacoby, Jenkins, Jochum, Jones, Kaufmann, Kressig, Kuhn, Kurtenbach, Lalk, Lensing, Lukan, Lykam, Maddox, Mascher, May, McCarthy, Mertz, Miller, Murphy, Oldson, D. Olson, R. Olson, S. Olson, Paulsen, Petersen, Pettengill, Quirk, Raecker, Rants, Rasmussen, Rayhons, Reasoner, Reichert, Roberts, Sands, Schickel, Schueller, Shomshor, Shoultz, Smith, Soderberg, Struyk, Swaim, D. Taylor, T. Taylor, Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer,

Van Engelenhoven, J.K. Van Fossen, J.R. Van Fossen, Watts, Wendt, Whitaker, Whitead, Wilderdyke, Winckler and Wise, a resolution to welcome the 2006 Special Olympics USA National Games to Iowa.

Laid over under **Rule 25.**

#### AMENDMENTS FILED

H—8344	H.F.	2622	Tymeson of Madison
H—8345	H.F.	2710	Ford of Polk
H—8346	H.F.	2710	Ford of Polk
H—8348	H.F.	2511	Schickel of Cerro Gordo
H—8349	S.F.	2183	Committee on Ways and Means
H—8350	H.F.	2634	Horbach of Tama
H—8351	H.F.	2634	Horbach of Tama
H—8352	H.F.	2753	Shoultz of Black Hawk Hogg of Linn
H—8353	H.F.	2658	Carroll of Poweshiek
H—8355	H.F.	2754	Wise of Lee Hoffman of Crawford
H—8356	S.F.	2320	Pettengill of Benton Kressig of Black Hawk Reichert of Muscatine
H—8357	H.F.	2636	Pettengill of Benton Kressig of Black Hawk Reichert of Muscatine
H—8358	H.F.	2634	Greiner of Washington Whitaker of Van Buren
H—8359	S.F.	2290	Committee on Judiciary
H—8361	S.F.	2219	Committee on Judiciary
H—8362	S.F.	2183	Struyk of Pottawattamie
H—8364	S.F.	2346	Alons of Sioux
H—8365	H.F.	2761	Mascher of Johnson

On motion by Gipp of Winneshiek the House adjourned at 7:50 p.m., until 8:45 a.m., Thursday, March 23, 2006.

# JOURNAL OF THE HOUSE

Seventy-fourth Calendar Day - Fifty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 23, 2006

The House met pursuant to adjournment at 8:45 a.m., Speaker Rants in the chair.

Prayer was sung by Katie Kustra of Carroll and a student at Kuemper School. She was the guest of Representative Frevert of Palo Alto County and the granddaughter of Senator Kibbie of Palo Alto County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, March 22, 2006 was approved.

## INTRODUCTION OF BILL

**House File 2767**, by committee on ways and means, a bill for an act exempting the services, materials, and equipment sold or furnished for the production of master audio, video, film, or digital recordings or similar media from the sales and use taxes.

Read first time and placed on the **ways and means calendar**.

## HOUSE FILES PLACED ON THE UNFINISHED BUSINESS CALENDAR

Gipp of Winneshiek asked and received unanimous consent that the following House Files be placed on the Unfinished Business Calendar.

House File 2331  
House File 2393  
House File 2414  
House File 2447  
House File 2453

House File 2707  
House File 2718  
House File 2719  
House File 2725  
House File 2731

House File 2457	House File 2739
House File 2510	House File 2740
House File 2511	House File 2742
House File 2523	House File 2744
House File 2560	House File 2748
House File 2563	House File 2749
House File 2592	House File 2750
House File 2634	House File 2751
House File 2636	House File 2753
House File 2640	House File 2754
House File 2649	House File 2755
House File 2654	House File 2756
House File 2655	House File 2758
House File 2659	House File 2759
House File 2660	House File 2762
House File 2664	House File 2764

**REPORT OF THE CHIEF CLERK OF THE HOUSE**

MR. SPEAKER: Pursuant to House Rule 42, I report that in engrossing bills the following correction was made:

**House File 2332**

1. Page 2, line 16 – Corrected the spelling of liable to liable.

MARGARET A. THOMSON  
Chief Clerk of the House

**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

- 2006\1137 Rex and Eleanor Strait, Keosauqua – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\1138 Don and Caline Von Seggen, Farmington – For celebrating their 60<sup>th</sup> wedding anniversary.

2006\1139 Ashley Reitzler, Montezuma – For receiving the FFA Academic All-State Award, and the Iowa Degree, the highest degree awarded from FFA in the State of Iowa.

#### SUBCOMMITTEE ASSIGNMENT

##### Senate File 2312

Veterans Affairs: Freeman, Chair; Alons, Hutter, Kaufmann, May, Miller, Paulsen, Quirk, D. Taylor, Thomas, Tymeson, Watts, Wendt and Whitead.

##### Senate File 2333 Reassigned

Veterans Affairs: Freeman, Chair; Alons, Hutter, Kaufmann, May, Miller, Paulsen, Quirk, D. Taylor, Thomas, Tymeson, Watts, Wendt and Whitead.

##### Senate File 2344

Commerce, Regulation and Labor: Hoffman, Chair; Dix, Freeman, Horbach, Jacobs, Jacoby, Jenkins, Kressig, May, Oldson, Petersen, Pettengill, Quirk, Sands, Shomshor, Soderberg, Struyk, D. Taylor, T. Taylor, Tomenga, Watts, Wilderdyke 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 APPROPRIATIONS

**Committee Bill** (Formerly House File 2320), relating to the community empowerment initiative and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 2006.

**Committee Bill** (Formerly House File 2514), relating to the real estate education fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 22, 2006.

**Committee Bill** (Formerly House File 2561), creating a brain injury services program and providing for allocation of a previously enacted appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 22, 2006.

**Committee Bill** (Formerly House File 2714), relating to the judicial branch including the assessment of court fees and costs.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 22, 2006.

#### COMMITTEE ON COMMERCE, REGULATION AND LABOR

**Senate File 2344**, a bill for an act requiring development of a uniform application form for small employer group health insurance coverage.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2006.

**Senate File 2364**, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including the securities and regulated industries bureau, insurance premium taxes, the uniform securities Act, insurance division procedures, regulation of insurance companies and other entities including administrative penalties, motor vehicle service contracts, county and state mutual insurance associations, reciprocal or interinsurance insurers, consolidation, merger and reinsurance contracts, insurance holding company systems, and cemeteries.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—8376** March 23, 2006.

**Pursuant to Rule 31.7, Senate File 2364 was referred to the committee on ways and means.**

#### COMMITTEE ON ECONOMIC GROWTH

**Senate File 2309**, a bill for an act relating to technology transfer and commercialization in certain core platform areas.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2006.

#### COMMITTEE ON EDUCATION

**Senate File 2272**, a bill for an act relating to the duties and operations of the state board of education, the department of education, and local school boards and including effective and applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—8379** March 23, 2006.

## COMMITTEE ON ENVIRONMENTAL PROTECTION

**Senate File 2087**, a bill for an act relating to an increase in per diem paid to trustees of sanitary districts.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2006.

**Senate File 2319**, a bill for an act relating to littering and illegal discarding of solid waste and increasing fines and penalties and making appropriations.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2006.

**Pursuant to Rule 31.7, Senate File 2319 was referred to the committee on appropriations.**

**Senate File 2363**, a bill for an act relating to water quality standards.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2006.

**Senate File 2381**, a bill for an act relating to combustion of solid waste with energy recovery.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2006.

## COMMITTEE ON NATURAL RESOURCES

**Senate File 367**, a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—8368** March 22, 2006.

## COMMITTEE ON VETERANS AFFAIRS

**Senate File 2312**, a bill for an act providing grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including an effective date and retroactive applicability provision.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 2006.

**Pursuant to Rule 31.7, Senate File 2312 was referred to the committee on ways and means.**

**Senate File 2333**, a bill for an act relating to the transfer of veterans commemorative property placed in a cemetery, recodifying a provision regarding veteran markers, and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 2006.

#### COMMITTEE ON WAYS AND MEANS

**Senate File 98**, a bill for an act relating to county recorders and vital statistics record fees, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—8378** March 22, 2006.

**Committee Bill** (Formerly House File 2736), relating to economic development by creating a bioscience funding board and bioscience fund, providing tax incentives under the high quality job creation Act, and providing an exempt activity for foreign corporations, and including effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 22, 2006.

**Committee Bill** (Formerly House Study Bill 702), authorizing the state medical examiner to collect and retain fees for medical examiner facility expenses and services related to tissue recovery and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 2006.

**Committee Bill** (Formerly House Study Bill 766), relating to property taxation and local budgets by imposing requirements on those cities, counties, townships, and other property tax certifying boards that seek to increase the amount of property taxes certified for levy, requiring funding of real property-related services, changing the number of signatures necessary to protest an adopted county budget, requiring a transition for the imposition of city taxes against annexed property, abolishing county compensation boards, tying together the assessment limitations of certain classes of property, and including effective and retroactive and other applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 22, 2006.



## RESOLUTIONS FILED

**HCR 110**, by Reichert, T. Taylor, Bukta, Whitaker, Murphy, Pettengill, D. Taylor, Kressig, Wendt, Berry Foege, Swaim, Bell, Mertz, Cohoon, Davitt, D. Olson, Smith, Heddens, Frevert, Gaskill, Thomas, Winckler, Jochum, Lensing, Kuhn, McCarthy, R. Olson, Shoultz, Mascher, Reasoner, Schueller, Quirk, Peterson, Wise, Dandekar, Shomshor, Ford, Whitead, Lykam, Jacoby, Oldson and Hunter, a resolution urging the federal government to restore funding under the Byrne-Justice Assistance Grant program.

Laid over under **Rule 25**.

**HR 150**, by Huser, Heaton, Wise, Boal, Mascher, Shoultz, Bell, Berry, Pettengill, Shomshor, Lukan, Struyk, Dix, Petersen, Dandekar and Mertz, a resolution requesting the legislative council to create an adoption subsidy program advisory committee for the 2006 Legislative Interim.

Laid over under **Rule 25**.

**HR 151**, by Heddens, Heaton, Mascher, Smith, Foege and Upmeyer, a resolution requesting the legislative council to establish an interim committee to conduct a study of issues related to home visiting for families with a newborn child.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H—8366	H.F.	540	Thomas of Clayton
H—8367	H.F.	2760	Mascher of Johnson
H—8368	S.F.	367	Committee on Natural Resources
H—8369	H.F.	2760	Ford of Polk
H—8370	H.F.	2760	Wise of Lee
H—8371	H.F.	540	Thomas of Clayton
H—8372	H.F.	2754	Shoultz of Black Hawk Kuhn of Floyd
H—8373	H.F.	2759	Kuhn of Floyd
H—8374	H.F.	2760	Mascher of Johnson
H—8375	H.F.	2760	Mascher of Johnson

H—8376	S.F.	2364	Committee on Commerce, Regulation and Labor
H—8377	H.F.	2754	S. Olson of Clinton
H—8378	S.F.	98	Committee on Ways and Means
H—8379	S.F.	2272	Committee on Education
H—8380	S.F.	2272	Petersen of Polk Wise of Lee Heddens of Story

On motion by Gipp of Winneshiek the House adjourned at 8:55 a.m., until 8:00 a.m., Friday, March 24, 2006.

# JOURNAL OF THE HOUSE

Seventy-fifth Calendar Day - Fifty-third Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, March 24, 2006

The House met pursuant to adjournment at 8:10 a.m., Gipp of Winneshiek in the chair.

The Journal of Thursday, March 23, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2768**, by committee on ways and means, a bill for an act authorizing the state medical examiner to collect and retain fees for medical examiner facility expenses and services related to tissue recovery and making an appropriation.

Read first time and placed on the **ways and means calendar**.

**House File 2769**, by committee on appropriations, a bill for an act relating to the community empowerment initiative and making an appropriation.

Read first time and placed on the **appropriations calendar**.

## 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

- |           |   |
|-----------|---|
| 2006\1140 | Chad Dodd, Marcus – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America. |
| 2006\1141 | Mark Weber, Keota – For celebrating his 85 <sup>th</sup> birthday.  |
| 2006\1142 | Kenneth and Janice Davis, Ladora – For celebrating their 50 <sup>th</sup> wedding anniversary.            |

## 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 File 2320), relating to the community empowerment initiative and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 2006.

## COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House Study Bill 702), authorizing the state medical examiner to collect and retain fees for medical examiner facility expenses and services related to tissue recovery and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 2006.

On motion by Boal of Polk the House adjourned at 8:10 a.m., until 1:00 p.m., Monday, March 27, 2006.

# JOURNAL OF THE HOUSE

Seventy-eighth Calendar Day - Fifty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, March 27, 2006

The House met pursuant to adjournment at 1:00 p.m., Speaker Rants in the chair.

Prayer was offered by Reverend Gail Theissen, pastor of Center Christian Church (Disciples of Christ) Marshalltown. She was the guest of Representative Mark Smith of Marshall County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Friday, March 24, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2770**, by committee on ways and means, a bill for an act relating to economic development by creating a bioscience funding board and bioscience fund, providing tax incentives under the high quality job creation Act, and providing an exempt activity for foreign corporations, and including effective and retroactive applicability date provisions.

Read first time and placed on the **ways and means calendar**.

**House File 2771**, by committee on ways and means, a bill for an act relating to property taxation and local budgets by imposing requirements on those cities, counties, townships, and other property tax certifying boards that seek to increase the amount of property taxes certified for levy, relating to notice of a meeting of a board of township trustees, requiring funding of real property-related services, changing the number of signatures necessary to protest an adopted county budget, requiring a transition for the imposition of city taxes against annexed property, abolishing county compensation boards,

tying together the assessment limitations of certain classes of property, and including effective and retroactive and other applicability date provisions.

Read first time and placed on the **ways and means calendar**.

#### ADOPTION OF HOUSE CONCURRENT RESOLUTION 109

Gipp of Winneshiek called up for consideration **House Concurrent Resolution 109**, as follows:

- 1                   House Concurrent Resolution 109
- 2                   By Rants and Murphy
- 3    *Be It Resolved By The House Of Representatives, The*
- 4    *Senate Concurring*, That a joint convention of the two
- 5    houses of the 2006 session of the Eighty-first
- 6    General Assembly be held on Monday, March 27, 2006,
- 7    at 1:00 p.m.; and
- 8    *Be It Further Resolved*, That Major General Ron Dardis
- 9    be invited to present his message of the Condition of the
- 10   Iowa National Guard at this convention, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House Concurrent Resolution 109** be immediately messaged to the Senate.

#### COMMITTEE TO NOTIFY THE SENATE

May of Dickinson 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 May of Dickinson, Watts of Dallas and Quirk of Chickasaw.

The House stood at ease at 1:06 p.m., until the fall of the gavel.

The House resumed session at 1:21 p.m., Speaker Rants in the chair.

#### REPORT OF THE COMMITTEE TO NOTIFY THE SENATE

May of Dickinson, 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 109, duly adopted, the joint convention was called to order at 1:23 p.m., President Lamberti presiding.

Senator Gronstal of Pottawattamie 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 Lamberti announced a quorum present and the joint convention duly organized.

Senator Gronstal of Pottawattamie moved that a committee of seven, consisting of four members from the Senate and three members from the House of Representatives, be appointed to escort Governor Thomas J. Vilsack to the House chamber for the Condition of the Iowa National Guard Message.

The motion prevailed and the President appointed as such committee Senators Ragan of Cerro Gordo, Ward of Polk, Stewart of

Jackson, and Shull of Warren, on the part of the Senate, and Representatives Freeman of Buena Vista, Kaufmann of Cedar and Whitead of Woodbury, on the part of the House.

Senator Gronstal of Pottawattamie moved that a committee of seven, consisting of four members from the Senate and three members from the House of Representatives, be appointed to escort Adjutant General Ron Dardis to the House chamber for the Condition of the Iowa National Guard Message.

The motion prevailed and the President appointed as such committee Senators Larson of Linn, Warnstadt of Woodbury, Wieck of Woodbury and Beall of Webster, on the part of the Senate, and Representatives Tymeson of Madison, Alons of Sioux and Zirkelbach of Jones, (an honorary escort legislator who is currently serving in Iraq) on the part of the House.

Secretary of Agriculture Patty Judge; Treasurer of State, Michael Fitzgerald; State Auditor, David Vaudt and Administrator of the Homeland Security and Emergency Management Division, David Miller were escorted into the House chamber.

Mrs. Carmel Dardis, wife of the General, his son Raun and daughters Jamie and Jill 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 Major General Dardis and escorted him to the Speaker's station.

President Lamberti presented Major General Dardis, Adjutant General of the Iowa National Guard. General Dardis provides command and control for 105 Army and Air National Guard Units and over 9,600 Army and Air National Guard members in the state of Iowa.

Major General Dardis delivered the following Condition of the Iowa National Guard Message:



Good afternoon everyone. Thank you for the warm welcome!

Speaker Rants, Presidents Lamberti and Kibbie, – Thank you for inviting me to address this distinguished body today and to once again share the tremendous story of the Iowa National Guard with you.

Governor Vilsack, members of the General Assembly, and special invited guests – thank you so much for being here today.

It is a great honor to stand before you representing the wonderful men and women of the Iowa National Guard. On their behalf I want to say a heartfelt “THANK YOU” for all you have done over the years to assist us in building a world class organization.

We are enormously grateful for the unyielding support we continue to receive from our Commander-in-chief, Governor Vilsack. Governor, you have been with us every step of this journey – sir, thank you for your leadership and thank you for your incredible support of the Iowa National Guard!

We are also thankful for the strong support we receive from the members of this General Assembly, from our Iowa Congressional delegation, and above all – from the great people of the State of Iowa.

This extraordinary support has made it possible for the Iowa National Guard to serve our state and Nation during unprecedented times. It helped us create a climate of success that is the envy of National Guard and State officials throughout the Nation.

Yet no measure of success matters if, at the end of the day, you can't say “yes” to one basic question – are you making a difference? As I share our story with you today I challenge you to see how our Soldiers, Airmen and their families are making a difference – a difference in our communities – a difference in our state – a difference in our Nation and a difference in the Global War on Terrorism.

Our success is particularly remarkable considering the challenging and dynamic environment we're operating in.

Since 9-11 we've mobilized and deployed more Soldiers and Airmen than at any time in recent history – including World War II. You'd have to go back to the Civil War era to find a higher operational tempo for the Iowa National Guard.

And all of this is being done during a historic period of institutional change for our armed forces – changes that will affect us for years to come.

The effects of the Base Realignment and Closure process on the Iowa National Guard were positive. Thanks to our position as a top tier state in the areas of recruiting and readiness we did not lose any units or force structure, and in fact, benefited greatly in the area of military construction projects. Once fully implemented and funded, we stand to gain four Armed Forces Reserve Centers – one at Camp Dodge, one at Middletown, one at Cedar Rapids and one at Muscatine. These projects will bring in more than \$100 million of military construction money into the state of Iowa. No state matching funds are required for these projects. They will greatly enhance our ability to meet future space and operational requirements.

Last year, the Iowa Army National Guard ended the year number one in Strength Readiness in the National Guard system. Strength readiness is a measure of our ability to recruit new soldiers, to retain existing soldiers and to ensure our soldiers are trained in their military specialties. We are currently number two in the nation in

strength readiness and are on a record-breaking pace for recruiting new and prior service Soldiers. A key component of our readiness is our retention rate. Currently, we are exceeding the retention standard set by National Guard Bureau by more than four percent. With more than half the recruiting year remaining, we have reached 53 percent of our recruiting goal.

The Iowa Air National Guard is doing equally well. In 2005, we finished the year at 104 percent of assigned strength – 106 percent today – with a high retention rate of 98 percent.

The Soldiers and Airmen we are recruiting today are high quality men and women – men and women who join at a time knowing full well they will likely be deployed in the near future.

By any measure, these are incredible accomplishments. But they aren't just accomplishments to feel good about – they are tangible achievements that literally mean the difference between success or failure as states position themselves to capture shrinking segments of the National Guard force structure.

For the last five years, the Iowa National Guard has continued to excel in the area of strength readiness and time and again we have been rewarded for that performance. This success didn't happen by accident. It is the result of many years of hard work and untold numbers of dedicated men and women working together as a team to build a community-based organization that is prepared to serve Iowa and the Nation today and tomorrow.

At this time I'd like to introduce to you a group of individuals who epitomize the quality men and women who make up our Iowa team. These individuals are here today to represent the achievements of our Soldiers and Airmen during the last year. They were selected as the best of the best in their respective categories.

As I call your name please stand and remain standing. I ask everyone to hold their applause until I've introduced all our distinguished Soldiers, Airmen and civilian employees:

- Specialist Zachariah McDowell, Troop A, 1<sup>st</sup> Squadron, 113<sup>th</sup> Cavalry – Soldier of the Year;
- Airman Travis W. Christiansen, 133<sup>rd</sup> Test Squadron – Airman of the Year;
- Sergeant William D. Speicher, Troop A, 1<sup>st</sup> Squadron, 113<sup>th</sup> Cavalry – Noncommissioned Officer of the Year -- Army;
- Tech Sergeant Julie A. Pover, 133<sup>rd</sup> Test Squadron – Noncommissioned Officer of the Year – Air;
- SMSgt Larry L. Lorton, Senior NCO of the Year, 132 FW;
- Captain Doug Houston, 67<sup>th</sup> Troop Command, General Douglas MacArthur Leadership Award recipient;
- Captain John McClelland, 132<sup>nd</sup> Fighter Wing, Officer of the Year; and

- Margaret Seals, our State Equal Employment Manager, Recipient of the 2005 Blacks in Government Civilian Meritorious Service Award.

I think you'll agree this is a terrific group of achievers...please join me in a warm round of applause in recognition of their outstanding accomplishments.

Thank you – please be seated.

Thanks to their hard work and that of their fellow Soldiers, Airmen and civilian employees, the Iowa National Guard is making a difference. Nowhere is this more apparent than in looking at some of our recent missions.

At this time, I want to introduce a group of individuals who represent our Soldiers and Airmen who have returned from deployments – both here at home and abroad – this past year.

LTC Todd Jacobus, commander of the 224<sup>th</sup> Engineer Battalion, located in southeast Iowa, led 500 soldiers to Iraq in January 2005. Their mission was to increase the combat effectiveness of U.S. and coalition forces by removing obstacles, identifying and reducing minefields, unexploded ordnance and Improvised Explosive Devices (“IEDs”), repairing bridges and roadways, conducting route clearing operations, convoy escorts, security missions, and detainee operations.

Few of our deployed units have had missions as challenging or as difficult as the 224<sup>th</sup>. During their tour in Iraq, the 224<sup>th</sup> found and reduced more than 580 IEDs, cleared more than 16,000 miles of roadway, drove nearly 800,000 miles in convoy escorts and supported 740 combat missions with personnel and equipment.

Their effectiveness at reducing the threat posed to our soldiers by IEDs was incredible. When they arrived, only 30 percent of IEDs were detected and disarmed – meaning that seventy percent of these killers were going unnoticed until it was too late.

By the time the 224<sup>th</sup> left Iraq, they had completely reversed those numbers. Through good old fashioned Iowa ingenuity, along with assistance from the business community, the 224<sup>th</sup> developed an IED detection protocol that was being adopted for use throughout Iraq.

Unfortunately, the 224<sup>th</sup>'s accomplishments did not come without a price: 24 of their soldiers were awarded Bronze Stars, 37 were awarded Purple Hearts and four brave engineers were killed in action during their deployment.

Captain Jenny Mlocek, commander of the 2168<sup>th</sup> Transportation Company, comprised of units located in Sheldon and Cedar Rapids, led approximately 170 Soldiers to the Iraqi theater of operations in October 2004. The mission of the 2168<sup>th</sup>, a medium truck company, was to move equipment and supplies around the theater of operations. This highly motivated unit hauled 15,500 pieces of equipment, provided convoy escort to commercial haulers for more than 6 million miles, hauled supplies and equipment nearly 2 million miles and conducted over 300 missions to key drop off collection points in Iraq – all the while maintaining a fully mission capable rate in excess of 98 percent throughout the deployment.

Five soldiers from this unit were awarded Purple Hearts, eight were awarded bronze star medals and two soldiers were killed in a tragic accident enroute to their mobilization station.

MAJ Aaron Baugher and 60 Soldiers from the 194<sup>th</sup> Infantry Detachment (Long Range Surveillance) returned from Iraq in February 2005. During the first part of its deployment, the 194<sup>th</sup> was tasked with supervising, training and equipping an Iraqi Border Patrol Battalion along the Turkish and Iranian border. The unit conducted over 600 joint patrols, traffic control points and surveillance missions while assigned to the IBP training mission.

During the last half of their deployment, the 194 was ordered to the Mosul area where it conducted surveillance, counter-mortar, sniper, overwatch, security patrols and cordon and search missions. One soldier was awarded a purple heart and three soldiers were awarded Bronze Stars.

Lieutenant Colonel Scott Visser led 700 Soldiers from Task Force 168 to Afghanistan in February 2004. They served in Afghanistan for 13 months, playing a critical role in Provincial Reconstruction Team operations and providing security and support to Civil Affairs personnel allowing them to plan and help rebuild Afghanistan's infrastructure.

Task Force 168 Soldiers organized, conducted and participated in more than 12,000 missions including leader's reconnaissance, force protection, convoy escort, presence patrols and quick reaction forces. A highlight of their mission was their participation in Afghanistan's presidential elections in October 2004. Task Force 168s PRTs provided route security for voters, secured polling sites and escorted ballot boxes to the counting houses and secured the counting houses while the votes were tallied. Seven Soldiers were awarded purple hearts and one soldier was killed in action during the deployment.

Staff Sergeant Joe Kelley and sixteen members of the 767<sup>th</sup> Firefighters returned from Iraq this past year where the unit provided fire fighting support at the Al Asad Airbase and Ar Ramadi. The unit also provided off post fire fighting support and body recovery assistance on several missions. They initiated fire protection services for the Ramadi Forward Operating Base and surrounding camps and assisted Civil Affairs teams with humanitarian assistance missions like building playground sets at local schools. They performed over 250 missions without any combat injuries including the treatment and rescue of patients during a suicide vehicle borne IED that killed 19.

MAJ Matt Carver, commander of the 1088<sup>th</sup> Personnel Service Detachment located at Camp Dodge in Johnston, lead 45 Soldiers on a mission to Kuwait where they served in support of Operation Iraqi Freedom for twelve months. The unit's mission was to provide administrative services in support of the Iraqi theater of operation. The 1088<sup>th</sup> performed an incredible number of personnel actions - more than 124,000 - for thousands of soldiers moving in and out of Iraq.

MAJ Michael Wunn led ten Soldiers from the 135<sup>th</sup> Mobile Public Affairs Detachment on a deployment to Kosovo in January of 2005 to provide public affairs support to the 40<sup>th</sup> Infantry Division performing peacekeeping operations in the Balkans. Their mission was to "tell the Army story" to civilian and military media by providing digital images, video, audio, and print stories. The unit produced monthly news magazines and news broadcasts, conducted monthly press conferences and escorted several news media representatives in support of the NATO mission.

LTC Randy Greenwood and approximately 400 Airmen from the 132<sup>nd</sup> Fighter Wing, Des Moines, deployed in May 2005 to Qatar and other locations in support of Operations Iraqi Freedom, Enduring Freedom, and the Global War on Terror. During the deployment, the 132<sup>nd</sup> Fighter Wing flew combat missions in support of ground

forces primarily in the Central Command theater of operation. The unit flew an astounding number of hours – 3,146 – in 47 days. This compares to 3,500 hours in a normal training year. During the deployment, the 132<sup>nd</sup> flew every mission tasked and maintained an incredible fully mission capable rate of 85 percent.

Unlike previous rotations performed in the Iraqi theater, this mission brought about unique measures of mission success for the 132<sup>nd</sup>. Success used to be measured in the number of bombs dropped and targets destroyed. But the current environment on the ground in Iraq has changed that. An example of this was when one of our Iowa Air Guard pilots spotted an individual placing an IED in a roadway. He immediately reported the incident, the site was located and the IED disarmed – preventing Soldiers on the ground from being injured or possibly even killed by that device.

SMSgt Phil Frank, representing the more than 50 crewmembers and support personnel from the Sioux City's 185th Air Refueling Wing, is a Boom Operator, who was heavily involved in the Hurricane Katrina relief efforts. The 185<sup>th</sup> led the U.S. Air Force in the number of missions flown in support of recovery operations – 82 Sorties. Four of our KC-135E Stratotankers performed daily evacuation, transport, security, and fuel handling missions from the Sioux City Airbase.

I ask you again – are our Soldiers and Airmen making a difference? You bet they are! And these folks standing before you representing our deployed Soldiers and Airmen are a testament to how the Iowa National Guard impacts our state and nation every day – please join me in recognizing these outstanding Iowans and the fine men and women of the Iowa National Guard they represent.

Please be seated.

You know the great thing about our soldiers and airmen is that when they go somewhere they always try and leave it a better place than when they arrived. If they see a problem they try and fix it. If they see someone in need they try and help.

Chief Warrant Officer 1 Al Kakac, and his fellow soldiers from Task Force 168, looked across a barren stretch of underdeveloped Afghani farmland and saw an opportunity to help bring the green revolution to that desolate part of the world.

Working with USDA and Iowa agricultural experts, Mr. Kakac helped develop the largest agricultural test plot in Afghanistan to teach Afghans how to be better farmers. Showing them it's possible to improve their corn yields by more than 100 bushels merely by planting corn in rows rather than scattering seeds on the ground got their attention. Faced with viable alternatives, they were more than willing to stop producing opium, previously the most profitable crop they knew how to produce.

Staff Sergeant Mark Matteson, another Task Force 186 Soldier, likewise saw a need and found a way to make a difference. Sergeant Matteson was appalled when he arrived in Afghanistan and saw children walking and playing barefoot. He emailed home and said send shoes – lots of shoes. Within weeks shoes began to arrive – thousands of them. Working through organizations like Shoes for Kids and family support groups, Matteson and his fellow soldiers were able to put shoes on the feet of thousands of Afghan children.

In Iraq, the 224<sup>th</sup> Engineer Battalion also saw a need and decided to make a difference. Working with family members and Iowa businesses back home, they collected more than 1,350 backpacks full of school supplies to distribute to Iraqi children.

These types of humanitarian projects did more than just help people in need; they helped make these deployments safer for our Soldiers. As Mr. Kakac says, we shouldn't try to change their opinions but we can change their expectations. By helping provide humanitarian assistance to the people of Iraq and Afghanistan, we are changing their expectations and making a difference in their lives. Thank you – Mr. Kakac and Sergeant Matteson – for your contributions to that effort.

When talking about the Iowa Guard, people often focus on our state and federal missions. But we can't forget that the Iowa National Guard is a community based organization with an important community mission. As an organization and through individual members, we participate in programs that add value to our communities, to Iowa and to America.

Our members strive to be true role models and to make our communities safer and better places to raise our families. Part of our command philosophy is to leave something behind – mentor the young men and women in the Iowa National Guard as well as the young men and women in our communities.

One of the ways we do this is through our counterdrug mission. Our 50-person Iowa Counterdrug Taskforce is a national leader. We have one of the most advanced systems of information sharing available to support law enforcement personnel in the fight against illegal narcotics. It has resulted in over \$24 million in drug related seizures in 2005 alone.

Our drug demand education program demonstrates true efficiency by providing life skills training to over 7,000 students in our local schools and communities each year. This is a proven program and is an important tool in helping prepare our youth to deal with the challenges of adolescence.

The Midwest Counterdrug Training Center – located on Camp Dodge – is the newest, yet highest producing Counterdrug School in the nation. It will train more than 7,000 local and state narcotics law enforcement officers in 2006. Approximately 50 percent of these students will come from Iowa with the rest attending from the nation's remaining 53 states and Territories. This could not have been accomplished without the overwhelming support of the Iowa team, including our Iowa Congressional delegation.

Everyday, the Air and Army National Guard members – both men and women – of the Iowa Counterdrug Taskforce serve side by side with local and state law enforcement officers and prevention specialists in order to ensure a safe and ever-improving quality of life in our Iowa Communities.

Another way we work to support Iowa communities is through support to special projects such as the Hale Bridge move. Three weeks ago, two of our Chinook helicopters and crew from Davenport's Co. B, 2nd Battalion, 211th Aviation, helped transport three sections of a 127-year-old bridge from Hale Township to Anamosa, to become part of a three-mile recreational path through Wapsipipicon State Park. The aircraft moved a 100-foot span weighing 19,600 pounds, and two 80-foot spans weighing 16,500 pounds each, approximately 15 miles across the Iowa countryside in Jones County.

Picking up and moving something like this may seem like a standard mission for a Chinook helicopter crew – but I'm here to tell you this was anything but routine. There are no military manuals explaining how to rig a bridge for movement. And the aerodynamics of a bridge span 80 to 100 feet in length flying through the air requires

incredible patience and skill to control. Setting the spans in place required a degree of precision few helicopter pilots possess. But our Iowa National Guard Soldiers and Aviators did it and did it with ease. Now, thanks to their efforts communities in Eastern Iowa will now have a wonderful new recreational trail to enjoy.

As you can see we are extremely proud of our accomplishments. But the nature of our responsibilities precludes us from resting on our laurels. We must remain ever vigilant and continue moving ahead as an organization.

Nowhere is this more important than in the areas of Emergency Response and Homeland security. A lesson learned from the Katrina disaster is the importance of building relationships and assessing capabilities.

Doing so after something happens is too late. That is why we are working closely with the departments of public safety and Home Land Security/Emergency Management to prepare contingency plans and conduct joint exercises and operations. Recently our personnel have participated in exercises testing our state's ability to respond to Pandemic Influenza and Foreign Animal Disease outbreaks.

Additionally, we have participated in numerous exercises testing contingency plans to respond to nuclear power plant incidents. Our 71st Civil Support Team has been activated for multiple white powder and civil support events in both an active and advisory role. We've also made extensive coordination with the Civil Air Patrol in order to rely on them as an asset during state emergencies.

There is little debate that the state and federal responses to the Hurricane Katrina catastrophe fell short. However, what is often overlooked is the unprecedented response of our Nation's traditional first responders in times of natural disasters – the National Guard.

Thousands of National Guard soldiers and airmen were positioned before Katrina reached land. Guard forces were in hurricane affected neighborhoods rescuing people within four hours of landfall. More than 11,000 Soldiers and Airmen were involved in rescue operations on August 31. The Guard mobilized and deployed, in support of rescue and recovery, an additional 19,000 troops in the following 96 hours. Guard participation peaked at over 50,000 personnel on September 7. More than 6,500 Guard men and women were in New Orleans alone by September 2, 2005. The National Guard saved 17,000 lives and rescued and evacuated more than 75,000 people during Katrina recovery efforts.

The National Guard responded in spite of massive overseas deployment of personnel – more than 80,000 deployed at the time – and equipment in support of our federal mission.

No state, regardless of its size, can handle a natural or man-made catastrophe of the magnitude of a Katrina. Emergency Management Assistance Compacts allowed governors of affected states to immediately call upon another state's National Guard as reinforcements for recovery efforts.

In addition to the support provided by the 185<sup>th</sup> Air Refueling Wing, the Iowa National Guard stood up Joint Task Force Iowa. JTF-Iowa was comprised of approximately 215 Soldiers and Airmen from all corners of the state. Their mission was to provide medical, logistics, and water purification support to the people of Mississippi.

This was the first Joint Emergency Response mission in our history. It allowed us to fully exercise, for the first time, all of our major resources responsible for responding to a natural or manmade disaster.

Despite these unprecedented operational requirements during the last several years, the Iowa National Guard is maintaining historic readiness levels. This is due to our ability to recruit and retain quality soldiers.

We are able to do so thanks to two invaluable tools – the Military Service Member Home Ownership Assistance and State Tuition Assistance programs.

The Home Ownership Assistance Program, approved in 2005, has been an extremely popular program with returning service members. To date, nearly 250 service members have taken advantage of this generous benefit to purchase a home in Iowa, surpassing the program's goal of assisting at least 200 individuals. More than 138 of these service members come from the Iowa National Guard. Not only is this program helping us retain service members in the Iowa National Guard, it is helping retain Iowans in Iowa – a winning solution for us all.

The state tuition assistance program is similarly valuable. It allows us to compete head-to-head with neighboring states in recruiting and retaining high performing individuals. Dollar for dollar, this is money well spent. It helps us attract education minded individuals, leading to stronger and more capable Soldiers and Airmen. Tying the educational assistance to service in the National Guard encourages them to stay in Iowa to live, serve their state and nation, and raise their children.

Working in tandem, these programs help us to recruit and retain the Soldiers and Airmen we need to fulfill our mission requirements. And of course, an added benefit of these programs is that they help keep young people in Iowa.

We are also very grateful for your support of House File 2080, the “Bobby and Michelle Bill”, which provides money for military veterans who are seriously injured in a combat zone. This funding enables our families to be with their loved ones who have been wounded in action and are going through lengthy rehabilitation at various hospitals across America.

We often talk about the impact federal dollars coming into the state to fund the National Guard have on the state's economy. But just, if not more important, is the impact – in terms of human capital – created by Guard members returning from military training, and domestic and overseas deployments.

This training and experience is a value-added component these Citizen Soldiers and Airmen bring back to their jobs at no cost to their employers. Unbelievable experience and training – something impossible to replicate regardless of time or resources available to the employer.

When our Soldiers and Airmen leave Iowa for a deployment – each of them extraordinary ambassadors of our great State – they embark on a journey that leaves them forever changed. They are challenged both physically and mentally in ways few can imagine. They are charged with performing, often in dangerous and inhospitable environments, incredible tasks – tasks that would cause even the most resilient among us to waver. Yet they do so with a steely professionalism and sense of confidence few can emulate.

And when they complete their mission, they return home to their families, friends, employers and communities to pick up where they left off. For the great majority of



these individuals they return to Iowa more focused, more disciplined and generally more capable than when they left.

College students return to classrooms with a renewed sense of confidence and determination. They not only succeed, but excel in their studies. And because we offer benefits like state tuition assistance and the homebuyer's program, we are retaining them in the Iowa National Guard and in Iowa. A commitment to the Iowa National Guard is a commitment to Iowa.

As he stood on the beaches of Normandy – some 60 plus years ago, taking stock of what it cost to invade Europe, then-General Eisenhower asked – “where do we get such men?” That same question could be asked of the men and women serving today.

Today we have a new generation of heroes in our midst. The men and women returning home from serving in the Global War on Terrorism are carrying freedom's torch in the same proud tradition as the heroic veterans of previous conflicts.

Like the veterans of World War II, our next “Greatest Generation” returns with a renewed sense of purpose and energy, eager to contribute their skills and talents to improving life in their homes and communities. In places like Iraq, Afghanistan, and the Balkans they witnessed firsthand the disappointment and despair wrought by failed nation-states. They saw homes and communities torn apart by sectarian violence and ethnic strife. Once home, these quiet, unassuming veterans stand ready, through volunteerism and community participation, to work with their friends and neighbors to strengthen and better their communities. We haven't had a collection of such talent concentrated in our state since the end of World War II.

Sadly, not all of our Iowa heroes return home. More than 30 Iowans have made the ultimate sacrifice while defending or preparing to defend this country from the evils of terror. In the last eighteen months we have lost nine Iowa National Guard Soldiers in the Global War on Terrorism:

- SGT James Kearney – Task Force 168;
- 2LT Brian Gienau; SPC Seth Garceau, SPC John W. Miller and SPC Casey Byers – 224<sup>th</sup> ENG BN;
- SGT Robert J. Gore – 186<sup>th</sup> MP Company;
- SGT Gregory L. Tull – 194<sup>th</sup> Field Artillery;
- SSG Bruce J. Pollema and SPC Dustin Colby – 2168<sup>th</sup> Transportation Company

I have asked their family members to join us here today as our honored guests. I now ask them to stand and be recognized.

Their loved-one's sacrifice and their families' contributions to our national struggle against terrorism will never be forgotten.

The loss of our fallen Iowa National Guard Soldiers falls hardest on you – the family members left behind. But my profound hope is that you sense the love and support of your loved one's larger family – the men and women of the Iowa National Guard. You are not alone in your loss. You now share a common bond with other family members who have lost loved ones and with all members of our National Guard family. As a state and Nation, we are eternally grateful for the sacrifice your family has made in defense of our freedoms.

Ladies and Gentlemen, it was an honor addressing you today. Thank you once again for your continued strong support of the Iowa National Guard and of the dedicated men and women in uniform who call Iowa home. May God continue to bless you and your families, our great state and the United States of America!

Thank you!

Major General Dardis 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 Gipp of Winneshiek the joint convention was dissolved at 2:17 p.m.

The House resumed session at 2:25 p.m., Speaker pro tempore Carroll in the chair.

#### HOUSE FILES REREFERRED TO COMMITTEES

Pursuant to Rule 45, Gipp of Winneshiek asked and received unanimous consent that the following House Joint Resolution and House Files be rereferred to the committees listed:

House Joint Resolution 2005	State Government
House File 330	State Government
House File 2235	Judiciary
House File 2294	Education
House File 2367	Judiciary
House File 2380	State Government
House File 2415	Judiciary
House File 2504	Agriculture
House File 2513	State Government
House File 2524	Public Safety
House File 2526	Veterans Affairs
House File 2542	Environmental Protection
House File 2544	Education
House File 2545	Natural Resources
House File 2559	Agriculture
House File 2570	Public Safety
House File 2573	Judiciary
House File 2591	Economic Growth

House File 2594	State Government
House File 2595	Economic Growth
House File 2596	Ethics
House File 2609	Human Resources
House File 2622	Education
House File 2626	Natural Resources
House File 2637	Human Resources
House File 2638	Human Resources
House File 2639	Judiciary
House File 2641	Public Safety
House File 2642	Public Safety
House File 2643	Public Safety
House File 2650	Judiciary
House File 2653	Local Government
House File 2657	Human Resources
House File 2658	Judiciary
House File 2673	Human Resources
House File 2674	Judiciary
House File 2675	Judiciary
House File 2677	Public Safety
House File 2678	Public Safety
House File 2680	Economic Growth
House File 2681	Commerce, Regulation & Labor
House File 2692	Judiciary
House File 2694	Judiciary
House File 2702	Economic Growth
House File 2703	Judiciary
House File 2704	State Government
House File 2711	State Government
House File 2715	Education
House File 2720	Agriculture
House File 2721	Agriculture
House File 2722	Commerce, Regulation & Labor
House File 2723	Commerce, Regulation & Labor
House File 2724	Human Resources
House File 2726	Human Resources
House File 2730	State Government
House File 2738	Human Resources

On motion by Gipp of Winneshiek, the House was recessed at 2:26 p.m., until 4:30 p.m.

## AFTERNOON SESSION

The House reconvened at 4:34 p.m., Speaker Rants 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 27, 2006, adopted the following resolution in which the concurrence of the Senate was asked:

House Concurrent Resolution 109, a concurrent resolution for a joint convention to be held on Monday, March 27, 2006 for Major General Ron Dardis to present his message on the Condition of the Iowa National Guard.

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 27<sup>th</sup> day of March, 2006: House Files 2177, 2465, 2541, 2587, 2644 and 2713.

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

- |           |  |
|-----------|--|
| 2006\1143 | Joe and Eileen Schraeder, Woodbine – For celebrating their 60 <sup>th</sup> wedding anniversary. |
| 2006\1144 | Sharon and Baynard Willey, Onawa – For celebrating their 50 <sup>th</sup> wedding anniversary.   |

- 2006\1145 Orval Jorgensen, Sioux City – For celebrating his 89<sup>th</sup> birthday.
- 2006\1146 Esther Arnsward, Sioux City – For celebrating her 90<sup>th</sup> birthday.
- 2006\1147 Willard and Shirley Wierson, Roland – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1148 Shirley Von Muenster, Bennett – For celebrating her 80<sup>th</sup> birthday.
- 2006\1149 Ruth Barkhurst, Atalissa – For celebrating her 90<sup>th</sup> birthday.
- 2006\1150 Margaret Ponce, West Liberty – For celebrating her 86<sup>th</sup> birthday.
- 2006\1151 Larry and Helen Roberts, West Liberty – For celebrating their 72<sup>nd</sup> wedding anniversary.
- 2006\1152 Hazel Hanshaw, Chillicothe – For celebrating her 80<sup>th</sup> birthday.
- 2006\1153 Forrest White, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\1154 Thelma Erhardt, Ottumwa – For celebrating her 95<sup>th</sup> birthday.
- 2006\1155 Kathryn Durst, Ottumwa – For celebrating her 85<sup>th</sup> birthday.
- 2006\1156 Don Fear, Ottumwa – For celebrating his 85<sup>th</sup> birthday.
- 2006\1157 Yvonne Padget, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\1158 Virgil Corzette, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\1159 John Maines, Ottumwa – For celebrating his 85<sup>th</sup> birthday.
- 2006\1160 Robert Patrick, Ottumwa – For celebrating his 80<sup>th</sup> birthday.
- 2006\1161 Mary Harrington, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\1162 Wayne Millard, Ottumwa – For celebrating his 85<sup>th</sup> birthday.
- 2006\1163 Carl Miller, Ottumwa – For celebrating his 90<sup>th</sup> birthday.
- 2006\1164 Jean Munley, Ottumwa – For celebrating her 80<sup>th</sup> birthday.
- 2006\1165 Jennie Riley, Ottumwa – For celebrating her 90<sup>th</sup> birthday.
- 2006\1166 Amy Davis, Ottumwa – For celebrating her 90<sup>th</sup> birthday.
- 2006\1167 John Toopes, Ottumwa – For celebrating his 85<sup>th</sup> birthday.
- 2006\1168 Jonathan Beranek, West Branch – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

- 2006\1169 Londa and Grant Boogerd, Hull – For receiving the 2006 Quality Milk Award from Land O' Lakes, Inc., Dairy Food Division.
- 2006\1170 Juanita Dreessen, Inwood – For her 32 years of dedicated service as a teacher in the West Lyon Community School District.
- 2006\1171 Bill Henderson and Family, Albia – For celebrating 50 years in business.
- 2006\1172 Travis M. Jensen, Colfax – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1173 Alvin and Colleen Hattermann, Paullina – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1174 Everett and Verla Hintz, Everly – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1175 Philip and Joan Van Gorp, Sheldon – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1176 Johanna Krapf, Sheldon – For celebrating her 90<sup>th</sup> birthday.
- 2006\1177 Graham Emmerson, Johnston – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1178 Zachary Emmerson, Johnston – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 2610**

Ways and Means: Soderberg, Chair; Kurtenbach and Schueller.

##### **House File 2615**

Ways and Means: Soderberg, Chair; Schueller and Tomenga.

##### **House File 2727**

Ways and Means: Struyk, Chair; Quirk and Soderberg.

##### **House File 2741**

Ways and Means: Drake, Chair; Quirk and Tomenga.

##### **Senate File 2364**

Ways and Means: Kurtenbach, Chair; Quirk and Tomenga.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 773**

Ways and Means: Paulsen, Chair; Boal and Huser.

**House Study Bill 774**

Ways and Means: Kaufmann, Chair; Jochum and Upmeyer.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENT

**H.S.B. 775 Government Oversight**

Relating to citations issued to persons under the age of eighteen for alcohol-related offences and parental and school notification.

## 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 STATE GOVERNMENT

**House Joint Resolution 2006**, a joint resolution nullifying administrative rules relating to the mandatory reporting of certain acts or omissions by persons licensed by the Iowa Board of Dental Examiners and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2006.

**Senate File 2231**, a bill for an act concerning accrued sick leave and the conversion of sick leave for state employees.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2006.

## RESOLUTIONS FILED

**HR 152**, by Ford, a resolution urging the Iowa State Fair Board to seek greater diversity in its events and attractions.

Laid over under **Rule 25**.

**HR 153**, by Oldson, Peterson, Ford, R. Olson, Hunter, McCarthy and Fallon, a resolution honoring the Des Moines Roosevelt High School Girls' Basketball Team.

Laid over under **Rule 25**.

**HR 154**, by Peterson, Oldson, Ford, R. Olson, Hunter, McCarthy and Fallon, a resolution congratulating the Des Moines Hoover High School Boys' Basketball Team on winning the class 4-A championship at the 2006 Iowa Boys' State Basketball Tournament.

Laid over under **Rule 25**.

**HR 155**, by Davitt and Tymeson, a resolution honoring the Norwalk High School Girls' Basketball Team.

Laid over under **Rule 25**.

## AMENDMENTS FILED

H—8381	S.F.	2358	Pettengill of Benton Struyk of Pottawattamie Quirk of Chickasaw
H—8382	S.F.	2219	Ford of Polk
H—8383	H.F.	2744	Whitaker of Van Buren
H—8384	S.F.	2183	Anderson of Page Swaim of Davis
H—8385	S.F.	367	Frevert of Palo Alto Reichert of Muscatine
H—8386	H.F.	2654	McCarthy of Polk Tjepkes of Webster
H—8387	H.F.	2393	Heaton of Henry
H—8388	S.F.	2217	Heaton of Henry
H—8389	H.F.	2592	Roberts of Carroll



H—8390	H.F.	2764	Ford of Polk
H—8391	H.F.	2592	Lalk of Fayette
H—8392	S.F.	2183	Anderson of Page Swaim of Davis
H—8393	H.F.	2759	Whitaker of Van Buren
H—8394	H.F.	2592	Granzow of Hardin
H—8395	H.F.	2749	Sands of Louisa
H—8396	H.F.	2759	Jacoby of Johnson
H—8397	H.F.	2755	Dolecheck of Ringgold
H—8398	H.F.	2759	Hoffman of Crawford S. Olson of Clinton Sands of Louisa Wise of Lee Thomas of Clayton
H—8399	H.F.	2754	Hoffman of Crawford S. Olson of Clinton Drake of Pottawattamie Wise of Lee Mertz of Kossuth

On motion by Gipp of Winneshiek the House adjourned at 4:34 p.m., until 8:45 a.m., Tuesday, March 28, 2006.

# JOURNAL OF THE HOUSE

Seventy-ninth Calendar Day - Fifty-fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, March 28, 2006

The House met pursuant to adjournment at 8:45 a.m., Speaker Rants in the chair.

Prior to convening the House was entertained with the music of “The Sonshine Singers”, hosted by Representative Helen Miller of Webster and sponsored by Young at Art – Fort Dodge, the Fort Dodge Chamber of Commerce and Matt Bemrich, Fort Dodge Councilman.

Prayer was offered by Bryan English, former associate pastor of the Baptist Church, Spencer. He was the guest of Representative Mike May of Dickinson County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, March 27, 2006 was approved.

## INTRODUCTION OF BILL

**House File 2772**, by committee on appropriations, a bill for an act creating a brain injury services program and providing for allocation of a previously enacted appropriation.

Read first time and placed on the **appropriations calendar**.

## SPECIAL PRESENTATION

Bell of Jasper introduced to the House a delegation from Taiwan.

The House rose and expressed its welcome.

## ADOPTION OF HOUSE RESOLUTION 138

Drake of Pottawattamie and Mertz of Kossuth called up for consideration **House Resolution 138**, a resolution supporting the proposal of Iowa State University to pursue the location of the

national bio and agro-defense facility at the site of the current National Center for Animal Health in Ames, Iowa, and moved its adoption.

The motion prevailed and the resolution was adopted.

### CONSIDERATION OF BILLS Unfinished Business Calendar

**House File 2414**, a bill for an act relating to adoption petitions and proceedings including the information required to be included in an adoption petition, was taken up for consideration.

Anderson of Page offered the following amendment H-8229 filed by him and moved its adoption:

H-8229

- 1 Amend House File 2414 as follows:
- 2 1. Page 1, line 6, by inserting after the word
- 3 "conviction" the following: "or deferred judgment for
- 4 an offense other than a simple misdemeanor".
- 5 2. Page 1, line 20, by inserting after the word
- 6 "conviction" the following: "or deferred judgment for
- 7 an offense other than a simple misdemeanor".
- 8 3. Page 1, line 32, by inserting after the word
- 9 "conviction" the following: "or deferred judgment for
- 10 an offense other than a simple misdemeanor".

Amendment H-8229 was adopted.

### SENATE FILE 2252 SUBSTITUTED FOR HOUSE FILE 2414

Anderson of Page asked and received unanimous consent to substitute Senate File 2252 for House File 2414.

**Senate File 2252**, a bill for an act relating to adoption petitions and proceedings including the information required to be included in an adoption petition, was taken up for consideration.

Anderson 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?" (S.F. 2252)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Mascher	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wildurdyke	Winckler	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 5:

Foege	Ford	Maddox	Wise
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2447**, a bill for an act modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation, was taken up for consideration.

## SENATE FILE 2338 SUBSTITUTED FOR HOUSE FILE 2447

Alons of Sioux asked and received unanimous consent to substitute Senate File 2338 for House File 2447.

**Senate File 2338**, a bill for an act modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation, 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?" (S.F. 2338)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kressig	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
Mascher	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wildurdyke	Winckler	Wise	Mr. Speaker
			Rants

The nays were, none.

Absent or not voting, 4:

Foegen

Ford

Kaufmann

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2252 and 2338.**

### ADOPTION OF HOUSE RESOLUTION 153

Oldson of Polk called up for consideration **House Resolution 153**, a resolution honoring the Des Moines Roosevelt High School Girls' Basketball Team, and moved its adoption.

The motion prevailed and the resolution was adopted.

### ADOPTION OF HOUSE RESOLUTION 154

Petersen of Polk called up for consideration **House Resolution 154**, a resolution congratulating the Des Moines Hoover High School Boys' Basketball Team on winning the class 4-A championship at the 2006 Iowa Boys' State Basketball Tournament, and moved its adoption.

The motion prevailed and the resolution was adopted.

### SPECIAL PRESENTATION

Davitt of Warren and Tymeson of Madison introduced the Norwalk High School Girls' Basketball Team.

The House rose and expressed its welcome.

**House File 2511**, a bill for an act relating to county, city, and school board publication of allowed claims, with report of committee recommending amendment and passage, was taken up for consideration.

Schickel of Cerro Gordo offered the following amendment H-8348 filed by him and moved its adoption:

H-8348

1 Amend House File 2511 as follows:

2 1. Page 1, line 11, by striking the word "Two"  
3 and inserting the following: "If the reason for the  
4 claims is the same, two".

5 2. Page 1, line 14, by inserting after the word  
6 "statement." the following: "However, the commission  
7 shall provide at its office upon request an  
8 unconsolidated list of all claims allowed."

9 3. Page 1, line 33, by striking the word "Two"  
10 and inserting the following: "If the purpose for the  
11 claims is the same, two".

12 4. Page 2, line 1, by striking the words  
13 "However, salaries" and inserting the following:  
14 "However, salaries However, the board shall provide at  
15 its office upon request an unconsolidated list of all  
16 claims allowed. Salaries".

17 5. Page 2, line 16, by striking the word "Two"  
18 and inserting the following: "If the reason for the  
19 claims is the same, two".

20 6. Page 2, line 19, by inserting after the word  
21 "statement." the following: "However, the commission  
22 shall provide at its office upon request an  
23 unconsolidated list of all claims allowed."

24 7. Page 3, line 16, by striking the word "Two"  
25 and inserting the following: "If the reason for the  
26 claims is the same, two".

27 8. Page 3, line 19, by inserting after the word  
28 "statement." the following: "However, the board shall  
29 provide at its office upon request an unconsolidated  
30 list of all claims allowed."

31 9. Page 3, line 34, by striking the word "Two"  
32 and inserting the following: "If the reason for the  
33 claims is the same, two".

34 10. Page 4, line 2, by inserting after the word  
35 "statement." the following: "However, the city shall  
36 provide at its office upon request an unconsolidated  
37 list of all claims allowed."

38 11. Page 4, line 28, by striking the word "Two"  
39 and inserting the following: "If the reason for the  
40 claims is the same, two".

41 12. Page 4, line 31, by inserting after the word  
42 "statement." the following: "However, the utility  
43 board shall provide at its office upon request an  
44 unconsolidated list of all claims allowed."

45 13. By renumbering as necessary.

Amendment H-8348 was adopted.

SENATE FILE 2194 SUBSTITUTED FOR HOUSE FILE 2511

Schickel of Cerro Gordo asked and received unanimous consent to substitute Senate File 2194 for House File 2511.

**Senate File 2194**, a bill for an act relating to county, city, and school board publication of allowed claims, was taken up for consideration.

Schickel 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. 2194)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wildurdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were and none.



Absent or not voting and 2:

Kaufmann                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HOUSE FILE 2447 WITHDRAWN

Alons of Sioux asked and received unanimous consent to withdraw House File 2447 from further consideration by the House.

#### HOUSE FILES 2134 and 2511 WITHDRAWN

Schickel of Cerro Gordo asked and received unanimous consent to withdraw House Files 2134 and 2511 from further consideration by the House.

#### HOUSE FILES 2252 and 2414 WITHDRAWN

Anderson of Page asked and received unanimous consent to withdraw House Files 2252 and 2414 from further consideration by the House.

**House File 2560**, a bill for an act relating to farm tenancies, was taken up for consideration.

#### SENATE FILE 2292 SUBSTITUTED FOR HOUSE FILE 2560

S. Olson of Clinton asked and received unanimous consent to substitute Senate File 2292 for House File 2560.

**Senate File 2292**, a bill for an act relating to farm tenancies, was taken up for consideration.

S. Olson 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. 2292)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HOUSE FILES 2357, 2516 and 2560 WITHDRAWN

S. Olson of Clinton asked and received unanimous consent to withdraw House Files 2357, 2516 and 2560 from further consideration by the House.

#### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2194 and 2292.**

**House File 2636**, a bill for an act relating to the development of an Iowa studies professional development plan and the establishment of an Iowa studies committee, was taken up for consideration.

Pettengill of Benton asked and received unanimous consent to withdraw amendment H-8357 filed by Pettengill of Benton et al., on March 22, 2006.

Carroll of Poweshiek offered the following amendment H-8144 filed by him and moved its adoption:

H-8144

- 1 Amend House File 2636 as follows:
- 2 1. Page 2, line 3, by striking the words "
- 3 student tracking,".

Amendment H-8144 was adopted.

#### SENATE FILE 2320 SUBSTITUTED FOR HOUSE FILE 2636

Carroll of Poweshiek asked and received unanimous consent to substitute Senate File 2320 for House File 2636.

**Senate File 2320**, a bill for an act relating to the development of an Iowa studies professional development plan and the establishment of an Iowa studies committee, was taken up for consideration.

Pettengill of Benton asked and received unanimous consent to withdraw amendment H-8356 filed by Pettengill of Benton et al., on March 22, 2006.

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?" (S.F. 2320)

The ayes were, 90:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
De Boef	Dix	Dolecheck	Drake

Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Hutter	Jacobs	Jacoby
Jenkins	Jones	Kaufmann	Kressig
Kuhn	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Raecker
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wildurdyke
Winckler	Mr. Speaker Rants		

The nays were, none.

Absent or not voting, 10:

Davitt	Frevert	Huser	Jochum
Kurtenbach	Quirk	Shomshor	Shoultz
Wise	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Roberts of Carroll in the chair at 9:41 a.m.

**House File 2640**, a bill for an act relating to the appointment of district associate judges and magistrates, was taken up for consideration.

#### SENATE FILE 2342 SUBSTITUTED FOR HOUSE FILE 2640

Boal of Polk asked and received unanimous consent to substitute Senate File 2342 for House File 2640.

**Senate File 2342**, a bill for an act relating to the appointment of district associate judges and magistrates, was taken up for consideration.

## SPECIAL PRESENTATION

Murphy of Dubuque introduced to the House the Honorable Bob Carr, former state representative from Dubuque County.

The House rose and expressed its welcome.

Boal of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2342)

The ayes were, 86:

Alons	Anderson	Arnold	Bell
Berry	Boal	Bukta	Carroll
Chambers	Cohon	Dandekar	Davitt
De Boef	Dix	Drake	Elgin
Fallon	Foege	Ford	Frevert
Gaskill	Gipp	Greiner	Heaton
Heddens	Hogg	Horbach	Hunter
Huseman	Huser	Jacobs	Jacoby
Jenkins	Jochum	Jones	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tomenga	Tymeson	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Roberts,		
	Presiding		

The nays were, 12:

Baudler	Eichhorn	Freeman	Granzow
Hoffman	Hutter	Kaufmann	Mertz
Miller	Quirk	Tjepkes	Upmeyer

Absent or not voting and 2:

Dolecheck	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 2640 WITHDRAWN

Boal of Polk asked and received unanimous consent to withdraw House File 2640 from further consideration by the House.

**House File 2654**, a bill for an act relating to the powers and duties of the county treasurer and including effective and applicability date provisions, was taken up for consideration.

Tjepkes of Webster asked and received unanimous consent to withdraw amendment H-8138 filed by him on March 7, 2006.

Tjepkes of Webster offered the following amendment H-8288 filed by him and moved its adoption:

H-8288

- 1 Amend House File 2654 as follows:
- 2 1. Page 1, by striking lines 24 through 27.
- 3 2. By striking page 4, line 3, through page 7,
- 4 line 21.
- 5 3. Page 8, by striking lines 7 through 17.
- 6 4. Page 12, by striking lines 18 through 26.
- 7 5. By striking page 21, line 35, through page 24,
- 8 line 29.
- 9 6. By striking page 24, line 34, through page 25,
- 10 line 1.
- 11 7. Page 25, line 8, by striking the figure
- 12 "321.124,".
- 13 8. Page 25, by striking lines 9 and 10 and
- 14 inserting the following:
- 15 " \_\_\_. The section of this Act amending section
- 16 321.25 takes effect July 1, 2007."
- 17 9. By renumbering as necessary.

Amendment H-8288 was adopted.

Tjepkes of Webster offered the following amendment H-8151 filed by him and moved its adoption:

H-8151

1 Amend House File 2654 as follows:

2 1. Page 2, by inserting after line 23 the  
3 following:

4 "Sec. \_\_\_\_ Section 321.20A, subsection 2, Code  
5 2005, is amended to read as follows:

6 2. An owner of ~~a commercial vehicle more than~~  
7 fifty commercial vehicles subject to the proportional  
8 registration provisions of chapter 326 ~~who has a fleet~~  
9 ~~of more than fifty commercial vehicles and who is~~  
10 issued a certificate of title under this section shall  
11 not be subject to registration fees until the  
12 commercial vehicle is driven or moved upon the  
13 highways. The registration fee due shall be prorated  
14 for the remaining unexpired months of the registration  
15 year. Ownership of the commercial vehicle shall not  
16 be transferred until registration fees have been paid  
17 to the department."

18 2. By renumbering as necessary.

Amendment H-8151 was adopted.

McCarthy of Polk offered the following amendment H-8386 filed  
by him and Tjepkes of Webster and moved its adoption:

H-8386

1 Amend House File 2654 as follows:

2 1. Page 12, by inserting after line 8 the  
3 following:

4 "Sec. \_\_\_\_ Section 321.324A, subsections 1 and 3,  
5 Code 2005, are amended to read as follows:

6 1. For purposes of this section, "funeral  
7 procession" means a procession of motor vehicles  
8 accompanying the body of a deceased person during  
9 daylight hours which is being escorted by a vehicle  
10 continually displaying its emergency signal lamps  
11 flashing simultaneously and using lighted head lamps  
12 and identifying flags, or an escort vehicle displaying  
13 a flashing or revolving red and amber light visible to  
14 pedestrians in all directions, and keeping all other  
15 motor vehicles with lighted head lamps in close  
16 formation.

17 3. The funeral ~~home~~ establishment in charge of the  
18 funeral procession is liable only in connection with  
19 the procession for any negligent, reckless, or  
20 intentional act by the funeral ~~home~~ establishment or  
21 any employee or agent of the funeral ~~home~~  
22 establishment that results in any death, personal

- 23 injury or property damage suffered during a funeral  
 24 procession.  
 25 Sec.\_\_\_\_. Section 321.423, subsection 2, Code  
 26 Supplement 2005, is amended by adding the following  
 27 new paragraph:  
 28 **NEW PARAGRAPH.** j. On a vehicle being operated as  
 29 an escort vehicle for a funeral procession as provided  
 30 in section 321.324A."  
 31 2. Title page, line 1, by inserting after the  
 32 words "relating to" the following: "motor vehicles  
 33 and".  
 34 3. Title page, line 1, by inserting after the  
 35 word "treasurer" the following: "in relation to motor  
 36 vehicles and property taxation".  
 37 4. By renumbering as necessary.

Amendment H-8386 was adopted.

Tjepkes 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. 2654)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt



Wessel-Kroeschell  
Winckler

Whitaker  
Wise

Whitead  
Roberts,  
Presiding

Wilderdyke

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### HOUSE FILES 2269 and 2636 WITHDRAWN

Carroll of Poweshiek asked and received unanimous consent to withdraw House Files 2269 and 2636 from further consideration by the House.

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2654**, and **Senate Files 2320** and **2342**.

**House File 2655**, a bill for an act relating to the duties of county recorders and county auditors concerning instruments affecting real estate and certain other filings recorded by the county recorder, was taken up for consideration.

### SENATE FILE 2264 SUBSTITUTED FOR HOUSE FILE 2655

Schickel of Cerro Gordo asked and received unanimous consent to substitute Senate File 2264 for House File 2655.

**Senate File 2264**, a bill for an act relating to the duties of county recorders and county auditors concerning instruments affecting real estate and certain other filings recorded by the county recorder, was taken up for consideration.

Schickel 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. 2264)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdye
Winckler	Wise	Roberts, Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

HOUSE FILE 2655 WITHDRAWN

Schickel of Cerro Gordo asked and received unanimous consent to withdraw House File 2655 from further consideration by the House.

**House File 2660**, 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 including effective and retroactive applicability date provisions, was taken up for consideration.

Eichhorn of Hamilton offered the following amendment H-8104 filed by the committee on judiciary and moved its adoption:

H-8104

1 Amend House File 2660 as follows:

2 1. Page 4, by inserting after line 1, the  
3 following:

4 "Sec. \_\_\_\_ Section 29B.100, Code 2005, is amended  
5 to read as follows:

6 29B.100 CAPTURED OR ABANDONED PROPERTY.

7 1. All persons subject to this code shall secure  
8 all public property taken from the enemy for the  
9 service of the United States, and shall give notice  
10 and turn over to the proper authority without delay  
11 all captured or abandoned property in their  
12 possession, custody or control.

13 2. Any person subject to this code ~~who shall be~~  
14 ~~punished as a court-martial may direct if the person~~  
15 ~~does any of the following:~~

16 ~~1. a.~~ Fails to carry out the duties prescribed  
17 herein;

18 ~~2. b.~~ Buys, sells, trades, or in any way deals in  
19 or disposes of captured or abandoned property, whereby  
20 the person receives or expects any profit, benefit or  
21 advantage to the person or another directly or  
22 indirectly connected with the person; ~~and~~

23 ~~3. c.~~ Engages in looting or pillaging; ~~shall be~~  
24 ~~punished as a court-martial may direct."~~

25 2. Page 4, by inserting after line 27, the  
26 following:

27 "Sec. \_\_\_\_ Section 63.6, Code 2005, is amended to  
28 read as follows:

29 63.6 JUDGES.

30 All judges of courts of record shall qualify before  
31 taking office following appointment by taking and  
32 subscribing an oath to the effect that they will  
33 support the Constitution of the United States and ~~that~~  
34 the Constitution of the state State of Iowa, and that,  
35 without fear, favor, affection, or hope of reward,  
36 they will, to the best of their knowledge and ability,  
37 administer justice according to the law, equally to  
38 the rich and the poor.

39 Sec. \_\_\_\_ Section 124.401, subsection 1,  
40 paragraphs a through c, Code 2005, are amended to read

41 as follows:

42 a. Violation of this subsection, with respect to  
43 the following controlled substances, counterfeit  
44 substances, or simulated controlled substances is a  
45 class "B" felony, and notwithstanding section 902.9,  
46 subsection 2, shall be punished by confinement for no  
47 more than fifty years and a fine of not more than one  
48 million dollars:

49 (1) More than one kilogram of a mixture or  
50 substance containing a detectable amount of heroin.

Page 2

1 (2) More than five hundred grams of a mixture or  
2 substance containing a detectable amount of any of the  
3 following:

4 (a) Coca leaves, except coca leaves and extracts  
5 of coca leaves from which cocaine, ecgonine, and  
6 derivatives of ecgonine ~~or~~ and their salts have been  
7 removed.

8 (b) Cocaine, its salts, optical and geometric  
9 isomers, ~~and~~ or salts of isomers.

10 (c) Ecgonine, its derivatives, their salts,  
11 isomers, ~~and~~ or salts of isomers.

12 (d) Any compound, mixture, or preparation which  
13 contains any quantity of any of the substances  
14 referred to in subparagraph subdivisions (a) through  
15 (c).

16 (3) More than fifty grams of a mixture or  
17 substance described in subparagraph (2) which contains  
18 cocaine base.

19 (4) More than one hundred grams of phencyclidine  
20 (PCP) or one kilogram or more of a mixture or  
21 substance containing a detectable amount of  
22 phencyclidine (PCP).

23 (5) More than ten grams of a mixture or substance  
24 containing a detectable amount of lysergic acid  
25 diethylamide (LSD).

26 (6) More than one thousand kilograms of a mixture  
27 or substance containing a detectable amount of  
28 marijuana.

29 (7) More than five kilograms of a mixture or  
30 substance containing a detectable amount of any of the  
31 following:

32 (a) Methamphetamine, its salts, isomers, or salts  
33 of isomers.

34 (b) Amphetamine, its salts, isomers, and salts of  
35 isomers.

36 (c) Any compound, mixture, or preparation which  
37 contains any quantity of any of the substances  
38 referred to in subparagraph subdivisions (a) and (b).

39 b. Violation of this subsection with respect to

40 the following controlled substances, counterfeit  
41 substances, or simulated controlled substances is a  
42 class "B" felony, and in addition to the provisions of  
43 section 902.9, subsection 2, shall be punished by a  
44 fine of not less than five thousand dollars nor more  
45 than one hundred thousand dollars:

46 (1) More than one hundred grams but not more than  
47 one kilogram of a mixture or substance containing a  
48 detectable amount of heroin.

49 (2) More than one hundred grams but not more than  
50 five hundred grams of any of the following:

Page 3

1 (a) Coca leaves, except coca leaves and extracts  
2 of coca leaves from which cocaine, ecgonine, and  
3 derivatives of ecgonine or their salts have been  
4 removed.

5 (b) Cocaine, its salts, optical and geometric  
6 isomers, and salts of isomers.

7 (c) Ecgonine, its derivatives, their salts,  
8 isomers, and salts of isomers.

9 (d) Any compound, mixture, or preparation which  
10 contains any quantity of any of the substances  
11 referred to in subparagraph subdivisions (a) through  
12 (c).

13 (3) More than ten grams but not more than fifty  
14 grams of a mixture or substance described in  
15 subparagraph (2) which contains cocaine base.

16 (4) More than ten grams but not more than one  
17 hundred grams of phencyclidine (PCP) or more than one  
18 hundred grams but not more than one kilogram of a  
19 mixture or substance containing a detectable amount of  
20 phencyclidine (PCP).

21 (5) Not more than ten grams of a mixture or  
22 substance containing a detectable amount of lysergic  
23 acid diethylamide (LSD).

24 (6) More than one hundred kilograms but not more  
25 than one thousand kilograms of marijuana.

26 (7) More than five grams but not more than five  
27 kilograms of methamphetamine, its salts, isomers, or  
28 salts of isomers, or analogs of methamphetamine, or  
29 any compound, mixture, or preparation which contains  
30 any quantity or detectable amount of methamphetamine,  
31 its salts, isomers, or salts of isomers, or analogs of  
32 methamphetamine.

33 (8) More than five grams but not more than five  
34 kilograms of amphetamine, its salts, isomers, or salts  
35 of isomers, or any compound, mixture, or preparation  
36 which contains any quantity or detectable amount of  
37 amphetamine, its salts, isomers, and or salts of  
38 isomers.

39 c. Violation of this subsection with respect to  
40 the following controlled substances, counterfeit  
41 substances, or simulated controlled substances is a  
42 class "C" felony, and in addition to the provisions of  
43 section 902.9, subsection 4, shall be punished by a  
44 fine of not less than one thousand dollars nor more  
45 than fifty thousand dollars:  
46 (1) One hundred grams or less of a mixture or  
47 substance containing a detectable amount of heroin.  
48 (2) One hundred grams or less of any of the  
49 following:  
50 (a) Coca leaves, except coca leaves and extracts

Page 4

1 of coca leaves from which cocaine, ecgonine, and  
2 derivatives of ecgonine ~~or~~ and their salts have been  
3 removed.  
4 (b) Cocaine, its salts, optical and geometric  
5 isomers, ~~and~~ or salts of isomers.  
6 (c) Ecgonine, its derivatives, their salts,  
7 isomers, ~~and~~ or salts of isomers.  
8 (d) Any compound, mixture, or preparation which  
9 contains any quantity of any of the substances  
10 referred to in subparagraph subdivisions (a) through  
11 (c).  
12 (3) Ten grams or less of a mixture or substance  
13 described in subparagraph (2) which contains cocaine  
14 base.  
15 (4) Ten grams or less of phencyclidine (PCP) or  
16 one hundred grams or less of a mixture or substance  
17 containing a detectable amount of phencyclidine (PCP).  
18 (5) More than fifty kilograms but not more than  
19 one hundred kilograms of marijuana.  
20 (6) Five grams or less of methamphetamine, its  
21 salts, isomers, or salts of isomers, or analogs of  
22 methamphetamine, or any compound, mixture, or  
23 preparation which contains any quantity or detectable  
24 amount of methamphetamine, its salts, isomers, or  
25 salts of isomers, or analogs of methamphetamine.  
26 (7) Five grams or less of amphetamine, its salts,  
27 isomers, or salts of isomers, or any compound,  
28 mixture, or preparation which contains any quantity or  
29 detectable amount of amphetamine, its salts, isomers,  
30 and or salts of isomers.  
31 (8) Any other controlled substance, counterfeit  
32 substance, or simulated controlled substance  
33 classified in schedule I, II, or III.  
34 Sec. \_\_\_\_ Section 124.401C, subsection 1, Code  
35 2005, is amended to read as follows:  
36 1. In addition to any other penalties provided in  
37 this chapter, a person who is eighteen years of age or

38 older and who either directly or by extraction from  
 39 natural substances, or independently by means of  
 40 chemical processes, or both, unlawfully manufactures  
 41 methamphetamine, its salts, isomers, ~~and~~ or salts of  
 42 its isomers in the presence of a minor shall be  
 43 sentenced up to an additional term of confinement of  
 44 five years. However, the additional term of  
 45 confinement shall not be imposed on a person who has  
 46 been convicted and sentenced for a child endangerment  
 47 offense under section 726.6, subsection 1, paragraph  
 48 "g", arising from the same facts."

49 3. Page 7, by inserting after line 24, the  
 50 following:

Page 5

1 "Sec. \_\_\_\_ Section 192.102, Code 2005, is amended  
 2 to read as follows:

3 192.102 GRADE "A" PASTEURIZED MILK ORDINANCE.

4 The department shall adopt, by rule, the "Grade 'A'  
 5 Pasteurized Milk Ordinance, ~~2003~~ 2005 Revision",  
 6 including a subsequent revision of the ordinance. If  
 7 the ordinance specifies that compliance with a  
 8 provision of the ordinance's appendices is mandatory,  
 9 the department shall also adopt that provision. The  
 10 department shall not amend the ordinance, unless the  
 11 department explains each amendment and reasons for the  
 12 amendment in the Iowa administrative bulletin when the  
 13 rules are required to be published pursuant to chapter  
 14 17A. The department shall administer this chapter  
 15 consistent with the provisions of the ordinance."

16 4. Page 14, by inserting after line 2, the  
 17 following:

18 "Sec. \_\_\_\_ Section 258.1, Code 2005, is amended to  
 19 read as follows:

20 258.1 FEDERAL ACT ACCEPTED.

21 The provisions of the Act of Congress entitled "~~An~~  
 22 ~~Act to provide for the promotion of vocational~~  
 23 ~~education; to provide for co-operation with the states~~  
 24 ~~in the promotion of such education in agriculture and~~  
 25 ~~in the trades and industries; to provide for co-~~  
 26 ~~operation with the states in the preparation of~~  
 27 ~~teachers of vocational subjects; and to appropriate~~  
 28 ~~money and regulate its expenditure", approved February~~  
 29 ~~23, 1917, [39 Stat. L. 929; 20 U.S.C., ch 2] known as~~  
 30 the Carl D. Perkins Vocational and Technical  
 31 Education Act of 1998, codified at 20 U.S.C. } 2301 et  
 32 seq., originally known as the Vocational Education Act  
 33 of 1963, and enacted December 18, 1963, as part A of  
 34 Pub. L. No. 88-210, 77 Stat. 403, and all amendments  
 35 thereto and the benefit of all funds appropriated  
 36 under said Act and all other Acts pertaining to

37 vocational education, are accepted."

38 5. By renumbering as necessary.

The committee amendment H-8104 was adopted.

### SENATE FILE 2253 SUBSTITUTED FOR HOUSE FILE 2660

Eichhorn of Hamilton asked and received unanimous consent to substitute Senate File 2253 for House File 2660.

**Senate File 2253**, 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 including effective and retroactive applicability date provisions, was taken up for consideration.

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?" (S.F. 2253)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim



Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Roberts,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 2660 WITHDRAWN

Eichhorn of Hamilton asked and received unanimous consent to withdraw House File 2660 from further consideration by the House.

**House File 2719**, a bill for an act providing for the conversion of cooperative associations, and providing for an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

### SENATE FILE 2378 SUBSTITUTED FOR HOUSE FILE 2719

Alons of Sioux asked and received unanimous consent to substitute Senate File 2378 for House File 2719.

**Senate File 2378**, a bill for an act providing for the conversion of cooperative associations, and providing for an effective date, 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?" (S.F. 2378)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta

Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Roberts, Presiding

The nays were, 1:

Heaton

Absent or not voting, 3:

Jones

Wilderdyke

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 2719 WITHDRAWN

Alons of Sioux asked and received unanimous consent to withdraw House File 2719 from further consideration by the House.

**House File 2749**, a bill for an act relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties, was taken up for consideration.

Sands of Louisa offered the following amendment H-8395 filed by him and moved its adoption:

H-8395

- 1 Amend House File 2749 as follows:
- 2 1. Page 14, line 18, by inserting after the word
- 3 "state" the following: "together with evidence of
- 4 whether the applicant is seeking to transact business
- 5 as a mortgage broker or as a mortgage banker".
- 6 2. By striking page 21, line 33, through page 22,
- 7 line 1, and inserting the following: "5."
- 8 3. By renumbering as necessary.

Amendment H-8395 was adopted.

### SENATE FILE 2353 SUBSTITUTED FOR HOUSE FILE 2749

Sands of Louisa asked and received unanimous consent to substitute Senate File 2353 for House File 2749.

**Senate File 2353**, a bill for an act relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties, was taken up for consideration.

Sands of Louisa moved that the bill be read a last time 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. 2353)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill

Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reichert	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Roberts, Presiding		

The nays were, none.

Absent or not voting, 2:

Reasoner	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HOUSE FILES 2606 and 2749 WITHDRAWN

Sands of Louisa asked and received unanimous consent to withdraw House Files 2606 and 2749 from further consideration by the House.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 28, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2593, a bill for an act relating to activities of lobbyists and the ethical conduct of state officials and employees.

Also: That the Senate has on March 28, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2390, a bill for an act relating to the sales and use tax exemption for central office equipment and transmission equipment used in telecommunications operations.

MICHAEL E. MARSHALL, Secretary

## IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2253, 2264, 2353 and 2378.**

On motion by Gipp of Winneshiek, the House was recessed at 10:39 a.m., until 1:00 p.m.

## AFTERNOON SESSION

The House reconvened at 1:04 p.m., Speaker Rants 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.

## INTRODUCTION OF BILLS

**House File 2773**, by committee on appropriations, a bill for an act relating to real estate education programs and the real estate education fund and making an appropriation.

Read first time and placed on the **appropriations calendar.**

**House File 2774**, by committee on ways and means, a bill for an act relating to trust and agency funds by allowing city contributions for pension and related employee benefits pursuant to contracted public safety services.

Read first time and placed on the **ways and means calendar.**

**House File 2775**, by committee on appropriations, a bill for an act relating to the judicial branch including the assessment of court fees and costs.

Read first time and placed on the **appropriations calendar.**

## SENATE MESSAGE CONSIDERED

**Senate File 2390**, by committee on ways and means, a bill for an act relating to the sales and use tax exemption for central office equipment and transmission equipment used in telecommunications operations.

Read first time and referred to committee on **ways and means**.

CONSIDERATION OF BILLS  
Regular Calendar

**Senate File 2199**, a bill for an act concerning the purchase of service under the Iowa department of public safety peace officers' retirement, accident, and disability system, 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. 2199)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes

Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### Ways and Means Calendar

**Senate File 2183**, a bill for an act allowing cities and counties to create enterprise zones near modes of transportation, with report of committee recommending amendment and passage, was taken up for consideration.

Jenkins of Black Hawk offered amendment H-8349 filed by the committee on ways and means as follows:

H-8349

- 1 Amend Senate File 2183, as passed by the Senate, as
- 2 follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. Section 15E.192, subsection 2, Code
- 6 Supplement 2005, is amended to read as follows:
- 7 2. A city ~~with a population of twenty-four~~
- 8 ~~thousand or more which includes at least three census~~
- 9 tracts with at least fifty percent of the population
- 10 in each census tract located in the city, as shown by
- 11 the 2000 certified federal census, may create an
- 12 economic development enterprise zone as authorized in
- 13 this division, subject to certification by the
- 14 department of economic development, by designating one
- 15 or more contiguous census tracts, as determined in the
- 16 most recent federal census, or designating other
- 17 geographic units approved by the department of
- 18 economic development for that purpose. If there is an
- 19 area in the city which meets the requirements for
- 20 eligibility for an urban or rural enterprise community
- 21 under Title XIII of the federal Omnibus Budget
- 22 Reconciliation Act of 1993, such area shall be

23 designated by the state as an economic development  
24 enterprise zone. The area meeting the requirements  
25 for eligibility for an urban or rural enterprise  
26 community shall not be included for the purpose of  
27 determining the area limitation pursuant to subsection  
28 3. In creating an enterprise zone, a city ~~with a~~  
29 ~~population of twenty-four thousand or more which~~  
30 ~~includes at least three census tracts with at least~~  
31 ~~fifty percent of the population in each census tract~~  
32 ~~located in the city~~, as shown by the 2000 certified  
33 federal census, may designate as part of the area  
34 tracts or approved geographic units located in a  
35 contiguous city if such tracts or approved geographic  
36 units meet the criteria and the city agrees to being  
37 included. The city may establish more than one  
38 enterprise zone. Reference in this division to "city"  
39 means a city ~~with a population of twenty-four thousand~~  
40 ~~or more which includes at least three census tracts~~  
41 ~~with at least fifty percent of the population in each~~  
42 ~~census tract located in the city~~, as shown by the 2000  
43 certified federal census.

44 Sec. 2. Section 15E.192, Code Supplement 2005, is  
45 amended by adding the following new subsections:  
46 **NEW SUBSECTION. 2A.** A city may create an economic  
47 development enterprise zone as authorized in this  
48 division, subject to certification by the department  
49 of economic development, by designating up to four  
50 square miles of the city for that purpose. In order

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1 for an enterprise zone to be certified pursuant to  
2 this subsection, an enterprise zone shall meet the  
3 distress criteria provided in section 15E.194,  
4 subsection 2A. Section 15E.194, subsection 2, shall  
5 not apply to an enterprise zone certified pursuant to  
6 this subsection. A cumulative total of not more than  
7 twenty-five million dollars worth of incentives and  
8 assistance under section 15E.196, subsections 1, 2, 3,  
9 4, and 6, shall be awarded to businesses located in  
10 enterprise zones certified prior to July 1, 2007,  
11 pursuant to this subsection. For the fiscal period  
12 beginning July 1, 2007, and ending June 30, 2010, each  
13 fiscal year a cumulative total of not more than  
14 twenty-five million dollars worth of incentives and  
15 assistance under section 15E.196, subsections 1, 2, 3,  
16 4, and 6, shall be awarded to businesses located in  
17 enterprise zones certified during that fiscal year  
18 pursuant to this subsection. A business located in an  
19 enterprise zone certified pursuant to this subsection  
20 that receives incentives and assistance shall have up  
21 to two fiscal years after the fiscal year in which



22 incentives and assistance are awarded to use or expend  
 23 such incentives and assistance. Any incentives and  
 24 assistance that remain unused or unexpended at the end  
 25 of a project or by June 30 of the second fiscal year  
 26 after the fiscal year in which the incentives and  
 27 assistance were awarded shall be credited to the  
 28 fiscal year in which the incentives and assistance  
 29 were awarded and may be awarded by the department to a  
 30 different business. For purposes of this subsection  
 31 and section 15E.194, subsection 2A, "city" means a  
 32 city that includes at least three census tracts, as  
 33 determined in the most recent federal census.

34 NEW SUBSECTION. 2B. A city that includes at least  
 35 two census tracts with at least fifty percent of the  
 36 population in each census tract located in the city  
 37 may create an economic development enterprise zone as  
 38 authorized in this division, subject to certification  
 39 by the department of economic development as provided  
 40 in section 15E.194, subsection 3. An enterprise zone  
 41 under this subsection shall not be required to meet  
 42 any distress criteria.

43 Sec. 3. Section 15E.192, subsection 3, paragraph  
 44 b, Code Supplement 2005, is amended to read as  
 45 follows:

46 b. A county or city may apply to the department  
 47 for an area to be certified as an enterprise zone at  
 48 ~~any time prior to March 1, 2006.~~ However, the total  
 49 amount of land designated as enterprise zones under  
 50 ~~subsections 1 and 2~~ subsection 1, and any other

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1 enterprise zones certified by the department,  
 2 excluding those approved pursuant to subsection 2B and  
 3 ~~section 15E.194, subsection~~ subsections 2A and 4,  
 4 shall not exceed in the aggregate one percent of the  
 5 total county area.

6 Sec. 4. Section 15E.192, subsection 4, Code  
 7 Supplement 2005, is amended to read as follows:

8 4. An enterprise zone designation shall remain in  
 9 ~~effect for ten years following the date of~~  
 10 certification until one year following the completion  
 11 of the designation of census tracts for the state as  
 12 part of the 2010 census process. Any state or local  
 13 incentives or assistance that may be conferred must be  
 14 conferred before the designation expires. However,  
 15 the benefits of the incentive or assistance may  
 16 continue beyond the expiration.

17 Sec. 5. Section 15E.193B, subsection 1, Code  
 18 Supplement 2005, is amended to read as follows:

19 1. A housing business qualifying under this  
 20 section is eligible to receive incentives and

21 assistance only as provided in this section. An  
 22 eligible housing business shall not receive incentives  
 23 or assistance for a home or multiple dwelling unit  
 24 built or rehabilitated in an enterprise zone  
 25 designated pursuant to section 15E.194, subsection 2A  
 26 or 4. Sections 15E.193 and 15E.196 do not apply to an  
 27 eligible housing business qualifying under this  
 28 section.

29 Sec. 6. Section 15E.194, Code 2005, is amended by  
 30 adding the following new subsection:

31 NEW SUBSECTION. 2A. A city may designate an area  
 32 of up to four square miles to be an enterprise zone if  
 33 the area includes or is located within four miles of  
 34 at least three of the following:

- 35 a. A commercial service airport.
- 36 b. A barge terminal or a navigable waterway.
- 37 c. Entry to a rail line.
- 38 d. Entry to an interstate highway.
- 39 e. Entry to a commercial and industrial highway

40 network as identified pursuant to section 313.2A.  
 41 An eligible housing business under section 15E.193B  
 42 shall not receive incentives or assistance for a home  
 43 or multiple dwelling unit built or rehabilitated in an  
 44 enterprise zone designated pursuant to this  
 45 subsection.

46 Sec. 7. Section 15E.194, subsection 3, Code 2005,  
 47 is amended to read as follows:

48 3. The department of economic development shall  
 49 certify eligible enterprise zones that meet the  
 50 requirements of subsection 1 upon request by the

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1 county, ~~or~~ subsection 2 upon request by the city, ~~o~~  
 2 subsection 2A upon request by the city, as applicable.  
 3 Once every two years, the department may certify one  
 4 enterprise zone pursuant to section 15E.192,  
 5 subsection 2B.

6 Sec. 8. Section 15E.195, subsection 2, Code 2005,  
 7 is amended to read as follows:

8 2. A city ~~with a population of twenty-four~~  
 9 ~~thousand or more which includes at least three census~~  
 10 ~~tracts with at least fifty percent of the population~~  
 11 ~~in each census tract located in the city and~~ which  
 12 designates an enterprise zone pursuant to section  
 13 15E.194, subsection 2 ~~or 2A~~, and in which an eligible  
 14 enterprise zone is certified shall establish an  
 15 enterprise zone commission to review applications from  
 16 qualified businesses located within or requesting to  
 17 locate within an enterprise zone to receive incentives  
 18 or assistance as provided in section 15E.196. The  
 19 enterprise zone commission shall review applications

20 from qualified housing businesses requesting to  
21 receive incentives or assistance as provided in  
22 section 15E.193B. The commission shall consist of  
23 nine members. Six of these members shall consist of  
24 one representative of an international labor  
25 organization, one member with economic development  
26 expertise chosen by the department of economic  
27 development, one representative of the city council,  
28 one member of the local community college board of  
29 directors, one member of the city planning and zoning  
30 commission, and one representative of the local  
31 workforce development center. These six members shall  
32 select the remaining three members. If the enterprise  
33 zone consists of an area meeting the requirements for  
34 eligibility for an urban enterprise community under  
35 Title XIII of the federal Omnibus Budget  
36 Reconciliation Act of 1993, one of the remaining three  
37 members shall be a representative of that community.  
38 If a city contiguous to the city designating the  
39 enterprise zone is included in an enterprise zone, a  
40 representative of the contiguous city, chosen by the  
41 city council, shall be a member of the commission. A  
42 city in which an eligible enterprise zone is certified  
43 shall have only one enterprise zone commission. If a  
44 city has established an enterprise zone commission  
45 prior to July 1, 1998, the city may petition to the  
46 department of economic development to change the  
47 structure of the existing commission.

48 Sec. 9. EFFECTIVE AND RETROACTIVE APPLICABILITY  
49 DATES. This Act, being deemed of immediate  
50 importance, takes effect upon enactment and, if

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1 enacted after March 1, 2006, applies retroactively to  
2 March 1, 2006."

3 2. Title page, by striking lines 1 and 2 and  
4 inserting the following: "An Act relating to the  
5 certification of enterprise zones and incentives and  
6 assistance under the enterprise zone program and  
7 including effective date and retroactive applicability  
8 provisions."

9 3. By renumbering as necessary.

Struyk of Pottawattamie asked and received unanimous consent to withdraw amendment H-8404, to the committee amendment H-8349, filed by him and Jenkins of Black Hawk from the floor.

Jenkins of Black Hawk offered the following amendment H-8412, to the committee amendment H-8349, filed by him and Struyk of Pottawattamie from the floor and moved its adoption:

H-8412

1 Amend the amendment, H-8349, to Senate File 2183,  
2 as passed by the Senate, as follows:

3 1. Page 1, line 45, by striking the word  
4 "subsections" and inserting the following:  
5 "subsection".

6 2. Page 2, by striking lines 6 through 11 and  
7 inserting the following: "this subsection. For the  
8 fiscal year".

9 3. Page 2, by striking lines 18 through 30 and  
10 inserting the following: "pursuant to this  
11 subsection. For purposes of this subsection".

12 4. Page 2, by striking lines 34 through 42.

13 5. Page 2, lines 47 and 48, by striking the words  
14 and figures "~~at any time prior to March 1, 2006~~" and  
15 inserting the following: "at any time prior to ~~March~~  
16 ~~1, 2006~~ July 1, 2010".

17 6. Page 3, line 2, by striking the word and  
18 figure "subsection 2B" and inserting the following:  
19 "subsection 2".

20 7. Page 3, by striking lines 9 through 12 and  
21 inserting the following: "effect for ten years  
22 following the date of certification. Prior to the  
23 expiration of an enterprise zone designation, a city  
24 or county meeting the distress criteria in section  
25 15E.194 may apply for a one-time ten-year extension of  
26 the designation. In applying for a one-time ten-year  
27 extension of an enterprise zone designation, a city or  
28 county may redefine the boundaries of the enterprise  
29 zone provided that the redefined enterprise zone meets  
30 the applicable distress criteria provided in section  
31 15E.194. Prior to the expiration of an enterprise  
32 zone designation, a city or county that is not  
33 eligible to designate an enterprise zone but  
34 previously designated the enterprise zone pursuant to  
35 section 15E.194, Code Supplement 1997, may apply for a  
36 one-time extension of the enterprise zone designation  
37 to one year following the complete publication of the  
38 2010 federal census. In applying for a one-time  
39 extension of the enterprise zone designation, the city  
40 or county may redefine the boundaries of the  
41 enterprise zone provided that the redefined enterprise  
42 zone meets the distress criteria provided in section  
43 15E.194, Code Supplement 1997. The department shall  
44 designate by rule the specific date of one year  
45 following the complete publication of the 2010 federal

46 census. Any state or local".

47 8. Page 4, by striking lines 3 through 5.

48 9. By striking page 4, line 48, through page 5,

49 line 2, and inserting the following:

50 "Sec.\_\_\_\_. REPORT. By December 31, 2006, the

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1 department of economic development shall submit a  
2 written report to the general assembly regarding the  
3 enterprise zone program and other programs  
4 administered by the department. The report shall  
5 include an analysis of the impact the enterprise zone  
6 program has on the state's economy and the economy of  
7 the cities and counties where enterprise zones are and  
8 have been located, how the enterprise zone program  
9 integrates with other programs administered by the  
10 department, whether other programs administered by the  
11 department are used to focus assistance on  
12 economically distressed areas of the state, and any  
13 changes to the enterprise zone program or any other  
14 programs administered by the department necessary to  
15 better serve the needs of the economically distressed  
16 areas of the state.

17 Sec.\_\_\_\_. EFFECTIVE AND RETROACTIVE APPLICABILITY  
18 DATES.

19 1. The section of this Act amending section  
20 15E.192, subsection 4, being deemed of immediate  
21 importance, takes effect upon enactment and applies  
22 retroactively to May 14, 1997.

23 2. The remaining sections of this Act, being  
24 deemed of immediate importance, take effect upon  
25 enactment and apply retroactively to March 1, 2006."

26 10. By renumbering as necessary.

Amendment H-8412 was adopted, placing out of order amendment H-8362 to the committee amendment H-8349, filed by Struyk of Pottawattamie on March 22, 2006.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8413, to the committee amendment H-8349, filed by him from the floor.

Anderson of Page asked and received unanimous consent to withdraw amendment H-8384, to the committee amendment H-8349, filed by him and Swaim of Davis on March 27, 2006.

Anderson of Page offered the following amendment H-8392, to the committee amendment H-8349, filed by him and Swaim of Davis and moved its adoption:

H-8392

- 1 Amend the amendment, H-8349, to Senate File 2183,
- 2 as passed by the Senate, as follows:
- 3 1. Page 3, by inserting after line 28 the
- 4 following:
- 5 "Sec. \_\_\_. Section 15E.194, subsection 1,
- 6 unnumbered paragraph 1, Code 2005, is amended to read
- 7 as follows:
- 8 An enterprise zone may be designated by a county
- 9 which has one of the fifteen highest family poverty
- 10 rates for counties in the state based on the 2000
- 11 census and has a population of less than twenty
- 12 thousand based on the 2000 census or a county which
- 13 meets at least two of the following criteria:"
- 14 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 38, nays 46.

Amendment H-8392 lost.

Swaim of Davis offered the following amendment H-8406, to the committee amendment H-8349, filed by him from the floor and moved its adoption:

H-8406

- 1 Amend the amendment, H-8349, to Senate File 2183,
- 2 as passed by the Senate, as follows:
- 3 1. Page 3, by inserting after line 28 the
- 4 following:
- 5 "Sec. \_\_\_. Section 15E.194, subsection 1, Code
- 6 2005, is amended to read as follows:
- 7 1. An enterprise zone may be designated by a
- 8 county which meets at least two of the following
- 9 criteria:
- 10 a. The county has an average weekly wage that
- 11 ranks among the bottom ~~twenty-five~~ thirty-three
- 12 counties in the state based on the 2000 annual average
- 13 weekly wage for employees in private business.
- 14 b. The county has a family poverty rate that ranks
- 15 among the top ~~twenty-five~~ thirty-three counties in the
- 16 state based on the 2000 census.

- 17 c. The county has experienced a percentage  
 18 population loss that ranks among the top ~~twenty-five~~  
 19 thirty-three counties in the state between 1995 and  
 20 2000.  
 21 d. The county has a percentage of persons sixty-  
 22 five years of age or older that ranks among the top  
 23 ~~twenty-five~~ thirty-three counties in the state based  
 24 on the 2000 census."  
 25 2. By renumbering as necessary.

Roll call was requested by Shoultz of Black Hawk and Fallon of Polk.

On the question "Shall amendment H-8406 to the committee amendment H-8349 be adopted?" (S.F. 2183)

The ayes were, 43:

Anderson	Arnold	Baudler	Berry
Bukta	Dix	Dolecheck	Fallon
Foege	Ford	Frevert	Gaskill
Heddens	Hunter	Jochum	Jones
Kaufmann	Kuhn	Lensing	Lukan
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Pettengill	Quirk	Rasmussen
Reasoner	Reichert	Schueller	Shoultz
Swaim	Taylor, D.	Taylor, T.	Tymeson
Van Engelenhoven	Wessel-Kroeschell	Whitaker	

The nays were, 53:

Alons	Bell	Boal	Chambers
Cohoon	Dandekar	Davitt	Drake
Eichhorn	Elgin	Freeman	Gipp
Granzow	Greiner	Heaton	Hoffman
Hogg	Horbach	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Kressig	Kurtenbach	Lalk	Maddox
May	Olson, S.	Paulsen	Petersen
Raecker	Rayhons	Roberts	Schickel
Shomshor	Smith	Soderberg	Struyk
Thomas	Tjepkes	Tomenga	Upmeyer
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Whitead	Wilderdyke	Winckler	Wise
Mr. Speaker			
Rants			

Absent or not voting, 4:

Carroll                      De Boef                      Sands                      Zirkelbach

Amendment H-8406 lost.

On motion by Jenkins of Black Hawk, the committee amendment H-8349, as amended, 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?" (S.F. 2183)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyeke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, 1:

Fallon



Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2183 and 2199.**

### Unfinished Business Calendar

**House File 2523**, a bill for an act relating to safe motor vehicle operation, including penalties for certain motor vehicle violations causing serious injury or death and classroom instruction for driver education courses, was taken up for consideration.

### SENATE FILE 2267 SUBSTITUTED FOR HOUSE FILE 2523

J.R. Van Fossen of Scott asked and received unanimous consent to substitute Senate File 2267 for House File 2523.

**Senate File 2267**, a bill for an act relating to safe motor vehicle operation, including penalties for certain motor vehicle violations causing death or serious injury and classroom instruction for driver education courses, was taken up for consideration.

Dix of Butler in the chair at 2:47 p.m.

J.R. Van Fossen 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. 2267)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Carroll
Chambers	Cohoon	Dandekar	Davitt

De Boef	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Jones	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdylke
Winckler	Wise	Dix, Presiding	

The nays were, 3:

Hunter	Mascher	Olson, R.
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Absent or not voting, 2:

Bukta	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 2523 WITHDRAWN

J.R. Van Fossen of Scott asked and received unanimous consent to withdraw House File 2523 from further consideration by the House.

**House File 2754**, a bill for an act relating to the formulation of motor fuel, by providing for renewable fuel including ethanol blended fuel and biodiesel blended fuel, providing incentives for infrastructure used to store and dispense renewable fuel, providing for income tax credits and excise taxes, providing for penalties, and providing effective and applicability dates, including retroactive applicability, was taken up for consideration.

S. Olson of Clinton offered amendment H-8377 filed by him as follows:

H-8377

- 1 Amend House File 2754 as follows:
- 2 1. Page 2, by striking lines 28 through 33.
- 3 2. Page 35, line 6, by striking the word "total".
- 4 3. Page 35, line 18, by striking the word
- 5 "total".
- 6 4. Page 35, line 19, by striking the word
- 7 "total".
- 8 5. Page 35, line 31, by striking the word
- 9 "total".
- 10 6. Page 36, line 24, by striking the words
- 11 "distribution percentage" and inserting the following:
- 12 "gallorage".
- 13 7. Page 36, line 25, by striking the words
- 14 "distribution percentage" and inserting the following:
- 15 "gallorage".
- 16 8. Page 38, by inserting after line 4 the
- 17 following:
- 18 "\_. The information included in a report
- 19 submitted by a retail dealer is deemed to be a trade
- 20 secret, protected as a confidential record pursuant to
- 21 section 22.7."
- 22 9. Page 39, by inserting after line 3 the
- 23 following:
- 24 "\_. The report shall not provide information
- 25 regarding motor fuel or biofuel which is sold and
- 26 dispensed by an individual retail dealer or at a
- 27 particular retail motor fuel site. The report shall
- 28 not include a trade secret protected as a confidential
- 29 record pursuant to section 22.7."
- 30 10. Page 39, line 25, by inserting after the word
- 31 "aggregate" the following: "biofuel".
- 32 11. Page 39, line 30, by inserting after the word
- 33 "aggregate" the following: "biofuel".
- 34 12. Page 39, line 35, by inserting after the word
- 35 "aggregate" the following: "biofuel".
- 36 13. Page 40, line 5, by inserting after the word
- 37 "aggregate" the following: "biofuel".
- 38 14. Page 41, lines 25 and 26, by striking the
- 39 words and figure "as defined in section 214A.1" and
- 40 inserting the following: "as provided in section
- 41 214A.2".
- 42 15. Page 41, lines 28 and 29, by striking the
- 43 words and figure "as defined in section 214A.1" and
- 44 inserting the following: "as provided in section
- 45 214A.2".
- 46 16. Page 41, line 35, by inserting after the word

47 "ethanol" the following: "as defined in section  
48 214A.1".  
49 17. Page 42, lines 14 and 15, by striking the  
50 words and figure "as defined in section 214A.1" and

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1 inserting the following: "as provided in section  
2 214A.2".  
3 18. Page 42, lines 17 and 18, by striking the  
4 words and figure "as defined in section 214A.1" and  
5 inserting the following: "as provided in section  
6 214A.2".  
7 19. Page 43, lines 1 and 2, by striking the words  
8 and figure "as defined in section 214A.1" and  
9 inserting the following: "as provided in section  
10 214A.2".  
11 20. Page 43, lines 4 and 5, by striking the words  
12 and figure "as defined in section 214A.1" and  
13 inserting the following: "as provided in section  
14 214A.2".  
15 21. Page 43, lines 10 and 11, by striking the  
16 words "gasoline blended with at least ten percent  
17 ethanol" and inserting the following: "ethanol  
18 blended gasoline blended with at least ten percent  
19 ethanol as defined in section 214A.1, unless under  
20 emergency circumstances".  
21 22. Page 43, line 14, by striking the words and  
22 figure "as defined in section 214A.1" and inserting  
23 the following: "if commercially available".  
24 23. Page 43, lines 25 and 26, by striking the  
25 words and figure "as defined in section 214A.1" and  
26 inserting the following: "as provided in section  
27 214A.2".  
28 24. Page 43, lines 28 and 29, by striking the  
29 words and figure "as defined in section 214A.1" and  
30 inserting the following: "as provided in section  
31 214A.2".  
32 25. Page 44, line 4, by inserting after the word  
33 "ethanol" the following: "as defined in section  
34 214A.1".  
35 26. Page 44, lines 28 and 29, by striking the  
36 words and figure "as defined in section 214A.1" and  
37 inserting the following: "as provided in section  
38 214A.2".  
39 27. Page 44, lines 31 and 32, by striking the  
40 words and figure "as defined in section 214A.1" and  
41 inserting the following: "as provided in section  
42 214A.2".  
43 28. Page 46, lines 10 and 11, by striking the  
44 words and figure "as defined in section 214A.1" and  
45 inserting the following: "as provided in section

46 214A.2".

47 29. Page 46, lines 13 and 14, by striking the  
48 words and figure "as defined in section 214A.1" and  
49 inserting the following: "as provided in section  
50 214A.2".

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1 30. By renumbering as necessary.

Kurtenbach of Story offered the following amendment H-8407, to amendment H-8377, filed by him and S. Olson of Clinton from the floor and moved its adoption:

H-8407

1 Amend the amendment, H-8377, to House File 2754 as  
2 follows:

3 1. Page 1, by inserting after line 1 the  
4 following:

5 "\_\_\_\_. Page 1, line 20, by striking the word  
6 "constituent" and inserting the following:  
7 "component"."

8 2. Page 1, by inserting after line 2 the  
9 following:

10 "\_\_\_\_. Page 4, line 23, by striking the word  
11 "having" and inserting the following: "be".

12 \_\_\_\_\_. Page 5, line 22, by striking the word "The"  
13 and inserting the following: "If the motor fuel is  
14 advertised for sale or sold as biodiesel or biodiesel  
15 blended fuel, the".

16 \_\_\_\_\_. Page 11, line 6, by striking the word  
17 "equipment" and inserting the following: "dispenser".

18 \_\_\_\_\_. By striking page 31, line 35, through page  
19 33, line 9."

20 3. Page 1, by inserting after line 15 the  
21 following:

22 "\_\_\_\_. Page 37, by striking lines 2 through 4."

23 4. Page 1, by inserting after line 37 the  
24 following:

25 "\_\_\_\_. Page 40, by striking lines 11 through 15  
26 and inserting the following: "the biofuel threshold  
27 percentage as provided in section 452A.31."

28 5. Page 2, by inserting after line 50 the  
29 following:

30 "\_\_\_\_. Title page, line 5, by striking the words  
31 "and excise taxes"."

32 6. By renumbering as necessary.

Rule 75 was invoked.

A non-record roll call was requested.

The ayes were 44, nays 53.

Amendment H-8407 lost.

Shoultz of Black Hawk offered the following amendment H-8409, to amendment H-8377, filed by him and Kuhn of Floyd from the floor and moved its adoption:

H-8409

1 Amend the amendment, H-8377, to House File 2754 as  
2 follows:

3 1. Page 1, line 1, by striking the word "Amend"  
4 and inserting the following: "Amend".

5 2. Page 1, by inserting after line 2 the  
6 following:

7 "\_\_\_\_. Page 5, by inserting after line 12, the  
8 following:

9 "Sec.\_\_\_\_. Section 214A.2, Code 2005, is amended  
10 by adding the following new subsection:

11 **NEW SUBSECTION.** 2B. a. Except as provided in  
12 paragraph "b", a retail dealer shall not advertise for  
13 sale, sell, or dispense gasoline other than ethanol  
14 blended gasoline in this state.

15 b. A retail dealer may advertise for sale, sell,  
16 or dispense gasoline, other than ethanol blended  
17 gasoline, in this state if both of the following  
18 apply:

19 (1) The gasoline is used to operate a motor which  
20 powers any one of the following:

21 (a) An aircraft as defined in section 328.1.

22 (b) A motor vehicle used exclusively for motor  
23 sports, including on a raceway, if the motor vehicle  
24 cannot operate on a highway as provided in chapter 321  
25 or rules adopted by the state department of  
26 transportation.

27 (c) An antique vehicle registered under section  
28 321.115.

29 (d) A snowmobile as defined in section 321G.1.

30 (e) An all-terrain vehicle as defined in section  
31 321G.1.

32 (f) A watercraft as defined in section 462A.2.

33 (g) A lawnmower or other implement powered by a  
34 small motor.

35 (2) The retail dealer does not use more than one  
36 motor fuel pump located at a retail motor fuel site to  
37 sell and dispense the gasoline."

- 38 \_\_\_\_\_. Page 7, by inserting after line 24 the  
 39 following:  
 40 "Sec. \_\_\_\_\_. EFFECTIVE DATE. Section 214A.2,  
 41 subsection 2B, as enacted in this Act, takes effect  
 42 January 1, 2007."  
 43 \_\_\_\_\_. Page 20, by striking lines 7 through 10, and  
 44 inserting the following: "section, if the taxpayer  
 45 claims an E-85 gasoline promotion tax credit as  
 46 provided in".  
 47 \_\_\_\_\_. By striking page 20, line 17, through page  
 48 22, line 29.  
 49 \_\_\_\_\_. Page 24, by striking lines 9 through 13.  
 50 \_\_\_\_\_. Page 24, line 14, by striking the word "b."

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- 1 and inserting the following: "5."  
 2 \_\_\_\_\_. Page 27, by striking lines 6 through 9, and  
 3 inserting the following: "subsection, if the taxpayer  
 4 claims an E-85 promotion tax credit as provided in  
 5 section".  
 6 \_\_\_\_\_. Page 27, line 17, by striking the word  
 7 "subsections" and inserting the following:  
 8 "subsection".  
 9 \_\_\_\_\_. Page 27, by striking lines 18 through 33.  
 10 \_\_\_\_\_. Page 28, by striking lines 32 and 33 and  
 11 inserting the following: "422.11O and 422.11P, as  
 12 enacted in this Act, and section 422.33, subsections  
 13 11B and 11C, as enacted in".  
 14 \_\_\_\_\_. Page 29, by striking lines 16 through 29.  
 15 \_\_\_\_\_. By striking page 31, line 35, through page  
 16 33, line 9."  
 17 2. Page 1, by inserting after line 15 the  
 18 following:  
 19 " \_\_\_\_\_. Page 37, by striking lines 2 through 4."  
 20 3. Page 2, by inserting after line 50 the  
 21 following:  
 22 " \_\_\_\_\_. Title page, line 5, by striking the words  
 23 "and excise taxes"."  
 24 4. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 21, nays 50.

Amendment H-8409 lost.

On motion by S. Olson of Clinton, amendment H-8377 was adopted.

Shoultz of Black Hawk asked and received unanimous consent to withdraw amendment H-8372 filed by him and Kuhn of Floyd on March 23, 2006.

Wise of Lee offered the following amendment H-8355 filed by him and Hoffman of Crawford and moved its adoption:

H-8355

1 Amend House File 2754 as follows:

2 1. Page 7, by striking line 26 and inserting the  
3 following:

4 "RENEWABLE FUEL AND ENERGY"

5 2. Page 7, by inserting after line 26 the  
6 following:

7 "Sec. \_\_\_\_ Section 15.103, subsection 1, paragraph  
8 b, subparagraph (7), Code Supplement 2005, is amended  
9 to read as follows:

10 (7) Economics or alternative and renewable energy  
11 including the alternative and renewable energy sectors  
12 listed in section 476.42, subsection 1, paragraph "a".

13 Sec. \_\_\_\_ Section 15E.61, unnumbered paragraph 1,  
14 Code 2005, is amended to read as follows:

15 The general assembly finds the following:

16 Fundamental changes have occurred in national and  
17 international financial markets and in the financial  
18 markets of this state. A critical shortage of seed  
19 and venture capital resources exists in the state, and  
20 such shortage is impairing the growth of commerce in  
21 the state. A need exists to increase the availability  
22 of venture equity capital for emerging, expanding, and  
23 restructuring enterprises in Iowa, including, without  
24 limitation, enterprises in the life sciences, advanced  
25 manufacturing, information technology, alternative and  
26 renewable energy including the alternative and  
27 renewable energy sectors listed in section 476.42,  
28 subsection 1, paragraph "a", and value-added  
29 agriculture areas. Such investments will create jobs  
30 for Iowans and will help to diversify the state's  
31 economic base.

32 Sec. \_\_\_\_ Section 15E.223, subsection 4, Code  
33 2005, is amended to read as follows:

34 4. "Targeted industry business" means an existing  
35 or proposed business entity, including an emerging  
36 small business or qualified business which is operated  
37 for profit and which has a primary business purpose of  
38 doing business in at least one of the targeted  
39 industries designated by the department which include  
40 life sciences, software and information technology,  
41 advanced manufacturing, value-added agriculture,



42 alternative and renewable energy including the  
43 alternative and renewable energy sectors listed in  
44 section 476.42, subsection 1, paragraph "a", and any  
45 other industry designated as a targeted industry by  
46 the department.  
47 Sec.\_\_\_\_. Section 15E.231, subsection 1, Code  
48 Supplement 2005, is amended by adding the following  
49 new paragraph:  
50 NEW PARAGRAPH. h. Development of the alternative

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1 and renewable energy sector.  
2 Sec.\_\_\_\_. Section 15E.351, subsection 1, Code  
3 Supplement 2005, is amended to read as follows:  
4 1. The department shall establish and administer a  
5 business accelerator program to provide financial  
6 assistance for the establishment and operation of a  
7 business accelerator for technology-based, value-added  
8 agricultural, information solutions, alternative and  
9 renewable energy including the alternative and  
10 renewable energy sectors listed in section 476.42,  
11 subsection 1, paragraph "a", or advanced manufacturing  
12 start-up businesses or for a satellite of an existing  
13 business accelerator. The program shall be designed  
14 to foster the accelerated growth of new and existing  
15 businesses through the provision of technical  
16 assistance. The department shall use moneys  
17 appropriated to the department from the grow Iowa  
18 values fund pursuant to section 15G.111, subsection 1,  
19 subject to the approval of the economic development  
20 board, to provide financial assistance under this  
21 section.  
22 Sec.\_\_\_\_. Section 260C.18A, subsection 2,  
23 unnumbered paragraph 1, Code Supplement 2005, is  
24 amended to read as follows:  
25 Moneys deposited in the funds and disbursed to  
26 community colleges for a fiscal year shall be expended  
27 for the following purposes, provided seventy percent  
28 of the moneys shall be used on projects in the areas  
29 of advanced manufacturing, information technology and  
30 insurance, alternative and renewable energy including  
31 the alternative and renewable energy sectors listed in  
32 section 476.42, subsection 1, paragraph "a", and life  
33 sciences which include the areas of biotechnology,  
34 health care technology, and nursing care technology:"  
35 3. Title page, by striking lines 1 through 3 and  
36 inserting the following: "An Act relating to  
37 renewable fuel and energy, providing incentives for".  
38 4. By renumbering as necessary.

Amendment H-8355 was adopted.

Hoffman of Crawford offered amendment H-8399 filed by Hoffman, et al., as follows:

H-8399

1 Amend House File 2754 as follows:

2 1. By striking page 9, line 22, through page 10,  
3 line 22.

4 2. Page 11, by inserting after line 22 the  
5 following:

6 "Sec.\_\_\_\_. EFFECTIVE DATE.

7 1. The sections of this Act amending sections  
8 323A.1 and 323A.2, being deemed of immediate  
9 importance, take effect upon enactment.

10 2. Section 323A.2A, as enacted in this Act, being  
11 deemed of immediate importance, takes effect upon  
12 enactment.

13 DIVISION

14 RENEWABLE FUEL INFRASTRUCTURE PROGRAMS

15 SUBCHAPTER II

16 RENEWABLE FUEL INFRASTRUCTURE

17 Sec.\_\_\_\_. NEW SECTION. 15G.114 DEFINITIONS.

18 As used in this subchapter, unless the context  
19 otherwise requires:

20 1. "Biodiesel", "biodiesel blended fuel", "E-85  
21 gasoline", "gasoline", "motor fuel", "motor fuel  
22 pump", "retail dealer", and "retail motor fuel site"  
23 mean the same as defined in section 214A.1.

24 2. "Infrastructure board" means the renewable fuel  
25 infrastructure board as created in section 15G.115.

26 3. "Motor fuel storage and dispensing  
27 infrastructure" or "infrastructure" means a tank and  
28 motor fuel pumps necessary to keep and dispense motor  
29 fuel at a retail motor fuel site, including but not  
30 limited to all associated equipment, dispensers,  
31 pumps, pipes, hoses, tubes, lines, fittings, valves,  
32 filters, seals, and covers.

33 4. "Terminal" means a storage and distribution  
34 facility for motor fuel or a blend stock such as  
35 ethanol or biodiesel that is supplied to a motor  
36 vehicle, pipeline, or a marine vessel and from which  
37 the motor fuel or blend stock may be removed at a  
38 rack. "Terminal" does not include any of the  
39 following:

40 a. A retail motor fuel site.

41 b. A facility at which motor fuel or special fuel,  
42 or blend stocks are used in the manufacture of  
43 products other than motor fuel and from which no motor  
44 fuel or special fuel is removed.

45 5. "Terminal operator" means a person who has  
46 responsibility for, or physical control over, the

47 operation of a terminal, including by ownership,  
 48 contractual agreement, or appointment."  
 49 3. By striking page 11, line 23, through page 12,  
 50 line 20.

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1 4. Page 12, line 21, by striking the figure  
 2 "455G.33" and inserting the following: "15G.115".  
 3 5. Page 12, lines 28 and 29, by striking the  
 4 words and figure "the renewable fuel infrastructure  
 5 fund created in section 455G.32,".  
 6 6. Page 12, line 31, by striking the word and  
 7 figures "455G.34 and 455G.35" and inserting the  
 8 following: "15G.116 and 15G.117".  
 9 7. Page 14, line 8, by striking the figure  
 10 "455G.34" and inserting the following: "15G.116".  
 11 8. Page 14, line 12, by striking the figure  
 12 "455G.33" and inserting the following: "15G.115".  
 13 9. Page 14, line 23, by striking the words "the  
 14 cost-share" and inserting the following: "cost-  
 15 share".  
 16 10. Page 15, line 22, by inserting after the word  
 17 "department" the following: "of natural resources".  
 18 11. Page 17, by inserting after line 2 the  
 19 following:  
 20 "\_\_\_\_. The infrastructure board shall submit a  
 21 report to the general assembly each year which  
 22 provides the same information as required in section  
 23 15.104, subsection 9."  
 24 12. Page 17, line 3, by striking the figure  
 25 "455G.35" and inserting the following: "15G.117".  
 26 13. Page 17, line 6, by striking the figure  
 27 "455G.33" and inserting the following: "15G.115".  
 28 14. Page 17, line 8, by inserting after the word  
 29 "board" the following: "as provided in chapter 455G".  
 30 15. By striking page 18, line 34, through page  
 31 19, line 4.  
 32 16. By renumbering as necessary.

Hoffman of Crawford offered the following amendment H-8405, to amendment H-8399, filed by him from the floor and moved its adoption:

H-8405

1 Amend the amendment, H-8399, to House File 2754 as  
 2 follows:  
 3 1. Page 2, by inserting after line 12, the  
 4 following:  
 5 "\_\_\_\_. Page 14, by striking line 22, and inserting

6 the following: "infrastructure board on a cost-share  
 7 basis. To all extent practical, the program shall be  
 8 administered in conjunction with the programs provided  
 9 in section 15.401. The department shall contract with  
 10 a qualified organization to evaluate applications for  
 11 referral to the department and evaluation and approval  
 12 by the infrastructure board.  
 13 \_\_\_\_\_. The infrastructure board shall approve".  
 14 2. Page 2, by inserting after line 29, the  
 15 following:  
 16 "\_\_\_\_. Page 17, by striking lines 16 through 20  
 17 and inserting the following:  
 18 "\_\_\_\_. To all extent practical, the program shall  
 19 be administered in conjunction with the programs  
 20 provided in section 15.401. The department shall  
 21 contract with a qualified organization to evaluate  
 22 applications for referral to the department and  
 23 evaluation and approval by the infrastructure board.  
 24 \_\_\_\_\_. The department shall award".

Amendment H-8405 was adopted.

On motion by Hoffman of Crawford, amendment H-8399, as amended, was adopted.

S. Olson 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. 2754)

The ayes were, 92:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner

Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Mr. Speaker, Rants

The nays were, 7:

Dix	Elgin	Huser	Hutter
Kurtenbach	Tomenga	Watts	

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### HOUSE FILE 2735 WITHDRAWN

S. Olson of Clinton asked and received unanimous consent to withdraw House File 2735 from further consideration by the House.

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2754** and **Senate File 2267**.

#### 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, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2395, a bill for an act directing the state board of regents to conduct a study of the admissions requirements common to the state universities.

Also: That the Senate has on March 28, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2509, a bill for an act relating to financial education for applicants for and participants in the family investment program.

Also: That the Senate has on March 28, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2512, a bill for an act relating to the jurisdiction of the ethics and campaign disclosure board and including effective date and retroactive applicability provisions and subjecting violators to remedies and penalties.

Also: That the Senate has on March 28, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2569, a bill for an act relating to the operation of all-terrain vehicles on the highway for limited purposes.

MICHAEL E. MARSHALL, Secretary

**House File 2759**, a bill for an act providing for the appropriation of moneys to support renewable fuel infrastructure, and providing a contingent effective date, was taken up for consideration.

Hoffman of Crawford offered amendment H-8398 filed by Hoffman, et al., as follows:

H-8398

1 Amend House File 2759 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

4 "Section 1. Section 15G.111, subsection 1,  
5 paragraph a, Code Supplement 2005, is amended to read  
6 as follows:

7 a. For the fiscal period beginning July 1, 2005,  
8 and ending June 30, 2015, there is appropriated each  
9 fiscal year from the grow Iowa values fund created in  
10 section 15G.108, to the following amounts for the  
11 purposes designated:

12 (1) For the fiscal year beginning July 1, 2005,  
13 and ending June 30, 2006, to the department of  
14 economic development thirty-five million dollars for  
15 programs administered by the department of economic  
16 development.

17 (2) For each fiscal year of the fiscal period  
18 beginning July 1, 2006, and ending June 30, 2009, to  
19 the department of economic development thirty-three  
20 million dollars for programs administered by the  
21 department of economic development.

22 (3) For each fiscal year of the fiscal period  
23 beginning July 1, 2009, and ending June 30, 2015, to  
24 the department of economic development thirty-five  
25 million dollars for programs administered by the  
26 department of economic development.

27 Sec. 2. Section 15G.111, Code Supplement 2005, is  
28 amended by adding the following new subsection:

29 NEW SUBSECTION. 6A. a. For the fiscal period  
30 beginning July 1, 2006, and ending June 30, 2009,  
31 there is designated each fiscal year from the grow  
32 Iowa values fund created in section 15G.108 to the

33 department two million dollars exclusively to support  
34 the renewable fuel infrastructure programs as provided  
35 in sections 15E.116 and 15E.117, as enacted in 2006  
36 Iowa Acts, House File 2754. Sixty-five percent of the  
37 moneys shall be allocated to support infrastructure  
38 relating to storing and dispensing E-85 gasoline as  
39 provided in section 15E.116, as enacted in 2006 Iowa  
40 Acts, House File 2754, and the remaining amount shall  
41 be allocated to support infrastructure relating to  
42 storing and dispensing biodiesel or biodiesel blended  
43 fuel as provided in sections 15E.116 and 15E.117, as  
44 enacted in 2006 Iowa Acts, House File 2754. However,  
45 the renewable fuel infrastructure board as provided in  
46 section 15E.115, as enacted in 2006 Iowa Acts, House  
47 File 2754, may adjust this percentage allocation if  
48 the board determines that there are not sufficient  
49 persons eligible to be awarded moneys to support  
50 infrastructure relating to storing and dispensing E-85

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1 gasoline or to support infrastructure relating to  
2 storing and dispensing of biodiesel or biodiesel  
3 blended fuel. Up to fifty thousand dollars shall be  
4 allocated each fiscal year in order to support the  
5 department's administration of the programs.  
6 Otherwise the moneys shall not be transferred, used,  
7 obligated, appropriated, or otherwise encumbered  
8 except as necessary to administer the programs.  
9 b. This subsection is repealed on July 1, 2009.  
10 Sec. 3. CONTINGENT EFFECTIVE DATE. This Act is  
11 contingent upon the enactment of 2006 Iowa Acts, House  
12 File 2754."

Kuhn of Floyd offered the following amendment H-8403, to amendment H-8398, filed by him from the floor and moved its adoption:

H-8403

1 Amend the amendment, H-8398, to House File 2759, as  
2 follows:  
3 1. Page 1, by striking lines 7 through 26, and  
4 inserting the following:  
5 "a. For the fiscal period beginning July 1, ~~2005~~  
6 2006, and ending June 30, 2015, there is appropriated  
7 each fiscal year from the grow Iowa values fund  
8 created in section 15G.108, to the department of  
9 economic development ~~thirty-five~~ thirty-three million  
10 dollars for programs administered by the department of  
11 economic development."

- 12 2. Page 1, line 30, by striking the figure "2009"  
 13 and inserting the following: "2015".  
 14 3. Page 2, line 9, by striking the figure "2009"  
 15 and inserting the following: "2015".

Amendment H-8403 lost.

On motion by Hoffman of Crawford amendment H-8398 was adopted, placing out of order amendment H-8393 filed by Whitaker of Van Buren on March 27, 2006 and amendment H-8396 filed by Jacoby of Johnson on March 27, 2006.

Kuhn of Floyd asked and received unanimous consent to withdraw amendment H-8373 filed by him on March 23, 2006.

Sands of Louisa moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2759)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	



The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2759** be immediately messaged to the Senate.

### EXPLANATION OF VOTE

I inadvertently on March 28, 2006, pressed the wrong button and would have voted "aye" on Senate File 2378.

HEATON of Henry

### PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty – one 8<sup>th</sup> grade students from Ruthven – Ayrshire School, Ruthven, Iowa, accompanied by Jon Josephson. By Frevert of Palo Alto.

### 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

2006\1179 John Schinckel, Jr., Walcott – For celebrating his 80<sup>th</sup> birthday.

2006\1180 Lee and Deloris Ayers, Webster City – For celebrating their 55<sup>th</sup> wedding anniversary.

- 2006\1181 Harlan and Judy Poolman, Clarion – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1182 Lila Frakes, Roland – For celebrating her 85<sup>th</sup> birthday.
- 2006\1183 Doris Skrovig, Dows – For celebrating her 80<sup>th</sup> birthday.
- 2006\1184 Herman Hiemstra, Clarion – For celebrating his 80<sup>th</sup> birthday.
- 2006\1185 Bob Peterson, Mason City – For celebrating his 85<sup>th</sup> birthday.
- 2006\1186 Marion Roberts, Mason City – For celebrating her 80<sup>th</sup> birthday.
- 2006\1187 Richard and Maxine Van Deventer, Mason City – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\1188 James and Ardith Donaldson, Union – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1189 Daniel Wieland, Winthrop – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1190 Daniel McElroy, Winthrop – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1191 Jacob Lentz, Winthrop – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1192 Adam Riniker, Winthrop – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1193 Alex Riniker, Winthrop – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1194 Norma Wessels, Cedar Falls – For celebrating her 90<sup>th</sup> birthday.
- 2006\1195 LaVerne and Shirley Plaster, Washburn – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1196 Andrew Apodaca, Earlham – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1197 Lindsey Adams, Garner – For receiving the Pershing Scholarship.
- 2006\1198 Brady Studer, Garner – For attaining the rank if Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1199 Floyd Bochmann, Sheffield – For celebrating his 93<sup>rd</sup> birthday.
- 2006\1200 Ellery and Darlene Wood, Garner – For celebrating their 50<sup>th</sup> wedding anniversary.

- 2006\1201 Merwin and Mary Tibbott, Greeley – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1202 Mildred Sterling, Guttenberg – For celebrating her 90<sup>th</sup> birthday.
- 2006\1203 Hugh and Virginia Swift, Akron – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1204 Grace Feuerhelm, Le Mars – For celebrating her 90<sup>th</sup> birthday.
- 2006\1205 Ella Kounkel, Le Mars – For celebrating her 95<sup>th</sup> birthday.
- 2006\1206 Adrian and Muriel Jacobs, Orange City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1207 Arlene Daggett, Conrad – For celebrating her 90<sup>th</sup> birthday.
- 2006\1208 Lee Mayo, Hawkeye – For celebrating his 80<sup>th</sup> birthday.
- 2006\1209 Margaret Martin, Eldorado – For celebrating her 80<sup>th</sup> birthday.
- 2006\1210 John McLeland, Conrad – For celebrating his 80<sup>th</sup> birthday.
- 2006\1211 Blanche Rebik, Traer – For celebrating her 95<sup>th</sup> birthday.
- 2006\1212 Don and Elsie Vogt, Gladbrook – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1213 Zenita Arthur, Westgate – For celebrating her 90<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENT

##### House File 2668

Ways and Means: Tomenga, Chair; Paulsen and Reasoner.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

##### House Study Bill 775

Government Oversight: Alons, Chair; Baudler, Eichhorn, Hutter, Lensing, Thomas, J.K. Van Fossen, Whitead and Winckler.

#### 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 Joint Resolution 2001**, 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.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 2006.

## COMMITTEE ON HUMAN RESOURCES

**Senate File 2241**, a bill for an act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2006.

**Senate File 2249**, a bill for an act relating to the rights and responsibilities of a person providing family foster care.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2006.

**Senate File 2251**, a bill for an act directing the department of education and the Iowa department of public health to convene a healthy children task force and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2006.

**Senate File 2318**, a bill for an act relating to an exception from emergency medical care requirements for persons providing care within the scope of their certification.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2006.

**Senate File 2322**, a bill for an act relating to the investigation and control of communicable and infectious diseases and notification procedures concerning diseases, health conditions, unusual clusters, or suspicious events which may be the cause of a public health disaster.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2006.

**Senate File 2343**, a bill for an act revising the membership requirements for the child advocacy board.

Fiscal Note is not required.

Recommended **Do Pass** March 23, 2006.

#### COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House File 2072), relating to financial transaction associated with agricultural production, by providing for a tax credit to facilitate the transfer of assets, and including an effective and applicability date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 27, 2006.

**Committee Bill** (Formerly House File 2471), relating to trust and agency funds by allowing city contributions for pension and related employee benefits pursuant to contracted public safety services.

Fiscal Note is not required.

Recommended **Do Pass** March 27, 2006.

**Senate File 2268**, a bill for an act relating to financial transactions associated with agricultural production, by providing for tax credits and tax exemptions, and including effective and retroactive and other applicability dates.

Fiscal Note is not required.

Recommended **Do Pass** March 27, 2006.

**Committee Bill** (Formerly House Study Bill 655), exempting from sales and use taxes certain equipment used in transmitting telecommunications services.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 27, 2006.

#### RESOLUTIONS FILED

**HR 156**, by Kuhn, Gipp, Swaim, Lensing, Davitt, Hunter, Bukta, Miller, Mertz, Foegen, Berry, Schickel, D. Olson, Whitaker, Heddens, D. Taylor, Kressig, Gaskill, Hutter, T. Taylor, Jochum, Wessel-Kroeschell, Mascher, Winckler, Smith, Shomshor, Frevert, Murphy, Pettengill, Jacoby, Oldson, Lykam, Whitehead, Huser, McCarthy, R. Olson, Shoultz, Schueller, Reichert, Quirk, Petersen, Wise, Wendt

and Dandekar, a resolution recognizing March 29, 2006, as Advocating Change Day 2006 for persons with disabilities.

Laid over under **Rule 25.**

**HR 157**, by Upmeyer and Smith, a resolution designating April 2006 as Kidney Cancer Awareness Month.

Laid over under **Rule 25.**

**HR 158**, by Jacobs, a resolution honoring the Valley High School mock trial program and congratulating its mock trial team on winning the Iowa High School Mock Trial State Tournament.

Laid over under **Rule 25.**

**HR 159**, by Lykam, S. Olson, Winckler, Hutter, J.K. Van Fossen and J.R. Van Fossen, a resolution to honor the Scott County Medical Society on its sesquicentennial anniversary.

Laid over under **Rule 25.**

#### AMENDMENTS FILED

H—8400	S.F.	2374	Kaufmann of Cedar Paulsen of Linn
H—8401	H.F.	2752	Alons of Sioux
H—8402	H.F.	2760	Wise of Lee
H—8408	S.F.	2272	Raecker of Polk
H—8410	H.F.	2755	Rayhons of Hancock
H—8411	H.F.	2765	Alons of Sioux
H—8414	S.F.	2272	Boal of Polk Wilderdike of Harrison Mascher of Johnson Cohoon of Des Moines
H—8415	S.F.	2346	Hunter of Polk
H—8416	S.F.	2346	Hunter of Polk
H—8417	S.F.	2346	Hunter of Polk
H—8418	S.F.	2346	Hunter of Polk Hogg of Linn
H—8419	H.F.	2731	Jochum of Dubuque

H—8420      H.F.      2731      D. Olson of Boone

On motion by Gipp of Winneshiek the House adjourned at 4:18 p.m., until 8:45 a.m., Wednesday, March 29, 2006.

# JOURNAL OF THE HOUSE

Eightieth Calendar Day - Fifty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 29, 2006

The House met pursuant to adjournment at 8:49 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend John Hembry, pastor of the United Methodist Church, Sigourney. He was the guest of Representative Betty De Boef of Keokuk County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, March 28, 2006 was approved.

## INTRODUCTION OF BILL

**House File 2776**, by committee on ways and means, a bill for an act exempting from sales and use taxes certain equipment used in transmitting telecommunications services.

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 28, 2006, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2240, a bill for an act relating to county board of supervisor vacancies.

Also: That the Senate has on March 28, 2006, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2282, a bill for an act relating to the election of mayor and city council members in a city governed by the council-manager-at-large form of city government.



Also: That the Senate has on March 28, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2611, a bill for an act authorizing the department of natural resources to issue a fishing permit to certain students.

Also: That the Senate has on March 28, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2661, a bill for an act relating to the linked investments for tomorrow Act.

Also: That the Senate has on March 28, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2695, a bill for an act relating to landlords and tenants including notice requirements to terminate a periodic tenancy, representation of an owner of residential rental property in small claims court, and service of a petition for forcible entry and detainer by publication.

Also: That the Senate has on March 28, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2696, a bill for an act relating to the disposal of a controlled substance.

Also: That the Senate has on March 28, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2708, a bill for an act concerning the veterans trust fund by providing for the minimum balance necessary in order to expend funds from the veterans trust fund and providing for an annual report concerning the fund.

Also: That the Senate has on March 28, 2006, adopted the following resolution in which the concurrence of the House is asked:

Senate Concurrent Resolution 105, a concurrent resolution requesting the legislative council to establish an interim committee to study emergency services in the state.

MICHAEL E. MARSHALL, Secretary

**SPECIAL PRESENTATION**  
**Pella Tulip Festival**

Van Engelenhoven of Marion presented to the House, Leah Nieboer, Queen of the 2006 Pella Tulip Festival and escorted her and her court to the Speaker's station.

Queen Nieboer presented her attendants, Alexandra Kanis, Leisel Schroder, Sierra Smith, and Laurel Van Dusseldorp.

Also present from Pella were the parents of the Queen and her court, who wore native Dutch costumes and distributed the famous Pella Dutch cookies.

Queen Nieboer and her court invited everyone to attend the Pella Tulip Festival on May 4<sup>th</sup>, 5<sup>th</sup> and 6<sup>th</sup>.

The House rose and expressed its welcome.

### RULE 57 SUSPENDED

Gipp of Winneshiek asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting with the subcommittee of transportation, infrastructure and capitals at 10:30 a.m.

On motion by Gipp of Winneshiek, the House was recessed at 9:10 a.m., until 11:45 a.m.

### MORNING SESSION

The House reconvened at 11:44 a.m., Speaker Rants 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 March 29, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 537, a bill for an act relating to the investment of public funds by the treasurer of state, state agencies, and political subdivisions including the investment of public funds not covered by federal deposit insurance in certificates of deposit.

Also: That the Senate has on March 29, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2171, a bill for an act allowing fishing without a license for certain persons who fish in a supervised group.

Also: That the Senate has on March 29, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2244, a bill for an act relating to hunting and fishing licenses for certain veterans.

Also: That the Senate has on March 29, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2330, a bill for an act relating to the allowed growth factor adjustment funding for county mental health, mental retardation, and developmental disabilities services funds and including effective date and retroactive applicability provisions.

Also: That the Senate has on March 29, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2493, a bill for an act providing for the establishment of a viral hepatitis program and study.

Also: That the Senate has on March 29, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2505, a bill for an act authorizing the labor commissioner to represent laborers or employees seeking wage claims in pending receivership or seizure actions and providing an applicability date.

Also: That the Senate has on March 29, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2507, a bill for an act relating to priority of labor or wage claims over other debts when an employer's property is placed in receivership or otherwise seized by creditors.

Also: That the Senate has on March 29, 2006, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 2508, a bill for an act relating to direct deposit of wages and creating an exception to the payday information employers are required to provide each employee under the Iowa wage payment collection law and providing for retroactive applicability.

Also: That the Senate has on March 29, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2564, a bill for an act relating to notification of parents, guardians, or custodians of children receiving child care from an unregistered child care home when it is determined that child abuse involving the home has occurred.

Also: That the Senate has on March 29, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2586, a bill for an act relating to the collection of liquidated debts owed to and various authorizations issued by the labor commissioner.

Also: That the Senate has on March 29, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2588, a bill for an act relating to the criminal and abuse registry checks required of a person employed by a licensed health care facility.

Also: That the Senate has on March 29, 2006, passed the following bill in which the concurrence of the House is asked:

Senate File 2389, a bill for an act concerning the offset of workers' compensation benefits under the peace officers' retirement, accident, and disability retirement system and including an effective date and retroactive applicability provision.

MICHAEL E. MARSHALL, Secretary

### INTRODUCTION OF BILLS

**House File 2777**, by committee on ways and means, a bill for an act relating to certification to the county auditor of the amount of loans, advances, indebtedness, or bonds issued or incurred for urban renewal purposes.

Read first time and placed on the **ways and means calendar**.

**House File 2778**, by committee on ways and means, a bill for an act relating to financial transactions associated with agricultural production, by providing for a tax credit to facilitate the transfer of assets, and including an effective and applicability date.

Read first time and placed on the **ways and means calendar**.

### SENATE MESSAGE CONSIDERED

**Senate File 2389**, by Gronstal and Iverson, a bill for an act concerning the offset of workers' compensation benefits under the peace officers' retirement, accident, and disability retirement system and including an effective date and retroactive applicability provision.

Read first time and referred to committee on **state government**.

### ADOPTION OF HOUSE RESOLUTION 156

Kuhn of Floyd called up for consideration **House Resolution 156**, a resolution recognizing March 29, 2006, as Advocating Change Day 2006 for persons with disabilities, and moved its adoption.

The motion prevailed and the resolution was adopted.

On motion by Gipp of Winneshiek, the House was recessed at 11:51 a.m., until the conclusion of the meeting of the committee on ways and means.

#### AFTERNOON SESSION

The House reconvened at 3:07 p.m., Roberts of Carroll in the chair.

The House stood at ease at 3:10 p.m., until the fall of the gavel.

The House resumed session at 4:06 p.m., Speaker pro tempore Carroll in the chair.

#### CONSIDERATION OF BILLS Unfinished Business Calendar

**House File 2331**, a bill for an act to eliminate certain restrictions on the authority of a physician assistant to prescribe certain schedule II controlled substances, was taken up for consideration.

Upmeyer of Hancock offered the following amendment H-8314 filed by her and moved its adoption:

H-8314

- 1 Amend House File 2331 as follows:
- 2 1. Page 1, by striking lines 18 through 20 and
- 3 inserting the following: "However, the rules shall
- 4 prohibit the prescribing of schedule II controlled
- 5 substances which are listed as ~~stimulants or~~
- 6 depressants pursuant to chapter 124."

Amendment H-8314 was adopted.

Upmeyer of Hancock moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2331)

## The ayes were, 96:

Alons	Anderson	Arnold	Bell
Berry	Boal	Bukta	Chambers
Cohoon	Dandekar	Davitt	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wessel-Kroeschell	Whitaker	Whitead
Wilderdye	Winckler	Wise	Carroll, Presiding

## The nays were, 2:

Pettengill	Wendt
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## Absent or not voting, 2:

Baudler	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## INTRODUCTION OF BILL

**House File 2779**, by committee on government oversight, a bill for an act relating to citations issued to persons under the age of eighteen for alcohol-related offenses and parental and school notification.

Read first time and placed on the **calendar**.

**House File 2453**, a bill for an act relating to the prepayment of agricultural loans secured by a real estate mortgage, was taken up for consideration.

**SENATE FILE 2262 SUBSTITUTED FOR HOUSE FILE 2453**

Sands of Louisa asked and received unanimous consent to substitute Senate File 2262 for House File 2453.

**Senate File 2262**, a bill for an act relating to the prepayment of agricultural loans secured by a real estate mortgage, was taken up for consideration.

Sands of Louisa moved that the bill be read a last time 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. 2262)

The ayes were, 98:

Alons	Anderson	Arnold	Bell
Berry	Boal	Bukta	Chambers
Cohoon	Dandekar	Davitt	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Carroll, Presiding		

The nays were, none.

Absent or not voting, 2:

Baudler                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 2453 WITHDRAWN

Sands of Louisa asked and received unanimous consent to withdraw House File 2453 from further consideration by the House.

**House File 2563**, a bill for an act relating to wine, including the allowable alcohol content of wine and inspection of certain wine permittees, was taken up for consideration.

De Boef of Keokuk offered the following amendment H-8333 filed by her and moved its adoption:

H-8333

- 1 Amend House File 2563 as follows:
- 2 1. Page 1, line 11, by striking the words
- 3 "~~seventeen twenty-four~~" and inserting the following:
- 4 "seventeen".
- 5 2. Page 1, line 11, by inserting after the word
- 6 "weight" the following: "or twenty-one and twenty-
- 7 five hundredths percent of alcohol by volume".
- 8 3. Page 1, line 18, by striking the words
- 9 "~~seventeen twenty-four~~" and inserting the following:
- 10 "seventeen".
- 11 4. Page 1, line 19, by inserting after the word
- 12 "weight" the following: "or twenty-one and twenty-
- 13 five hundredths percent of alcohol by volume".
- 14 5. Page 1, lines 19 and 20, by striking the words
- 15 "or other wine-making processing".
- 16 6. Page 1, by striking lines 24 through 30.
- 17 7. Page 2, line 2, by striking the words
- 18 "~~seventeen twenty-four~~" and inserting the following:
- 19 "seventeen".
- 20 8. Page 2, line 3, by inserting after the word
- 21 "weight" the following: "or twenty-one and twenty-
- 22 five hundredths percent of alcohol by volume".
- 23 9. Page 2, lines 22 and 23, by striking the words
- 24 "~~seventeen twenty-four~~" and inserting the following:
- 25 "seventeen".



- 26 10. Page 2, line 23, by inserting after the word  
 27 "weight" the following: "or twenty-one and twenty-  
 28 five hundredths percent of alcohol by volume".  
 29 11. Title page, line 1, by striking the words  
 30 "relating to" and inserting the following:  
 31 "concerning".  
 32 12. By renumbering as necessary.

Amendment H-8333 was adopted.

SENATE FILE 2305 SUBSTITUTED FOR HOUSE FILE 2563

De Boef of Keokuk asked and received unanimous consent to substitute Senate File 2305 for House File 2563.

**Senate File 2305**, a bill for an act concerning wine, including the allowable alcohol content of wine and inspection of certain wine permittees, was taken up for consideration.

De Boef of Keokuk moved that the bill be read a last time 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. 2305)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim

Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyeke
Winckler	Wise	Carroll,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 2563 WITHDRAWN

De Boef of Keokuk asked and received unanimous consent to withdraw House File 2563 from further consideration by the House.

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2331** and **Senate Files 2262** and **2305**.

**House File 2731**, a bill for an act relating to a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas, was taken up for consideration.

D. Olson of Boone offered the following amendment H-8420 filed by him and moved its adoption:

H-8420

- 1 Amend House File 2731 as follows:
- 2 1. Page 2, by striking lines 1 through 27 and
- 3 inserting the following:
- 4 "2. The department of economic development shall
- 5 approve five pilot project cities. Eligible cities
- 6 may apply to the department of economic development to
- 7 be designated as a pilot project city. A city is an
- 8 eligible city if it is located in a county that meets
- 9 two of the following distress criteria:
- 10 a. The county has an average weekly wage that
- 11 ranks among the bottom one to fifty counties in the

12 state based on the 2000 annual average weekly wage for  
13 employees in private business.

14 b. The county has a family poverty rate that ranks  
15 among the top one to fifty counties in the state based  
16 on the 2000 census.

17 c. The county has experienced a percentage  
18 population loss that ranks among the top one to fifty  
19 counties in the state between 1995 and 2000.

20 d. The county has a percentage of persons sixty-  
21 five years of age or older that ranks among the top  
22 one to fifty counties in the state based on the 2000  
23 census.

24 The department of economic development shall  
25 conduct a peer review of tax structures and economic  
26 development incentives and financing assessment study  
27 for the states of Illinois, Iowa, Minnesota, Missouri,  
28 Nebraska, South Dakota, and Wisconsin. The department  
29 may contract with an outside firm or economists at  
30 state board of regents universities to complete the  
31 study. The study shall be used to identify areas  
32 where Iowa is collectively uncompetitive with  
33 neighboring states in terms of taxes and economic  
34 development incentives. If the study identifies Iowa  
35 has a disadvantage, the department shall implement the  
36 pilot project.

37 As part of the selection process, the department of  
38 economic development shall give priority to a city  
39 that demonstrates that it has a disadvantage in tax  
40 structures and economic development programs and  
41 incentives as identified in the tax structures and  
42 economic development incentives and financing  
43 assessment.

44 Applications from eligible cities filed on or after  
45 July 1, 2007, shall not be considered."

46 2. Page 3, line 24, by striking the word "ten"  
47 and inserting the following: "not more than five".

48 3. Page 3, line 35, by inserting after the word  
49 "assistance" the following: "for other projects".

50 4. Page 4, by inserting after line 5 the

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1 following:

2 "( ) An employer that enters into a withholding  
3 agreement with a pilot project city shall not receive  
4 any state incentives or assistance from other state  
5 economic development programs, including grants,  
6 loans, forgivable loans, and tax credits for purposes  
7 of the project during the term of the agreement,  
8 except for training incentives or assistance as  
9 allowed under paragraph "i".

10 5. Page 5, by inserting after line 33 the

11 following:  
 12 "\_\_\_ Upon termination of the withholding  
 13 agreement, the pilot project city shall submit a  
 14 report to the department of economic development  
 15 detailing the economic activity of the city and the  
 16 improved cost of doing business in the city. The  
 17 report shall also include but not be limited to how  
 18 the city, through this program is more competitive  
 19 based on sales tax, property tax, income tax, or other  
 20 taxes."

Amendment H-8420 lost.

Jochum of Dubuque offered the following amendment H-8419 filed by her and moved its adoption:

H-8419

1 Amend House File 2731 as follows:  
 2 1. Page 3, line 21, by striking the word  
 3 "either".  
 4 2. Page 3, line 22, by striking the word "or" and  
 5 inserting the following: "and".

Amendment H-8419 lost.

Soderberg 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. 2731)

The ayes were, 66:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Bukta	Chambers
Cohoon	Dandekar	Davitt	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Ford	Freeman	Gipp
Granzow	Greiner	Heaton	Hoffman
Horbach	Huseman	Huser	Hutter
Jacobs	Jenkins	Jones	Kaufmann
Kurtenbach	Lalk	Lukan	Lykam
Maddox	May	Miller	Murphy
Olson, S.	Paulsen	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reichert	Roberts
Sands	Schickel	Shomshor	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson

Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Whitead	Wildurdyke
Wise	Carroll, Presiding		

The nays were, 33:

Berry	Fallon	Foege	Frevert
Gaskill	Heddens	Hogg	Hunter
Jacoby	Jochum	Kressig	Kuhn
Lensing	Mascher	McCarthy	Mertz
Oldson	Olson, D.	Olson, R.	Petersen
Pettengill	Quirk	Reasoner	Schueller
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wessel-Kroeschell	Whitaker
Winckler			

Absent or not voting and 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HOUSE FILE 2404 WITHDRAWN

De Boef of Keokuk asked and received unanimous consent to withdraw House File 2404 from further consideration by the House.

#### HOUSE FILE 2460 WITHDRAWN

Soderberg of Plymouth asked and received unanimous consent to withdraw House File 2460 from further consideration by the House.

**House File 2742**, a bill for an act relating to the probate and trust codes, was taken up for consideration.

Paulsen of Linn offered the following amendment H-8182 filed by him and moved its adoption:

H-8182

- 1 Amend House File 2742 as follows:
- 2 1. Page 11, by inserting after line 14 the
- 3 following:

- 4 "Sec. \_\_\_\_\_. APPLICABILITY DATES.  
 5 1. The section of this Act amending section  
 6 633A.3109 shall apply to trusts of settlors who die on  
 7 or after July 1, 2006.  
 8 2. The sections of this Act amending section  
 9 633A.4213 shall apply to trust accounting periods  
 10 ending on or after July 1, 2006.  
 11 3. The section of this Act creating section  
 12 633A.4707 shall apply to property, benefit, or other  
 13 trust interests distributed on or after July 1, 2006.  
 14 4. The section of this Act amending section  
 15 633A.6301 shall apply to trust terminations or  
 16 modifications completed on or after July 1, 2006."  
 17 2. Title page, line 1, by inserting after the  
 18 word "codes" the following: "and providing  
 19 applicability date provisions".  
 20 3. By renumbering as necessary.

Amendment H-8182 was adopted.

Paulsen 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. 2742)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cphoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foeg
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schuessler	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.

Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdye	Winckler
Wise	Carroll, Presiding		

The nays were, 1:

Taylor, D.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**House File 2755**, a bill for an act relating to confinement feeding operations by requiring the submission of updated manure management plans on a multiyear basis, providing for fees, and making penalties applicable, was taken up for consideration.

Dolecheck of Ringgold offered amendment H-8397 filed by him as follows:

H-8397

1 Amend House File 2755 as follows:  
 2 1. Page 1, line 1, by inserting after the figure  
 3 "3," the following: "4,".  
 4 2. Page 1, by inserting after line 16, the  
 5 following:  
 6 "4. a. The department shall deliver a copy of all  
 7 of the following to a designated county board of  
 8 supervisors:  
 9 (1) An original manure management plan or require  
 10 the person submitting the manure management plan to  
 11 deliver a copy of the. If a person is required to be  
 12 issued a permit for the construction of the manure  
 13 storage structure as provided in section 459.303, the  
 14 original manure management plan shall accompany the  
 15 application for the construction permit as provided in  
 16 section 459.303.  
 17 (2) Any updated manure management plan to. If the  
 18 owner of a confinement feeding operation files a  
 19 document in lieu of submitting a complete plan as  
 20 provided in this section, the department shall deliver  
 21 a copy of that document to each designated county  
 22 board of supervisors.

23 b. For purposes of this subsection, a "designated  
 24 county board of supervisors" includes all of the  
 25 following:  
 26 a. (1) The county board of supervisors in the  
 27 county where the manure storage structure owned by the  
 28 person is located.  
 29 b. (2) The county board of supervisors in the  
 30 county where the manure storage structure is proposed  
 31 to be constructed. If the person is required to be  
 32 issued a permit for the construction of the manure  
 33 storage structure as provided in section 459.303, the  
 34 manure management plan shall accompany the application  
 35 for the construction permit as provided in section  
 36 459.303.  
 37 c. (3) The county board of supervisors in the  
 38 county where the manure is to be applied.  
 39 The manure management plan shall be filed with the  
 40 county board of supervisors.  
 41 c. The department shall deliver the manure  
 42 management plan and related documents by electronic  
 43 transmission, unless the department and a designated  
 44 county board of supervisors agrees to another delivery  
 45 method. The county auditor or other county officer  
 46 designated by the county board of supervisors may  
 47 accept the manure management plan and related  
 48 documents on behalf of the board."  
 49 3. Title page, lines 2 and 3, by striking the  
 50 words "updated manure management plans on a multiyear

Page 2

1 basis," and inserting the following: "manure  
 2 management plans, including updated manure management  
 3 plans and related documents,".  
 4 4. By renumbering as necessary.

Rayhons of Hancock asked and received unanimous consent to withdraw amendment H-8410, to amendment H-8397, filed by him on March 28, 2006.

Alons of Sioux offered the following amendment H-8431, to amendment H-8397, filed by him and Rayhons of Hancock from the floor and moved its adoption:

H-8431

1 Amend the amendment, H-8397, to House File 2755 as  
 2 follows:  
 3 1. By striking page 1, line 2, through page 2,  
 4 line 3, and inserting the following:



5     " \_\_\_\_\_. Page 1, line 23, by inserting before the  
6 words "If the" the following: "However, a person may  
7 elect to submit the updated manure management plan  
8 filing fee each year on a prorated basis, and the  
9 department shall provide for the four-year approval of  
10 the updated manure management plan submitted by a  
11 person who makes that election."

12     \_\_\_\_\_. Page 2, by inserting after line 3 the  
13 following:  
14 "Sec. \_\_\_\_\_. Section 459.312, Code 2005, is amended  
15 by adding the following new subsection:  
16 NEW SUBSECTION. 4A. The department shall provide  
17 for the receipt and processing of manure management  
18 plans, including updates to manure management plans,  
19 in an electronic format pursuant to section 459.302,  
20 not later than July 1, 2008. After that time, a  
21 person required to submit a manure management plan  
22 under this section may submit the manure management  
23 plan to the department and to the county board of  
24 supervisors in an electronic format."

25     \_\_\_\_\_. Page 2, by striking line 7 and inserting the  
26 following: "filing fee that is required to accompany  
27 for an updated manure".

28     \_\_\_\_\_. Page 2, by striking lines 14 through 18 and  
29 inserting the following: "manure management plan.  
30 For a person not electing to submit an updated manure  
31 management plan filing fee each year on a prorated  
32 basis, or a habitual violator required to submit a  
33 replacement original manure management plan, the  
34 designated rate shall not exceed sixty cents. For a  
35 person making the election or a habitual violator, the  
36 designated".

37     \_\_\_\_\_. Title page, line 1, by inserting after the  
38 word "by" the following: "providing for the receipt  
39 and processing of manure management plans and".  
40     2. By renumbering as necessary.

Amendment H-8431 was adopted.

On motion by Dolecheck of Ringgold amendment H-8397, as amended, 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. 2755)

The ayes were, 75:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Chambers	Cohoon
Dandekar	Davitt	De Boef	Dix
Dolecheck	Drake	Eichhorn	Elgin
Foege	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Huser	Hutter	Jacobs
Jenkins	Jones	Kaufmann	Kurtenbach
Lalk	Lukan	Lykam	Maddox
May	McCarthy	Mertz	Miller
Murphy	Olson, D.	Olson, S.	Paulsen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Smith	Soderberg	Struyk
Swaim	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Whitead
Wildurdyke	Wise	Carroll, Presiding	

The nays were, 24:

Berry	Bukta	Fallon	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Jacoby	Jochum	Kressig
Kuhn	Lensing	Mascher	Oldson
Olson, R.	Petersen	Shoultz	Taylor, D.
Taylor, T.	Wessel-Kroeschell	Whitaker	Winckler

Absent or not voting, 1:

Zirkelbach

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 29, 2006, amended and passed the following bill in which the concurrence of the Senate was asked:

House File 722, a bill for an act providing for the creation of an electronic drug database, establishing fees, providing penalties, and providing an effective date.

Also: That the Senate has on March 29, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2333, a bill for an act prohibiting a person or club holding a liquor control license or retail wine or beer permit from distributing or possessing machines used to vaporize an alcoholic beverage for consumption and making penalties applicable.

Also: That the Senate has on March 29, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2337, a bill for an act relating to the use of a peace officer of the department of public safety in an industrial dispute and providing an effective date.

Also: That the Senate has on March 29, 2006, passed the following bill in which the concurrence of the Senate was asked:

House File 2712, a bill for an act establishing a deferred retirement option plan for members of the statewide fire and police retirement system and including an implementation provision.

MICHAEL E. MARSHALL, Secretary

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2731, 2742 and 2755.**

### HOUSE FILE 2503 WITHDRAWN

Dolecheck of Ringgold asked and received unanimous consent to withdraw House File 2503 from further consideration by the House.

**House File 2725**, a bill for an act containing various provisions relating to business entities, including limited partnerships, corporations, limited liability companies, cooperatives, and nonprofit corporations, was taken up for consideration.

Paulsen of Linn asked and received unanimous consent to withdraw amendment H-8306 filed by him on March 16, 2006.

Kaufmann of Cedar offered the following amendment H-8313 filed by him and moved its adoption:

H-8313

- 1 Amend House File 2725 as follows:  
2 1. Title page, by striking lines 2 and 3 and  
3 inserting the following: "entities, including  
4 corporations, limited liability companies, and  
5 nonprofit".

Amendment H-8313 was adopted.

**SENATE FILE 2374 SUBSTITUTED FOR HOUSE FILE 2725**

Kaufmann of Cedar asked and received unanimous consent to substitute Senate File 2374 for House File 2725.

**Senate File 2374**, a bill for an act containing various provisions relating to business entities, including corporations, limited liability companies, and nonprofit corporations, was taken up for consideration.

Paulsen of Linn offered amendment H-8400 filed by him and Kaufmann of Cedar as follows:

H-8400

- 1 Amend Senate File 2374, as amended, passed, and  
2 reprinted by the Senate, as follows:  
3 1. Page 1, by inserting before line 1 the  
4 following:  
5 "DIVISION  
6 LIMITED PARTNERSHIPS  
7 Section 1. Section 488.108, subsection 4,  
8 paragraph b, Code Supplement 2005, is amended by  
9 striking the paragraph and inserting in lieu thereof  
10 the following:  
11 b. A name reserved, registered, or protected as  
12 follows:  
13 (1) For a limited liability partnership, section  
14 486A.1001 or 486A.1002.  
15 (2) For a limited partnership, this section,  
16 section 488.109, or section 488.810.  
17 (3) For a business corporation, section 490.401,  
18 490.402, 490.403, or 490.1422.  
19 (4) For a limited liability company, section  
20 490A.401, 490A.402, or 490A.1313.  
21 (5) For a nonprofit corporation, section 504.401,  
22 504.402, 504.403, or 504.1423.  
23 Sec. 2. Section 488.810, subsection 1, unnumbered.

24 paragraph 1, Code 2005, is amended to read as follows:  
 25 A limited partnership that has been  
 26 administratively dissolved may apply to the secretary  
 27 of state for reinstatement ~~within two years~~ at any  
 28 time after the effective date of dissolution. The  
 29 application must be delivered to the secretary of  
 30 state for filing and state all of the following:  
 31 Sec. 3. Section 488.810, subsection 1, paragraph  
 32 c, Code 2005, is amended to read as follows:  
 33 c. That If the application is received more than  
 34 five years after the effective date of the  
 35 dissolution, that the limited partnership's name  
 36 satisfies the requirements of section 488.108.  
 37 Sec. 4. Section 488.810, subsection 2, Code 2005,  
 38 is amended to read as follows:  
 39 2. If the secretary of state determines that an  
 40 application contains the information required by  
 41 subsection 2 and that the information is correct, the  
 42 secretary of state shall prepare a declaration of  
 43 reinstatement that states this determination, sign,  
 44 and file the original of the declaration of  
 45 reinstatement, and ~~serve~~ deliver a copy to the limited  
 46 partnership ~~with a copy~~.  
 47 Sec. 5. Section 488.810, Code 2005, is amended by  
 48 adding the following new subsection:  
 49 NEW SUBSECTION. 4. A limited partnership shall  
 50 not relinquish the right to retain its name if the

Page 2

1 reinstatement is effective within five years of the  
 2 effective date of the limited partnership's  
 3 dissolution."  
 4 2. Page 1, lines 13 and 14, by striking the word  
 5 and figure "or 490A.402" and inserting the following:  
 6 ", 490A.402, or 490A.1313".  
 7 3. Page 1, by striking lines 17 through 25.  
 8 4. Page 1, by inserting before line 26 the  
 9 following:  
 10 "Sec. \_\_\_\_\_. Section 490.502, subsection 3, Code  
 11 2005, is amended to read as follows:  
 12 3. If a registered agent changes the registered  
 13 agent's business address to another place, the  
 14 registered agent may change the business address and  
 15 the address of the registered agent by filing a  
 16 statement as required in subsection 2 for each  
 17 corporation, or a single statement for all  
 18 corporations named in the notice, except that it need  
 19 be signed only by the registered agent ~~or agents~~ and  
 20 need not be responsive to subsection 1, paragraph "c",  
 21 and must recite that a copy of the statement has been  
 22 mailed to each corporation named in the notice."

23 5. Page 2, by inserting after line 12 the  
24 following:  
25 "Sec. \_\_\_\_ Section 490.1422, subsection 1,  
26 unnumbered paragraph 1, Code 2005, is amended to read  
27 as follows:

28 A corporation administratively dissolved under  
29 section 490.1421 may apply to the secretary of state  
30 for reinstatement ~~within two years~~ at any time after  
31 the effective date of dissolution. The application  
32 must meet all of the following requirements:"

33 6. Page 2, by inserting after line 18 the  
34 following:

35 "Sec. \_\_\_\_ Section 490.1422, subsection 2,  
36 paragraph b, Code 2005, is amended to read as follows:

37 b. (1) If the secretary of state determines that  
38 the application contains the information required by  
39 subsection 1, and that a delinquency or liability  
40 reported pursuant to paragraph "a" ~~of this subsection~~  
41 has been satisfied, and that the information is  
42 correct, the secretary of state shall cancel the  
43 certificate of dissolution and prepare a certificate  
44 of reinstatement that recites the secretary of state's  
45 determination and the effective date of reinstatement,  
46 file the ~~original of the certificate of reinstatement,~~  
47 and ~~serve deliver~~ a copy on to the corporation under  
48 section 490.504.

49 (2) If the corporate name in subsection 1,  
50 paragraph "c", is different than the corporate name in

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1 subsection 1, paragraph "a", the certificate of  
2 reinstatement shall constitute an amendment to the  
3 articles of incorporation insofar as it pertains to  
4 the corporate name. A corporation shall not  
5 relinquish the right to retain its corporate name if  
6 the reinstatement is effective within five years of  
7 the effective date of the corporation's dissolution.

8 Sec. \_\_\_\_ Section 490.1422, subsection 4, Code  
9 2005, is amended by striking the subsection."

10 7. Page 2, by inserting after line 22 the  
11 following:

12 "Sec. \_\_\_\_ Section 490.1701, subsection 3,  
13 paragraph a, Code Supplement 2005, is amended to read  
14 as follows:

15 a. The corporation shall amend or restate its  
16 articles of incorporation to indicate that the  
17 corporation adopts this chapter and to designate the  
18 address of its initial registered office and the name  
19 of its registered agent ~~or agents~~ at that office and,  
20 if the name of the corporation is not in compliance  
21 with the requirements of this chapter, to change the

22 name of the corporation to one complying with the  
23 requirements of this chapter."

24 8. Page 2, by inserting after line 31 the  
25 following:

26 "Sec. \_\_\_\_ Section 490A.121, subsections 2 and 3,  
27 Code 2005, are amended to read as follows:

28 2. The secretary of state files a document by  
29 ~~stamping or otherwise endorsing~~ recording it as  
30 "filed", together with the secretary of state's name  
31 ~~and official title and acknowledging~~ the date and time  
32 of ~~its receipt, on both the document and the receipt~~  
33 ~~for the filing fee, and recording the document in the~~  
34 ~~records of the secretary of state.~~ After filing a  
35 document, and except as provided in section 490A.503,  
36 the secretary of state shall deliver a copy of the  
37 filed document, with the ~~filing fee receipt, or an~~  
38 acknowledgment of receipt if no fee is required,  
39 ~~attached, the date and time of filing~~ to the domestic  
40 or foreign limited liability company or its  
41 representative.

42 3. If the secretary of state refuses to file a  
43 document, the secretary of state shall return it to  
44 the domestic or foreign limited liability company or  
45 its representative ~~within ten days after the document~~  
46 ~~was received by the secretary of state, together with~~  
47 a brief, written explanation of the reason for the  
48 refusal.

49 Sec. \_\_\_\_ Section 490A.124, subsection 1,  
50 paragraphs e and f, Code 2005, are amended to read as

Page 4

1 follows:

2 e. Application for registered name per month or  
3 part thereof ..... \$ 2

4 No fee

5 f. Application for renewal of registered name

6 ..... \$ 20

7 No fee

8 Sec. \_\_\_\_ Section 490A.131, subsection 1,  
9 paragraph b, Code Supplement 2005, is amended to read  
10 as follows:

11 b. The ~~street and mailing~~ address of its  
12 ~~designated registered~~ office and the name and ~~street~~  
13 ~~and mailing~~ address of its registered agent for  
14 ~~service of process in this state."~~

15 9. Page 3, by inserting after line 5 the  
16 following:

17 "Sec. \_\_\_\_ Section 490A.131, subsection 5, Code  
18 Supplement 2005, is amended by striking the  
19 subsection."

20 10. Page 4, by inserting after line 10 the

21 following:

22 "Sec.\_\_\_\_. Section 490A.401, subsection 3,  
23 paragraph b, Code 2005, is amended by striking the  
24 paragraph and inserting in lieu thereof the following:

25 b. A name reserved, registered, or protected as  
26 follows:

27 (1) For a limited liability partnership, section  
28 486A.1001 or 486A.1002.

29 (2) For a limited partnership, section 488.108,  
30 488.109, or 488.810.

31 (3) For a business corporation, section 490.401,  
32 490.402, 490.403, or 490.1422.

33 (4) For a limited liability company, this section  
34 or section 490A.402 or 490A.1313.

35 (5) For a nonprofit corporation, section 504.401,  
36 504.402, 504.403, or 504.1423.

37 Sec.\_\_\_\_. Section 490A.401, subsection 6, Code  
38 2005, is amended to read as follows:

39 6. This chapter does not control the use of  
40 fictitious names; however, if a limited liability  
41 company uses a fictitious name in this state it shall  
42 deliver to the secretary of state for filing a  
43 certified copy of the resolution ~~of the limited~~  
44 ~~liability company filed and executed according to~~  
45 section 490A.120 adopting the fictitious name.

46 Sec.\_\_\_\_. Section 490A.1301, Code 2005, is amended  
47 by adding the following new subsection:

48 NEW SUBSECTION. 4. The administrative dissolution  
49 of the limited liability company under section  
50 490A.1312.

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1 Sec.\_\_\_\_. NEW SECTION. 490A.1308 REVOCATION OF  
2 DISSOLUTION.

3 1. A limited liability company may revoke its  
4 dissolution within one hundred twenty days of the  
5 effective date of its articles of dissolution.

6 2. Revocation of dissolution must be authorized in  
7 the same manner as the dissolution was authorized  
8 unless that authorization permitted revocation by  
9 action of the managers of the limited liability  
10 company alone, in which event the managers may revoke  
11 the dissolution without member action.

12 3. After the revocation of dissolution is  
13 authorized, the limited liability company may revoke  
14 the dissolution by delivering to the secretary of  
15 state for filing articles of revocation of  
16 dissolution, together with a copy of its articles of  
17 dissolution, that set forth all of the following:

18 a. The name of the limited liability company.

19 b. The effective date of the dissolution that was



20 revoked.

21 c. The date that the revocation of dissolution was  
22 authorized.

23 d. If members of the limited liability company  
24 unanimously revoked the dissolution, a statement to  
25 that effect.

26 e. If the managers of the limited liability  
27 company revoked a dissolution authorized by its  
28 members, a statement that revocation was permitted by  
29 action by the managers alone pursuant to that  
30 authorization.

31 4. Revocation of dissolution is effective upon the  
32 effective date of the articles of revocation of  
33 dissolution.

34 5. When the revocation of dissolution is  
35 effective, it relates back to and takes effect as of  
36 the effective date of the dissolution as if the  
37 dissolution had never occurred.

#### 38 PART B

#### 39 ADMINISTRATIVE DISSOLUTION

40 Sec. \_\_\_\_, NEW SECTION. 490A.1311 GROUNDS FOR  
41 ADMINISTRATIVE DISSOLUTION.

42 The secretary of state may commence a proceeding  
43 under section 490A.1312 to administratively dissolve a  
44 limited liability company if any of the following  
45 apply:

46 1. The limited liability company has not delivered  
47 a biennial report to the secretary of state in a form  
48 that meets the requirements of section 490A.131,  
49 within sixty days after it is due, or has not paid the  
50 filing fee as determined by the secretary of state,

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1 within sixty days after it is due.

2 2. The limited liability company is without a  
3 registered office or registered agent in this state as  
4 required in subchapter V for sixty days or more.

5 3. The limited liability company does not notify  
6 the secretary of state within sixty days that its  
7 registered office or registered agent as required in  
8 subchapter V has been changed, its registered office  
9 has been discontinued, or that its registered agent  
10 has resigned.

11 4. The limited liability company's period of  
12 duration stated in its articles of organization  
13 expires.

14 Sec. \_\_\_\_, NEW SECTION. 490A.1312 PROCEDURE FOR  
15 AND EFFECT OF ADMINISTRATIVE DISSOLUTION.

16 1. If the secretary of state determines that one  
17 or more grounds exist under section 490A.1311 for  
18 dissolving a limited liability company, the secretary

19 of state shall serve the limited liability company  
20 with written notice of the secretary of state's  
21 determination under section 490A.504.  
22 2. If the limited liability company does not  
23 correct each ground for dissolution or demonstrate to  
24 the reasonable satisfaction of the secretary of state  
25 that each ground determined by the secretary of state  
26 does not exist within sixty days after service of the  
27 notice is perfected under section 490A.504, the  
28 secretary of state shall administratively dissolve the  
29 limited liability company by signing a certificate of  
30 dissolution that recites the ground or grounds for  
31 dissolution and its effective date. The secretary of  
32 state shall file the original of the certificate and  
33 serve a copy on the limited liability company under  
34 section 490A.504.  
35 3. A limited liability company administratively  
36 dissolved continues its existence but shall not carry  
37 on any business except that necessary to wind up and  
38 liquidate its business and affairs under part A of  
39 this subchapter and notify claimants under sections  
40 490A.1306 and 490A.1307.  
41 4. The administrative dissolution of a limited  
42 liability company does not terminate the authority of  
43 its registered agent as provided in subchapter V.  
44 5. The secretary of state's administrative  
45 dissolution of a limited liability company pursuant to  
46 this section appoints the secretary of state the  
47 limited liability company's agent for service of  
48 process in any proceeding based on a cause of action  
49 which arose during the time the limited liability  
50 company was authorized to transact business in this

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1 state. Service of process on the secretary of state  
2 under this subsection is service on the limited  
3 liability company. Upon receipt of process, the  
4 secretary of state shall serve a copy of the process  
5 on the limited liability company as provided in  
6 section 490A.504. This subsection does not preclude  
7 service on the limited liability company's registered  
8 agent, if any.  
9 Sec.     . **NEW SECTION.** 490A.1313 REINSTATEMENT  
10 **FOLLOWING ADMINISTRATIVE DISSOLUTION.**  
11 1. A limited liability company administratively  
12 dissolved under section 490A.1312 may apply to the  
13 secretary of state for reinstatement at any time after  
14 the effective date of dissolution. The application  
15 must meet all of the following requirements:  
16 a. Recite the name of the limited liability  
17 company at its date of dissolution and the effective

18 date of its administrative dissolution.  
19 b. State that the ground or grounds for  
20 dissolution as provided in section 490A.1311 have been  
21 eliminated.  
22 c. If the application is received more than five  
23 years after the effective date of the administrative  
24 dissolution, state a name that satisfies the  
25 requirements of section 490A.401.  
26 d. State the federal tax identification number of  
27 the limited liability company.  
28 2. a. The secretary of state shall refer the  
29 federal tax identification number contained in the  
30 application for reinstatement to the department of  
31 revenue. The department of revenue shall report to  
32 the secretary of state the tax status of the limited  
33 liability company. If the department reports to the  
34 secretary of state that a filing delinquency or  
35 liability exists against the limited liability  
36 company, the secretary of state shall not cancel the  
37 certificate of dissolution until the filing  
38 delinquency or liability is satisfied.  
39 b. If the secretary of state determines that the  
40 application contains the information required by  
41 subsection 1, and that a delinquency or liability  
42 reported pursuant to paragraph "a" of this subsection  
43 has been satisfied, and that the information is  
44 correct, the secretary of state shall cancel the  
45 certificate of dissolution and prepare a certificate  
46 of reinstatement that recites the secretary of state's  
47 determination and the effective date of reinstatement,  
48 file the original of the certificate, and serve a copy  
49 on the limited liability company under section  
50 490A.504. If the limited liability company's name in

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1 subsection 1, paragraph "c", is different than the  
2 name in subsection 1, paragraph "a", the certificate  
3 of reinstatement shall constitute an amendment to the  
4 limited liability company's articles of organization  
5 insofar as it pertains to its name. A limited  
6 liability company shall not relinquish the right to  
7 retain its name as provided in section 490A.401, if  
8 the reinstatement is effective within five years of  
9 the effective date of the limited liability company's  
10 dissolution.  
11 3. When the reinstatement is effective, it relates  
12 back to and takes effect as of the effective date of  
13 the administrative dissolution as if the  
14 administrative dissolution had never occurred.  
15 Sec. \_\_\_\_ NEW SECTION. 490A.1314 APPEAL FROM  
16 DENIAL OF REINSTATEMENT.

17 1. If the secretary of state denies a limited  
18 liability company's application for reinstatement  
19 following administrative dissolution pursuant to  
20 section 490A.1312, the secretary of state shall serve  
21 the limited liability company under section 490A.504  
22 with a written notice that explains the reason or  
23 reasons for denial.

24 2. The limited liability company may appeal the  
25 denial of reinstatement to the district court within  
26 thirty days after service of the notice of denial is  
27 perfected. The limited liability company appeals by  
28 petitioning the court to set aside the dissolution and  
29 attaching to the petition copies of the secretary of  
30 state's certificate of dissolution, the limited  
31 liability company's application for reinstatement, and  
32 the secretary of state's notice of denial.

33 3. The court may summarily order the secretary of  
34 state to reinstate the dissolved limited liability  
35 company or may take other action the court considers  
36 appropriate.

37 4. The court's final decision may be appealed as  
38 in other civil proceedings."

39 11. Page 4, by inserting after line 27 the  
40 following:

41 "Sec.\_\_\_\_. Section 490A.1402, Code 2005, is  
42 amended by striking the section and inserting in lieu  
43 thereof the following:

44 490A.1402 APPLICATION FOR CERTIFICATE OF  
45 AUTHORITY.

46 1. A foreign limited liability company may apply  
47 for a certificate of authority to transact business in  
48 this state by delivering an application to the  
49 secretary of state for filing. The application must  
50 set forth all of the following:

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1 a. The name of the foreign limited liability  
2 company or, if its name is unavailable for use in this  
3 state, a name that satisfies the requirements of  
4 section 490A.401.

5 b. The name of the state or country under whose  
6 law it is organized.

7 c. Its date of formation and period of duration.

8 d. The street address of its principal office.

9 e. The address of its registered office in this  
10 state and the name of its registered agent at that  
11 address as provided in subchapter V.

12 2. The foreign limited liability company shall  
13 deliver the completed application to the secretary of  
14 state, and also deliver to the secretary of state a  
15 certificate of existence or a document of similar

16 import duly authenticated by the secretary of state or  
 17 proper officer of the state or other jurisdiction of  
 18 its formation which is dated no earlier than ninety  
 19 days prior to the date the application is filed with  
 20 the secretary of state."

21 12. Page 5, by inserting after line 22 the  
 22 following:

23 "Sec.\_\_\_\_. Section 490A.1410, subsection 1,  
 24 paragraph a, Code 2005, is amended by adding the  
 25 following new subparagraph:  
 26 NEW SUBPARAGRAPH. (5) Deliver for filing to the  
 27 secretary of state a biennial report as required by  
 28 section 490A.131."

29 13. Page 5, by inserting after line 27 the  
 30 following:

31 "DIVISION

32 TRADITIONAL COOPERATIVES

33 Sec.\_\_\_\_. Section 499.78, subsection 1, unnumbered  
 34 paragraph 1, Code 2005, is amended to read as follows:  
 35 An association administratively dissolved under  
 36 section 499.77 may apply to the secretary of state for  
 37 reinstatement ~~within two years at any time~~ after the  
 38 effective date of dissolution. The application must  
 39 meet all of the following requirements:

40 DIVISION

41 CLOSED COOPERATIVES

42 Sec.\_\_\_\_. Section 501.104, Code 2005, is amended  
 43 to read as follows:

44 501.104 NAME.

45 The name of a cooperative organized under this  
 46 chapter must comply with all of the following:

47 1. The name must contain the word "cooperative",  
 48 "coop", or "co-op"; ~~and the~~

49 2. The name must be distinguishable from the names  
 50 all of the following:

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1 a. The name of cooperatives a cooperative  
 2 organized under this chapter or,

3 b. The name of a cooperative or cooperative  
 4 association organized under another chapter, including  
 5 chapter 497, 498, 499, or 501A.

6 c. The name of a foreign cooperatives cooperative,  
 7 cooperative association, or corporation authorized to  
 8 do business in this state, including as provided in  
 9 section 499.54 or section 501A.221.

10 d. The name of a cooperative which has been  
 11 administratively dissolved pursuant to section 501.812  
 12 for a period of less than five years from the  
 13 effective date of the dissolution.

14 Sec.\_\_\_\_. Section 501.813, subsection 1,

15 unnumbered paragraph 1, Code 2005, is amended to read  
16 as follows:

17 A cooperative administratively dissolved under  
18 section 501.812 may apply to the secretary of state  
19 for reinstatement ~~within two years~~ at any time after  
20 the effective date of dissolution. The application  
21 must meet all of the following requirements:

22 Sec. \_\_\_\_ Section 501.813, subsection 1, paragraph  
23 c, Code 2005, is amended to read as follows:

24 c. State If the application is received more than  
25 five years after the effective date of the  
26 cooperative's dissolution, state a name that satisfies  
27 the requirements of section 501.104.

28 Sec. \_\_\_\_ Section 501.813, subsection 2, paragraph  
29 b, Code 2005, is amended to read as follows:

30 b. (1) If the secretary of state determines that  
31 the application contains the information required by  
32 subsection 1, and that a delinquency or liability  
33 reported pursuant to paragraph "a" has been satisfied,  
34 and that the information is correct, the secretary of  
35 state shall cancel the certificate of dissolution and  
36 prepare a certificate of reinstatement that recites  
37 the secretary of state's determination and the  
38 effective date of reinstatement, file the ~~original of~~  
39 ~~the certificate~~ document, and ~~serve~~ deliver a copy ~~on~~  
40 to the cooperative under section 501.106.

41 (2) If the name of the cooperative as provided in  
42 subsection 1, paragraph "c", is different than the  
43 name in subsection 1, paragraph "a", the certificate  
44 of reinstatement shall constitute an amendment to the  
45 articles of association insofar as it pertains to the  
46 name. A cooperative shall not relinquish the right to  
47 retain its name if the reinstatement is effective  
48 within five years of the effective date of the  
49 cooperative's dissolution."

50 14. Page 5, by inserting after line 29 the

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1 following:

2 "Sec. \_\_\_\_ Section 504.401, subsection 2,  
3 paragraph b, Code Supplement 2005, is amended by  
4 striking the paragraph and inserting in lieu thereof  
5 the following:

6 b. A name reserved, registered, or protected as  
7 follows:

8 (1) For a limited liability partnership, section  
9 486A.1001 or 486A.1002.

10 (2) For a limited partnership, section 488.108,  
11 488.109, or 488.810.

12 (3) For a business corporation, section 490.401,  
13 490.402, 490.403, or 490.1422.

14 (4) For a limited liability company, section  
15 490A.401, 490A.402, or 490A.1313.

16 (5) For a nonprofit corporation, this section or  
17 section 504.402, 504.403, or 504.1423."

18 15. Page 6, lines 5 and 6, by striking the word  
19 and figure "or 490A.402" and inserting the following:  
20 ", 490A.402, or 490A.1313".

21 16. Page 11, by inserting after line 17 the  
22 following:

23 "Sec.\_\_\_\_. Section 504.1423, subsection 1,  
24 unnumbered paragraph 1, Code 2005, is amended to read  
25 as follows:

26 A corporation administratively dissolved under  
27 section 504.1422 may apply to the secretary of state  
28 for reinstatement ~~within two years~~ at any time after  
29 the effective date of dissolution. The application  
30 must state all of the following:

31 Sec.\_\_\_\_. Section 504.1423, subsection 1,  
32 paragraph c, Code 2005, is amended to read as follows:

33 c. That If the application is received more than  
34 five years after the effective date of dissolution,  
35 state the corporation's name satisfies the  
36 requirements of section 504.401.

37 Sec.\_\_\_\_. Section 504.1423, subsection 2,  
38 paragraph b, Code 2005, is amended to read as follows:

39 b. (1) If the secretary of state determines that  
40 the application contains the information required by  
41 subsection 1, that a delinquency or liability reported  
42 pursuant to paragraph "a" has been satisfied, and that  
43 all of the application information is correct, the  
44 secretary of state shall cancel the certificate of  
45 dissolution and prepare a certificate of reinstatement  
46 reciting that determination and the effective date of  
47 reinstatement, file the ~~original of the certificate~~  
48 document, and ~~serve~~ deliver a copy ~~on to~~  
49 corporation under section 504.504.

50 (2) If the corporate name in subsection 1,

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1 paragraph "c", is different from the corporate name in  
2 subsection 1, paragraph "a", the certificate of  
3 reinstatement shall constitute an amendment to the  
4 articles of incorporation insofar as it pertains to  
5 the corporate name. A corporation shall not  
6 relinquish the right to retain its corporate name if  
7 the reinstatement is effective within five years of  
8 the effective date of the corporation's dissolution."

9 17. Title page, by striking lines 2 and 3 and  
10 inserting the following: "entities, including limited

- 11 partnerships, corporations, limited liability
- 12 companies, cooperatives, and nonprofit corporations."
- 13 18. By renumbering as necessary.

Kaufmann of Cedar offered the following amendment H-8436, to amendment H-8400, filed by him and Paulsen of Linn from the floor and moved its adoption:

H-8436

- 1 Amend the amendment, H-8400, to Senate File 2374,
- 2 as passed, amended, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, line 44, by striking the words
- 5 "original of the" and inserting the following:
- 6 "~~original of the~~".
- 7 2. Page 4, lines 12 and 13, by striking the words
- 8 "~~street and mailing~~" and inserting the following:
- 9 "~~street and mailing~~".

Amendment H-8436 was adopted.

On motion by Paulsen of Linn, amendment H-8400, as amended, was adopted.

Paulsen of Linn offered the following amendment H-8332 filed by him and moved its adoption:

H-8332

- 1 Amend Senate File 2374, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking page 1, line 33, through page 2,
- 4 line 12.
- 5 2. By renumbering as necessary.

Amendment H-8332 was adopted.

Paulsen 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. 2374)



The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Carroll,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### HOUSE FILE 2725 WITHDRAWN

Kaufmann of Cedar asked and received unanimous consent to withdraw House File 2725 from further consideration by the House.

### Regular Calendar

**Senate File 2207**, a bill for an act relating to the publication of official notices in English language newspapers, with report of committee recommending passage, was taken up for consideration.

Boal of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2207)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdylke
Winckler	Wise	Carroll, Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 2219**, a bill for an act relating to human trafficking and related offenses, including the provision of law enforcement training and victim assistance programs, and providing penalties,

with report of committee recommending amendment and passage, was taken up for consideration.

Tymeson of Madison offered amendment H-8361 filed by the committee on judiciary as follows:

H-8361

1 Amend Senate File 2219, as passed by the Senate, as  
2 follows:

3 1. Page 1, by inserting after line 28 the  
4 following:

5 "3. "Human trafficking" means participating in a  
6 venture to recruit, harbor, transport, supply  
7 provisions, or obtain a person for any of the  
8 following purposes:

9 a. Forced labor or service that results in  
10 involuntary servitude, peonage, debt bondage, or  
11 slavery.

12 b. Commercial sexual activity through the use of  
13 force, fraud, or coercion, except that if the  
14 trafficked person is under the age of eighteen, the  
15 commercial sexual activity need not involve force,  
16 fraud, or coercion."

17 2. Page 1, line 29, by striking the figure "3."  
18 and inserting the following: "4."

19 3. Page 1, line 30, by striking the figure "4."  
20 and inserting the following: "5."

21 4. Page 1, by striking line 34.

22 5. Page 2, by striking lines 12 and 13 and  
23 inserting the following:

24 "10. "Victim" means a person subjected to human  
25 trafficking".

26 6. By striking page 2, line 14, through page 4,  
27 line 17, and inserting the following:

28 "Sec.     . NEW SECTION. 710A.2 HUMAN  
29 TRAFFICKING.

30 1. A person who knowingly engages in human  
31 trafficking is guilty of a class "D" felony, except  
32 that if the victim is under the age of eighteen, the  
33 person is guilty of a class "C" felony.

34 2. A person who knowingly engages in human  
35 trafficking by causing or threatening to cause serious  
36 physical injury to another person is guilty of a class  
37 "C" felony, except that if the victim is under the age  
38 of eighteen, the person is guilty of a class "B"  
39 felony.

40 3. A person who knowingly engages in human  
41 trafficking by physically restraining or threatening  
42 to physically restrain another person is guilty of a

43 class "D" felony, except that if the victim is under  
44 the age of eighteen, the person is guilty of a class  
45 "C" felony.

46 4. A person who knowingly engages in human  
47 trafficking by soliciting services or benefiting from  
48 the services of a victim is guilty of a class "D"  
49 felony, except that if the victim is under the age of  
50 eighteen, the person is guilty of a class "C" felony.

Page 2

1 5. A person who knowingly engages in human  
2 trafficking by abusing or threatening to abuse the law  
3 or legal process is guilty of a class "D" felony,  
4 except that if the victim is under the age of  
5 eighteen, the person is guilty of a class "C" felony.

6 6. A person who knowingly engages in human  
7 trafficking by knowingly destroying, concealing,  
8 removing, confiscating, or possessing any actual or  
9 purported passport or other immigration document, or  
10 any other actual or purported government  
11 identification document of a victim is guilty of a  
12 class "D" felony, except that if that other person is  
13 under the age of eighteen, the person is guilty of a  
14 class "C" felony.

15 7. A person who benefits financially or by  
16 receiving anything of value from knowing participation  
17 in human trafficking is guilty of a class "D" felony,  
18 except that if the victim is under the age of  
19 eighteen, the person is guilty of a class "C" felony.

20 Sec.\_\_\_\_. NEW SECTION. 710A.3 SENTENCING  
21 CONSIDERATIONS.

22 In sentencing a person for a violation of section  
23 710A.2, the court shall consider whether the victim  
24 was maintained or held for a period greater than one  
25 hundred eighty days or if the offense involved more  
26 than ten victims."

27 7. Page 4, line 18, by striking the figure  
28 "710A.6" and inserting the following: "710A.4".

29 8. Page 4, line 19, by inserting after the word  
30 "defense" the following: ", in addition to any other  
31 affirmative defenses for which the victim might be  
32 eligible,".

33 9. Page 4, line 22, by striking the figures and  
34 word "710A.3, or 710A.4".

35 10. By striking page 4, line 26, through page 5,  
36 line 28, and inserting the following:

37 "Sec.\_\_\_\_. NEW SECTION. 710A.5 RESTITUTION.

38 The gross income of the defendant or the value of  
39 labor or services performed by the victim to the  
40 defendant shall be considered when determining the  
41 amount of restitution."

- 42 11. Page 5, line 29, by striking the figure  
 43 "710A.11" and inserting the following: "710A.6".  
 44 12. Page 5, line 31, by striking the word and  
 45 figure "or 710A.3".  
 46 13. Page 6, line 4, by striking the word and  
 47 figure "or 710A.3".  
 48 14. Page 6, line 10, by striking the figures and  
 49 word ", 710A.3, or 710A.4".  
 50 15. Page 6, by striking lines 15 through 32 and

Page 3

- 1 inserting the following:  
 2 "In addition to other victims' rights provided in  
 3 this chapter, including the right to receive victim  
 4 compensation pursuant to section 915.84, victims of  
 5 human trafficking shall have the same rights as  
 6 refugees, regardless of their immigration status."  
 7 16. Page 7, line 11, by striking the figures and  
 8 word "710A.2, 710A.3, or 710A.4" and inserting the  
 9 following: "710A.2".  
 10 17. Page 7, by inserting after line 16 the  
 11 following:  
 12 "Sec.\_\_\_\_. HUMAN TRAFFICKING STUDY. The  
 13 legislative council is requested to authorize a study  
 14 for the 2006 legislative interim on human trafficking.  
 15 The study recommendations and findings shall include  
 16 but are not limited to identifying the needs of human  
 17 trafficking victims and law enforcement and any other  
 18 agencies that serve victims of human trafficking. The  
 19 study report, including findings and recommendations,  
 20 shall be submitted to the general assembly for  
 21 consideration during the 2007 legislative session.  
 22 The study shall be conducted by a study committee  
 23 consisting of up to nine members of the general  
 24 assembly. A chairperson or co-chairpersons shall be  
 25 designated by the legislative council."  
 26 18. Title page, by striking line 3 and inserting  
 27 the following: "assistance programs, providing  
 28 penalties, and providing for a study."  
 29 19. By renumbering as necessary.

Eichhorn of Hamilton offered the following amendment H-8424, to the committee amendment H-8361, filed by him from the floor and moved its adoption:

H-8424

- 1 Amend the amendment, H-8361, to Senate File 2219,  
 2 as passed by the Senate, as follows:  
 3 1. Page 1, by inserting after line 2 the

4 following:

5 " \_\_\_\_\_. Page 1, by inserting after line 14 the

6 following:

7 " \_\_\_\_\_. "Debt bondage" means the status or condition  
8 of a debtor arising from a pledge of the debtor's  
9 personal services or a person under the control of a  
10 debtor's personal services as a security for debt if  
11 the reasonable value of such services is not applied  
12 toward the liquidation of the debt or the length and  
13 nature of those services are not respectively limited  
14 and defined.""

15 2. Page 1, by inserting after line 16 the

16 following:

17 " \_\_\_\_\_. Page 1, by inserting before line 29 the

18 following:

19 " \_\_\_\_\_. "Involuntary servitude" means a condition of  
20 servitude induced by means of any scheme, plan, or  
21 pattern intended to cause a person to believe that if  
22 the person did not enter into or continue in such  
23 condition, that person or another person would suffer  
24 serious harm or physical restraint or the threatened  
25 abuse of legal process.""

26 3. Page 1, by inserting after line 21 the

27 following:

28 " \_\_\_\_\_. Page 2, by inserting after line 1 the

29 following:

30 " \_\_\_\_\_. "Peonage" means a status or condition of  
31 involuntary servitude based upon real or alleged  
32 indebtedness.""

33 4. Page 2, by striking lines 20 through 26.

34 5. Page 3, by striking lines 2 through 6 and

35 inserting the following:

36 "Victims of human trafficking, as defined in  
37 section 710A.1, shall have the same rights as other  
38 victims of a crime, including the right to receive  
39 victim compensation pursuant to section 915.84,  
40 regardless of their immigration status.""

41 6. By renumbering as necessary.

Amendment H-8424 was adopted.

Ford of Polk offered amendment H-8432, to the committee amendment H-8361, filed by him from the floor as follows:

H-8432

1 Amend the amendment, H-8361, to Senate File 2219,

2 as passed by the Senate, as follows:

3 1. Page 2, by inserting after line 49 the

4 following:

5 "\_\_\_\_. Page 6, by inserting after line 12 the  
6 following:

7 "Sec.\_\_\_\_. NEW SECTION. 730.6 RETALIATION FOR  
8 REPORT OF SEXUAL ABUSE OR SEXUAL HARASSMENT.

9 1. An employer shall not discharge an employee or  
10 take or fail to take action regarding an employee's  
11 appointment or proposed appointment or promotion or  
12 proposed promotion, or regarding any advantage of an  
13 employee, or make a report regarding the status of the  
14 employee as an unauthorized alien to any federal  
15 department or agency as a reprisal against an employee  
16 that made a report to a law enforcement agency that  
17 the employee has been a victim of sexual abuse or  
18 sexual harassment by another employee of the employer.  
19 A law enforcement agency that accepts a report of  
20 sexual abuse or sexual harassment as described in this  
21 subsection shall not make a report regarding the  
22 status of the victim as an unauthorized alien to any  
23 federal department or agency.

24 2. An employer who violates subsection 1 commits a  
25 simple misdemeanor.

26 3. A civil action for damages may be brought  
27 against an employer who violates subsection 1."

28 2. By renumbering as necessary.

Tymeson of Madison rose on a point of order that amendment H-8432 was not germane, to amendment H-8361.

The Speaker ruled the point well taken and amendment H-8432 not germane, to amendment H-8361.

On motion by Tymeson of Madison, the committee amendment H-8361, as amended, was adopted.

Ford of Polk offered amendment H-8382 filed by him as follows:

H-8382

1 Amend Senate File 2219, as passed by the Senate, as  
2 follows:

3 1. Page 1, line 4, by inserting after the word  
4 "trafficking" the following: ", to include classes on  
5 cultural sensitivity and the means to deal effectively  
6 and appropriately with trafficking victims. Such  
7 training shall encourage law enforcement personnel to  
8 communicate in the language of the trafficking  
9 victims".

10 2. By renumbering as necessary.

Ford of Polk offered the following amendment H-8433, to amendment H-8382, filed by him from the floor and moved its adoption:

H-8433

- 1 Amend the amendment, H-8382, to Senate File 2219,
- 2 as passed by the Senate, as follows:
- 3 1. Page 1, line 4, by striking the word "classes"
- 4 and inserting the following: "curricula".

Amendment H-8433 was adopted.

On motion by Ford of Polk amendment H-8382, as amended, was adopted.

Dix of Butler asked unanimous consent to suspend the rules to consider amendment H-8423.

Objection was raised.

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?" (S.F. 2219)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands



Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wildurdyke
Winckler	Wise	Carroll, Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**Senate File 2231**, a bill for an act concerning accrued sick leave and the conversion of sick leave for state employees, with report of committee recommending passage, 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?" (S.F. 2231)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith

Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Carroll, Presiding		

The nays were, none.

Absent or not voting, 2:

Granzow                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2207, 2219, 2231 and 2374.**

**Senate File 2289**, a bill for an act relating to identification of publicly owned motor vehicles used by persons who provide off-site or in-home medical or mental health services, with report of committee recommending passage, was taken up for consideration.

Lukan of Dubuque moved that the bill be read a last time 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. 2289)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevrt	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn

Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Carroll, Presiding		

The nays were, 1:

Van Fossen, J.K.

Absent or not voting, 1:

Zirkelbach

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:

Miller of Webster on request of Murphy of Dubuque.

**Senate File 2333**, a bill for an act relating to the transfer of veterans commemorative property placed in a cemetery, recodifying a provision regarding veteran markers, and providing a penalty, with report of committee recommending passage, 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?" (S.F. 2333)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foegel
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyeke	Winckler
Wise	Carroll, Presiding		

The nays were, none.

Absent or not voting, 2:

Miller                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 2381**, a bill for an act relating to combustion of solid waste with energy recovery, with report of committee recommending passage, was taken up for consideration.

Kurtenbach of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2381)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdye	Winckler
Wise	Carroll, Presiding		

The nays were, none.

Absent or not voting, 2:

Miller                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2592**, a bill for an act providing for various technical and substantive changes relating to health licensing and related public health matters, was taken up for consideration.

Roberts of Carroll offered the following amendment H-8389 filed by him and moved its adoption:

H-8389

- 1 Amend House File 2592 as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:

4 "Section 1. Section 135.2, Code 2005, is amended  
5 to read as follows:

6 135.2 APPOINTMENT OF DIRECTOR AND ACTING DIRECTOR.

7 1. a. The governor shall appoint the director of  
8 the department, subject to confirmation by the senate.  
9 The director shall serve at the pleasure of the  
10 governor. The director is exempt from the merit  
11 system provisions of chapter 8A, subchapter IV. The  
12 governor shall set the salary of the director within  
13 the range established by the general assembly.

14 b. The director shall possess education and  
15 experience in public health.

16 2. The director may appoint an employee of the  
17 department to be acting director, who shall have all  
18 the powers and duties possessed by the director. The  
19 director may appoint more than one acting director but  
20 only one acting director shall exercise the powers and  
21 duties of the director at any time.

22 Sec. 2. NEW SECTION. 135.12 OFFICE OF  
23 MULTICULTURAL HEALTH – ESTABLISHED – DUTIES.

24 The office of multicultural health is established  
25 within the department. The office shall be  
26 responsible for all of the following:

27 1. Providing comprehensive management strategies  
28 to address culturally and linguistically appropriate  
29 services, including strategic goals, plans, policies,  
30 and procedures, and designating staff responsible for  
31 implementation.

32 2. Requiring and arranging for ongoing education  
33 and training for administrative, clinical, and other  
34 appropriate staff in culturally and linguistically  
35 competent health care and service delivery.

36 3. Utilizing formal mechanisms for community and  
37 consumer involvement and coordinating with other state  
38 agencies to identify resources and programs that  
39 affect the health service delivery systems."

40 2. Page 1, by inserting after line 16 the  
41 following:

42 "Sec. \_\_\_\_ Section 135.63, subsection 2,  
43 paragraphs l and o, Code 2005, are amended to read as  
44 follows:

45 1. The replacement or modernization of any  
46 institutional health facility if the replacement or  
47 modernization does not add new health services or  
48 additional bed capacity for existing health services,  
49 notwithstanding any provision in this division to the  
50 contrary. This exclusion is applicable only if the

Page 2

1 institutional health facility ceases offering the  
2 health services simultaneously with the initiation of

3 the offering of the health services by the replacement  
4 institutional health facility or the modernized  
5 institutional health facility.

6 o. The change in ownership, licensure,  
7 organizational structure, or designation of the type  
8 of institutional health facility if the health  
9 services offered by the successor institutional health  
10 facility are unchanged. This exclusion is applicable  
11 only if the institutional health facility consents to  
12 the change in ownership, licensure, organizational  
13 structure, or designation of the type of institutional  
14 health facility and ceases offering the health  
15 services simultaneously with the initiation of the  
16 offering of health services by the successor  
17 institutional health facility."

18 3. Page 1, by inserting after line 31 the  
19 following:

20 "Sec. \_\_. Section 135.140, subsection 6,  
21 paragraph a, Code Supplement 2005, is amended by  
22 adding the following new subparagraphs:

23 NEW SUBPARAGRAPH. (6) A natural occurrence or  
24 incident, including but not limited to fire, flood,  
25 storm, drought, earthquake, tornado, or windstorm.

26 NEW SUBPARAGRAPH. (7) A man-made occurrence or  
27 incident, including but not limited to an attack,  
28 spill, or explosion."

29 4. Page 2, by inserting after line 3 the  
30 following:

31 "Sec. \_\_. NEW SECTION. 139A.13A ISOLATION OR  
32 QUARANTINE – EMPLOYMENT PROTECTION.

33 1. An employer shall not discharge an employee, or  
34 take or fail to take action regarding an employee's  
35 promotion or proposed promotion, or take action to  
36 reduce an employee's wages or benefits for actual time  
37 worked, due to the compliance of an employee with a  
38 quarantine or isolation order issued by the department  
39 or a local board.

40 2. An employee whose employer violates this  
41 section may petition the court for imposition of a  
42 cease and desist order against the person's employer  
43 and for reinstatement to the person's previous  
44 position of employment. This section does not create  
45 a private cause of action for relief of money damages.

46 Sec. \_\_. Section 147.82, subsection 3, Code  
47 Supplement 2005, is amended to read as follows:

48 3. The department may annually retain and expend  
49 not more than one hundred thousand dollars for  
50 reduction of the number of days necessary to process

Page 3

1 medical license requests and for reduction of the

2 number of days needed for consideration of malpractice  
3 cases from fees collected pursuant to section 147.80  
4 by the board of medical examiners ~~in the fiscal year~~  
5 ~~beginning July 1, 2005, and ending June 30, 2006.~~  
6 Fees retained by the department pursuant to this  
7 subsection shall be considered repayment receipts as  
8 defined in section 8.2 and shall be used for the  
9 purposes described in this subsection."

10 5. Page 2, by inserting after line 35 the  
11 following:

12 "Sec. \_\_\_. Section 148.2, subsection 5, Code 2005,  
13 is amended to read as follows:

14 5. Physicians and surgeons of the United States  
15 army, navy, ~~or air force, marines,~~ public health  
16 service, ~~or other uniformed service~~ when acting in the  
17 line of duty in this state, and holding a current,  
18 active permanent license in good standing in another  
19 state, district, or territory of the United States, or  
20 physicians and surgeons licensed in another state,  
21 when incidentally called into this state in  
22 consultation with a physician and surgeon licensed in  
23 this state."

24 6. Page 6, by inserting after line 9 the  
25 following:

26 "Sec. \_\_\_. NEW SECTION. 154E.3A TEMPORARY  
27 LICENSE.

28 Beginning July 1, 2007, an individual who does not  
29 meet the requirements for licensure by examination  
30 pursuant to section 154E.3 may apply for or renew a  
31 temporary license. The temporary license shall  
32 authorize the licensee to practice as a sign language  
33 interpreter or transliterator under the direct  
34 supervision of a sign language interpreter or  
35 transliterator licensed pursuant to section 154E.3.  
36 The temporary license shall be valid for two years and  
37 may only be renewed one time in accordance with  
38 standards established by rule. An individual shall  
39 not practice for more than a total of four years under  
40 a temporary license. The board may revoke a temporary  
41 license if it determines that the temporary licensee  
42 has violated standards established by rule. The board  
43 may adopt requirements for temporary licensure to  
44 implement this section.

45 Sec. \_\_\_. Section 154E.4, subsection 2, Code  
46 Supplement 2005, is amended by adding the following  
47 new paragraph:

48 NEW PARAGRAPH. e. Students enrolled in a school  
49 of interpreting may interpret only under the direct  
50 supervision of a permanently licensed interpreter as



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1 part of the student's course of study."

2 7. Page 7, by inserting after line 6 the  
3 following:

4 "Sec. \_\_\_. Section 157.13, subsection 1, Code  
5 Supplement 2005, is amended by striking the subsection  
6 and inserting in lieu thereof the following:

7 1. It is unlawful for a person to employ an  
8 individual to practice cosmetology arts and sciences  
9 unless that individual is licensed or has obtained a  
10 temporary permit under this chapter. It is unlawful  
11 for a licensee to practice with or without  
12 compensation in any place other than a licensed salon,  
13 a licensed school of cosmetology arts and sciences, or  
14 a licensed barbershop as defined in section 158.1.  
15 The following exceptions to this subsection shall  
16 apply:

17 a. A licensee may practice at a location which is  
18 not a licensed salon, school of cosmetology arts and  
19 sciences, or licensed barbershop under extenuating  
20 circumstances arising from physical or mental  
21 disability or death of a customer.

22 b. Notwithstanding section 157.12, when the  
23 licensee is employed by a physician and provides  
24 cosmetology services at the place of practice of a  
25 physician and is under the supervision of a physician  
26 licensed to practice pursuant to chapter 148, 150, or  
27 150A.

28 c. When the practice occurs in a facility licensed  
29 pursuant to chapter 135B or 135C.

30 Sec. \_\_\_. Section 157.13, Code Supplement 2005, is  
31 amended by adding the following new subsection:  
32 NEW SUBSECTION. 1A. It is unlawful for a licensee  
33 to claim to be a licensed barber, however a licensed  
34 cosmetologist may work in a licensed barbershop. It  
35 is unlawful for a person to employ a licensed  
36 cosmetologist, esthetician, or electrologist to  
37 perform the services described in section 157.3A if  
38 the licensee has not received the additional training  
39 and met the other requirements specified in section  
40 157.3A.

41 Sec. \_\_\_. Section 272C.1, subsection 6, Code  
42 Supplement 2005, is amended by adding the following  
43 new paragraph:

44 NEW PARAGRAPH. ad. The director of public health  
45 in certifying emergency medical care providers and  
46 emergency medical care services pursuant to chapter  
47 147A.

48 Sec. \_\_\_. Section 691.6, Code Supplement 2005, is  
49 amended by adding the following new subsection:  
50 NEW SUBSECTION. 8. To retain tissues, organs, and

Page 5

1 bodily fluids as necessary to determine the cause and  
2 manner of death or as deemed advisable by the state  
3 medical examiner for medical or public health  
4 investigation, teaching, or research. Tissues,  
5 organs, and bodily fluids shall be properly disposed  
6 of by following procedures and precautions for  
7 handling biologic material and blood-borne pathogens  
8 as established by rule.

9 Sec. \_\_. 2004 Iowa Acts, chapter 1175, section  
10 432, subsection 3, is amended to read as follows:

11 3. Applicants issued a temporary license pursuant  
12 to this section shall pass a licensure examination  
13 approved by the board on or before July 1, 2007, in  
14 order to ~~remain licensed as an interpreter~~ qualify to  
15 be licensed by examination."

16 8. Title page, line 2, by striking the word  
17 "related" and inserting the following: "other".

Amendment H-8389 was adopted.

Granzow of Hardin offered the following amendment H-8394 filed  
by her and moved its adoption:

H-8394

1 Amend House File 2592 as follows:

2 1. Page 1, by inserting after line 16 the  
3 following:

4 "Sec. \_\_. **NEW SECTION.** 135.105D BLOOD LEAD  
5 TESTING – PROVIDER EDUCATION – PAYOR OF LAST RESORT.

6 1. For purposes of this section:

7 a. "Blood lead testing" means taking a capillary  
8 or venous sample of blood and sending it to a  
9 laboratory to determine the level of lead in the  
10 blood.

11 b. "Capillary" means a blood sample taken from the  
12 finger or heel for lead analysis.

13 c. "Health care provider" means a physician who is  
14 licensed under chapter 148, 150, or 150A, or a person  
15 who is licensed as a physician assistant under chapter  
16 148C, or as an advanced registered nurse practitioner.

17 d. "Venous" means a blood sample taken from a vein  
18 in the arm for lead analysis.

19 2. The department shall work with health care  
20 provider associations to educate health care providers  
21 regarding requirements for testing children who are  
22 enrolled in certain federally funded programs and  
23 regarding department recommendations for testing other

24 children for lead poisoning.  
 25 3. The department shall implement blood lead  
 26 testing for children under six years of age who are  
 27 not eligible for the testing services to be paid by a  
 28 third-party source. The department shall contract  
 29 with one or more public health laboratories to provide  
 30 blood lead analysis for such children. The department  
 31 shall establish by rule the procedures for health care  
 32 providers to submit samples to the contracted public  
 33 health laboratories for analysis. The department  
 34 shall also establish by rule a method to reimburse  
 35 health care providers for drawing blood samples from  
 36 such children and the dollar amount that the  
 37 department will reimburse health care providers for  
 38 the service. Payment for blood lead analysis and  
 39 drawing blood samples shall be limited to the amount  
 40 appropriated for the program in a fiscal year."  
 41 2. By renumbering as necessary.

Amendment H-8394 was adopted.

Wilderdye of Harrison offered the following amendment H-8278  
 filed by Wilderdye, et al., and moved its adoption:

H-8278

1 Amend House File 2592 as follows:  
 2 1. Page 2, by inserting after line 3 the  
 3 following:  
 4 "Sec. \_\_\_. Section 147.106, subsection 1,  
 5 paragraph e, Code Supplement 2005, is amended to read  
 6 as follows:  
 7 e. The referring clinical laboratory, other than  
 8 the laboratory of a physician's office or group  
 9 practice, that ordered the services. A laboratory of  
 10 a physician's office or group practice that ordered  
 11 the services may be presented a claim, bill, or demand  
 12 for payment if a physician in the physician's office  
 13 or group practice is performing the professional  
 14 component of the anatomic pathology services.  
 15 Sec. \_\_\_. Section 147.106, subsection 5, Code  
 16 Supplement 2005, is amended to read as follows:  
 17 5. This section does not prohibit claims or  
 18 charges presented by to a referring clinical  
 19 laboratory, other than a laboratory of a physician's  
 20 office or group practice, ~~to~~ unless in accordance with  
 21 subsection 1, paragraph "e", by another clinical  
 22 laboratory when samples are transferred between  
 23 laboratories for the provision of anatomic pathology  
 24 services."  
 25 2. By renumbering as necessary.

Amendment H-8278 was adopted.

Thomas of Clayton offered the following amendment H-8285 filed by him and moved its adoption:

H-8285

1 Amend House File 2592 as follows:

2 1. Page 2, by inserting after line 35 the  
3 following:

4 "Sec.     . NEW SECTION. 147A.15 AUTOMATED  
5 EXTERNAL DEFIBRILLATOR EQUIPMENT – PENALTY.

6 Any person who damages, wrongfully takes or  
7 withholds, or removes any component of automated  
8 external defibrillator equipment located in a public  
9 or privately owned location, including batteries  
10 installed to operate the equipment, is guilty of a  
11 serious misdemeanor."

12 2. Title page, line 2, by striking the word  
13 "related" and inserting the following: "other".

Amendment H-8285 was adopted.

Lalk of Fayette offered the following amendment H-8391 filed by him and moved its adoption:

H-8391

1 Amend House File 2592 as follows:

2 1. Page 7, by inserting after line 6 the  
3 following:

4 "Sec.     . Section 714.16, subsection 1, paragraph  
5 o, Code 2005, is amended to read as follows:  
6 o. "Water treatment system" means a device or  
7 assembly for which a claim is made that it will  
8 improve the quality of drinking water by reducing one  
9 or more contaminants through mechanical, physical,  
10 chemical, or biological processes or combinations of  
11 the processes. As used in this paragraph and in  
12 subsection 2, paragraph "h", each model of a water  
13 treatment system shall be deemed a distinct water  
14 treatment system. As used in this paragraph and in  
15 subsection 2, paragraph "h", a water treatment system  
16 does not include a portable filtration system  
17 certified as a microbiological water purifier by the  
18 United States environmental protection agency. The  
19 Iowa department of public health shall establish rules  
20 exempting portable filtration systems that meet these

21 standards."

22 2. Title page, line 2, by striking the word

23 "related" and inserting the following: "other".

24 3. By renumbering as necessary.

Roll call was requested by Murphy of Dubuque and Smith of Marshall.

On the question "Shall amendment H-8391 be adopted?" (H.F. 2592)

The ayes were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	De Boef	Dix
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
May	Olson, S.	Paulsen	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wildurdyke	Carroll,		
	Presiding		

The nays were, 48:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foegen
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Maddox	Mascher	McCarthy
Mertz	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

Absent or not voting, 2:

Miller                      Zirkelbach

Amendment H-8391 was adopted.

Wilderdyke 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. 2592)

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevrt	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Speaker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Carroll,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Miller                      Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

## IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House File 2592** and **Senate Files 2289, 2333 and 2381.**

## REPORT OF THE CHIEF CLERK OF THE HOUSE

Mr. SPEAKER: Pursuant to House Rule 42, I report that in engrossing bills the following corrections were made.

**House File 2512**

1. Page 3, lines 1 and 8 – Added the words “to read” after amended.

MARGARET A. THOMSON  
Chief Clerk of the House

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 29, 2006, he approved and transmitted to the Secretary of State the following bills:

House File 2177, an Act requiring the county auditor to evidence approval of the name of a subdivision plat and requiring such statement for filing the subdivision plat with the county recorder.

House File 2465, an Act relating to the determination of the holding period for purposes of certain capital gains under the individual income tax and including effective and retroactive applicability date provisions.

House File 2541, an Act eliminating certain duties of the department of natural resources.

House File 2587, an Act relating to financial institutions including the regulation of state banks, bank holding companies, and industrial loan companies, and providing for penalties.

House File 2644, an Act relating to department of human services' technical requirements involving individual development accounts, family investment program limited benefit plans, paternity establishment definitions, and the state child care assistance program, and including effective date and retroactive applicability provisions.

House File 2713, an Act changing the bid threshold requirement for certain public improvement contracts and providing for an effective date.

Senate File 2273, an Act relating to financial and regulatory matters by making and revising appropriations for the fiscal year beginning July 1, 2005, and providing an effective date.

Senate File 2316, an Act relating to the procedures for filing administrative rules.

## 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

- 2006\1214 Bobbie and Barbara Toliver, Kingsley – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1215 Melvin and Joan Hopp, Homestead – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1216 Austin Clark, George–Little Rock Community School – For winning First Place in the 2006 Iowa Reading Association’s Creative Writing Contest.

## SUBCOMMITTEE ASSIGNMENTS

### House File 2766

Ways and Means: Kurtenbach, Chair; Huser and Struyk.

### Senate File 2312

Ways and Means: Kaufmann, Chair; Davitt and Paulsen.

### Senate File 2319

Appropriations: De Boef, Chair; May and Mertz.

## 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 File 2616), relating to persons with mental illness, mental retardation, developmental disabilities, or brain injury by addressing purposes and quality standards for services and other support available for such persons, establishing basic financial eligibility standards, addressing state and county financial responsibility for the cost of the services and other support, and providing effective and applicability dates.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 2006.

## COMMITTEE ON GOVERNMENT OVERSIGHT

**Committee Bill** (Formerly House Study Bill 775), relating to citations issued to persons under the age of eighteen for alcohol-related offences and parental and school notification.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 29, 2006.

## COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House File 2732), relating to certification to the county auditor of the amount of loans, advances, indebtedness, or bonds issued or incurred for urban renewal purposes.

Fiscal Note is not required.

Recommended **Do Pass** March 28, 2006.

**Committee Bill** (Formerly House Study Bill 768), relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 28, 2006.

## RESOLUTION FILED

**HR 160**, by Chambers, a resolution honoring the city of Peterson, Iowa, on its sesquicentennial.

Laid over under **Rule 25**.

**SCR 105**, by Hancock, a concurrent resolution requesting the legislative council to establish an interim committee to study emergency services in the state.

Laid over under **Rule 25**.

#### AMENDMENTS FILED

H—8421	H.F.	2240	Senate Amendment
H—8422	H.F.	2282	Senate Amendment
H—8425	S.F.	2309	Jenkins of Black Hawk Hoffman of Crawford
H—8426	H.F.	2508	Senate Amendment
H—8427	S.F.	2363	Dolecheck of Ringgold
H—8428	S.F.	2076	De Boef of Keokuk
H—8429	S.F.	2346	Tymeson of Madison Paulsen of Linn
H—8430	S.F.	2346	Bukta of Clinton Tjepkes of Webster
H—8434	H.F.	2764	Wendt of Woodbury Dolecheck of Ringgold
H—8435	S.F.	2346	Bukta of Clinton Tjepkes of Webster
H—8437	H.F.	2769	Ford of Polk
H—8438	H.F.	722	Senate Amendment
H—8439	H.F.	2750	R. Olson of Polk

On motion by Gipp of Winneshiek the House adjourned at 7:47 p.m., until 8:45 a.m., Thursday, March 30, 2006.

# JOURNAL OF THE HOUSE

Eighty-first Calendar Day - Fifty-seventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 30, 2006

The House met pursuant to adjournment at, 8:45 a.m., Roberts of Carroll in the chair.

Prayer was offered by Reverend David Splett, pastor of St. Paul Lutheran Church, Eldora. He was the guest of Representative Polly Granzow of Hardin County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Delaney Vierkandt, Gabby Vierkandt, Crosley Ryan and Lexi Ryan, the granddaughters of Representative Polly Granzow of Hardin County.

The Journal of Wednesday, March 29, 2006 was approved.

## INTRODUCTION OF BILLS

**House File 2780**, by committee on appropriations, a bill for an act relating to persons with mental illness, mental retardation, developmental disabilities, or brain injury by addressing purposes and quality standards for services and other support available for such persons, establishing basic financial eligibility standards, addressing state and county financial responsibility for the cost of the services and other support, and providing effective and applicability dates.

Read first time and placed on the **appropriations calendar**.

**House File 2781**, by committee on ways and means, a bill for an act relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions.

Read first time and placed on the **ways and means calendar**.

## SPECIAL PRESENTATION

Speaker pro tempore Carroll introduced to the House, Ryan Odens, the National Ambassador for the Easter Seals in the United States. He was the guest of Representative Dwayne Alons of Sioux County.

The House rose and expressed its welcome.

On motion by Dolecheck of Ringgold, the House was recessed at 9:02 a.m., until 1:00 p.m.

## AFTERNOON SESSION

The House reconvened at 1:01 p.m., Speaker pro tempore Carroll in the chair.

## INTRODUCTION OF BILLS

**House File 2782**, by committee on appropriations, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first fund, tobacco settlement trust fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, the technology reinvestment fund, the endowment for Iowa's health account, and related matters.

Read first time and placed on the **appropriations calendar**.

**House File 2783**, by committee on ways and means, a bill for an act providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and providing effective and retroactive applicability dates.

Read first time and placed on the **ways and means calendar**.

**House File 2784**, by committee on ways and means, a bill for an act concerning community foundations and economic development relating to the endow Iowa tax credit, the allocation of gambling tax revenues, the distribution of county endowment moneys, making an appropriation, and providing an effective date.

Read first time and referred to committee on **appropriations**.

**House File 2785**, by committee on ways and means, a bill for an act providing for the licensure of operators authorized to use and explode fireworks and making penalties applicable.

Read first time and placed on the **ways and means calendar**.

**House File 2786**, by committee on ways and means, a bill for an act relating to civil actions and the foreclosure of real estate mortgages, and providing fees.

Read first time and placed on the **ways and means calendar**.

**House File 2787**, by committee on ways and means, a bill for an act relating to the child and dependent care and early childhood development income tax credits by increasing the net income limits for eligibility, eliminating the limit on the amount of credits allowed, and including a retroactive applicability date provision.

Read first time and placed on the **ways and means calendar**.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Lensing of Johnson on request of Winckler of Scott.

#### CONSIDERATION OF BILLS Unfinished Business Calendar

**House File 2457**, a bill for an act relating to indigent defense claims and the reimbursement of costs in juvenile cases paid by a county, was taken up for consideration.

Anderson of Page offered the following amendment H-8125 filed by him and moved its adoption:

H-8125

- 1 Amend House File 2457 as follows:
- 2 1. Page 3, by striking lines 19 and 20 and
- 3 inserting the following:
- 4 "c. Fees and expenses incurred by the juvenile
- 5 court for foreign language interpreters for court

6 proceedings."

7 2. Page 4, line 22, by inserting after the word

8 "appeals" the following: "~~for those purposes~~".

Amendment H-8125 was adopted.

**SENATE FILE 2304 SUBSTITUTED FOR HOUSE FILE 2457**

Anderson of Page asked and received unanimous consent to substitute Senate File 2304 for House File 2457.

**Senate File 2304**, a bill for an act relating to indigent defense claims and the reimbursement of costs in juvenile cases paid by a county, was taken up for consideration.

Anderson 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?" (S.F. 2304)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Carroll, Presiding			

The nays were, none.

Absent or not voting, 3:

Lensing

Paulsen

Zirkelbach

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2649**, a bill for an act relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa, was taken up for consideration.

### SENATE FILE 2341 SUBSTITUTED FOR HOUSE FILE 2649

Heaton of Henry asked and received unanimous consent to substitute Senate File 2341 for House File 2649.

**Senate File 2341**, a bill for an act relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa, was taken up for consideration.

Heaton of Henry offered the following amendment H-8336 filed by him and moved its adoption:

H-8336

1 Amend Senate File 2341, as passed by the Senate, as  
2 follows:

3 1. Page 1, by striking lines 9 and 10 and  
4 inserting the following: "~~any judge thereof the board~~  
5 of supervisors of the person's county of residence or  
6 the board's designee, stating that the".

7 2. Page 1, lines 24 and 25, by striking the words  
8 "office of the county general assistance director" and  
9 inserting the following: "county board of supervisors  
10 or the board's designee".

11 3. Page 1, line 35, by striking the words  
12 "general assistance director" and inserting the  
13 following: "board of supervisors or the board's  
14 designee".

15 4. Page 2, line 18, by inserting after the word  
16 "supervisors" the following: "or the board's  
17 designee".

- 18 5. Page 2, lines 22 and 23, by striking the words
- 19 "general assistance director" and inserting the
- 20 following: "board of supervisors or the board's
- 21 designee".
- 22 6. Page 3, line 27, by inserting after the word
- 23 "supervisors" the following: "or the board's
- 24 designee".
- 25 7. Page 3, line 33, by striking the word "board"
- 26 and inserting the following: "county".
- 27 8. Page 4, line 5, by inserting after the word
- 28 "supervisors" the following: "or the board's
- 29 designee".
- 30 9. Page 4, by striking lines 13 and 14 and
- 31 inserting the following: "investigation or trip.
- 32 This section does not apply to an appointee who
- 33 receives".
- 34 10. Page 4, by striking lines 16 through 27.
- 35 11. Page 4, line 32, by striking the word and
- 36 figure "or 225.20".
- 37 12. Page 5, line 2, by inserting after the word
- 38 "supervisors" the following: "or the board's
- 39 designee".
- 40 13. Page 5, line 29, by inserting after the word
- 41 "supervisors" the following: "or the board's
- 42 designee".
- 43 14. Page 6, by inserting after line 29 the
- 44 following:
- 45 "Sec.     . Section 225.20, Code 2005, is
- 46 repealed."
- 47 15. By renumbering as necessary.

Amendment H-8336 was adopted.

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. 2341)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter



Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wildurdyke	Winckler	Wise
Carroll, Presiding			

The nays were, none.

Absent or not voting, 3:

Lensing	Paulsen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 2740**, a bill for an act relating to the judicial branch and court administration and procedure and providing a penalty, was taken up for consideration.

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. 2740)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum

Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schuessler
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyeke	Winckler	Wise
Carroll, Presiding			

The nays were, none.

Absent or not voting, 3:

Lensing	Paulsen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 2649 WITHDRAWN

Heaton of Henry asked and received unanimous consent to withdraw House File 2649 from further consideration by the House.

**House File 2764**, a bill for an act authorizing a school district to share its portion of incremental property taxes with a contiguous school district, was taken up for consideration.

Wendt of Woodbury offered the following amendment H-8434 filed by him and Dolecheck of Ringgold and moved its adoption:

H-8434

- 1 Amend House File 2764 as follows:
- 2 1. Page 1, by striking lines 8 through 12.
- 3 2. Page 2, by striking lines 23 and 24 and
- 4 inserting the following: "school district, the school
- 5 district shall transfer the taxes as provided in the
- 6 agreement."

Amendment H-8434 was adopted.

Ford of Polk asked and received unanimous consent to withdraw amendment H-8390 filed by him on March 27, 2006.

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. 2764)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyeke	Winckler	Wise
Carroll, Presiding			

The nays were, none.

Absent or not voting, 3:

Lensing	Paulsen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2740, 2764** and **Senate Files 2304 and 2341**.

## HOUSE FILES 2229 and 2530 WITHDRAWN

Dolecheck of Ringgold asked and received unanimous consent to withdraw House Files 2229 and 2530 from further consideration by the House.

## Regular Calendar

**Senate File 2087**, a bill for an act relating to an increase in per diem paid to trustees of sanitary districts, with report of committee recommending passage, 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?" (S.F. 2087)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevrt	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.

Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Carroll, Presiding			

The nays were, none.

Absent or not voting, 3:

Lensing	Paulsen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### HOUSE FILE 2457 WITHDRAWN

Anderson of Page asked and received unanimous consent to withdraw House File 2457 from further consideration by the House.

**Senate File 2275**, a bill for an act relating to debt cancellation coverage offered by banks and credit unions, was taken up for consideration.

Sands of Louisa moved that the bill be read a last time 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. 2275)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.

Olson, S.	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdike
Winckler	Wise	Carroll, Presiding	

The nays were, none.

Absent or not voting, 5:

Huser	Lensing	Lukan	Paulsen
Zirkelbach			

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 2290**, a bill for an act relating to the payment of costs of reasonable attorney fees and other expenses related to certain paternity and adoption proceedings, with report of committee recommending amendment and passage, was taken up for consideration.

Heaton of Henry offered the following amendment H-8359 filed by the committee on judiciary and moved its adoption:

H-8359

- 1 Amend Senate File 2290, as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by striking lines 1 through 6.
- 4 2. Title page, line 2, by striking the words
- 5 "paternity and".
- 6 3. By renumbering as necessary.

The committee amendment H-8359 was adopted.

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. 2290)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Carroll, Presiding			

The nays were, none.

Absent or not voting, 3:

Lensing	Paulsen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

**Senate File 2299**, a bill for an act relating to credit unions and other financial organizations by providing for public funds requirements, membership qualifications, and preservation of records, with report of committee recommending passage, was taken up for consideration.

Soderberg 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?" (S.F. 2299)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wildurdyke	Winckler	Wise
Carroll, Presiding			

The nays were, none.

Absent or not voting, 3:

Lensing	Paulsen	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2087, 2275, 2290 and 2299.**



## INTRODUCTION OF BILL

**House File 2788**, by committee on ways and means, a bill for an act relating to the renewable energy tax credit program including providing for the extension of certain eligibility deadlines and operational requirements for eligible facilities.

Read first time and placed on the **ways and means calendar**.

**Senate File 2327**, a bill for an act relating to access to confidential information used to secure an arrest warrant, with report of committee recommending passage, was taken up for consideration.

Hutter 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. 2327)

The ayes were, 89:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Freeman
Frevert	Gaskill	Gipp	Granzow
Greiner	Heaton	Heddens	Hoffman
Hogg	Horbach	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lukan
Lykam	Maddox	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.R.	Watts	Wendt	Whitaker
Whitead	Wilderdyeke	Winckler	Wise
Carroll, Presiding			

The nays were, 7:

Fallon	Ford	Hunter	Mascher
Olson, R.	Taylor, D.	Wessel-Kroeschell	

Absent or not voting, 4:

Lensing	Paulsen	Van Fossen, J.K.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 2344**, a bill for an act requiring development of a uniform application form for small employer group health insurance coverage, 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. 2344)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.R.	Watts

Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Carroll, Presiding

The nays were, none.

Absent or not voting, 4:

Lensing	Paulsen	Van Fossen, J.K.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**Senate File 2358**, a bill for an act relating to the administrative duties of the state board of regents, with report of committee recommending amendment and passage, was taken up for consideration.

Pettengill of Benton asked and received unanimous consent to withdraw amendment H-8381 filed by Pettengill, et al., on March 27, 2006.

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?" (S.F. 2358)

The ayes were, 93:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lukan	Lykam	Maddox
Mascher	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Olson, S.	Petersen	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands

Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Carroll, Presiding			

The nays were, 3:

Huser	Pettengill	Struyk
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Absent or not voting, 4:

Lensing	Paulsen	Van Fossen, J.K.	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

### IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2327, 2344 and 2358.**

### SENATE FILES PLACED ON THE UNFINISHED BUSINESS CALENDAR

Gipp of Winneshiek asked and received unanimous consent to place the following Senate Files on the unfinished business calendar:

Senate Joint Resolution 2001	Senate File 2312
Senate File 98	Senate File 2318
Senate File 367	Senate File 2322
Senate File 2076	Senate File 2339
Senate File 2241	Senate File 2343
Senate File 2249	Senate File 2346
Senate File 2251	Senate File 2363
Senate File 2268	Senate File 2364
Senate File 2272	Senate File 2377
Senate File 2309	

### SENATE FILE 2390 REREFERRED

The Speaker announced that Senate File 2390, previously referred to committee on **ways and means** was **passed on file.**

## COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

### IOWA UTILITIES BOARD

Second statewide telecommunications competition survey for retail local voice services in Iowa, pursuant to Chapter 8D.10, Code of Iowa.

### SUBCOMMITTEE ASSIGNMENT

#### House File 2608

Ways and Means: Boal, Chair; Schueller and Soderberg.

## 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 LSB 5197HB), relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first fund, tobacco settlement trust fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, the technology reinvestment fund, the endowment for Iowa's health account, and related matters.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2006.

### COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly House File 236), providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and providing effective and retroactive applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 29, 2006.

**Committee Bill** (Formerly House File 2529), authorizing small employer association health benefit plans, a small employer health care tax credit, wellness

incentives, a small employer catastrophic risk program, providing an appropriation, and providing for effective, retroactive, and applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 29, 2006.

**Committee Bill** (Formerly House File 2670), concerning community foundations and economic development relating to the endow Iowa tax credit, the allocation of gambling tax revenues, making an appropriation, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 29, 2006.

**Committee Bill** (Formerly House File 2682), relating to the renewable energy tax credit program including providing for the extension of certain eligibility deadlines and operational requirements for eligible facilities.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 29, 2006.

**Committee Bill** (Formerly House File 2689), relating to assessing court costs, providing for indigent defense, and making appropriations to the judicial branch and department of inspections and appeals.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 29, 2006.

**Committee Bill** (Formerly House File 2737), relating to civil actions and the foreclosure of real estate mortgages, and providing fees.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2006.

**Senate File 2312**, a bill for an act providing grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including an effective date and retroactive applicability provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass with Amendment H—8440** March 29, 2006.

**Senate File 2364**, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including the securities and regulated industries bureau, insurance premium taxes, the uniform securities Act, insurance division procedures, regulation of insurance companies and other entities including administrative penalties, motor vehicle service contracts, county and state mutual insurance associations, reciprocal or interinsurance insurers, consolidation,

merger and reinsurance contracts, insurance holding company systems, and cemeteries.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2006.

**Committee Bill** (Formerly House Study Bill 774), relating to the child and dependent care and early childhood development income tax credits by increasing the net income limits for eligibility, eliminating the limit on the amount of credits allowed, and including a retroactive applicability date provision.

Fiscal Note is not required.

Recommended **Do Pass** March 29, 2006.

#### AMENDMENTS FILED

H—8440	S.F.	2312	Committee on Ways and Means
H—8441	S.F.	2364	Struyk of Pottawattamie Kurtenbach of Story
H—8442	H.F.	2664	Tjepkes of Webster
H—8443	H.F.	2748	Upmeyer of Hancock
H—8444	S.F.	98	Reasoner of Union
H—8445	H.F.	2773	Jacobs of Polk
H—8446	H.F.	2785	Reasoner of Union Tomenga of Polk
H—8447	H.F.	2776	Struyk of Pottawattamie

On motion by Jacobs of Polk the House adjourned at 2:22 p.m., until 9:00 a.m., Friday, March 31, 2006.

# JOURNAL OF THE HOUSE

Eighty-second Calendar Day - Fifty-eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Friday, March 31, 2006

The House met pursuant to adjournment at 8:54 a.m., Alons of Sioux in the chair.

Prayer was offered by the Honorable Dwayne Alons, state representative from Sioux County.

## PLEDEG OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Dwayne Alons, state representative from Sioux County.

The Journal of Thursday, March 30, 2006 was approved.

## INTRODUCTION OF BILL

**House File 2789**, by committee on ways and means, a bill for an act relating to assessing court costs and modifying speeding fines, providing for indigent defense, and making appropriations to the judicial branch and department of inspections and appeals.

Read first time and placed on the **ways and means calendar**.

## COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State Appeal Board on February 17, 2006, and is on file in the office of the Chief Clerk:

February 13, 2006

Chief Clerk  
House of Representatives  
Statehouse  
L O C A L



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 and Judgments (general torts and highway) paid during 2005 under Chapter 669.

The attached report shows the claim number, claimant's name, a brief description of the claim, the amount requested and the amount approved.

Sincerely,  
Michael L. Tramontina  
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 – Calendar year 2006

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T040104	Ronald D. Fix	Claimant passed out While taking a Spirometry test at Iowa State Fair	\$200,000.00	\$100,000.00
T040149	Allied/Nationwide Mutual Ins ASO Joanna Van Baale	Claimant's veh dmgd by state veh 1084 when it pulled away from stop sign, attempted left turn and turned into path of claimant's veh	\$11,182.50	\$1,261.56
T040198	Sarah E Griglen-Reese	Claimant was res at Corr Facility and was inj when the Chair she sat on collapsed inj her shoulder	Unspecified	\$5,000.00
T040509	Sur Shaffer	Claimant was deliv luggage to a res of the Hawkeye Ct Apts, U of I and tripped over a raised portion of the parking curb and sustained fract of the right homerus and other fract	\$20,000.00	\$5,000.00
T040651	Melvin & Deborah	Crop damage due to	\$109.48	\$109.48

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
	Baxter	archaeological investigation		
T040657	Melvin & Deborah Baxter	Crop damage due to archaeological investigation	\$68.84	\$68.84
T040666	Estate of Billie J. McNutt	Allege claimant was given an OD of pain med which caused her death following surgery liver cancer	\$1,000,000.00	\$151,942.86
T040683	Mike D. Wyse	Dot snow plow alg struck & dmg mailbox	\$60.00	\$64.09
T040690	Jason Lee Brooks	Water dmg to personal property frm brkn pipe	\$301.00	\$301.00
T040706	Jerry L Nelson	State struck claimant veh	\$371.80	\$371.80
T040710	Hillary Anne Harris	State struck claimant parked veh	\$500.00	\$380.00
T040724	Charles Gilarski	State backed into claimant veh	\$614.53	\$428.23
T040726	Jessica R. Leyda	Claimant was hit broadside	\$75,000.00	\$44,000.00
T040738	George Wayne Long Jr #1153882	Claimant's property was lost or stolen	\$160.10	\$51.06
T040740	State Farm Ins Aso Stephanie M Kiefer	State rear-ended veh	\$1,648.51	\$1,708.51
T040769	Darrel H Showalter	Valet Struck veh	\$1,205.83	\$1,205.83
T040784	New Horizons, Living Center East	Valet Struck a veh with claimant's veh	\$1,175.80	\$1,175.80
T040900	Andrew N Marcussen #0806528	Claimant alleges that that filing fee of \$100 was paid twice	\$100.00	\$100.00
T050002	Larry Rick Rasmussen	DOT veh alg backed into veh parked in work zone	\$2,511.24	\$1,913.08
T050017	Amanda Hawley	Personal prop dmg in dorm flood	\$240.00	\$240.00
T050038	Progressive Ins Comp	State struck parked	\$1,622.25	\$1,622.25

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
	as subrogee for Kristy Haney a/s/o Arian Klup	claimant		
T050051	Karolie Kay Kimble	Med bills for falling on stairs at IMU	\$3,632.51	\$3,632.51
T050063	MetLife Auto & Home as subrogee for Genevieve Walsh	DOT veh alg hit veh on rain-slick road	\$2,000.00	\$2,000.00
T050064	MetLife Auto & Home as subrogee for Phillip Walsh	DOT veh alg hit veh on rain-slick road	\$738.44	\$738.44
T050068	William V Powell	Seeks reimbursement for property forwarded to wrong address	\$1,500.00	\$250.00
T050091	Sandra Garside	Claimant's veh was dmgd at Springbrook State Park when she pulled into the Handicapped parking space	\$412.46	\$412.46
T050131	Williams R Bowes Jr	Veh was dmgd by a large gate that was opened by DNR employee at Stone Park by Sioux City	\$331.40	\$331.40
T050134	Marilla Keleher	DOT mower alg threw rock dmg windshield	\$255.63	\$255.63
T050135	Kara K Gunderson	Veh scratched by tree in ISU prking lot	\$143.50	\$143.50
T050141	Douglas K Roe	Broken window frm rock thrown frm mower	\$234.86	\$234.86
T050149	Marlene Perkins	DOT mower alg threw rock dmg windshield	\$221.82	\$221.82
T050155	Darren Jeffrey Jensen	Gate arm pushed off motorcycle	\$2,415.87	\$2,415.19
T050158	Jacob D Cleveland	Brkn windshield in ISU parking lot	\$108.00	\$108.00
T050172	Carole Anne Gleich	Rugs dmg when apt at ISU flooded	\$85.00	\$85.00

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T050175	Whitney J Weber	State struck claimant during U-turn	\$7,176.46	\$2,876.10
T050177	Cynthia J Weber	State struck claimant during U-turn	\$5,103.91	\$3,157.50
T050178	EMC Ins comp as subrogee for Jeffrey Kelso	Veh dmg when fron-end loader backed into the Veh	\$1,511.68	\$2,101.68
T050183	La Donna Jo Stuber	Claimant's dog was attacked by ISP canine in State Center while being walked	\$76.58	\$76.58
T050185	Patrick/Jennifer Lacy	Claimant algs that window brkn by rock thrown from mower	\$643.28	\$643.28
T050186	Cheryl Yeggy	Damage to veh in ramp by construction	\$1,767.76	\$1,288.66
T050187	Holly B Grund	Claimant veh was dmg in valet parking	\$970.10	\$970.10
T050197	Ashley A Metz	Water dmg frm burst pipe in dorm	\$1,649.36	\$1,649.36
T050207	JoAnne B Montgomery	SUI lawn mower slid into veh	\$706.36	\$706.36
T050218	Biechler Electric Inc.	State veh rolled into parked veh	\$585.06	\$585.60
T050219	Phillip S Bailey	DOT mower alg thre rock into windshield	\$500.00	\$500.00
T050220	James M Coombs	Veh flooded due to clogged drains	\$187.99	\$187.99
T050224	Keith R Troester	SUI employee hit veh with golf cart	\$653.46	\$653.46
T050225	Timothy R Denham	Road sealant dmg veh	\$169.55	\$169.55
T050227	Allstate Ins Co Aso ASO Kristopher Albert	Road sealant dmg veh	\$135.75	\$162.71
T050228	Betty Healy	Claimant sustained an IV extravasation	\$300,000.00	\$150,632.00

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T050241	Dan B Doner	Claimant's veh dmg when hit by rock	\$207.73	\$207.73
T050242	Jeremy J Keller	T.V. lost during trans to other facility	\$108.00	\$13.00
T050248	Celia Drechsler	Lost glasses in Hosp trans	\$363.96	\$363.96
T050249	Samuel E Marshal II	Lost watch in Hosp trans	\$4,250.00	\$4,250.00
T050250	Kenneth W Scheff	Veh dmg on stop stick put out to stop a fleeing suspect	\$89.00	\$119.77
T050251	The Cincinnati Ins Co Aso Dave & Emily Moody	Veh dmgd when DOT veh pulled into intersec	\$4,617.29	\$5,725.75
T050254	Patrick Jay Cupples	Personal prop was not ins as requested and was lost	\$200.00	\$100.00
T050256	Amy L Buch	DOT required IG interlock in error	\$817.50	\$817.50
T050257	Indus Equip Inc Danny Hill	Dot mower threw rock into windshield	\$265.00	\$265.00
T050259	Mark W Anderson	Dot mower threw rock and dmg veh	\$550.89	\$213.90
T050261	Roland J Wedemeier	DOT veh threw gravel dmg windshield	\$277.29	\$277.29
T050263	Elijah Braimah	State dmg veh	\$1,000.00	\$421.63
T050265	Dale L Bahrenfuss	ASP staff lost his dental bridge during a shakedown	\$2,200.00	\$230.00
T050267	Jeaniece Winrick	Teeth fractured during surgery	\$550.00	\$550.00
T050268	David D Davis	DOT veh spilled hot mix dmg veh	\$1,667.83	\$1,667.83
T050271	Lakeshia S Johnson	DOT rear-ended veh	\$3,355.71	\$3,350.00
T050273	Loretta J Burk	DOT mower threw	\$2,447.74	\$2,447.74

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
		rock dmg veh		
T050275	Bradley Allen Hunt	State rear-ended veh	\$455.22	\$411.06
T050276	Joel E Moret	DOT mower threw rock dmg window	\$290.93	\$
T050277	L T Christian Donovan	Shoes and wrist inj when he tripped by a metal grate at UofI campus	\$59.99	\$59.99
T050278	E Frances Clayton	Fract wrist at Iowa State Fair what she tripped by an electric cable	Unspecified	\$500.00
T050279	Allan D Fisher	State rear-ended veh	\$1,028.45	\$1,028.45
T050282	Andreas Gartland	State and claimant backed into each other	Unspecified	\$1,533.26
T050283	Frank J Grove	DOT ee's glasses dmg by rocks frm jackhammer	\$186.00	\$186.00
T050284	M Leah Murillo	Veh dmg by traffic counter hose	\$957.99	\$957.99
T050285	Craig J Smith	Cherokee MHI did not cancel rent withdrawals from checks when requested	\$78.60	\$78.60
T050291	Ryan G Whalen	Veh dmg in prklot	\$1,142.33	\$1,142.33
T050292	Harold J Black	State rear-ended veh	\$204.29	\$204.29
T050295	Jennifer R DeNeui	State sideswiped veh	\$1,487.02	\$1,392.95
T050296	Harley Groelle	Missing dentures and glasses	\$615.00	\$635.00
T050298	R M Boggs Co Inc	State backed into veh	\$1,365.66	\$1,365.66
T050299	State Farm Ins Co ASO Cynthia Kleinegger	State rear-ended veh	\$2,203.97	\$2,203.97
T050302	Takako Moriguchi	State Struck parked veh	\$698.42	\$698.42

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T050303	Shawn A Whitmore	Valet struck exit box with veh	\$1,927.44	\$1,927.44
T050307	Douglas D Fintel #0023485	Staff mistakenly threw away dentures and he is now seeking replacement dentures	\$250.00	\$500.00
T050312	Mary Rogers	Blazer torn while a guest at the State Historical Society annual Awards Ceremony	\$195.00	\$195.00
T050313	Carl G Nank	Suffered a closed head inj in an auto accident owned by the DNR	\$9,510.20	\$9,510.20
T050314	Douglas Reist	Broken mirror on veh by Campus Shops	\$295.17	\$295.17
T050321	Wayne E McDonald	Chunk of road dmg tire and rim of veh	\$273.50	\$273.50
T050322	Orion Lee	State struck electrical box at claimant's res	\$789.84	\$789.84
T050323	State Farm Ins Aso Thomas Tecklenburg	State backed into veh	\$3,111.00	\$3,111.00
T050325	James Lasiter	DOT veh backed into parked veh	\$1,743.69	\$1,743.69
T050328	National Specialty/ West Bend Mutual aso William Blanchard/ Abilities Unlimited	DOT veh pulled into path of on coming veh	\$863.46	\$863.46
T050329	State Farm Ins aso Thomas L Reed	Rear-ended by State veh	\$1,154.00	\$1,154.00
T050330	Jack Bagford	State backed into veh	\$1,264.88	\$1,264.88
T050334	Diana D Gomez	State rear-ended veh	Unspecified	\$1,515.00
T050336	Fleck Sales	State rear-ended veh	\$438.13	\$438.13
T050339	Mark D Low	Veh struck by mower opr by ING employee	\$900.00	\$778.90

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T050340	James Hoeger	State struck veh	\$2,250.00	\$2,132.89
T050342	State Farm Ins Co ASO Nancy Cogan	State struck veh	\$139.40	\$139.40
T050347	Linda R Whitham	State struck veh	\$1,304.17	\$1,304.17
T050351	Scott M Suhr	Son was an exhibitor in the State Fair and 5 sheep were electrocuted due to faulty wiring	\$2,325.00	\$2,050.00
T050352	Tim Schillinger	State struck veh	\$1,044.21	\$1,044.21
T050355	Holly Diane Landon	Windshield dmg by salt thrown frm DOT truck	\$172.67	\$172.66
T050356	Ali Bourojeni	State struck veh	\$1,029.80	\$753.86
T050360	Ron Gutierrez	DOT plow alg stopped & slid into two vehicles	\$6,000.00	\$4,625.00
T050364	Carie M McNamara	State struck veh	\$496.71	\$496.71
T050366	MidAmerican Energy	DOT struck cable pole	\$1,895.43	\$1,895.43
T050382	Pamela R Baker	DOT veh threw rock dmg windshield	\$303.40	\$278.55
T050383	Dennis R Mann	DOT plow struck veh	\$974.63	\$974.63
T050384	Evan W Piette	State struck veh	\$692.10	\$692.10
T050386	Marie Mwinyikasdi	State struck veh	\$1,148.61	\$1,138.49
T050390	Pepsi Americas	DOT plow struck vending machine/bldg	\$800.00	\$800.00
T050391	Valley Plumbing Co Inc, DBA Rhiner's Plumbing Co Inc	DOT hit utility plate dmg plate and veh	\$2,108.62	\$2,108.62
T050393	Kathryn A Murphy	State struck veh	\$1,153.00	\$1,152.60
T050395	Douglas Joseph Reis dba Reis Bros Service	DOT hit Building	\$644.86	\$644.86
T050396	Christie K Gilchrist	Veh struck by DOT	\$1,662.27	\$1,842.09



<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T050397	Eugene A Tabb	DOT plow slid into two veh	\$5,077.10	\$500.00
T050399	Alex Allen	Personal prop dmg frm flood at Larch Hall	\$93.70	\$93.70
T050400	Brat Culbertson	Personal prop dmg frm flood at Larch Hall	\$91.75	\$91.75
T050401	Travis L Ferguson	Personal prop dmg frm flood at Larch Hall	\$1,385.00	\$1,385.00
T050402	Benjamin Heimbuch	Personal prop dmg frm flood at Larch Hall	\$346.50	\$346.50
T050403	Nick Ihde	Personal prop dmg frm flood at Larch Hall	\$60.60	\$60.60
T050404	Kyle Medick	Personal prop dmg frm flood at Larch Hall	\$235.00	\$235.00
T050405	Alex Moran	Personal prop dmg frm flood at Larch Hall	\$128.90	128.90
T050406	Stephen Rashid	Personal prop dmg frm flood at Larch Hall	\$113.70	\$113.70
T050407	Warren Rauterkus	Personal prop dmg frm flood at Larch Hall	\$85.50	\$85.50
T050408	Trevor Seibold	Personal prop dmg frm flood at Larch Hall	\$169.69	\$169.60
T050409	Tony Sithonnorath	Personal prop dmg frm flood at Larch Hall	\$182.25	\$182.25
T050410	Jesse Truax	Personal prop dmg frm	\$279.10	\$279.10
T050412	Zahn Plumb and Heat	Veh dmg by wingblade of plow	\$5,731.99	\$5,731.99
T050415	Lora L Carlock	State struck veh	\$2,872.96	\$3,152.91
T050417	Yili Hong	Property dmg from snow plow	\$1,083.26	\$1,083.26
T050418	Cheryl VanHouweling	State struck veh	\$4,776.16	\$5,899.71
T050419	H & H Traylor	Veh dmg by gate arm at Clarinda Treatment facility	\$906.84	\$906.85

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T050422	Tradesman Comm. Credit Union	Claimant had a lien on a 1990 Chevrolet pick-up truck that was found abandon on I-35	\$5500.00	\$300.00
T050423	Wesley L Davidson	DOT truck threw rock dmg windshield	\$233.81	\$233.81
T050424	Tony J Martz	Property dmg by snow removal equip	\$367.66	\$367.66
T050425	Ashli Armstrong	Property dmg from heater in dorm room	\$120.00	\$115.00
T050426	Joani V Napier	DOT splattered pedestrian with mud	\$200.00	\$92.50
T050428	Rausch Bros Trucking of Ionia LLC	DOT struck parked veh	\$4,873.17	\$4,873.17
T050432	American Institute of Graphic Arts	Property on loan to SUI was stolen	\$190.00	\$190.00
T050434	Bruce Baumgarn	DOT struck veh	\$476.69	\$476.69
T050435	Delfino G Sancen	DOT dmg veh	\$496.46	\$496.46
T050437	John S Slawinski, Jr	DOT dmg veh	\$362.77	\$363.77
T050441	Albino Tovar	State dmg veh	\$1,998.88	\$1,286.17
T050445	Brian T Bond	DOT snowblower hit veh with rock	\$289.39	220.65
T050447	Jennifer M Cantu	State struck veh	\$2,300.00	\$2,323.02
T050448	Gregory H Coleman Sr	Personal prop dmg in flood at Lurch Hall	\$911.00	\$911.00
T050449	Alec J Marshall	Personal prop dmg in flood at Lurch Hall	\$140.00	\$140.00
T050450	Michael D Wampler	Personal prop dmg in flood at Lurch Hall	\$200.00	\$200.00
T050451	Jackie Armstrong	Personal prop dmg in flood at Lurch Hall	\$100.00	\$25.00

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T050452	Bradley Brockman	Personal prop dmg in flood at Lurch Hall	\$153.56	\$153.56
T050453	Luke Harvey	Personal prop dmg in flood at Lurch Hall	\$140.00	\$140.00
T050454	State Farm Ins ASO James R Brewer	DOT plow dmg veh	\$3,239.13	\$3,239.13
T050456	Doug Andrus Distributing	DOT dmg veh	\$4,520.71	\$6,315.21
T050459	MidAmerican Energy Corp	DOT dmg light pole	\$1,567.81	\$1,567.81
T050460	Richard W Jarnell	State dmg veh	\$3,781.26	\$3,998.76
T050463	Warren Miller	DOT dmg veh	\$489.98	\$489.98
T050465	George C Franks	Veh dmg by parking ramp gate	\$1,448.22	\$1,632.96
T050468	Shani L Hamilton	DOT dmg veh	\$244.32	\$244.32
T050472	Daryl R DeVries	DOT dmg veh	\$197.95	\$197.95
T050474	Emily Zeien	State dmg veh	\$696.26	\$602.19
T050475	Steven E Gleason	DOT dmg veh	\$7,440.91	\$4,500.00
T050477	Artemid Sanchez	State dmg veh	\$3,179.00	\$3,095.59
T050479	Bradley J Ebert	DOT forced veh into median - towed	\$84.80	\$84.80
T050480	Angela D Hess	State backed into veh	\$1,399.96	\$1,339.96
T050481	Deborah L Eatwell	DOT dmg veh	\$10,148.28	\$2,500.00
T050482	Douglas A Lawson	State dmg veh	\$2,166.68	\$2,166.68
T050489	Kristine J Carritt	DOT dmg veh	\$262.92	\$262.92
T050491	Dave's Repair	DOT dmg tractor	\$737.13	\$737.13
T050493	James L McKinney	Veh splattered with wet concrete	\$2,590.85	\$2,470.12
T050497	State Farm Ins ASO Robert & Cay Olson	State backed into veh	\$1,358.69	\$1,358.69

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T050498	Bruce G Rogers	State dmg veh	\$401.69	\$401.69
T050499	Mc Daniel Inc	DOT dmg semi	\$2,107.50	\$1,685.73
T050506	Duane N Antle	Bucket fell out of DOT veh dmg veh	\$733.13	\$733.13
T050510	Allied Ins Co ASO Michael Miller	DOT veh rear ended claimant's veh	\$3,275.46	\$6,550.92
T050512	Plaza 20 BP Amoco	State struck gas pump	\$206.56	\$206.56
T050513	RoseAnne Busha	State struck veh	\$1,284.59	\$1,602.00
T050516	Rental Car of Knoxville INC dba Thrifty Rent a Car	Veh dmg while in state possession	\$810.41	\$760.41
T050517	City of Iowa City	State dmg veh	\$3,307.09	\$3,307.09
T050520	Tamara L Kampfe	State dmg veh	\$1,050.00	\$963.47
T050521	Craig M Schneider	State dmg veh	\$1,497.47	\$1,320.56
T050522	City of Iowa City	State struck barrier owned by claimant	\$197.15	\$172.15
T050523	City of Iowa City	State struck claimant veh	\$1,639.33	\$1,614.33
T050525	Mona L Grimes	Employee at Iowa State Penitentiary and is seeking reimbursement for hood and right fender dmg	\$715.50	\$565.5
T050526	Chad A White	Veh dmg at Mount Pleasant Correctional Facility parking lot	\$108.98	\$108.98
T050527	Dan Deery Rental	State dmg veh	\$1,057.00	\$1,057.00
T050534	Ge Zhou	State struck veh	\$557.94	\$557.94
T050538	Larry E Van Gorden	Dmg to veh frm gate	\$909.96	\$909.96
T050545	Renee Crisman	State struck veh	\$1,289.12	\$1,289.12
T050553	Duane E Fauser	State dmg veh	\$603.87	\$603.97

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T050555	Hawkeye Security Ins ASO Larry Hanft & Sarah Carlson	State backed into parked veh	\$3,481.59	\$3,481.59
T050557	Sherry K Watt	State dmg veh	\$818.50	\$755.27
T050564	Deluxe Limousine Service Inc	State struck veh	\$269.85	\$269.85
T050565	Allied Ins Co ASO Amy Bicego	State struck veh	\$1,133.51	\$133.51
T050566	Dorothy B Sabel	Alleges injury from fall at Slater Hall	\$5,000.00	\$3,626.28
T050570	Gregg A or Judy R Matthiesen	State struck veh	\$661.21	\$661.21
T050574	Thad J Michael	DOT dmg mailbox	\$250.00	\$250.00
T050575	Carol J Holzhammer	State dmg veh	\$2,780.08	\$2,709.62
T050576	Loras L Arensdorf	Algs edgerut contributed to accident	\$8,900.00	\$4,325.00
T050578	Barbra E Trager	State rear-ended veh	\$438.30	\$438.30
T050579	Vernon Paulson	Veh dmg in UI valet	\$372.51	\$372.51
T050590	Wallace Thunderhawk	Art work stolen from Memorial Union	\$275.00	\$275.00
T050591	Cheryl Groves	State struck veh	\$982.20	\$982.20
T050592	Jeremiah Rahn	State struck veh	\$909.00	\$765.60
T050593	Andrea S Silsby	State struck veh	\$1,263.53	\$1,263.53
T050607	Kevin H McCarthy	DOT dmg veh	\$2,402.55	\$2,402.55
T050608	QWest by CMR TPA	DOT dmg service wire	\$95.35	\$95.35
T050609	Stephanie Rice	Maintenance staff broke perfume bottle	\$42.50	\$42.50
T050611	Jennifer A Streinz	State struck veh	\$589.25	\$589.25
T050614	Cedar Valley Insulation (Steven Nelson)	DOT dmg veh	\$253.21	\$253.21

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T050615	Hy-Vee Inc	State struck veh	\$1,866.78	\$2,072.82
T050616	Karlynn M Elsberry	Veh dmg when a client at Woodward Resource Center threw a cigarette can at the veh	\$300.05	\$300.05
T050618	Taylor Truck Line Inc	DOT dmg semi	\$4,145.00	\$4,145.00
T050619	The Cincinnati Ins Co ASO David Guetzko	Veh struck by ISU patrol veh	\$6,681.06	\$6,681.06
T050621	Patricia L Hastie	Veh dmg on parking barrier	\$921.88	\$921.88
T050622	Eric D Hedlund	State struck veh	\$142.80	\$142.80
T050623	Merritt L Spunaugle	State dmg veh	\$1,746.42	\$1,746.42
T050624	Paul M George	DOT dmg veh	\$258.33	\$258.33
T050625	G Kerndt & Bros Inc	State struck post on claimant's property	\$356.46	\$358.46
T050627	Jay & Kandra Schlichting	State struck veh	\$2,471.92	\$2,471.92
T505628	Patricia Jean Hansen	DOT dmg veh	\$267.23	\$267.23
T050629	Scott R Vaughn	DOT dmg veh	\$224.87	\$224.87
T050630	Jonathan G Chase #1094983	DOC staff misplaced personal prop while incarcerated	\$15.73	\$15.73
T050633	Delmar Robertson	State struck veh	\$675.00	\$640.00
T050637	David Bertolino	Laptop dmg by when ISU tutor stepped on it	\$1,363.95	\$1,363.95
T050638	Mary Lou Moyer	Veh dmg by rock thrown from weedeater	\$351.07	\$351.07
T050639	Arindom Saha	Inj in Chem lab explosion	\$604.22	\$604.22
T050640	Melanie A Williams	State struck veh	\$365.10	\$361.45
T050642	Mary A Allworth	State dmg veh	\$360.90	\$360.90

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T050644	Nancy B Miller	State struck veh	\$826.69	\$826.69
T050645	John F Gude	Veh dmg by rock during sealing opr	\$223.53	\$223.53
T050649	Christopher Weidman	Dmg by valet	\$817.00	\$817.06
T050651	Marie E Lichtenberg	Tar splattered veh	\$109.14	\$109.14
T050652	Judith A Chapman	Veh dmg by rock	\$254.02	\$254.02
T050653	Thomas M Stark	State struck veh	\$2,441.28	\$2,441.28
T050654	Waverly Implement	Veh dmg by thrown strip sealing op	\$374.50	\$374.50
T050655	Jessica J Mathews	Veh dmg by rocks from DOT op	\$233.63	\$233.63
T050656	Pellett Petroloeum Co Inc	DOT truck stuck semi	\$2,586.54	\$1,293.27
T050657	Darbie L Moore	Veh dmg by rocks	\$302.82	\$302.82
T050658	Debra A Walker	Employee at Woodward Resource Center veh dmg by client	\$520.40	\$520.40
T050664	Western National Ins Co ASO Michelle Berkeley	Veh dmg by DOT veh	\$7,235.53	\$7,235.53
T050665	Robert G Eimers	State struck veh	\$2,320.08	\$2,139.06
T050673	Barbara J Miller	State struck veh	\$1,084.86	\$518.33
T050674	Jonathan J Smith	Veh dmg by DOT plow	\$212.93	\$212.93
T050675	Deborah T Weber	Veh dmg by DOT	\$950.00	\$829.30
T050678	Judy A Picker	Veh dmg at Glenwood Resource Center	\$2,205.06	\$2,385.06
T050679	Richard J Stotts	State Struck Veh	\$526.48	\$506.48
T050684	Halcyon Ins ASO Hillary A Ellwood	Veh rearended by DOT	\$983.10	\$250.00
T050685	State Farm Ins ASO Hilary A Ellwood	State struck veh	\$999.04	\$999.04

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T050689	Craig A Wedemeyer	Claimant's trunk dmg when AV officer popped the wrong truck	\$249.19	\$249.19
T050693	City of Ames	State struck veh	\$518.33	\$518.33
T050694	Patricia A Dessner	State struck veh	\$2,962.92	\$2,927.19
T050699	Ronald D Crane	Veh dmg by sand left on roadway	Unspecified	\$187.25
T050707	Gary L Wessel	Veh dmg by equip that fell off of DOT veh	\$1,467.90	\$1,467.90
T050710	Jaxwil Enterprises (Jack E. Wilhelm)	State dmg building with veh	\$7,966.00	\$7,966.00
T050711	Brian S Keith	DOT veh dmg veh	\$814.57	\$693.56
T050712	Anne C Richardson	State struck veh	\$1,400.02	\$1,696.92
T050713	Richard Hackert	Employee's jeans dmg by chemical	\$12.84	\$12.84
T050715	Chad McDermott	DOT dmg veh with rock	\$255.60	\$255.60
T050716	Jon Best	DOT mower thrw rock dmg veh	\$170.13	\$170.13
T050717	Nathan J Kieffman	Algs DOT erred on DL Req to have ign interlock	\$127.50	\$127.50
T050724	Mark French	Veh dmg in UI prklot	\$325.36	\$325.36
T050726	Judith M Hymen	DOT mower thrw debris dmg veh	\$197.91	\$197.91
T050727	Lakeshia Johnson	Claimant's veh was dmg by DOT	\$10,250.00	\$10,250.00
T050728	Daniel J Brueck	window dmg by rock frm state lawnmower	\$821.36	\$601.53
T050732	Travis Witham	State dmg veh	\$1,627.59	\$1,627.59
T050733	Camille Seaman	State dmg veh	\$507.60	\$488.36
T050734	James W Perin	Tree limb dmg veh	\$3,849.26	\$100.00



<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T050735	City of Estherville	DOT mower struck electrical pedestal in grass	\$174.33	\$174.33
T050736	Pat J McNally	Windshield dmg by DOT strip sealing opr	\$1,418.25	\$1,418.25
T050740	Shannon C Larson	DOT mower dmg veh	\$484.21	\$484.21
T050742	City of Coralville Coralville Transit (Jeff Hankins-Driver)	State Struck veh	\$1,444.45	\$1,444.45
T050743	Joel DeJong	DOT alg threw rock dmg veh	\$250.00	\$230.05
T050745	Florine J Hamilton	State struck veh	\$442.38	\$385.66
T050746	John Pepper	State struck veh	\$1,213.65	\$1,213.65
T050747	Doris M Avila or Rodolfo Avila	DOT mower threw rock dmg veh	\$484.48	\$484.48
T050750	Leonard J Hamann	DOT merged in front of semi	Unspecified	\$4,954.59
T050751	Dorothy M White	State rear-ended veh	\$1,701.00	\$1,701.00
T050752	Timothy R German	Son's sheep electrocuted in 4-H building at State Fair	\$300.00	\$150.00
T050753	Joshua Bintz	Son's sheep electrocuted in 4-H building at State Fair	\$450.00	\$175.00
T050755	Valerie J Weaver	State struck veh	\$2,052.63	\$2,052.63
T050759	Gary Hoyer Law Firm	Veh dmg when lawn mower discharged obj	\$700.00	\$700.00
T050760	Paul G Schubert	Paint on veh from overspray	\$275.00	\$275.00
T060004	Elden V Zee	State struck veh	\$288.32	\$288.32
T060005	Schafer Bros Tiling Phil Schafer	DOT strip sealing rock hit veh	\$325.56	\$325.56

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T060006	Alex M Siek	State struck veh	\$2,006.94	\$2,006.94
T060007	Arnold W Binneboese	DOT threw rock dmg	\$170.13	\$170.13
T060016	Dean E Bonestroo	DOT dmg veh	\$2,938.90	\$2,938.90
T060017	Mark D Runkle	White paint on veh from DOT	\$498.75	\$100.00
T060019	Anthony D Lumsden	White paint on veh from DOT	\$250.86	\$250.86
T060025	Alvin Koester	Veh dmg by DOT	\$1,032.39	\$1,032.39
T060029	Peter J Bieber	Inj in accident with Iowa State Patrol	\$8,594.31	\$13,814.12
T060036	Richard L Dague	State struck veh	\$771.19	\$771.19
T060038	Gary M Hansen	DOT patched road- semi threw rock dmg windshield	\$433.54	\$433.54
T060039	InfraSource Underground Const.	DOT dragline stalled, into veh	\$1,240.48	\$1,240.48
T060043	Enterprise Leasing Co	State struck veh	\$757.67	\$757.67
T060046	LeRoy Bettcher	DOT mower threw bottle dmg veh	\$96.30	\$96.30
T060047	Cheryl M Cheng	DOT mower threw debris dmg veh	\$180.98	\$180.98
T060050	Eddie D Aukes	DOT seal coating opr dmg veh	\$869.61	\$869.61
T060051	Athena Puck	DOT mower threw rock dmg veh	\$739.95	\$739.95
T060052	Melissa K Craft	Prop dmg in Univ Family Housing basement at ISU dmg sump pump	\$450.00	\$450.00
T060056	Samuel Villoldo #6685593	Personal items stolen when staff opened his cell door	\$164.72	\$164.72
T060057	Troy J Barker	Veh alg struck rebar	\$127.20	\$127.20

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
		on cement park block		
T060058	Tani H Cac	Fell when exiting a bath at Memorial Union Hotel and suffered inf	\$29,357.40	\$5,100.00
T060059	Jeffrey J Becker	DOT strip sealing opr dmg motorcycle	\$519.95	\$519.95
T060061	Brewer Meats Inc.	DOT struck veh	\$2,402.87	\$4,680.43
T060068	Paul G Schubert	Paint overspray on veh	\$220.00	\$220.00
T060069	Debra Dunek	State struck veh	\$883.00	\$873.36
T060072	David A Toomer	DOT threw rock dmg veh	\$291.65	\$291.65
T060075	Lim Jaeok	State struck veh	\$856.90	\$856.90
T060076	Kathy Bales	DOT weedeater threw rock dmg veh	\$199.57	\$199.57
T060077	David E Gress	Herbicide dmg to soybeans frm DOT	unknown	\$758.01
T060088	South Slope Coop Telephone Co	State backed into veh	\$1,027.36	\$1,027.36
T060089	Nancy K Ruzicka	Claimant veh dmg in valet parking	\$676.61	\$676.61
T060096	Deborah J Scarbrough	DOT veh backed into veh in pkg lot	\$821.95	\$603.77
T060103	Cincinnati Ins Co ASO for Concrete Inc	DOT struck veh	\$1,888.61	\$1,888.61
T060104	Steven Wesley Baker	DOT sweeper threw a rock dmg windshield	\$220.67	\$220.67
T060105	John Wojtecki, II	State struck veh	\$1,451.74	\$1,451.74
T060106	Elizabeth A Kerns	State struck veh	\$706.67	\$706.67
T060109	Alan Hansen A&A Construction Inc	DOT mower threw a rock dmg veh	\$237.66	\$237.66
T060110	James M Clyde	State struck veh	\$800.00	\$731.87

<u>CLAIM</u>	<u>FULL NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>PAID</u>
T060115	Nakita W Daily	State struck veh	\$3,757.60	\$1,878.80
T060130	Westfield Ins. Group ASO Douglas Peiffer	DOT veh struck veh	\$10,708.16	\$10,708.16
T060156	Ricky D Storjohann	DOT struck veh	\$7,160.85	\$7,160.85
T060224	Make Hanlon	DOT veh lost rock dmg veh	\$241.18	\$241.18
T060225	Nelson Electric Co (John Neyro)	State struck veh	\$978.77	\$978.77
T060229	Norma Schmidt	Claimant was moved from one room to other and lost printer cord	\$32.80	\$32.80
T060246	Central City Liquor Thomas P Duax	State struck building	\$276.17	\$276.17

### COMMUNICATION FROM THE STATE APPEAL BOARD

The following communication was received from the State appeal Board on February 10, 2006, and is on file in the office of the Chief Clerk:

February 10, 2006

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 257 claims of general nature that were denied (these claims were previously paid by another source) by the State Appeal Board during June 2005 through February 2006.

The attached index shows claim number, name and address of claimant and the amount requested in the claim.

Sincerely,  
Michael L. Tramonitina  
Chairperson

## STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

MARGARET A. THOMSON  
Chief Clerk of the House

DEINIED GENERAL CLAIMS BY THE STATE APPEAL BOARD  
SUBMITTED TO THE 81<sup>ST</sup> GENERAL ASSEMBLY  
June 2005 through February 2006

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G000075	Brendon & Virginia Jones	Villisca, IA	Foster Parent Stipend	\$100.00
G000110	Nehlsen Communications	Moline, IL	Prof Services	\$550.42
G000124	Douglas S Beavers	Mount Pleasant, IA	Insurance Refund	\$982.20
G000150	Des Moines Register	Des Moines, IA	Newspaper Ad	\$476.80
G000152	Des Moines Register	Des Moines, IA	Newspaper Ad	\$117.50
G000154	Susan J Frye	Iowa City, IA	Relocation Expenses	\$1,799.92
G000214	The Link	Iowa Falls, IA	News Release	\$16.45
G000265	Artistic Waste Services	Des Moines, IA	Labor	\$445.00
G000323	Holiday Inn University Plaza	Cedar Falls, IA	Hotel Room	\$224.00
G000345	Iowa State Univestiy (ISU Photo Service)	Ames, IA	Outdated Invoice	\$91.00
G000354	Arlen L Pooock	Muscatine, IA	Referee Billing	\$35.00
G000511	Northeast Iowa Community College	Peosta, IA	Training	\$546.00
G010077	Linda Mae Rice	Newton, IA	Clothes	\$60.00
G010348	Communications Engineering Co.	Hiawatha, IA	Outdated Invoice	\$40.00

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G010394	Frankie William Manning, Jr.	Ainsworth, IA	License Refund	\$404.00
G010395	Clarinda Regional Health Center	Clarinda, IA	Medical Fees	\$606.76
G010396	Clarinda Regional Health Center	Clarinda, IA	Medical Fees	\$324.06
G010397	Clarinda Regional Health Center	Clarinda, IA	Medical Fees	\$40.00
G010398	Clarinda Regional Health Center	Clarinda, IA	Medical Fees	\$40.00
G010399	Clarinda Regional Health Center	Clarinda, IA	Medical Fees	\$40.00
G010400	Clarinda Regional Health Center	Clarinda, IA	Medical Fees	\$46.00
G010401	Clarinda Regional Health Center	Clarinda, IA	Medical Fees	\$114.26
G010402	Clarinda Regional Health Center	Clarinda, IA	Medical Fees	\$684.18
G011047	Community Bank of Boone	Boone, IA	Revenue Stamps	\$47.20
G011150	Uniform's Manufacturing	Scottsdale, AZ	Uniforms	\$5,490.00
G011263	Russell T Coleman	Williamsburg, IA	Travel Expenses	\$350.50
G011301	Steven Charles Heverly	Johnston, IA	Fine	\$75.00
G011347	Qwest	Des Moines, IA	Phone Costs	\$73.59
G020103	Northwest Iowa Alcoholism & Drug Treatment Unit, Inc.	Spencer, IA	Provider Services	\$652.50
G020124	Bremer County Auditor	Waverly, IA	Outstanding Credit	\$16,020.28
G020206	Linn County Correctional Center	Cedar Rapids, IA	Housing for Inmates	\$840.00

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G020255	Davis Radiology	Mount Pleasant, IA	Lab Fees	\$1,164.00
G020260	Hankins Surgical Supply	Springfield, MO	Lab Fees	\$460.00
G020308	Southern Iowa Mental Health Center	Ottumwa, IA	Medical Fees	\$400.00
G020379	G & D Auto Electric	Indianola, IA	Work on Signs	\$683.57
G020419	Iowa Methodist Hospital	Des Moines, IA	Medical Fees	\$165.94
G020565	Hercules Inc. / Betz Dearborn Division	Wilmington, DE	Supplies	\$1,027.00
G020803	Marion County Sheriff	Knoxville, IA	Billing Fees	\$32.00
G030195	Quest Diagnostics	Wood Dale, IL	Drug Screen	\$314.55
G030567	Trans Tech Solutions	Madison, TN	Supplies	\$102.54
G040101	Iowa Valley Continuing Education	Marshalltown, IA	Outdated Invoice	\$20.00
G041197	Purina Mills LLC	Sioux City, IA	IRP Fees	\$2,034.00
G041497	Spencer Hospital	Spencer, IA	Testing	\$30.00
G050850	Jeff Van Meeteren	Sheldon, IA	Lawn Mowing	\$297.38
G050995	John C Nelson	Sioux City, IA	Parole Revocation	\$260.47
G050998	Brad Schroeder - Hartung & Schroeder	Des Moines, IA	Parole Violation	\$215.00
G051028	Peter M Monzel	Sioux City, IA	Parole Violation	\$255.00
G051039	Thompson Law Office	Reinbeck, IA	Parole Violation	\$1,031.23
G051076	Kelly J Smith, P.C.	Waterloo, IA	Parole Violation	\$182.78
G051079	Jay W Mez	Council Bluffs, IA	Parole Violation	\$250.55
G051080	Jay W Mez	Council Bluffs, IA	Parole Violation	\$248.61

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G051081	Patrick T Perry	Sioux City, IA	Parole Violation	\$220.57
G051109	Kelly J Smith	Waterloo, IA	Parole Violation	\$208.72
G051112	Reynolds & Kenline, L.L.P.	Dubuque, IA	Parole Violation	\$156.50
G051113	Kelly J Smith, P.C.	Waterloo, IA	Parole Violation	\$227.47
G051114	Eric C Syverud	Davenport, IA	Parole Violation	185.00
G051116	Joel D Yates	Oskaloosa, IA	Parole Revocation	\$155.10
G051117	Joel D Yates	Oskaloosa, IA	Parole Revocation	\$180.70
G051118	Joel D Yates	Oskaloosa, IA	Parole Revocation	\$125.00
G051119	Kragnes, Tingle & Koenig	Des Moines, IA	Parole Violation	\$210.00
G051122	James Mark Rocklin	Sioux City, IA	Parole Violation	\$195.00
G051127	Vakulskas Law Firm	Sioux City, IA	Parole Violation	\$280.00
G051128	Phillip J Tabor	Maquoketa, IA	Parole Violation	\$725.00
G051155	Scott A Sobel	Des Moines, IA	Attorney Fees	\$900.00
G051160	Maria Ruhtenberg	Des Moines, IA	Parole Violation	\$174.00
G051162	Stephan H Small, P.C.	Fairfield, IA	Parole Revocation	\$250.00
G051163	Peter M Monzel	Sioux City, IA	Parole Violation	\$235.00
G051181	Des Moines County Correctional Center	Burlington, IA	County Confinement	\$1,430.00
G051202	Bill Streff	Urbandale, IA	Non-Public Transportation Reimbursement	\$445.50
G051229	James & Diane Hansen	Toddville, IA	Non-Public Transportation Reimbursement	unspec
G051234	Lesa Blasco	Johnston, IA	Non-Public Transportation Reimbursement	\$161.10



<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G051240	Del E Lasswell	Urbandale, IA	Non-Public Reimbursement	\$284.40
G051246	Des Moines Independent School District	Des Moines, IA	Non-Public Parent Reimbursement	\$142.20
G051249	Annette Powers	Ogden, IA	Back Pay	\$44.00
G060139	University of Iowa, Department of Social Services	Iowa City, IA	Salaries	\$22,757.43
G060177	Merit Resources	Des Moines, IA	Payroll	\$863.61
G060180	Hope Haven, Inc.	Rock Valley, IA	Provider Service	\$121.04
G890067	F & M Body Shop	Creston, IA	Outdated Invoice	\$296.25
G890974	Donald A Glenn	Adel, IA	Payroll/ Personnel	\$80.00
G900001	Dr. Charles Fredericks	West Des Moines, IA	License Refund	\$91.00
G900002	Michael Allendorf	Dubuque, IA	License Refund	\$21.00
G900003	Judy Thoreson	Agona, IA	Outdated Expense	\$294.90
G900004	Richard S Lau	West Des Moines, IA	License Refund	Undtrmd
G900005	Freemont Crane Service	Freemont, NE	Fee Refund	\$25.00
G900143	Des Moines Area Community College Attn: Joyce Nelson	Ankeny, IA	Outdated Invoice	\$250.00
G920361	Nancy Powers, Psy. D.	Denver, CO	Outdated Invoice	\$208.48
G920394	Tim Larson	Des Moines, IA	Reimbursement	\$245.48
G920859	Benton County Auditor	Vinton, IA	Farm Credit	\$2,157.64
G921635	Iowa Illinois Gas & Electric Co.	Davenport, IA	Outdated Invoice	\$1,253.16
G921744	Sears Roebuck &	Schaumburg, IL	Outdated Invoice	\$664.94

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
	Company Attn: Sally Prui			
G921745	Jody King	Coon Rapids, IA	Reimbursement	\$15.00
G921789	Chicorp Financial Services Inc.	Chicago, IL	Outdated Invoice	\$20,778.96
G921908	Donald A Glenn	Adel, IA	Insurance Refund	\$500.90
G930191	GTE	Dallas, TX	Outdated Invoice	\$131.71
G931074	Cecil Buschbom	Marshalltown, IA	Lawn Mowing	\$270.00
G940184	US West Communications	Des Moines, IA	Telephone	\$288.67
G940219	Dennis Bickley	Omaha, NE	Outdated Expense	\$100.00
G940369	Xerox Corporation	Park Ridge, IL	Equipment Purchase	\$15,290.00
G940395	James E Tomas, Sr.	North Liberty, IA	License Refund	\$26.00
G940436	Ronny Jay Johnson	Ankeny, IA	License Refund	\$150.50
G940550	Perisho Trucking	Zearing, IA	IRP Refund	\$686.32
G940669	Hugh Perry	Storm Lake, IA	Medication Services	\$131.94
G940715	George Silisky	West Des Moines, IA	Income Tax Refund	\$751.00
G940716	George Silisky	West Des Moines, IA	Income Tax Refund	\$385.00
G941725	Philip Mears	Iowa City, IA	Attorney Fees	\$147.63
G950061	Dwight M Dalrymple	Waterloo, IA	Income Tax Refund	\$1,574.00
G950281	McFarland Clinic	Ames, IA	Medical Fees	\$99.00
G950290	Cerro Gordo County Auditor	Mason City, IA	Commitment Costs	\$3,349.16
G950542	Fayette Veterinary Clinic	Fayette, IA	Outdated Invoice	\$103.25

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G950862	East Central Iowa Employment & Training Consortium	Cedar Rapids, IA	WFIP Grant	\$56.00
G951028	Baker, Cruise, Kennedy and Houghton	Iowa City, IA	Attorney Fees	\$180.00
G951118	Debra Reisner	Oelwein, IA	Reimbursement	\$44.50
G951205	Robert Dean Lalone	Cuba City, WI	Outdated Expense	\$297.30
G951232	MCI Telecommunications	West Des Moines, IA	Outdated Invoice	\$1,897.00
G951409	Richard R Davis	Knoxville, IA	Income Tax Refund	\$548.00
G951502	Nancy D Sears	Creston, IA	Coordinator Fees	\$218.00
G951631	Irvin L Koethe	Dubuque, IA	Income Tax Refund	\$2,200.00
G951776	Beth A Wright	Marshalltown, IA	Clothing Repair	\$99.90
G951956	Charles Nemecek	Bettendorf, IA	Income Tax Refund	\$310.00
G952175	Sioux City Community Schools	Sioux City, IA	Class Room Rental	\$10.00
G952192	Russell Redig	Iowa City, IA	License Refund	\$30.93
G952241	Shirley Ann Fairecloth	Haverhill, IA	Back Pay	\$104.00
G952252	Eastman Kodak Co.	Rochester, NY	Equipment Maintenance	\$203.43
G952326	Robert Brock, Sr.	Ringsted, IA	Lost Check	\$1,471.50
G952426	Montezuma Mutual Telephone Co.	Montezuma, IA	Telephone	\$4,084.80
G952806	Jann Davis	Charles City, IA	License Refund	\$26.10
G952815	Olsten of Des	Melville, NY	Temporary Help	\$65.60

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
	Moines			
G952846	Mercy Hospital	Oelwein, IA	Medical Fees	\$50.00
G953064	Jerry J Ryan	Maxwell, IA	Dependent Care	\$2,874.00
G953134	Kathy E Hays	Afton, IA	Outdated Invoice	\$50.00
G9602079	Lana Jean Duysen	Glenwood, IA	Reimbursement	\$125.00
G960268	Donald & Ella Barcus c/o Eugene Knopf	Newton, IA	Refund	\$295.00
G960279	Story County Sheriff's Office	Nevada, IA	Sheriff Fees	\$23.61
G960417	Delzell Motor Co.	Burlington, IA	Outdated Invoice	\$67.60
G960499	US West Communications	Des Moines, IA	Telephone Bill	\$154.36
G961536	Black Hawk County Auditor	Waterloo, IA	Grant	\$8,300.89
G961802	Johnston CSD	Johnston, IA	Transportation	\$1,810.50
G961808	John Burke	Cedar Rapids, IA	Dependent Care	\$340.00
G961873	Michael Halsor	Alburnett, IA	Outdated Invoice	\$152.00
G961874	David W Gardner DVM	Alburnett, IA	Outdated Invoice	\$125.00
G962111	Vivian J Day	Oakland, IA	Registration Fee	\$48.00
G962120	Mutual Telephone Co.	Sioux Center, IA	Telephone	\$290.81
G962133	Wilbur Bump	Stuart, IA	Fuel Tax Refund	\$159.20
G962265	Randy Pederson	Fertile, IA	Fuel Tax Refund	\$220.28
G962425	US West Communications	Denver, CO	Telephone	\$125.00
G962444	Johnston-Theisen Psychiatric Services	Des Moines, IA	Professional Services	\$322.40
G962454	Linn County Dept.	Ottumwa, IA	Evaluation	\$350.00

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
	of Human Resources Mgmt			
G962491	University of Iowa Hygienic Lab	Iowa City, IA	Outdated Invoice	\$335.00
G962499	UPS - United Parcel Service	Des Moines, IA	Delivery Service	\$19.02
G962500	Marvin Sonntag	Brayton, IA	Fuel Tax Refund	\$66.00
G962523	Edith L Eckles	Ankeny, IA	Dependent Care	\$200.30
G962524	US West Communications	Des Moines, IA	Outdated Invoice	\$209.22
G962526	Franklin County Work Activity Center	Hampton, IA	Outdated Invoice	\$350.75
G962537	US Dept. of Labor OSHA	Washington, DC	Outdated Invoice	\$261.01
G962544	American Printing House for the Blind	Louisville, KY	Outdated Invoice	\$205.50
G962601	Radcliffe Telephone Co.	Radcliffe, IA	Telephone	\$153.80
G962635	Lucas County Soil & Water Conservation	Chariton, IA	Professional Services	\$5,700.00
G962665	Sac County Auditor	Sac City, IA	Agreement	\$6,135.94
G962669	City Supply Corporation	Des Moines, IA	Outdated Invoice	\$116.80
G962683	Iowa Western Community College		Outdated Invoice	\$13.00
G962747	John Mundy	Perry, IA	Outdated Invoice	\$19.75
G962763	Goodwill Ind.	Sioux City, IA	Outdated Invoice	\$111.25
G962786	AEA 6 Iowa Valley Community College District	Marshalltown, IA	Professional Services	\$22.50
G962800	Des Moines Hearing & Speech Center	Des Moines, IA	Outdated Invoice	\$1,093.12

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G962803	Karen Bowers	Ankeny, IA	Outdated Expense	\$230.00
G962809	Ronald Rowland	Des Moines, IA	Dependent Care	\$303.50
G962821	IBM Corporation	Oak Brook, IL	Outdated Invoice	\$3,547.50
G962823	Polk County Auditor	Des Moines, IA	Postage	\$999.06
G962895	Arlo D Sigmon	Sac City, IA	Fuel Tax Refund	\$58.00
G962896	Riceville Community School District	Riceville, IA	Fuel Tax Refund	\$668.90
G962898	Joseph C Chihak	Elma, IA	Fuel Tax Refund	\$49.20
G962900	City of Truro	Truro, IA	Fuel Tax Refund	\$39.97
G962915	Roger Wayne Kruger	Fort Dodge, IA	Back Pay	Undtrmd
G962942	Charles Schneiders	Des Moines, IA	Reimbursement	\$50.00
G962949	Robert Lee DeRande	Pella, IA	Fuel Tax Refund	\$201.21
G963005	City of Winthrop/ Mary Ryan	Winthrop, IA	Fuel Tax Refund	\$2,402.39
G963006	US West Communications	Des Moines, IA	Telephone Expense	\$344.21
G963021	Polk County Sheriff	Des Moines, IA	Outdated Invoice	\$31.16
G963055	Russell Aten	Glenwood, IA	Reimbursement	\$154.00
G963059	Daniel Clark Robinson	Shelby, IA	Fuel Tax Refund	\$40.00
G963103	Clark Boardman Callaghan	Deerfield, IL	Legal Books	\$267.50
G963118	Piorier Equipment Co.	Sioux Falls, SD	Registration	Undtrmd
G970057	Amelia Vernon	Florence, SC	2804	\$161.00
G970144	Agape Christian Family Church	Clear Lake, IA	Refund	\$470.74

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G970147	Linn County Sheriff	Cedar Rapids, IA	Professional Fees	\$14.02
G970160	Northwest Iowa Telephone Co.	Sergeant Bluff, IA	Outdated Invoice	\$113.57
G970165	Klein Motors Ralphg Klein	Des Moines, IA	Refund	\$254.96
G970298	Douglas L Powell	Kansas City, MO	Registration Refund	\$33.00
G970314	Aixa Blanco	Independence, IA	Back Pay	\$13.00
G970316	Bruce W Van Dee	Oakland, IA	Back Pay - Per Diem	\$50.00
G970328	John Frederick Swegart	Wichita, KS	License Fee Refund	\$139.00
G970517	Elva M Thayer	Albuquerque, NM	Homestead Credit	\$722.00
G970773	James L Lightsey	Des Moines, IA	Outdated Claim	\$1,093.80
G970818	Mark W Frein	Fort Dodge, IA	Retroactive Pay	\$417.60
G970921	Edwin Dieteman	Sully, IA	License Fee Refund	\$123.00
G971052	Frontier Communications of Iowa	Burnsville, MO	Outdated Invoices	\$3,142.72
G971068	Dirk Matthew DeYoung	Jackson, MI	License Fee Refund	Unspec
G971070	Yoder, Inc.	Kalona, IA	License Fee Refund	Undtrmd
G971220	Kathleen & Erwin Jaeger	Waterloo, IA	Refund	\$6.50
G971274	Robert J Thompson	Villisca, IA	Travel Expenses	\$19.58
G971297	Lynne M Brokaw	Monticello, IA	Insurance Refund	\$333.36
G971338	Barbara A Johnson	Fort Dodge, IA	Homestead Tax Refund	\$187.00
G971345	Marshall D Nicholson	Mason City, IA	Homestead Exemption	Unspec

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G971348	ATI Title Co.	Des Moines, IA	Warranty Deed Refund	\$59.20
G971434	Midwest Office Technology, Inc.	Des Moines, IA	Replacement of Copier Drum	\$200.00
G980061	Thomas L Cain	Burlington, IA	Refund	\$110.00
G980068	Theodore M Querin Dba Buffalo Auto Sales	Montpelier, IA	License Refund	\$190.00
G980142	Carolyn Annette Johnson	Stanton, IA	License Refund	\$15.65
G980169	Richard L Wilson	Lenox, IA	Judicial Referee Hearing Claim	\$50.00
G980176	Oscro Drug	Waterloo, IA	Refund	\$80.38
G980178	Weland Clinical Laboratories PC	Cedar Rapids, IA	Outdated Invoice	\$113.58
G980213	North Iowa Area Community College	Mason City, IA	ICN Usage	\$87.50
G980245	Connie L Grove	Dixon, IA	Renewal Refund	\$50.00
G980262	Matthew Bender Co.	Albany, NY	Outdated Invoice	\$867.10
G980266	Petersen Court Reporters	Des Moines, IA	Court Reporting	\$54.00
G980277	Elin M Howe	Albuquerque, NM	Professional Services	\$825.00
G980296	Dr. Richard Noyes	Marion, IA	Per Diem	\$100.00
G980353	Computer Systems, Inc.	Omaha, NE	Maintenance	\$100.00
G980358	Custom Procedures, Inc.	Kansas City, MO	Service Provider	\$45.00
G980431	GTE Midwest	Hershey, PA	Telephone Expense	\$145.07
G980509	Marti Corporation, an Iowa Corporation	Lansing, IA	Documentary Stamp Refund	\$300.30



<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
980514	Peoples Memorial Hospital	Independence, IA	Medical Fees	\$303.75
G980549	Coralville Family Health Care	Coralville, IA	Chrgs for Med Records	\$10.00
G980666	Ampride/New Ag Horizons	Spirit Lake, IA	Finance Charges	\$338.55
G980670	Palisades Kepler State Park	Mount Vernon, IA	Outdated Invoice	\$20.00
G980692	Fifth Judicial District	Des Moines, IA	Insurance Refund	\$43.80
G980705	Broadlawns Medical Center	Des Moines, IA	Medical Fees	\$200.00
G980717	The Finley Hospital	Dubuque, IA	Medical Fees	\$283.40
G980743	Dennis Heath	Clinton, IA	License Refund	\$98.00
G980805	Dr. John Larson	Lewisville, TX	Psychiatric Care	\$78.86
G980808	Jimmy A Ming & Richard N Thompkins, Jr Trust Account	Mason City, IA	Refund	\$6,402.00
G980809	Patricia Rae Heady	Cedar Rapids, IA	Insurance Refund	\$814.26
G990045	Kathy T Sims	Des Moines, IA	Back Pay	\$19.20
G990045	Kevin Ropson	Manchester, IA	Insurance Refund	\$359.70
G990096	Wilbur M Kielly	Reinbeck, IA	License Refund	\$107.00
G990103	McAleer Water Conditioning, Inc.	Anamosa, IA	Provider Services	\$19.00
G990109	Employee and Family Resources, Inc.	Des Moines, IA	Interpretation Services	\$280.00
G990112	Anamosa Community Hospital, Inc.	Anamosa, IA	Medical Fees	\$109.65
G990120	Plumb Supply Co.	Des Moines, IA	Refund	Unspec

<u>Claim</u>	<u>Full Name</u>	<u>City</u>	<u>Type</u>	<u>Amount</u>
G990154	Mitchellville Fire Department	Mitchellville, IA	Ambulance Services	\$544.50
G990160	John A Goerdt	Urbandale, IA	Moving Expenses	\$1,275.98
G990161	Charollet Ziegler	Altoona, IA	Back Pay	\$2,140.00
G990162	Linda Bever	Adel, IA	Travel Expenses	\$172.80
G990182	US West	Des Moines, IA	Telephone Expenses	\$280.00
G990253	Newell & Sents	Columbus Junction, IA	Provider Services	\$1,842.90
G990275	Tonya Sue King	Pleasantville, IA	Back Pay	\$105.00
G990301	Shannon Myree Utterback	Tracy, IA	License Refund	\$33.00
G990321	Jeffrey G Spring	New Market, IA	Insurance Refund	\$339.92
G990378	Radiologic Medical Services	Coralville, IA	X-rays	\$52.00
G990437	State Library of Iowa	Des Moines, IA	Thief	\$12,523.00
G990465	Mary Catherine Norton	Davenport, IA	Tuition Fees	\$80.00+
G990470	Larry D Deluhery (Southwest Wisconsin K-9 Services)	Prairie Du Chien, WI	Outdated Invoice	\$400.00
G990494	Mary Greeley Medical Center	Ames, IA	Medical Expenses	\$84.34
G990499	Naomi J Clark	Carlisle, IA	Insurance Refund	\$24.30
G990500	First American Bank	Fort Dodge, IA	Tax Refund	\$194.40
G990527	FedEx	Memphis, TN	Postage	\$126.25
G990532	F Marshall Zahller	Omaha, NE	Insurance Refund	\$99.42

## 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

- 2006\1217 Paul and Mary Ann Garvin, Denison – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1218 Gene and Alice Wimmer, Mapleton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1219 Cecil and Maxine Shedenhelm, Garwin – For celebrating their 72<sup>nd</sup> wedding anniversary.

## RESOLUTION FILED

**HCR 111**, by Miller, Whitead, Wendt, Tjepkes, Mertz and Eichhorn, a concurrent resolution urging federal funding for small business development centers.

Laid over under **Rule 25**.

On motion by Pettengill of Benton the House adjourned at 8:56 a.m., until 1:00 p.m., Monday, April 3, 2006.