

PROOF

STATE OF IOWA

House Journal

MONDAY, FEBRUARY 3, 2003

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JOURNAL OF THE HOUSE

Twenty-second Calendar Day - Fifteenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 3, 2003

The House met pursuant to adjournment at 1:09 p.m., Speaker Rants in the chair.

Prayer was offered by Reverend Phil Barrett, pastor of the General Presbytery, Des Moines. He was the guest of Representative Gene Maddox of Polk County.

The Journal of Friday, January 31, 2003 was approved.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Megan Cross, the Chief Clerk's Page from Ames.

INTRODUCTION OF BILL

[House File 109](#), by Gipp, a bill for an act relating to the qualification of property for purposes of the forest reservation property tax exemption and including an applicability date provision.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Frevert of Palo Alto and D. Taylor of Linn on request of Bukta of Clinton; Stevens of Dickinson, until his arrival, by T. Taylor of Linn.

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 appropriations at 3:00 p.m. today.

CONSIDERATION OF BILL
Regular Calendar

House File 66, a bill for an act requiring motor vehicle operators to take certain precautions when passing stationary utility maintenance vehicles and making a penalty applicable, was taken up for consideration.

Tjepkes of Webster offered the following amendment **H-1006** filed by him and moved its adoption:

H-1006

- 1 Amend **House File 66** as follows:
- 2 1. Page 1, line 5, by inserting after the word
- 3 "**vehicle.**" the following: "**a stationary municipal**
- 4 **maintenance vehicle.**".
- 5 2. Page 1, line 11, by inserting after the words
- 6 "**utility maintenance.**" the following: "**municipal**
- 7 **maintenance.**".
- 8 3. Title page, line 2, by inserting after the
- 9 word "maintenance" the following: "or municipal
- 10 maintenance".
- 11 4. By renumbering as necessary.

Amendment **H-1006** 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. 66**)

The ayes were, 96:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Gaskill	Gipp
Granzow	Greimann	Greiner	Hahn
Hansen	Hanson	Heaton	Heddens
Hoffman	Hogg	Horbach	Huseman
Huser	Hutter	Jacobs	Jenkins
Jochum	Jones	Klemme	Kramer
Kuhn	Kurtenbach	Lalk	Lensing

Lukan	Lykam	Maddox	Manternach
Mascher	McCarthy	Mertz	Miller
Murphy	Myers	Oldson	Olson, D.
Olson, S.	Osterhaus	Paulsen	Petersen
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Roberts	Sands	Schickel
Shoultz	Smith	Struyk	Swaim
Taylor, T.	Thomas	Tjepkes	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, none.

Absent or not voting, 3:

Frevert Stevens Taylor, D.

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 66](#) be immediately messaged to the Senate.

INTRODUCTION OF BILLS

[House File 110](#), by Wendt, a bill for an act allocating moneys to the Iowa Lewis and Clark bicentennial fund and providing an effective date.

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

[House File 111](#), by Alons, Boddicker, Mertz, Roberts, Boal, De Boef, Lukan, Chambers, Manternach, Kramer, and Hoffman, a bill for an act relating to criteria to be used in the awarding of grants or contracts relating to family planning and reproductive health services.

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

[House File 112](#), by Dolecheck, Tymeson, Boggess, Upmeyer, Tjepkes, Hahn, Roberts, Boal, Carroll, and De Boef, a bill for an act

changing the annual deadline for establishing the state percent of growth for school district budgets, and providing an effective date.

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

APPOINTMENTS

The following individuals are appointed to the Legislative Council and Committees of the Council:

2003-2004 LEGISLATIVE COUNCIL (Chapter 2.41, Code of Iowa)

Representative Christopher Rants
Representative Danny Carroll
Representative Chuck Gipp
Representative Richard Myers
Representative Bill Dix
Representative Pat Murphy
Representative John Connors
Representative Sandra Greiner
Representative Elizabeth "Libby" S. Jacobs
Representative Willard Jenkins
Representative Dolores Mertz
Representative Janet Petersen

ADMINISTRATION COMMITTEE

Representative Danny Carroll
Representative Elizabeth "Libby" S. Jacobs
Representative Janet Petersen

CAPITAL PROJECTS

Representative Elizabeth "Libby" S. Jacobs
Representative Bill Dix
Representative Chuck Gipp
Representative Patrick J. Murphy
Representative Janet Petersen

FISCAL COMMITTEE

Representative Bill Dix
Representative Elizabeth "Libby" S. Jacobs
Representative Patrick J. Murphy
Representative Don Shultz
Representative Jamie Van Fossen

INTERNATIONAL RELATIONS

Representative Willard Jenkins
Representative Paul Bell
Representative Swati Dandekar
Representative Ervin A. Dennis
Representative Elizabeth "Libby" S. Jacobs
Representative Helen Miller
Representative Scott Raecker

SERVICE

Representative Christopher Rants
Representative Danny Carroll
Representative John Connors

STUDIES

Representative Sandra Greiner
Representative Chuck Gipp
Representative Dolores Mertz
Representative Richard Myers
Representative Christopher Rants

COMMUNICATIONS RECEIVED

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

IOWA DEPARTMENT FOR THE BLIND

Report concerning the plastic and recycled content products and the soy-based inks regularly purchased by the department, pursuant to Chapter 216B.3(12d), Code of Iowa.

IOWA HIGHER EDUCATION LOAN AUTHORITY

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

IOWA JUDICIAL BRANCH

2002 Annual Report regarding the Enhanced Court Collections Fund and the Court Technology Fund, pursuant to Chapter 1003, Section 173(9), 2002 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

- 2003\212 Harry and Lola Lake, Marshalltown – For celebrating their 60th wedding anniversary.
- 2003\213 Edna Downs, Marshalltown – For celebrating her 90th birthday.
- 2003\214 Cora Yetley, Marshalltown – For celebrating her 100th birthday.
- 2003\215 Betty Halverson, Marshalltown – For celebrating her 80th birthday.
- 2003\216 Ada Vreeland, Marshalltown – For celebrating her 82nd birthday.
- 2003\217 Edna and Walter Jahn, Ute – For celebrating their 62nd wedding anniversary.
- 2003\218 Carl and Leona Simmons, Danbury – For celebrating their 50th wedding anniversary.
- 2003\219 Laura Ortner, Mapleton – For celebrating her 80th birthday.
- 2003\220 Vernon and Leona Hollrah, Charter Oak – For celebrating their 55th wedding anniversary.
- 2003\221 Irene Lakner, Mapleton – For celebrating her 92nd birthday.
- 2003\222 Donna and Don Taylor, Maquoketa – For celebrating their 50th wedding anniversary.
- 2003\223 Betty and Glynn Noonan, Bernard – For celebrating their 50th wedding anniversary.
- 2003\224 Don and Barb Small, Sioux City – For celebrating their 50th wedding anniversary.
- 2003\225 Bernard and Lenice Reilly, Sioux City – For celebrating their 50th wedding anniversary.
- 2003\226 Verda Muth, Sioux City – For celebrating her 90th birthday.
- 2003\227 Leonard Homan, Sioux City – For celebrating his 90th birthday.
- 2003\228 Mr. and Mrs. Wallace Kaufman, Fairbank – For celebrating their 55th wedding anniversary.
- 2003\229 Mr. and Mrs. Bob Fridley, Independence – For celebrating their 50th wedding anniversary.
- 2003\230 Audrey Carroll Havens, Davenport – For celebrating her 100th birthday.
- 2003\231 Frieda Guldner, Davenport – For celebrating her 100th birthday.

- 2003\232 Fr. John O'Connor, SS. Peter and Paul and St. Boniface Parishes, Petersburg – For celebrating 45 years as a Roman Catholic Priest.
- 2003\233 Joe and Rose Stalzer, Haverhill – For celebrating their 65th wedding anniversary.
- 2003\234 Norman and Beverly Faucher, Waterloo – For celebrating their 50th wedding anniversary.
- 2003\235 James Baker, Waterloo – For celebrating his 85th birthday.
- 2003\236 Spencer Drewelow, Waterloo – For attaining the rank of Eagle, Scout, the highest rank in the Boy Scouts of America.
- 2003\237 Mr. and Mrs. John Erickson, Davenport – For celebrating their 65th wedding anniversary.
- 2003\238 Vice and Irene Schlautman, Council Bluffs – For celebrating their 60th wedding anniversary.
- 2003\239 Carl and Mary Tedesco, Council Bluffs – For celebrating their 55th wedding anniversary.
- 2003\240 Leora "Jo" Aughe, Council Bluffs – For celebrating her 80th birthday.
- 2003\241 Mary Clemens-Clark, Council Bluffs – For celebrating her 80th birthday.
- 2003\242 Alvin and Dorothy Denny, Klemme – For celebrating their 50th wedding anniversary.
- 2003\243 Bud and Marge Schleusner, Garner – For celebrating their 55th wedding anniversary.
- 2003\244 Dallas and Gladys Allen, Dumont – For celebrating their 65th wedding anniversary.
- 2003\245 Mr. Royal Molander, Garner – For celebrating his 80th birthday.
- 2003\246 Carrie Wickwire, Rockwell – For celebrating her 80th birthday.
- 2003\247 Willis E. Koenigsberg, Sheffield – For celebrating his 80th birthday.
- 2003\248 Ada Assink, Kanawha – For celebrating her 83rd birthday.
- 2003\249 Matthew Hackman, Fort Atkinson – For receiving the University of Northern Iowa's Sperry Scholarship recognizing Academic Achievement and leadership.
- 2003\250 Dale and Emma Belle Edwards, Vinton – For celebrating their 60th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

[House File 38](#)

Economic Growth: Hoffman, Chair; Lukan and Stevens.

[House File 83](#)

Environmental Protection: J. Drake, Chair; Hogg and Upmeyer.

[House File 84](#)

Economic Growth: Jenkins, Chair; Boggess, Hanson, D. Olson and Smith.

[House File 86](#)

Commerce, Regulation and Labor: Horbach, Chair; Kurtenbach and Murphy.

[House File 89](#)

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

[House File 92](#)

Commerce, Regulation and Labor: Hansen, Chair; Osterhaus and Sands.

[House File 97](#)

Commerce, Regulation and Labor: Hansen, Chair; Petersen and Sands.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 44](#)

Local Government: Tjepkes, Chair; Cohoon and Schickel.

[House Study Bill 45](#)

Local Government: Schickel, Chair; Arnold and Whitead.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 51 Education

Relating to a review of statistical information compiled by the board of educational examiners from Praxis II examinations administered to initial, provisional teaching license applicants.

H.S.B. 52 Education

Creating a revolving fund in the state treasury to be administered by the board of educational examiners, appropriating moneys in the fund to the board, and providing for related matters.

H.S.B. 53 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. 54 Judiciary

Relating to the representation of indigent persons and indigent defense claims.

H.S.B. 55 Judiciary

Relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

H.S.B. 56 Judiciary

Providing for the creation of the position of identity theft advocate.

H.S.B. 57 Economic Growth

Providing for a limit on the recovery of punitive or exemplary damages in a civil case.

H.S.B. 58 Economic Growth

Relating to the new jobs and income program and including effective and retroactive applicability date provisions.

H.S.B. 59 Economic Growth

Relating to economic development programs for targeted small businesses.

H.S.B. 60 Economic Growth

Relating to the shelter assistance fund.

H.S.B. 61 Economic Growth

Relating to certain tax increment finance revenues set aside for low and moderate income housing assistance and providing for the Act's applicability.

H.S.B. 62 Commerce, Regulation and Labor

Relating to housing assistance and improvement funds.

H.S.B. 63 Economic Growth

Relating to the procedures for certificates of completion of property rehabilitation projects for which tax credits may be available.

RESOLUTIONS FILED

HCR 6, by Gipp, Myers, Alons, Arnold, Baudler, Bell, Berry, Boal, Boddicker, Boggess, Bukta, Carroll, Chambers, Connors, Dandekar, De Boef, Dennis, Dix, Dolecheck, Drake, Eichhorn, Fallon, Foege, Freeman, Frevert, Gaskill, Granzow, Greimann, Greiner, Hahn, B. Hansen, D. Hanson, Heaton, Heddens, Hoffman, Hogg, Horbach, Huseman, Huser, Hutter, Jacobs, Jochum, Jones, Klemme, Kramer, Kurtenbach, Lalk, Lensing, Lukan, Lykam, Manternach, Mascher, McCarthy, Miller, Murphy, Oldson, D. Olson, S. Olson, Osterhaus, Paulsen, Petersen, Raecker, Rayhons, Reasoner, Roberts, Sands, Schickel, Smith, Stevens, Struyk, Swaim, D. Taylor, T. Taylor, Thomas, Tjepkes, Tymeson, Upmeyer, Van Engelenhoven, J.K. Van Fossen, J.R. Van Fossen, Watts, Wendt, Whitaker, Wilderdyke and Winckler, a concurrent resolution relating to the federal Medicare program and requesting assistance from the federal government.

Laid over under **Rule 25**.

HCR 7, by Fallon, a concurrent resolution requesting that the legislative council establish an interim study committee to study instant runoff voting.

Laid over under **Rule 25**.

HR 8, by Mascher, Bell, Berry, Bukta, Cohoon, Connors, Dandekar, Davitt, Fallon, Foege, Gaskill, Greimann, Heddens, Huser, Jochum, Lensing, Lykam, Mertz, Miller, Murphy, Myers, Oldson, D. Olson, Petersen, Quirk, Shoultz, Smith, Struyk, Swaim, D. Taylor, T. Taylor, Thomas, Wendt, Whitaker, Whitead, Winckler and Wise, a resolution to honor former President Jimmy Carter for winning the Nobel Peace Prize for the year 2002.

Laid over under **Rule 25**.

On motion by Gipp of Winneshiek the House adjourned at 1:25 p.m., until 8:45 a.m., Tuesday, February 4, 2003.