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**STATE OF IOWA**

**House Journal**

**TUESDAY, MARCH 25, 2003**

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## JOURNAL OF THE HOUSE

Seventy-second Calendar Day - Fifty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, March 25, 2003

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

The Lord's Prayer was sung by Godz Guys from Gloria Dei Lutheran Church, Urbandale. They were the guests of Representative Scott Raecker of Polk County.

The Journal of Monday, March 24, 2003 was approved.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

### INTRODUCTION OF BILL

[House File 658](#), by Alons, Huseman, Hahn, Roberts, Lalk, De Boef, Tymeson, Horbach, S. Olson, Manternach, Kurtenbach, Kramer, Paulsen, Dennis, and Baudler, a bill for an act relating to the deduction of the capital gain from the sale of capital investments made in or by certain businesses and including an applicability date provision.

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

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 24, 2003, passed the following bill in which the concurrence of the House is asked:

[Senate File 297](#), a bill for an act relating to the regulation of snowmobiles and all-terrain vehicles, establishing fees, providing penalties, and providing applicability dates.

Also: That the Senate has on March 24, 2003, passed the following bill in which the concurrence of the House is asked:

[Senate File 341](#), a bill for an act regulating the balance of competitive forces in swine and beef production by enhancing the welfare of the farming community and by preventing processors from gaining control of beef or swine production, providing for the transfer of provisions, making a penalty applicable, and providing for an effective date.

Also: That the Senate has on March 24, 2003, passed the following bill in which the concurrence of the House is asked:

[Senate File 366](#), a bill for an act relating to the Iowa probate code, including provisions relating to state inheritance, gift taxes, and trusts and including an applicability date provision.

Also: That the Senate has on March 24, 2003, passed the following bill in which the concurrence of the House is asked:

[Senate File 394](#), a bill for an act relating to the regulation of the grain industry, and making penalties applicable.

Also: That the Senate has on March 24, 2003, passed the following bill in which the concurrence of the House is asked:

[Senate File 395](#), a bill for an act relating to assistance services provided to the department of agriculture and land stewardship, including for the filing of documents and the payment of fees and civil penalties, and the authorization to assess additional charges.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 8:50 a.m., until the fall of the gavel.

The House resumed session at 10:13 a.m., Klemme of Plymouth in the chair.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Foege of Linn on request of Bukta of Clinton.

#### SENATE MESSAGES CONSIDERED

[Senate File 297](#), by committee on transportation, a bill for an act relating to the regulation of snowmobiles and all-terrain vehicles,

establishing fees, providing penalties, and providing applicability dates.

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

[Senate File 341](#), by committee on agriculture, a bill for an act regulating the balance of competitive forces in swine and beef production by enhancing the welfare of the farming community and by preventing processors from gaining control of beef or swine production, providing for the transfer of provisions, making a penalty applicable, and providing for an effective date.

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

[Senate File 366](#), by committee on judiciary, a bill for an act relating to the Iowa probate code, including provisions relating to state inheritance, gift taxes, and trusts and including an applicability date provision.

Read first time and **passed on file**.

[Senate File 394](#), by committee on agriculture, a bill for an act relating to the regulation of the grain industry, and making penalties applicable.

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

[Senate File 395](#), by committee on agriculture, a bill for an act relating to assistance services provided to the department of agriculture and land stewardship, including for the filing of documents and the payment of fees and civil penalties, and the authorization to assess additional charges.

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

#### 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.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Hansen of Pottawattamie on request of Gipp of Winneshiek.

CONSIDERATION OF BILLS  
Unfinished Business Calendar

**House File 614**, a bill for an act relating to elections and voter registration by implementing requirements of federal law, modifying closing hours of the polls and voter identification requirements, transferring 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 making changes relating to absentee voting procedures, including request and delivery of absentee ballot applications, delivery of absentee ballots to the voter, and delivery of completed absentee ballots to the county commissioner of elections, and including effective date provisions, was taken up for consideration.

Mascher of Johnson offered the following amendment **H-1123** filed by Mascher, et al., and moved its adoption:

H-1123

1 Amend **House File 614** as follows:  
2 1. By striking everything after the enacting  
3 clause and inserting the following:  
4 "Section 1. Section 47.1, Code 2003, is amended by  
5 adding the following new unnumbered paragraph:  
6 **NEW UNNUMBERED PARAGRAPH.** The state commissioner  
7 shall adopt rules pursuant to chapter 17A, for the  
8 implementation of uniform and nondiscriminatory  
9 administrative complaint procedures for resolution of  
10 grievances relating to violations of Title III of Pub.  
11 L. No. 107-252.  
12 Sec. 2. Section 47.7, subsections 2, 3, and 4,  
13 Code 2003, are amended by striking the subsections and  
14 inserting in lieu thereof the following:  
15 2. a. On or before January 1, 2004, or on or  
16 before January 1, 2006, if a waiver is granted  
17 pursuant to section 303(d) of Pub. L. No. 107-252, the  
18 state registrar of voters shall implement in a uniform  
19 and nondiscriminatory manner, a single, uniform,  
20 official, centralized, interactive computerized

21 statewide voter registration file defined, maintained,  
22 and administered at the state level that contains the  
23 name and registration information of every legally  
24 registered voter in the state and assigns a unique  
25 identifier to each legally registered voter in the  
26 state. The state voter registration system shall be  
27 coordinated with other agency databases within the  
28 state, including, but not limited to, the department  
29 of transportation driver's license records, judicial  
30 records of convicted felons and persons declared  
31 incompetent to vote, and department of public health  
32 records of deceased persons.

33 b. On or after the deadline established in  
34 paragraph "a", a county shall not establish or  
35 maintain a voter registration system separate from the  
36 state voter registration system. Each county shall  
37 provide to the state registrar the names, voter  
38 registration information, and voting history of each  
39 registered voter in the county in the form required by  
40 the state registrar.

41 c. A state or local election official may obtain  
42 immediate electronic access to the information  
43 contained in the computerized voter registration file.  
44 All voter registration information obtained by a local  
45 election official shall be electronically entered into  
46 the computerized voter registration file on an  
47 expedited basis at the time the information is  
48 provided to the local election official. The state  
49 registrar shall provide such support as may be  
50 required to enable local election officials to

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1 electronically enter the information into the  
2 computerized voter registration file on an expedited  
3 basis. The list generated from the computerized file  
4 shall serve as the official voter registration list  
5 for the conduct of all elections for federal office in  
6 the state.

7 d. The state registrar shall prescribe by rule the  
8 procedures for access to the state voter registration  
9 file, security requirements, and access protocols for  
10 adding, changing, or deleting information from the  
11 state voter registration file.

12 Sec. 3. Section 48A.8, Code 2003, is amended to  
13 read as follows:

14 48A.8 REGISTRATION BY MAIL.

15 1. An eligible elector may register to vote by  
16 completing a mail registration form. The form may be  
17 mailed or delivered by the registrant or the  
18 registrant's designee to the commissioner in the  
19 county where the person resides. A separate

20 registration form shall be signed by each individual  
21 registrant.  
22 2. An eligible elector who registers by mail and  
23 who has not previously voted in an election for  
24 federal office in the county of registration shall be  
25 required to provide identification documents when  
26 voting for the first time in the county, unless the  
27 registrant provided on the registration form the  
28 registrant's Iowa driver's license number or the last  
29 four numerals of the registrant's social security  
30 number and the driver's license or partial social  
31 security number matches an existing state or federal  
32 identification record with the same social security  
33 number or Iowa driver's license number and name,  
34 including first name and any family forename or  
35 surname, and date of birth, including month, date, and  
36 year. If the registrant under this subsection votes  
37 in person at the polls, or by absentee ballot at the  
38 commissioner's office or at a satellite voting  
39 station, the registrant shall provide a current and  
40 valid photo identification card, or shall present to  
41 the appropriate election official one of the following  
42 current documents that show the name and address of  
43 the registrant:  
44 a. Utility bill.  
45 b. Bank statement.  
46 c. Government check.  
47 d. Other government document.  
48 3. If the registrant under subsection 2 votes an  
49 absentee ballot by mail, the registrant shall provide  
50 a photocopy of one of the documents listed in

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1 subsection 2 when returning the absentee ballot.  
2 4. A registrant under subsection 2 who is required  
3 to present identification when casting a ballot in  
4 person shall be permitted to vote a provisional ballot  
5 if the voter does not provide the required  
6 identification documents. If a voter who is required  
7 to present identification when casting a ballot votes  
8 an absentee ballot by mail, the ballot returned by the  
9 voter shall be considered a provisional ballot  
10 pursuant to sections 49.81 and 53.31.  
11 Sec. 4. Section 48A.11, subsection 1, paragraph b,  
12 Code 2003, is amended to read as follows:  
13 b. The registrant's name, including first name and  
14 any family forename or surname.  
15 Sec. 5. Section 48A.11, subsection 1, paragraph e,  
16 Code 2003, is amended by striking the paragraph and  
17 inserting in lieu thereof, the following:  
18 e. Iowa driver's license number, if the registrant

19 has a current and valid Iowa driver's license, or the  
 20 last four numerals of the registrant's social security  
 21 number. If the registrant does not have either an  
 22 Iowa driver's license number or a social security  
 23 number, the form shall provide space for a number to  
 24 be assigned as provided in subsection 7.

25 Sec. 6. Section 48A.11, subsection 1, paragraph f,  
 26 Code 2003, is amended to read as follows:

27 f. Date of birth, including month, date, and year.

28 Sec. 7. Section 48A.11, subsection 1, paragraph i,  
 29 Code 2003, is amended to read as follows:

30 i. Political party registration, if any.

31 Sec. 8. Section 48A.11, subsection 2, is amended  
 32 by adding the following new paragraph:

33 NEW PARAGRAPH. c. The following questions and  
 34 statement regarding eligibility:

35 (1) Are you a citizen of the United States of  
 36 America?

37 (2) Will you be eighteen years of age on or before  
 38 election day?

39 (3) If you checked "no" in response to either of  
 40 these questions, do not complete this form.

41 Sec. 9. Section 48A.11, subsection 5, Code 2003,  
 42 is amended to read as follows:

43 5. All forms for voter registration shall be  
 44 prescribed ~~by rule adopted~~ by the state voter  
 45 registration commission.

46 Sec. 10. Section 48A.11, Code 2003, is amended by  
 47 adding the following new subsection:

48 NEW SUBSECTION. 7. A voter registration  
 49 application lacking the registrant's name, sex, date  
 50 of birth, or residence address or description shall

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1 not be processed. If the registrant answered "no" or  
 2 did not answer either "yes" or "no" to the question in  
 3 subsection 2, paragraph "c", subparagraph (1), the  
 4 application shall not be processed. A registrant  
 5 whose registration is not processed pursuant to this  
 6 subsection shall be notified pursuant to section  
 7 48A.26, subsection 3. A registrant who does not have  
 8 either an Iowa driver's license number or a social  
 9 security number and who notifies the registrar of such  
 10 shall be assigned a unique identifying number that  
 11 shall serve to identify the registrant for voter  
 12 registration purposes.

13 Sec. 11. NEW SECTION. 48A.25A VERIFICATION OF  
 14 VOTER REGISTRATION INFORMATION.

15 Upon receipt of an application for voter  
 16 registration, the state registrar of voters shall  
 17 compare the driver's license number or the last four

18 numerals of the social security number provided by the  
19 registrant with the records of the state department of  
20 transportation. If the information cannot be  
21 verified, the application shall be rejected and the  
22 registrant shall be notified of the reason for the  
23 rejection. If the information can be verified, a  
24 record shall be made of the source used for  
25 verification and the application shall be accepted.  
26 This section does not apply to persons entitled to  
27 register to vote and to vote pursuant to section  
28 48A.5, subsection 4.

29 Sec. 12. Section 48A.26, subsection 3, Code 2003,  
30 is amended to read as follows:

31 3. If the registration form is missing required  
32 information pursuant to section 48A.11, subsection 7,  
33 the acknowledgment shall advise the applicant what  
34 additional information is required. The commissioner  
35 shall enclose a new registration by mail form for the  
36 applicant to use. If the registration form has no  
37 address, the commissioner shall make a reasonable  
38 effort to determine where the acknowledgment should be  
39 sent. If the incomplete application is received  
40 during the twelve days before the close of  
41 registration for an election, the commissioner shall  
42 provide the registrant with an opportunity to complete  
43 the form before the close of registration.

44 Sec. 13. Section 48A.28, subsection 2, unnumbered  
45 paragraph 2, Code 2003, is amended to read as follows:

46 A commissioner participating in the national change  
47 of address program, in the first quarter of each  
48 calendar year, shall send a notice and preaddressed,  
49 postage paid return card by forwardable mail to each  
50 registered voter whose name was not reported by the

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1 national change of address program and who has not  
2 voted; in two or more consecutive general elections  
3 and has not registered again, or who has not reported  
4 a change to an existing registration, or who has not  
5 responded to a notice from the commissioner or  
6 registrar during the preceding four calendar years  
7 period between and following the previous two general  
8 elections. The form and language of the notice and  
9 return card shall be specified by the state voter  
10 registration commission by rule. A registered voter  
11 shall not be sent a notice and return card under this  
12 subsection more frequently than once in a four-year  
13 period.

14 Sec. 14. Section 48A.36, subsection 2, Code 2003,  
15 is amended to read as follows:

16 2. Upon receipt of electronic registration data

17 under subsection 1, the state registrar of voters ~~may~~  
 18 shall cause the updating of registration records ~~for~~  
 19 ~~registrants in counties which have arranged for data~~  
 20 ~~processing services under section 47.7, subsection 2.~~  
 21 The registrar shall notify the appropriate  
 22 commissioner of the actions taken.

23 Sec. 15. Section 48A.38, subsection 1, paragraph  
 24 f, Code 2003, is amended to read as follows:  
 25 f. The county commissioner of registration and the  
 26 state registrar of voters shall remove a voter's  
 27 social security number and driver's license number  
 28 from a voter registration list prepared pursuant to  
 29 this section.

30 Sec. 16. Section 49.44, unnumbered paragraph 2,  
 31 Code 2003, is amended by striking the paragraph.

32 Sec. 17. Section 49.68, Code 2003, is amended to  
 33 read as follows:  
 34 49.68 STATE COMMISSIONER TO FURNISH INSTRUCTIONS.  
 35 The state commissioner with the approval of the  
 36 attorney general shall prepare, and from time to time  
 37 revise, written instructions to the voters relative to  
 38 voting, and shall furnish each commissioner with  
 39 copies of the instructions. ~~Such~~ One set of  
 40 instructions, which shall be known as instructions for  
 41 marking ballots, shall cover the manner of marking  
 42 ballots. Another set of instructions, which shall be  
 43 known as the Iowa voter bill of rights, shall cover  
 44 the following matters:

- 45 1. The manner of obtaining ballots.
- 46 ~~2. The manner of marking ballots.~~
- 47 ~~3.~~ 2. That unmarked or improperly marked ballots  
 48 will not be counted.
- 49 ~~4.~~ 3. The method of gaining assistance in marking  
 50 ballots.

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- 1 ~~5.~~ 4. That any erasures or identification marks,  
 2 or otherwise spoiling or defacing a ballot, will  
 3 render it invalid.
- 4 ~~6.~~ 5. Not to vote a spoiled or defaced ballot.
- 5 ~~7.~~ 6. How to obtain a new ballot in place of a  
 6 spoiled or defaced one.
- 7 7. How to cast a provisional ballot.
- 8 8. Instructions for first-time voters who  
 9 registered by mail pursuant to section 48A.8.
- 10 9. The appropriate official to contact if the  
 11 voter believes the voter's rights have been violated.
- 12 10. Polling place hours and the date of the  
 13 election.
- 14 11. Information about federal and state laws  
 15 prohibiting fraud and misrepresentation.

16 ~~8- 12.~~ Any other matters ~~thought~~ determined  
 17 necessary.  
 18 Sec. 18. Section 49.70, Code 2003, is amended to  
 19 read as follows:  
 20 49.70 PRECINCT ELECTION OFFICIALS FURNISHED  
 21 INSTRUCTIONS.  
 22 The commissioner shall cause copies of ~~the~~  
 23 ~~foregoing each set of~~ instructions to be printed in  
 24 large, clear type, under the ~~heading~~ headings of Iowa  
 25 voter bill of rights and "Instructions instructions  
 26 for Voters marking ballots.", and shall furnish the  
 27 precinct election officials with a sufficient number  
 28 of ~~such each set of~~ instructions as will enable them  
 29 to comply with section 49.71.  
 30 Sec. 19. Section 49.71, Code 2003, is amended to  
 31 read as follows:  
 32 49.71 POSTING INSTRUCTION CARDS AND SAMPLE  
 33 BALLOTS.  
 34 The precinct election officials, before the opening  
 35 of the polls, shall ~~cause said cards~~ securely post  
 36 each set of instructions to be securely posted as  
 37 follows:  
 38 1. One copy of instructions for marking ballots in  
 39 each voting booth.  
 40 2. Not less than four copies of each set, with an  
 41 equal number of sample ballots, in and about the  
 42 polling place.  
 43 Sec. 20. Section 49.81, Code 2003, is amended to  
 44 read as follows:  
 45 49.81 PROCEDURE FOR CHALLENGED VOTER TO CAST  
 46 PROVISIONAL BALLOT.  
 47 1. A prospective voter who is prohibited under  
 48 section 48A.8, subsection 4, section 49.77, subsection  
 49 4, or section 49.80 from voting except under this  
 50 section shall be ~~permitted to~~ notified by the

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1 appropriate precinct election official that the voter  
 2 may cast a paper provisional ballot. If a booth  
 3 meeting the requirement of section 49.25 is not  
 4 available at that polling place, the precinct election  
 5 officials shall make alternative arrangements to  
 6 insure the challenged voter the opportunity to vote in  
 7 secret. The marked ballot, folded as required by  
 8 section 49.84, shall be delivered to a precinct  
 9 election official who shall immediately seal it in an  
 10 envelope of the type prescribed by subsection 4. The  
 11 sealed envelope shall be deposited in ~~a special an~~  
 12 envelope marked ~~"ballots for special precinct~~  
 13 "provisional ballots" and shall be considered as  
 14 having been cast in the special precinct established

15 by section 53.20 for purposes of the postelection  
 16 canvass.  
 17 2. Each person who casts a ~~special~~ provisional  
 18 ballot under this section shall receive a printed  
 19 statement in substantially the following form:  
 20 Your qualifications as a registered voter have been  
 21 challenged for the following reasons:  
 22 I. ....  
 23 II. ....  
 24 III. ....  
 25 Your right to vote will be reviewed by the special  
 26 precinct counting board on ..... You have the right  
 27 and are encouraged to make a written statement and  
 28 submit additional written evidence to this board  
 29 supporting your qualifications as a registered voter.  
 30 This written statement and evidence may be given to an  
 31 election official of this precinct on election day or  
 32 mailed or delivered to the county commissioner of  
 33 elections, but must be received before .... a.m./p.m.  
 34 on ..... at ..... If your ballot is not counted you  
 35 will receive, by mail, notification of this fact and  
 36 the reason that the ballot was not counted.  
 37 3. Any elector may present written statements or  
 38 documents, supporting or opposing the counting of any  
 39 ~~special~~ provisional ballot, to the precinct election  
 40 officials on election day, until the hour for closing  
 41 the polls. Any statements or documents so presented  
 42 shall be delivered to the commissioner when the  
 43 election supplies are returned.  
 44 4. The individual envelopes used for each ~~paper~~  
 45 provisional ballot cast pursuant to subsection 1 shall  
 46 have printed on them the format of the face of the  
 47 registration form under section 48A.8 and the  
 48 following:  
 49 I believe I am a registered voter of this ~~precinct~~  
 50 county and I am eligible to vote in this election. I

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1 registered to vote in ..... county on or about .....  
 2 at ..... My name at that time was ..... I have not  
 3 moved to a different county since that time. I am a  
 4 United States citizen, at least eighteen years of age.  
 5 .....  
 6 (signature of voter) (date)  
 7 The following information is to be provided by the  
 8 precinct election official:  
 9 Reason for challenge:  
 10 .....  
 11 .....  
 12 .....  
 13 (signature of precinct

14 election official)

15 Sec. 21. Section 50.20, Code 2003, is amended to

16 read as follows:

17 50.20 NOTICE OF NUMBER OF SPECIAL PROVISIONAL

18 BALLOTS.

19 The commissioner shall compile a list of the number

20 of special provisional ballots cast under section

21 49.81 in each precinct. The list shall be made

22 available to the public as soon as possible, but in no

23 case later than nine o'clock a.m. on the second day

24 following the election. Any elector may examine the

25 list during normal office hours, and may also examine

26 the affidavit envelopes bearing the ballots of

27 challenged electors until the reconvening of the

28 special precinct board as required by this chapter.

29 Only those persons so permitted by section 53.23,

30 subsection 4, shall have access to the affidavits

31 while that board is in session. Any elector may

32 present written statements or documents, supporting or

33 opposing the counting of any special ballot, at the

34 commissioner's office until the reconvening of the

35 special precinct board.

36 Sec. 22. Section 50.21, unnumbered paragraph 2,

37 Code 2003, is amended to read as follows:

38 If no special provisional ballots were cast in the

39 county pursuant to section 49.81 at any election, the

40 special precinct election board need not be so

41 reconvened. If the number of special provisional

42 ballots so cast at any election is not sufficient to

43 require reconvening of the entire election board of

44 the special precinct, the commissioner may reconvene

45 only the number of members required. If the number of

46 special provisional ballots cast at any election

47 exceeds the number of absentee ballots cast, the size

48 of the special precinct election board may be

49 increased at the commissioner's discretion. The

50 commissioner shall observe the requirements of

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1 sections 49.12 and 49.13 in making adjustments to the

2 size of the special precinct election board.

3 Sec. 23. Section 52.1, subsection 2, paragraph h,

4 Code 2003, is amended to read as follows:

5 h. "Voting machine" means ~~a mechanical or an~~

6 electronic device, meeting the requirements of section

7 52.7, designated for use in casting, registering,

8 recording, and counting votes at an election.

9 Sec. 24. Section 52.2, Code 2003, is amended to

10 read as follows:

11 52.2 PURCHASE.

12 The board of supervisors of any county may, by a

13 majority vote, authorize, purchase, and order the use  
 14 of either voting machines or an electronic voting  
 15 system in any one or more voting precincts within ~~said~~  
 16 the county until otherwise ordered by said the board  
 17 of supervisors. Voting machines and an electronic  
 18 voting system may be used concurrently at ~~different~~  
 19 precincts within any county, ~~but not at the same~~  
 20 ~~precinct.~~

21 The state commissioner may provide voting machines  
 22 or electronic voting systems to a county to replace  
 23 lever voting machines in use in the county in order to  
 24 comply with Pub. L. No. 107-252, the Help America  
 25 Vote Act of 2002.

26 Sec. 25. Section 52.9, unnumbered paragraph 4,  
 27 Code 2003, is amended by striking the paragraph.

28 Sec. 26. Section 52.10, Code 2003, is amended to  
 29 read as follows:

30 52.10 BALLOTS – FORM.

31 All ballots shall be ~~printed in black ink on clear,~~  
 32 ~~white material, of such size as will fit the ballot~~  
 33 ~~frame, and presented~~ in as plain, clear type as the  
 34 space will reasonably permit. ~~The party name for each~~  
 35 ~~political party represented on the machine shall be~~  
 36 ~~prefixed to the list of candidates of such party. The~~  
 37 ~~order of the list of candidates of the several parties~~  
 38 ~~or organizations shall be arranged as provided in~~  
 39 ~~sections 40.30 to 40.42A, except that the lists may be~~  
 40 ~~arranged in horizontal rows or vertical columns to~~  
 41 ~~meet the physical requirements of the voting machine~~  
 42 ~~used. The offices, candidates, judges, and public~~  
 43 ~~measures to be voted upon, using the voting machine,~~  
 44 ~~shall be arranged as required by chapters 43 and 49.~~

45 Sec. 27. Section 52.12, Code 2003, is amended to  
 46 read as follows:

47 52.12 EXCEPTION – STRAIGHT PARTY VOTING.

48 Voting machines shall have a single ~~lever or switch~~  
 49 ~~voting target~~ which casts a vote for each candidate of  
 50 a political party or nonparty political organization

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1 which has nominated candidates for more than one  
 2 partisan office on the ballot. Straight party voting  
 3 shall be provided for all general elections.

4 Sec. 28. Section 52.16, Code 2003, is amended to  
 5 read as follows:

6 52.16 DUTIES OF ELECTION OFFICERS —~~INDEPENDENT~~  
 7 ~~BALLOTS.~~

8 The election board of each precinct in which votes  
 9 are to be cast by machine shall meet at the precinct  
 10 polling place, at least one hour before the time set  
 11 for the opening of the polls at each election, and

12 shall proceed to arrange the furniture, stationery,  
13 and voting machine for the conduct of the election.  
14 The board shall cause at least ~~two instruction cards~~  
15 four sets of instructions to be posted conspicuously  
16 within the polling place. ~~If not previously done,~~  
17 ~~they shall arrange, in their proper place on the~~  
18 ~~voting machine, the ballots containing the names of~~  
19 ~~the offices to be filled at the election, and the~~  
20 ~~names of the candidates nominated. If not previously~~  
21 ~~done, the machine shall be so arranged as to show that~~  
22 ~~no vote has been cast, and shall not be thereafter~~  
23 ~~operated, except by electors in voting.~~

24 Before the polls are open for election, the board  
25 shall carefully examine every machine and see that no  
26 vote has been cast, ~~and the machines are subject to~~  
27 ~~inspection of the election officers. If the voting~~  
28 ~~machine is equipped to produce a printed record~~  
29 ~~showing the status of the counters, this record shall~~  
30 ~~be produced by the precinct election officials~~  
31 ~~immediately~~ Immediately before the polls are open, the  
32 precinct election officials shall print a report from  
33 each machine showing that the counter is set at zero.  
34 ~~The inspection sheets~~ reports from each machine used  
35 in the election shall be available for examination  
36 throughout election day.

37 ~~Ballots voted for any person whose name does not~~  
38 ~~appear on the machine as a nominated candidate for~~  
39 ~~office, are referred to in this section as independent~~  
40 ~~ballots. When two or more persons are to be elected~~  
41 ~~to the same office, and the machine requires that all~~  
42 ~~independent ballots voted for that office be deposited~~  
43 ~~in a single receptacle or device, an elector may vote~~  
44 ~~in or by the receptacle or device for one or more~~  
45 ~~persons whose names do not appear upon the machine~~  
46 ~~with or without the names of one or more persons whose~~  
47 ~~names do so appear. With that exception, and except~~  
48 ~~for presidential electors, no independent ballot shall~~  
49 ~~be voted for any person for any office whose name~~  
50 ~~appears on the machine as a nominated candidate for~~

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1 ~~that office; any independent ballot so voted shall not~~  
2 ~~be counted. An independent ballot must be cast in its~~  
3 ~~appropriate place on the machine, or it shall be void~~  
4 ~~and not counted.~~

5 Sec. 29. Section 52.17, Code 2003, is amended to  
6 read as follows:

7 52.17 VOTING MACHINE IN PLAIN VIEW.

8 The exterior of the voting machine and every part  
9 of the polling place shall be in plain view of the  
10 election officers. The voting machine shall be placed

11 at least ~~three feet from every wall and partition of~~  
 12 ~~the polling place, and at least four feet from the~~  
 13 precinct election officials' table.

14 Sec. 30. Section 52.20, Code 2003, is amended to  
 15 read as follows:

16 52.20 INJURY TO MACHINE.

17 ~~No~~ A voter, or other person, shall not deface or  
 18 injure the voting machine or the ballot thereon. It  
 19 shall be the duty of the precinct election officials  
 20 to enforce the provisions of this section. During the  
 21 entire period of an election, at least one of ~~their~~  
 22 ~~number the officials, designated by them the officials~~  
 23 from time to time, shall ~~be stationed beside the~~  
 24 ~~entrance to the booth and shall see that it is~~  
 25 ~~properly closed after a voter has entered it to vote.~~  
 26 ~~The official shall also,~~ at such intervals as the  
 27 official may deem proper or necessary, examine the  
 28 face of the machine to ascertain whether it has been  
 29 defaced or injured, to detect the wrongdoer, and to  
 30 repair any injury. If the official finds that a  
 31 person has left the voting booth without casting the  
 32 ballot, the official shall cast the ballot.

33 Sec. 31. Section 52.21, Code 2003, is amended by  
 34 striking the section and inserting in lieu thereof the  
 35 following:

36 52.21 CANVASS OF VOTE – TALLY.

37 As soon as the polls of the election are closed,  
 38 the precinct election officials shall immediately lock  
 39 the voting machine against voting and, in the presence  
 40 of all persons who may be lawfully within the polling  
 41 place, proceed to canvass the vote. The officials  
 42 shall print the results from each machine, tally any  
 43 write-in votes, and complete any canvass documents  
 44 prescribed for the voting machine by the state  
 45 commissioner. Write-in votes cast for a person whose  
 46 name appears on the ballot as a candidate for that  
 47 office shall not be counted.

48 Sec. 32. Section 52.23, unnumbered paragraph 2,  
 49 Code 2003, is amended to read as follows:

50 The ~~inspection sheets~~ zero count report from each

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1 machine used in the election and one copy of the  
 2 printed results from each machine shall be signed by  
 3 all precinct election officials and, with any paper or  
 4 papers upon which write-in votes were recorded by  
 5 voters, shall be securely sealed in an envelope marked  
 6 with the name and date of the election, the precinct,  
 7 and the serial numbers of the machines from which the  
 8 enclosed results were removed. This envelope shall be  
 9 preserved, unopened, for twenty-two months following

10 elections for federal offices and for six months  
11 following elections for all other offices unless a  
12 recount is requested pursuant to section 50.48 or an  
13 election contest is pending. The envelope shall be  
14 destroyed in the same manner as ballots pursuant to  
15 section 50.13. ~~Additional copies~~ At least one  
16 additional copy of the results, ~~if any,~~ shall be  
17 signed by the officials and delivered to the  
18 commissioner with the other supplies from the election  
19 pursuant to section 50.17.

20 Sec. 33. Section 52.25, unnumbered paragraph 2,  
21 Code 2003, is amended to read as follows:

22 The entire convention question, amendment or public  
23 measure shall be printed and displayed prominently in  
24 at least four places within the voting precinct, and  
25 inside each voting booth, ~~or on the left hand side~~  
26 ~~inside the curtain of each voting machine,~~ the  
27 printing to be in conformity with the provisions of  
28 chapter 49. The public measure shall be summarized by  
29 the commissioner and in the largest type possible  
30 printed on the special paper ballots or ~~inserts used~~  
31 in the voting machines, except that:

32 Sec. 34. NEW SECTION. 53.37A STATE COMMISSIONER  
33 DUTIES.

34 The state commissioner of elections shall provide  
35 information regarding voter registration procedures  
36 and absentee ballot procedures to be used by members  
37 of the armed forces of the United States. The state  
38 commissioner shall accept valid voter registration  
39 applications and absentee ballot applications and  
40 shall forward the applications to the appropriate  
41 county commissioner of elections in a timely manner.

42 Sec. 35. Section 53.40, unnumbered paragraph 1,  
43 Code 2003, is amended to read as follows:

44 A request in writing for a ballot may be made by  
45 any member of the armed forces of the United States  
46 who is or will be a qualified voter on the day of the  
47 election at which the ballot is to be cast, at any  
48 time before the election. Any member of the armed  
49 forces of the United States may request ballots for  
50 all elections to be held ~~within a calendar year~~

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1 through the next two general elections. The request  
2 may be made by using the federal postcard application  
3 form and indicating that the applicant wishes to  
4 receive ballots for all elections as permitted by  
5 state law. The county commissioner shall send the  
6 applicant a ballot for each election held ~~during the~~  
7 ~~calendar year in which~~ after the application is  
8 received and through the next two general elections.

9 The commissioner shall forward a copy of the absentee  
10 ballot request to other commissioners who are  
11 responsible under section 47.2, subsection 2, for  
12 conducting elections in which the applicant is  
13 eligible to vote.

14 Sec. 36. Section 53.53, Code 2003, is amended by  
15 adding the following new unnumbered paragraphs:  
16 NEW UNNUMBERED PARAGRAPH. A federal write-in  
17 ballot received by the state commissioner of elections  
18 shall be forwarded immediately to the appropriate  
19 county commissioner. However, if the state  
20 commissioner receives a federal write-in ballot after  
21 election day and before noon on the Monday following  
22 an election, the state commissioner shall at once  
23 verify that the voter has complied with the  
24 requirements of this section and that the voter's  
25 federal write-in ballot is eligible to be counted. If  
26 the ballot is eligible to be counted, the state  
27 commissioner shall notify the appropriate county  
28 commissioner and make arrangements for the ballot to  
29 be transmitted to the county for counting. If the  
30 ballot is not eligible to be counted, the state  
31 commissioner shall mail the ballot to the appropriate  
32 commissioner along with notification that the ballot  
33 is ineligible to be counted. The county commissioner  
34 shall keep the ballot with the other records of the  
35 election.

36 NEW UNNUMBERED PARAGRAPH. The county commissioner  
37 shall notify a voter when the voter's federal write-in  
38 ballot was not counted and shall give the voter the  
39 reason the ballot was not counted.

40 Sec. 37. Sections 49.35, 52.11, 52.14, and 52.22,  
41 Code 2003, are repealed.

42 Sec. 38. EFFECTIVE DATES.

43 1. The sections of this Act enacting new Code  
44 section 48A.25A and amending Code sections 48A.26,  
45 48A.36, 49.68, 49.70, 49.71, and that portion of  
46 section 52.16 relating to voter instructions only,  
47 take effect January 1, 2004, or January 1, 2006, if a  
48 waiver is granted pursuant to section 303(d) of Pub.  
49 L. No. 107-252.

50 2. The sections of this Act amending sections

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1 52.1, 52.9, 52.10, 52.12, 52.16, 52.17, 52.20, 52.21,  
2 and 52.25, and the sections of this Act repealing  
3 sections 52.11, 52.14, and 52.22, take effect January  
4 1, 2004, or January 1, 2006, if a waiver is granted  
5 pursuant to section 102(a) of Pub. L. No. 107-252.

6 3. The remainder of this Act, being deemed of  
7 immediate importance, takes effect upon enactment."

- 8 2. Title page, by striking lines 2 through ll,  
 9 and inserting the following: "implementing  
 10 requirements of federal law, making corrective changes  
 11 to state election law, and including effective date  
 12 provisions."  
 13 3. By renumbering as necessary.

Roll call was requested by Mascher of Johnson and Myers of Johnson.

On the question "Shall amendment [H-1123](#) be adopted?" ([H.F. 614](#))

The ayes were, 45:

Bell	Berry	Bukta	Cohoon
Connors	Dandekar	Davitt	Fallon
Ford	Frevert	Gaskill	Greimann
Heddens	Hogg	Hunter	Huser
Jochum	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Myers	Oldson	Olson, D.
Osterhaus	Petersen	Quirk	Reasoner
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Whitaker	Whitead	Winckler
Wise			

The nays were, 53:

Alons	Arnold	Baudler	Boal
Boddicker	Bogges	Carroll	Chambers
De Boef	Dennis	Dix	Dolecheck
Drake	Eichhorn	Elgin	Freeman
Gipp	Granzow	Greiner	Hahn
Hanson	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kramer	Kurtenbach	Lalk
Lukan	Maddox	Manternach	Olson, S.
Paulsen	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Roberts	Sands	Schickel
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wilderdyke
Klemme, Presiding			

Absent or not voting, 2:

Foege	Hansen
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Amendment [H-1123](#) lost.

Gipp of Winneshiek asked and received unanimous consent that [House File 614](#) be deferred and that the bill retain its place 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 25, 2003, passed the following bill in which the concurrence of the House is asked:

[Senate File 386](#), a bill for an act requiring the insurance division of the department of commerce to establish a school health insurance reform team study and to make recommendations to the general assembly.

Also: That the Senate has on March 25, 2003, passed the following bill in which the concurrence of the House is asked:

[Senate File 416](#), a bill for an act relating to an emergency shelter and support services demonstration project relating to dependent adults.

Also: That the Senate has on March 25, 2003, passed the following bill in which the concurrence of the House is asked:

[Senate File 425](#), a bill for an act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources.

MICHAEL E. MARSHALL, Secretary

On motion by Gipp of Winneshiek, the House was recessed at 11:40 a.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 sixty-nine members present, thirty-one absent.

CONSIDERATION OF BILLS  
Unfinished Business Calendar

The House resumed consideration of [House File 614](#), a bill for an act relating to elections and voter registration by implementing requirements of federal law, modifying closing hours of the polls and voter identification requirements, transferring 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 making changes relating to absentee voting procedures, including request and delivery of absentee ballot applications, delivery of absentee ballots to the voter, and delivery of completed absentee ballots to the county commissioner of elections, and including effective date provisions, previously deferred.

Jacobs of Polk offered the following amendment [H-1121](#) filed by her and moved its adoption:

H-1121

- 1 Amend [House File 614](#) as follows:
- 2 1. Page 8, line 31, by inserting after the word
- 3 "or" the following: "described in section 53.16,
- 4 subsection 3, or".
- 5 2. Page 16, by striking lines 8 through 22, and
- 6 inserting the following:
- 7 "53.16 SUBSCRIBING TO AFFIDAVIT – IDENTIFICATION
- 8 REQUIRED OF CERTAIN VOTERS.
- 9 1. After marking the ballot, the voter shall make
- 10 and subscribe to the affidavit on the reverse side of
- 11 the envelope, and fold the ballot or ballots,
- 12 separately, so as to conceal the markings on them, and
- 13 deposit them in the envelope, and securely seal the
- 14 envelope.
- 15 2. An eligible elector who registers by mail and
- 16 who has not previously voted in an election for
- 17 federal office in the county of registration and who
- 18 is voting an absentee ballot by mail, at the
- 19 commissioner's office, or at a satellite voting
- 20 station, shall be required to provide a form of
- 21 identification described in section 49.77, subsection
- 22 3, unless the registrant provided on the registration
- 23 form the registrant's Iowa driver's license number or
- 24 the last four numerals of the registrant's social
- 25 security number and the driver's license or partial
- 26 social security number matches an existing state or
- 27 federal identification record with the same social

28 security number or Iowa driver's license number and  
 29 name, including first name and any family forename or  
 30 surname, and date of birth, including month, date, and  
 31 year.  
 32 3. A voter who is required to present  
 33 identification when casting an absentee ballot in  
 34 person shall be permitted to vote a provisional ballot  
 35 pursuant to section 49.81 if the voter does not  
 36 provide the required identification. If a voter who  
 37 is required to present identification when casting an  
 38 absentee ballot votes an absentee ballot by mail, the  
 39 ballot returned by the voter shall be considered a  
 40 provisional ballot pursuant to sections 49.81 and  
 41 53.31."  
 42 3. Page 18, line 7, by inserting after the word  
 43 "this" the following: "division of this".  
 44 4. Page 18, line 13, by inserting after the word  
 45 "this" the following: "division of this".  
 46 5. Page 18, line 15, by inserting after the word  
 47 "this" the following: "division of this".  
 48 6. Page 18, line 19, by inserting after the word  
 49 "this" the following: "division of this".  
 50 7. By renumbering as necessary.

Amendment [H-1121](#) was adopted.

Jacobs of Polk offered the following amendment [H-1146](#) filed by her and moved its adoption:

H-1146

1 Amend [House File 614](#) as follows:  
 2 1. Page 28, by inserting before line 33, the  
 3 following:  
 4 "Sec. \_\_. Section 39A.2, subsection 1, paragraph  
 5 b, Code 2003, is amended by adding the following new  
 6 subparagraph:  
 7 NEW SUBPARAGRAPH. (6) Returns an absentee ballot  
 8 application or voted absentee ballot to the  
 9 commissioner's office and the person is not an  
 10 immediate family member of the applicant or voter as  
 11 that term is defined in section 53.1A or is not the  
 12 designee of a voter described in section 53.22,  
 13 subsection 5."  
 14 2. Page 28, by inserting before line 33, the  
 15 following:  
 16 "Sec. \_\_. NEW SECTION. 53.1A DEFINITIONS.  
 17 For purposes of this chapter, "immediate family  
 18 member" of an absentee ballot applicant or absentee  
 19 ballot voter means the spouse, adult child, parent,  
 20 grandparent, or adult sibling of the applicant or

21 voter."  
22 3. Page 29, line 7, by inserting after the word  
23 "office," the following: "The commissioner may make  
24 absentee ballot applications available on the  
25 commissioner's office internet website."  
26 4. Page 29, by striking lines 15 through 19, and  
27 inserting the following: "~~is not required.~~ Absentee  
28 ballot".  
29 5. Page 29, by striking lines 24 through 27, and  
30 inserting the following: "than the appropriate  
31 commissioner. A completed application for an absentee  
32 ballot may be returned only by the applicant, or a  
33 member of the applicant's immediate family, or the  
34 applicant's designee if the applicant is a voter  
35 described in section 53.22, subsection 5."  
36 6. Page 29, by inserting before line 28, the  
37 following:  
38 "Sec. Section 53.2, Code 2003, is amended by  
39 adding the following new unnumbered paragraph:  
40 NEW UNNUMBERED PARAGRAPH. If an absentee ballot  
41 application is received by the commissioner more than  
42 sixty days before the election, the commissioner shall  
43 notify the applicant that the applicant must reapply  
44 for an absentee ballot no sooner than sixty days  
45 before the election."  
46 7. Page 29, line 34, by inserting after the  
47 figure "3," the following: "However, the commissioner  
48 may mail an absentee ballot to an applicant less than  
49 seven days before the election if the applicant is a  
50 voter described in section 53.22, subsection 5."

Page 2

1 8. Page 30, line 17, by inserting after the word  
2 "applicant," the following: "a member of the  
3 applicant's immediate family."  
4 9. Page 30, line 25, by inserting after the word  
5 "voter," the following: "or a member of the voter's  
6 immediate family."  
7 10. Page 30, line 26, by inserting after the  
8 figure "53.22." the following: "subsection 5."  
9 11. By renumbering as necessary.

Roll Call was requested by Myers of Johnson and Shoultz of Black Hawk.

On the question "Shall amendment [H-1146](#) be adopted?" ([H.F. 614](#))

The ayes were, 52:

Alons	Arnold	Baudler	Boal
Boddicker	Boggess	Carroll	Chambers
De Boef	Dennis	Dix	Dolecheck
Drake	Eichhorn	Elgin	Freeman
Gipp	Greiner	Hahn	Hanson
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Klemme	Kramer	Kurtenbach	Lalk
Lukan	Maddox	Manternach	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wildurdyke	Mr. Speaker
			Rants

The nays were, 45:

Bell	Berry	Bukta	Cohoon
Connors	Dandekar	Davitt	Fallon
Ford	Frevert	Gaskill	Granzow
Greimann	Heddens	Hogg	Hunter
Jochum	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Myers	Oldson	Olson, D.
Osterhaus	Petersen	Quirk	Reasoner
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Whitaker	Whitead	Winckler
Wise			

Absent or not voting, 3:

Foege	Hansen	Huser
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Amendment [H-1146](#) 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. 614](#))

The ayes were, 53:

Alons	Arnold	Baudler	Boal
Boddicker	Boggess	Carroll	Chambers
De Boef	Dennis	Dix	Dolecheck
Drake	Eichhorn	Elgin	Freeman

Gipp	Granzow	Greiner	Hahn
Hanson	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Klemme	Kramer	Kurtenbach
Lalk	Lukan	Maddox	Manternach
Olson, S.	Paulsen	Raecker	Rasmussen
Rayhons	Roberts	Sands	Schickel
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wilderdyke
Mr. Speaker			
Rants			

The nays were, 44:

Bell	Berry	Bukta	Cohoon
Connors	Dandekar	Davitt	Fallon
Ford	Frevert	Gaskill	Greimann
Heddens	Hogg	Hunter	Jochum
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller	Murphy
Myers	Oldson	Olson, D.	Osterhaus
Petersen	Quirk	Reasoner	Shultz
Smith	Stevens	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Wendt
Whitaker	Whitead	Winckler	Wise

Absent or not voting, 3:

Foege	Hansen	Huser
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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 614](#) be immediately messaged to the Senate.

#### Regular Calendar

[House File 400](#), a bill for an act relating to conducting searches of persons on probation or parole and providing information to local law enforcement agencies and the state department of transportation, was taken up for consideration.

Hogg of Linn asked and received unanimous consent that amendments [H-1085](#), [H-1086](#), [H-1040](#) and [H-1084](#) be deferred.

Eichhorn of Hamilton offered amendment [H-1092](#) filed by him as follows:

H-1092

- 1 Amend [House File 400](#) as follows:
- 2 1. Page 1, line 12, by striking the figure
- 3 "906.5A" and inserting the following: "904.1001".
- 4 2. Page 1, line 15, by striking the words "board
- 5 of parole" and inserting the following: "department".

Eichhorn of Hamilton offered the following amendment [H-1151](#), to amendment [H-1092](#), filed by him from the floor and moved its adoption:

H-1151

- 1 Amend the amendment, H-1092, to [House File 400](#) as
- 2 follows:
- 3 1. Page 1, by inserting after line 1 the
- 4 following:
- 5 "\_\_\_ Page 1, by striking lines 1 through 11."
- 6 2. Page 1, by striking lines 4 and 5 and
- 7 inserting the following:
- 8 "\_\_\_ Page 1, line 15, by striking the words "The
- 9 board of parole" and inserting the following: "The
- 10 department for a person paroled or the judicial
- 11 district department of correctional services where a
- 12 person is placed on probation"."
- 13 3. Page 1, by inserting after line 5 the
- 14 following:
- 15 "\_\_\_ Page 1, line 17, by striking the word "and"
- 16 and inserting the following: "or placed on probation,
- 17 and shall notify".
- 18 \_\_\_ Page 1, line 18, by inserting before the
- 19 word "conditions" the following: "any".
- 20 \_\_\_ Page 1, lines 18 and 19, by striking the
- 21 words "requiring the person to submit to a search as
- 22 provided in section 906.4 or 907.6" and inserting the
- 23 following: "which refer to searches of the person or
- 24 the property of the person".
- 25 \_\_\_ By striking page 1, line 23, through page 2,
- 26 line 8.
- 27 \_\_\_ Title page, by striking lines 1 and 2, and
- 28 inserting the following: "An Act relating to
- 29 providing probationer and parolee information to local
- 30 law enforcement"."

Amendment [H-1151](#) was adopted.

Hogg of Linn asked and received unanimous consent to withdraw amendment [H-1097](#), to amendment [H-1092](#), filed by him on March 19, 2003.

Hogg of Linn offered the following amendment [H-1154](#), to amendment [H-1092](#), filed by him from the floor and moved its adoption:

H-1154

- 1 Amend the amendment, H-1092, to [House File 400](#) as
- 2 follows:
- 3 1. Page 1, by inserting after line 5 the
- 4 following:
- 5 " \_\_\_. Page 1, line 19, by inserting before the
- 6 word "The" the following: "No condition of release or
- 7 probation shall provide for a search without a
- 8 reasonable articulable suspicion of criminal
- 9 activity.""
- 10 2. By renumbering as necessary.

Amendment [H-1154](#) lost.

Hogg of Linn offered the following amendment [H-1158](#), to amendment [H-1092](#), filed by him from the floor and moved its adoption:

H-1158

- 1 Amend the amendment, H-1092, to [House File 400](#) as
- 2 follows:
- 3 1. Page 1, by inserting after line 5 the
- 4 following:
- 5 " \_\_\_. Page 1, line 22, by inserting after the
- 6 figure "321.11." the following: "The notification
- 7 requirement of this section is contingent upon receipt
- 8 of sufficient funding.""
- 9 2. By renumbering as necessary.

Amendment [H-1158](#) lost.

On motion by Eichhorn of Hamilton amendment [H-1092](#), as amended, was adopted, placing out of order amendments [H-1085](#), [H-1086](#) and [H-1084](#) filed by Hogg of Linn on March 18, 2003 and amendment [H-1040](#) filed by Hogg of Linn on March 10, 2003.

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. 400](#))

The ayes were, 80:

Alons	Arnold	Baudler	Bell
Boal	Boddicker	Boggess	Carroll
Chambers	Cohoon	Connors	Dandekar
Davitt	De Boef	Dennis	Dix
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Hahn	Hanson
Heaton	Hoffman	Horbach	Huseman
Huser	Hutter	Jacobs	Jenkins
Jochum	Jones	Klemme	Kramer
Kuhn	Kurtenbach	Lalk	Lukan
Lykam	Maddox	Manternach	McCarthy
Mertz	Myers	Oldson	Olson, S.
Paulsen	Petersen	Quirk	Raecker
Rasmussen	Rayhons	Reasoner	Roberts
Sands	Schickel	Smith	Stevens
Struyk	Swaim	Taylor, D.	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Whitaker	Wilderdyke	Wise	Mr. Speaker
			Rants

The nays were, 18:

Berry	Bukta	Fallon	Ford
Greimann	Heddens	Hogg	Hunter
Lensing	Mascher	Miller	Murphy
Olson, D.	Osterhaus	Shultz	Taylor, T.
Whitead	Winckler		

Absent or not voting, 2:

Foege	Hansen
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that [House File 400](#) be immediately messaged to the Senate.

### Appropriations Calendar

**House File 652**, 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, and providing for the nonreversion of certain moneys, was taken up for consideration.

Struyk of Pottawattamie offered the following amendment **H-1147** filed by Struyk, et al., and moved its adoption:

H-1147

- 1 Amend **House File 652** as follows:  
 2 1. Page 1, by inserting before line 1 the  
 3 following:  
 4 "Section 1. There is appropriated from the general  
 5 fund of the state to the state department of  
 6 transportation for the fiscal year beginning July 1,  
 7 2003, and ending June 30, 2004, the following amounts,  
 8 or so much thereof as is necessary, to be used for the  
 9 purposes designated:  
 10 1. For the operation and maintenance of the  
 11 network of automated weather observation and data  
 12 transfer systems associated with the Iowa aviation  
 13 weather system:  
 14 ..... \$ 110,000  
 15 2. For the runway marking program for public  
 16 airports:  
 17 ..... \$ 100,000  
 18 3. For the windsock program for public airports:  
 19 ..... \$ 12,000  
 20 4. For the aviation improvement program:  
 21 ..... \$ 278,000"  
 22 2. Title page, line 4, by inserting after the  
 23 words "tax fund" the following: ", the general fund  
 24 of the state,".  
 25 3. By renumbering as necessary.

Roll call was requested by Struyk of Pottawattamie and Cohoon of Des Moines.

On the question "Shall amendment **H-1147** be adopted?" (**H.F. 652**)

The ayes were, 45:

Bell	Berry	Bukta	Cohoon
Connors	Dandekar	Davitt	Fallon
Ford	Frevert	Gaskill	Greimann
Heddens	Hunter	Huser	Jochum
Kuhn	Kurtenbach	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Myers	Oldson	Olson, D.
Osterhaus	Petersen	Quirk	Reasoner
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Whitaker	Whitead	Winckler
Wise			

The nays were, 53:

Alons	Arnold	Baudler	Boal
Boddicker	Bogges	Carroll	Chambers
De Boef	Dennis	Dix	Dolecheck
Drake	Eichhorn	Elgin	Freeman
Gipp	Granzow	Greiner	Hahn
Hanson	Heaton	Hoffman	Hogg
Horbach	Huseman	Hutter	Jacobs
Jenkins	Jones	Klemme	Kramer
Lalk	Lukan	Maddox	Manternach
Olson, S.	Paulsen	Raecker	Rasmussen
Rayhons	Roberts	Sands	Schickel
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wildurdyke
Mr. Speaker			
Rants			

Absent or not voting, 2:

Foegel	Hansen
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Amendment [H-1147](#) lost.

D. Olson of Boone offered the following amendment [H-1148](#) filed by D. Olson, et al., and moved its adoption:

H-1148

- 1 Amend [House File 652](#) as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:
- 4 "Section 1. There is appropriated from the general
- 5 fund of the state to the state department of
- 6 transportation for the fiscal year beginning July 1,

7 2003, and ending June 30, 2004, the following amount,  
 8 or so much thereof as is necessary, to be used for the  
 9 purpose designated:  
 10 For the rail assistance program and to provide  
 11 economic development project funding:  
 12 ..... \$ 100,000"  
 13 2. Title page, line 4, by inserting after the  
 14 words "tax fund" the following: ", the general fund  
 15 of the state,".  
 16 3. By renumbering as necessary.

Roll call was requested by D. Olson of Boone and Cohoon of Des Moines.

On the question "Shall amendment [H-1148](#) be adopted?" ([H.F. 652](#))

The ayes were, 45:

Arnold	Bell	Berry	Bukta
Cohoon	Connors	Dandekar	Davitt
Fallon	Ford	Frevert	Gaskill
Greimann	Heddens	Hunter	Huser
Jochum	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Myers	Oldson	Olson, D.
Osterhaus	Petersen	Quirk	Reasoner
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Whitaker	Whitead	Winckler
Wise			

The nays were, 53:

Alons	Baudler	Boal	Boddicker
Boggess	Carroll	Chambers	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Freeman	Gipp
Granzow	Greiner	Hahn	Hanson
Heaton	Hoffman	Hogg	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Klemme	Kramer	Kurtenbach
Lalk	Lukan	Maddox	Manternach
Olson, S.	Paulsen	Raecker	Rasmussen
Rayhons	Roberts	Sands	Schickel
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wilderdike
Mr. Speaker			
Rants			

Absent or not voting, 2:

Foege                      Hansen

Amendment [H-1148](#) lost.

Murphy of Dubuque asked and received unanimous consent to withdraw amendment [H-1126](#) filed by him on March 20, 2003, placing out of order amendment [H-1137](#) filed by Murphy of Dubuque on March 24, 2003.

Murphy of Dubuque offered amendment [H-1131](#) filed by him as follows:

H-1131

- 1 Amend [House File 652](#) as follows:
- 2 1. Page 5, by inserting after line 6 the
- 3 following:
- 4 "Sec. \_\_. CLOSE-CLEARANCE CONDITIONS NEAR
- 5 RAILROAD TRACKS – RULES. The state department of
- 6 transportation shall adopt rules regulating close-
- 7 clearance conditions on or near railroad tracks. The
- 8 rules shall include requirements and standards for the
- 9 installation of close-clearance warning devices."
- 10 2. Title page, line 1, by striking the words "and
- 11 making" and inserting the following: "transportation,
- 12 including making".
- 13 3. By renumbering as necessary.

Huseman of Cherokee rose on a point of order that amendment [H-1131](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1131](#) not germane.

Huseman of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 652](#))

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges

Bukta	Carroll	Chambers	Cphoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Ford	Freeman
Frevert	Gaskill	Gipp	Granzow
Greimann	Greiner	Hahn	Hanson
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	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	Stevens	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	Winckler	Wise
Mr. Speaker			
Rants			

The nays were, 1:

Fallon

Absent or not voting, 2:

Foege                      Hansen

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

[House File 655](#), 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, was taken up for consideration.

Lykam of Scott offered the following amendment [H-1138](#) filed by Lykam, et al., and moved its adoption:

H-1138

- 1 Amend [House File 655](#) as follows:
- 2 1. Page 1, by striking lines 10 and 11, and
- 3 inserting the following:
- 4 "..... \$ 1,052,565
- 5 ..... FTEs 100.42"
- 6 2. Page 1, by striking line 32, and inserting the
- 7 following:
- 8 "..... \$ 380,427"
- 9 3. Page 11, by striking lines 28 and 29, and
- 10 inserting the following:
- 11 "..... \$ 2,245,237
- 12 ..... FTEs 34.50"
- 13 4. Page 12, by striking line 12, and inserting
- 14 the following:
- 15 "..... \$ 25,000,000"
- 16 5. Page 13, by striking line 30, and inserting
- 17 the following:
- 18 "..... \$ 1,441,358"
- 19 6. Page 14, by striking line 17, and inserting
- 20 the following:
- 21 "..... FTEs 29.80"
- 22 7. Page 22, by striking line 30, and inserting
- 23 the following:
- 24 "..... FTEs 391.19"
- 25 8. Page 22, by striking line 35, and inserting
- 26 the following:
- 27 "..... \$ 24,001,011"

Amendment [H-1138](#) lost.

Murphy of Dubuque offered the following amendment [H-1139](#) filed by Murphy, et al., and moved its adoption:

H-1139

- 1 Amend [House File 655](#) as follows:
- 2 1. Page 1, by striking lines 10 and 11, and
- 3 inserting the following:
- 4 "..... \$ 1,052,565
- 5 ..... FTEs 100.42"
- 6 2. Page 11, by striking lines 28 and 29, and
- 7 inserting the following:
- 8 "..... \$ 2,167,369
- 9 ..... FTEs 34.50"

Roll call was requested by Murphy of Dubuque and T. Taylor of Linn.

On the question “Shall amendment [H-1139](#) be adopted?” ([H.F. 655](#))

The ayes were, 45:

Bell	Berry	Bukta	Cohoon
Connors	Dandekar	Davitt	Fallon
Ford	Frevert	Gaskill	Greimann
Heddens	Hogg	Hunter	Huser
Jochum	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Myers	Oldson	Olson, D.
Osterhaus	Petersen	Quirk	Reasoner
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Whitaker	Whitead	Winckler
Wise			

The nays were, 52:

Alons	Arnold	Baudler	Boal
Boddicker	Bogges	Carroll	Chambers
De Boef	Dennis	Dix	Dolecheck
Drake	Eichhorn	Elgin	Freeman
Gipp	Granzow	Greiner	Hahn
Hanson	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jones
Klemme	Kramer	Kurtenbach	Lalk
Lukan	Maddox	Manternach	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wilderdyke	Mr. Speaker
			Rants

Absent or not voting, 3:

Foege	Hansen	Jenkins
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Amendment [H-1139](#) lost.

D. Olson of Boone asked and received unanimous consent to withdraw amendment [H-1142](#) filed by D. Olson of Boone, et al., on March 24, 2003.

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. 655)**

The ayes were, 54:

Alons	Arnold	Baudler	Boal
Boddicker	Bogges	Carroll	Chambers
De Boef	Dennis	Dix	Dolecheck
Drake	Eichhorn	Elgin	Freeman
Gipp	Granzow	Greiner	Hahn
Hanson	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Klemme	Kramer	Kurtenbach
Lalk	Lukan	Maddox	Manternach
Olson, S.	Paulsen	Raecker	Rasmussen
Rayhons	Roberts	Sands	Schickel
Struyk	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wilderdyke	Mr. Speaker		
	Rants		

The nays were, 43:

Bell	Berry	Bukta	Cohoon
Connors	Dandekar	Davitt	Fallon
Ford	Frevert	Gaskill	Greimann
Heddens	Hogg	Hunter	Huser
Jochum	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Myers	Oldson	Olson, D.
Osterhaus	Petersen	Quirk	Reasoner
Shultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Whitaker
Whitead	Winckler	Wise	

Absent or not voting, 3:

Foega	Hansen	Stevens
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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:

Stevens of Dickinson on request of Myers of Johnson.

## IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that [House File 655](#) be immediately messaged to the Senate.

## Regular Calendar

[House File 633](#), a bill for an act relating to cemeteries and cemetery regulation; establishing requirements for interment rights agreements, reporting, and permits; establishing and appropriating fees; and providing administration and enforcement procedures and penalties, was taken up for consideration.

Raecker of Polk offered amendment [H-1150](#) filed by him as follows:

H-1150

- 1 Amend [House File 633](#) as follows:
- 2 1. By striking page 4, line 35 through page 5,
- 3 line 6.
- 4 2. Page 9, by striking lines 5 through 9.
- 5 3. Page 21, by striking lines 8 through 10 and
- 6 inserting the following:
- 7 "4. The lawn crypt is capable of withstanding
- 8 the".
- 9 4. Page 21, by striking lines 16 through 19 and
- 10 inserting the following:
- 11 "6. The lawn crypt shall be installed in
- 12 compliance with any applicable law or rule adopted by
- 13 the department of public health."
- 14 5. Page 22, lines 9 and 10, by striking the words
- 15 "at least one and one-half feet below the surface of
- 16 the ground and be".
- 17 6. Page 22, by striking lines 17 through 20.
- 18 7. Page 28, by striking lines 3 through 29.
- 19 8. Page 40, by striking lines 30 through 32 and
- 20 inserting the following:
- 21 "I hereby agree that any cemetery corporation that
- 22 receives a copy of".
- 23 9. Page 42, line 27, by inserting before the word
- 24 "with" the following: "pursuant to a disinterment
- 25 permit as required under section 144.34,".
- 26 10. Page 43, line 28, by inserting after the word
- 27 "corporation" the following: "after obtaining a
- 28 disinterment permit as required by section 144.34".
- 29 11. Page 44, by striking lines 5 through 8 and
- 30 inserting the following:

31 "12. Relocations and disinterments of human  
 32 remains shall be done in compliance with sections  
 33 144.32 and 144.34."  
 34 12. By striking page 47, line 31 through page 49,  
 35 line 22.  
 36 13. Page 96, by inserting after line 24 the  
 37 following:  
 38 "Sec.     . NEW SECTION. 523I.1414 VIOLATIONS OF  
 39 LAW – REFERRALS TO THE DEPARTMENT OF PUBLIC HEALTH.  
 40 If the commissioner discovers a violation of a  
 41 provision of this chapter or any other state law or  
 42 rule concerning the disposal or transportation of  
 43 human remains, the commissioner shall forward all  
 44 evidence in the possession of the commissioner  
 45 concerning such a violation to the department of  
 46 public health for such proceedings as the department  
 47 of public health deems appropriate."  
 48 14. By renumbering as necessary.

Raecker of Polk offered the following amendment [H-1157](#), to amendment [H-1150](#), filed by him from the floor and moved its adoption:

H-1157

1 Amend the amendment, H-1150, to [House File 633](#) as  
 2 follows:  
 3 1. Page 1, line 34, by striking the figure "31"  
 4 and inserting the following: "29".

Amendment [H-1157](#) was adopted.

On motion by Raecker of Polk amendment [H-1150](#), as amended, was adopted.

Raecker of Polk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 633](#))

The ayes were, 96:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Eichhorn

Elgin	Fallon	Ford	Freeman
Frevert	Gaskill	Gipp	Granzow
Greimann	Greiner	Hahn	Hanson
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	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, D.
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, 4:

Drake	Foegen	Hansen	Stevens
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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 480](#), a bill for an act relating to the shelter assistance fund, was taken up for consideration.

Swaim of Davis moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 480](#))

The ayes were, 96:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Eichhorn
Elgin	Fallon	Ford	Freeman
Frevert	Gaskill	Gipp	Granzow
Greimann	Greiner	Hahn	Hanson

Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	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, D.
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, 4:

Drake	Foege	Hansen	Stevens
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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 397**, a bill for an act relating to community development block grants to the department of economic development and including effective and retroactive applicability dates, 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. 397**)

The ayes were, 96:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohon
Connors	Dandekar	Davitt	De Boef
Dennis	Dix	Dolecheck	Eichhorn
Elgin	Fallon	Ford	Freeman
Frevert	Gaskill	Gipp	Granzow

Greimann	Greiner	Hahn	Hanson
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	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, D.
Taylor, T.	Thomas	Tjepkes	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, none.

Absent or not voting, 4:

Drake	Foege	Hansen	Stevens
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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: **House Files 397, 480 and 633.**

#### [HOUSE FILE 609](#) REFERRED

The Speaker announced that [House File 609](#), previously placed on the **calendar** was referred to committee on **government oversight**.

#### [HOUSE FILE 643](#) REFERRED

The Speaker announced that [House File 643](#), previously placed on the **calendar** was referred to committee on **appropriations**.

## EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on March 25, 2003. Had I been present, I would have voted "aye" on House Files 397 and 480.

DRAKE of Pottawattamie

I was necessarily absent from the House chamber on March 25, 2003. Had I been present, I would have voted "nay" on [House File 614](#) and amendment [H-1146](#) to [House File 614](#).

HUSER of Polk

I was necessarily absent from the House chamber on March 20, 2003. Had I been present, I would have voted "aye" on House Files 450, 504, 534, 545, 557, 565, 585, 592, 601, 603, 604 and [Senate File 424](#).

MADDOX of Polk

I was necessarily absent from the House chamber on March 24, 2003. Had I been present, I would have voted "aye" on House Files 505, 509, 516, 561, 615, 623, 624, 636 and Senate Files 224, 357 and 376. I would have voted "nay" on House Files 575 and 584.

WISE of Lee

## BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 24, 2003, he approved and transmitted to the Secretary of State the following bills:

[House File 311](#), an act modifying the duties of county recorders.

[House File 343](#), an act relating to enforcement of motor vehicle law provisions and making penalties applicable.

**PRESENTATIONS OF VISITORS**

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

Eighty students from Stanton High School, Stanton, Iowa. By Dolecheck of Ringgold.

Eighth grade students from Dallas Center-Grimes Schools, Grimes, Iowa. By Kramer of Polk and Watts of Dallas.

Twenty-one students from South Page Schools, College Springs, Iowa, accompanied by Cheyenne McCain. By Boggess of Page.

**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\929 | Robert and Pauline Falcon, Marion – For celebrating their 55 <sup>th</sup> wedding anniversary.  |
| 2003\930 | William and Helen Sheston, Dubuque – For celebrating their 50 <sup>th</sup> wedding anniversary. |
| 2003\931 | Florence Truis Turner, Albia – For celebrating her 90 <sup>th</sup> birthday.                    |
| 2003\932 | Red Jackson, Clear Lake – For celebrating his 80 <sup>th</sup> birthday.                         |
| 2003\933 | Ivadell and John Abele, Garner – For celebrating their 60 <sup>th</sup> wedding anniversary.     |
| 2003\934 | Allen and Arlene Peterson, Ventura – For celebrating their 60 <sup>th</sup> wedding anniversary. |
| 2003\935 | Irene Matthews, Sheffield – For celebrating her 80 <sup>th</sup> birthday.                       |
| 2003\936 | Ellen Skeries, Hampton – For celebrating her 80 <sup>th</sup> birthday.                          |
| 2003\937 | Edward R. Prause, Hampton – For celebrating his 80 <sup>th</sup> birthday.                       |
| 2003\938 | Mr. and Mrs. Donald Fulton, Carson – For celebrating their 50 <sup>th</sup> wedding anniversary. |

- 2003\939 Arlyn Danker, Minden – For his many years of dedicated service to the Hungry Canyons Alliance.
- 2003\940 Southeastern Community College, West Burlington – For winning the 2003 NJCAA championship.
- 2003\941 Benjamin Nicholas Wearin, Red Oak – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2003\942 Hilma Mae and Don McKinney, Newton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2003\943 Marty and Dale Finestead, Granger – For celebrating their 53<sup>rd</sup> wedding anniversary.
- 2003\944 Alma Prouty, Van Meter – For celebrating her 85<sup>th</sup> birthday.
- 2003\945 William Gruhn, Hartley – For celebrating his 90<sup>th</sup> birthday.
- 2003\946 Elsin and Emory Petersen, Hartley – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2003\947 Jessica Hanrahan, De Witt – For celebrating her 85<sup>th</sup> birthday.
- 2003\948 Gayle and Robert Britske, Waterloo – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2003\949 Murle Dietz, Waterloo – For celebrating his 90<sup>th</sup> birthday.
- 2003\950 Louise Dietz, Waterloo – For celebrating her 85<sup>th</sup> birthday.
- 2003\951 Clair and Verlee Hein, Waterloo – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2003\952 Howard Henderson, Waterloo – For celebrating his 80<sup>th</sup> birthday.
- 2003\953 Louise Huff, Waterloo – For celebrating her 90<sup>th</sup> birthday.
- 2003\954 Wayne Goodrich, Waterloo – For celebrating his 90<sup>th</sup> birthday.
- 2003\955 Helen Goodrich, Waterloo – For celebrating her 85<sup>th</sup> birthday.
- 2003\956 Laverne Krisek, Waterloo – For celebrating his 80<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### [Senate File 275](#)

Ways and Means: Paulsen, Chair; Kurtenbach and Shoultz.

##### [Senate File 297](#)

Natural Resources: Lukan, Chair; Bell and Freeman.

[Senate File 361](#)

Judiciary: Maddox, Chair; Foege and Heaton.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

**H.S.B. 300 Government Oversight**

Relating to concrete mixtures used for paving highways and including an applicability provision.

**H.S.B. 301 Appropriations**

Relating to the revenue estimating conference's responsibilities and authority.

**H.S.B. 302 Ways and Means**

Repealing the state guarantee to fully fund certain property tax credits or exemptions and providing an effective date.

**H.S.B. 303 Ways and Means**

Establishing a commission on state and local taxation.

**H.S.B. 304 Ways and Means**

Relating to the state's portion of real estate transfer tax that is required to be deposited in the shelter assistance fund.

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 GOVERNMENT OVERSIGHT

**Committee Bill** (Formerly [House Study Bill 296](#)), relating to government efficiency by providing for the establishment of common state services regional boundaries, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 25, 2003.

#### RESOLUTIONS FILED

**HCR 19**, by Bell, Gipp and Eichhorn, a concurrent resolution urging congressional adoption of a free trade agreement between Taiwan and the United States.

Laid over under **Rule 25**.

**HR 41**, by Paulsen, a resolution honoring the town of Troy Mills on its sesquicentennial year.

Laid over under **Rule 25**.

**HR 42**, by Mertz, Bell and Frevert, a resolution honoring the City of Whittemore on its quasiquicentennial year.

Laid over under **Rule 25**.

#### AMENDMENTS FILED

<a href="#">H-1152</a>	<a href="#">H.F.</a>	<a href="#">556</a>	Hogg of Linn
<a href="#">H-1153</a>	<a href="#">H.F.</a>	<a href="#">637</a>	McCarthy of Polk
<a href="#">H-1155</a>	<a href="#">H.F.</a>	<a href="#">643</a>	Eichhorn of Hamilton
			Swaim of Davis
<a href="#">H-1156</a>	<a href="#">S.F.</a>	<a href="#">94</a>	Fallon of Polk
<a href="#">H-1159</a>	<a href="#">H.F.</a>	<a href="#">647</a>	Petersen of Polk
<a href="#">H-1160</a>	<a href="#">H.F.</a>	<a href="#">611</a>	Kuhn of Floyd
			Whitaker of Van Buren
<a href="#">H-1161</a>	<a href="#">H.F.</a>	<a href="#">647</a>	Petersen of Polk
<a href="#">H-1162</a>	<a href="#">H.F.</a>	<a href="#">587</a>	Swaim of Davis
<a href="#">H-1163</a>	<a href="#">H.F.</a>	<a href="#">644</a>	Alons of Sioux
			Whitaker of Van Buren
<a href="#">H-1164</a>	<a href="#">S.F.</a>	<a href="#">390</a>	Hogg of Linn
<a href="#">H-1165</a>	<a href="#">S.F.</a>	<a href="#">390</a>	Hogg of Linn
<a href="#">H-1166</a>	<a href="#">S.F.</a>	<a href="#">390</a>	Hogg of Linn
<a href="#">H-1167</a>	<a href="#">S.F.</a>	<a href="#">390</a>	Hogg of Linn

On motion by Jacobs of Polk the House adjourned at 4:33 p.m., until 8:45 a.m., Wednesday, March 26, 2003.