

PROOF

STATE OF IOWA

House Journal

THURSDAY, APRIL 10, 2003

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JOURNAL OF THE HOUSE

Eighty-eighth Calendar Day - Sixty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, April 10, 2003

The House met pursuant to adjournment at 8:44 a.m., Speaker Rants in the chair.

Prayer was offered by Allan Thoreson, Retired ELCA Pastor and visitation pastor of Memorial Lutheran Church, Nevada. He was the guest of Representative Mark Smith of Marshall County.

The Journal of Wednesday, April 9, 2003 was approved.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

INTRODUCTION OF BILL

[House File 676](#), by committee on government oversight, a bill for an act establishing a veterans trust fund under the control of the commission of veterans affairs and making an appropriation.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Miller of Webster on request of Myers of Johnson.

On motion by Gipp of Winneshiek, the House was recessed at 8:50 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 12:58 p.m., Baudler of Adair in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed fifty-eight members present, forty-two absent.

SPECIAL PRESENTATION

Watts of Dallas introduced to the House, Jill Martin, the winner of the Prudential Spirit of Community Award for outstanding service in volunteering. She was accompanied by her parents, Paul and Sara Martin, brother Kyle and friend of the family Bettie Nixon.

Jenkins of Black Hawk introduced to the House, Justin Peters, also a winner of the Prudential Spirit of Community Award for outstanding service in volunteering. He was accompanied by his parents, Tony and Pat Peters.

The House rose and expressed its welcome and appreciation.

The House stood at ease at 1:14 p.m., until the fall of the gavel.

The House resumed session at 2:45 p.m., Jacobs of Polk in the chair.

CONSIDERATION OF BILLS

Appropriations Calendar

[House File 667](#), a bill for an act relating to and making appropriations for health and human services to the department of elder affairs, the Iowa department of public health, the department of inspections and appeals, the department of human services, and the commission of veterans affairs, and providing effective dates, was taken up for consideration.

Heaton of Henry offered the following amendment [H-1308](#) filed by him and moved its adoption:

H-1308

- 1 Amend [House File 667](#) as follows:
- 2 1. Page 4, line 34, by striking the figure "7.05"

3 and inserting the following: "7.75".
4 2. Page 5, line 8, by striking the figure
5 "147.10" and inserting the following: "149.10".
6 3. Page 7, line 34, by striking the figure
7 "51.15" and inserting the following: "53.15".
8 4. Page 29, by inserting after line 13, the
9 following:
10 "___". The department may either continue or
11 reprocure the contract existing on June 30, 2003, with
12 the department's fiscal agent."
13 5. Page 52, line 8, by striking the figure "5.17"
14 and inserting the following: "4.26".
15 6. Page 66, line 17, by striking the figure
16 "7,180,814" and inserting the following: "7,480,814".
17 7. Page 66, line 18, by striking the word "It"
18 and inserting the following: "1. It".
19 8. Page 66, by inserting after line 21, the
20 following:
21 "2. Notwithstanding section 249H.7, the department
22 of elder affairs shall distribute up to \$300,000 of
23 the funds appropriated in this section in a manner
24 that will supplement and maximize federal funds under
25 the federal Older Americans Act and shall not use the
26 amount distributed for any administrative purposes of
27 either the department of elder affairs or the area
28 agencies on aging."
29 9. By renumbering as necessary.

Amendment [H-1308](#) was adopted.

Osterhaus of Jackson offered the following amendment [H-1306](#) filed by him and moved its adoption:

H-1306

1 Amend [House File 667](#) as follows:
2 1. Page 7, line 33, by striking the figure
3 "666,717" and inserting the following: "766,717".

Amendment [H-1306](#) lost.

Carroll of Poweshiek offered amendment [H-1313](#) filed by Kurtenbach of Story as follows:

H-1313

1 Amend [House File 667](#) as follows:
2 1. Page 15, by inserting after line 6, the
3 following:

4 "14A. To be credited to the Iowa marriage
 5 initiative grant fund created in section 234.35:
 6 \$ 85,000

7 a. Moneys credited to the Iowa marriage initiative
 8 grant fund under this subsection are appropriated to
 9 the department for the fiscal year beginning July 1,
 10 2003, and ending June 30, 2004, to be used in
 11 accordance with this section.

12 b. The department shall establish an Iowa
 13 fatherhood and family initiative grant program
 14 utilizing funds credited to the Iowa marriage
 15 initiative grant fund created in section 234.35 to
 16 fund services to support fatherhood and to encourage
 17 the formation and maintenance of two-parent families
 18 that are secure and nurturing. The department of
 19 human services shall adopt rules pursuant to chapter
 20 17A to administer the grant fund and to establish
 21 procedures for awarding of grants.

22 c. The program shall require that a grantee be a
 23 nonprofit organization incorporated in this state with
 24 demonstrated successful experience in facilitating
 25 fatherhood promotion activities, marriage and family
 26 promotion activities, in using media resources to
 27 promote fatherhood and marriage and family formation,
 28 in making presentations to service or faith-based
 29 organizations, and in raising private funding for
 30 activities that support fatherhood, marriage, and
 31 families.

32 d. Preference in awarding grants may be given to
 33 those nonprofit organizations working with faith-based
 34 groups and those groups targeting young fathers.

35 e. The program activities funded by a grant shall
 36 include but are not limited to all of the following:

37 (1) Working with individuals who have a
 38 demonstrated ability in working with at-risk fathers
 39 or working with those who may solemnize marriages
 40 pursuant to section 598.10 to utilize premarital
 41 diagnostic tools, to implement marriage agreements
 42 developed by the individuals who may solemnize
 43 marriages pursuant to section 595.10 that provide for
 44 an appropriate engagement period and premarital and
 45 post marital counseling, and to use volunteer mentors
 46 in program activities.

47 (2) Provision of a series of meetings sharing best
 48 practices that encourage young fathers to fulfill
 49 their responsibilities to the expectant mother of the
 50 child during the pregnancy, and to the mother of the

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1 child following the birth of the child, that promote
 2 happy and healthy marriages, and that offer counseling

3 to determine the father's level of commitment to the
4 child and the child's mother.

5 f. The program activities funded by a grant shall
6 be privately funded at no less than fifty percent of
7 the grant amount.

8 g. Grants shall be awarded in a manner that
9 results in provision of services throughout the state
10 in an equal number of urban and rural geographic
11 areas.

12 h. The department shall implement the grant
13 program so that the initial request for proposals is
14 issued on or before October 1, 2003, and so that any
15 grants are awarded on or before January 1, 2004.

16 i. A grantee shall submit a quarterly financial
17 report to the department and to the legislative fiscal
18 bureau and shall be subject to an annual independent
19 evaluation to assess accomplishment of the purposes of
20 the program.

21 j. The department shall provide a copy of the
22 request for proposals and shall submit a report
23 concerning the proposals received and grants awarded
24 to those persons designated by this division of this
25 Act to receive reports.

26 k. The department may adopt emergency rules to
27 implement the provisions of this subsection."

28 2. By renumbering as necessary.

Carroll of Poweshiek offered the following amendment [H-1316](#), to amendment [H-1313](#), filed by him from the floor and moved its adoption:

H-1316

- 1 Amend the amendment, H-1313, to [House File 667](#) as
- 2 follows:
- 3 1. Page 1, line 5, by striking the figure
- 4 "234.35" and inserting the following: "234.45".
- 5 2. Page 1, line 15, by striking the figure
- 6 "234.35" and inserting the following: "234.45".

Amendment [H-1316](#) was adopted.

Jochum of Dubuque offered the following amendment [H-1317](#), to amendment [H-1313](#), filed by her from the floor and moved its adoption:

H-1317

- 1 Amend the amendment, H-1313, to [House File 667](#) as
- 2 follows:

- 3 1. By striking page 1, line 22 through page 2,
- 4 line 4.
- 5 2. By renumbering as necessary.

Amendment [H-1317](#) lost.

Carroll of Poweshiek moved the adoption of amendment [H-1313](#), as amended.

A non-record roll call was requested.

The ayes were 50, nays 35.

Amendment [H-1313](#) was adopted.

Heaton of Henry offered amendment [H-1302](#) filed by him as follows:

H-1302

- 1 Amend [House File 667](#) as follows:
- 2 1. Page 19, line 9, by striking the word
- 3 "reducing" and inserting the following: "in order to
- 4 increase".
- 5 2. Page 20, by striking lines 26 through 29.
- 6 3. Page 27, by striking lines 4 and 5, and
- 7 inserting the following: "community-based waivers,
- 8 the total number of openings at any one time".
- 9 4. Page 29, by striking lines 1 through 5.
- 10 5. Page 32, by striking lines 3 through 12.
- 11 6. Page 32, by inserting after line 16 the
- 12 following:
- 13 "___ If the department receives additional
- 14 funding from the federal government designated for
- 15 purposes of improving child care quality, the funding
- 16 shall be used for additional child care consultant
- 17 positions within the department's field operations."
- 18 7. Page 32, line 26, by striking the figure
- 19 "5,750,338" and inserting the following: "6,160,878".
- 20 8. Page 32, by striking lines 28 through 30.
- 21 9. Page 32, line 34, by striking the figure
- 22 "9,046,469" and inserting the following:
- 23 "10,285,696".
- 24 10. Page 33, by striking lines 14 through 18.
- 25 11. Page 33, line 26, by striking the figure
- 26 "109,285,212" and inserting the following:
- 27 "107,091,253".
- 28 12. Page 34, line 2, by striking the figure

29 "31,909,683" and inserting the following:
30 "30,154,516".
31 13. Page 35, by striking lines 13 through 32.
32 14. Page 36, lines 7 and 8, by striking the words
33 and figure "at least \$1,135,288" and inserting the
34 following: "up to \$915,892".
35 15. Page 38, line 25, by striking the figure
36 "3,281,589" and inserting the following: "3,062,193".
37 16. Page 39, line 17, by inserting after the word
38 "Act" the following: "or the federal Social Security
39 Act is amended to allow Title IV-E funding to be used
40 for subsidized guardianship."
41 17. Page 39, by striking lines 24 through 26 and
42 inserting the following:
43 "___ . The department shall develop a plan for
44 privatizing the administration of the foster care and
45 adoption programs. The plan shall be submitted to the
46 governor and the general assembly on or before
47 December 15, 2003."
48 18. Page 42, line 7, by striking the figure
49 "16,368,110" and inserting the following:
50 "16,912,302".

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1 19. Page 47, by inserting after line 5 the
2 following:
3 "___ . The state resource centers shall develop a
4 proposal providing options for addressing the service
5 needs of persons with developmental disabilities who
6 behave in a manner that presents a danger to
7 themselves or to others. The proposal shall be
8 submitted to the governor and general assembly on or
9 before December 15, 2003."
10 20. Page 50, line 7, by striking the words
11 "recoupment of" and inserting the following:
12 "recoupment of at least".
13 21. Page 50, by striking lines 12 and 13 and
14 inserting the following: "a contract shall be
15 considered to be repayment receipts and used".
16 22. Page 50, line 24, by striking the figure
17 "1,771.50" and inserting the following: "1,800.00".
18 23. Page 57, by inserting after line 20 the
19 following:
20 "Sec. ___. VEHICLE DEPRECIATION. The following
21 facilities and institutions administered by the
22 department of human services are exempt from the
23 depreciation requirement in section 18.120, subsection
24 1, and the appropriations for the facilities,
25 institutions, and the department shall not be charged
26 for vehicle depreciation otherwise attributable to the
27 facilities and institutions during the fiscal year

28 beginning July 1, 2003:
29 1. The state juvenile institutions.
30 2. The state resource centers.
31 3. The state mental health institutes.
32 4. The unit for commitment of sexually violent
33 predators located at the state mental health institute
34 at Cherokee."
35 24. Page 58, lines 9 and 10, by striking the
36 words "state laws, regulations, policies, and".
37 25. Page 58, lines 13 and 14, by striking the
38 words "and child support systems" and inserting the
39 following: "system".
40 26. Page 58, by inserting after line 17 the
41 following:
42 "(2A) Continuation of child support program
43 efforts to assist fathers in providing for their
44 children and remaining engaged in their children's
45 lives while complying with federal requirements. The
46 efforts may include continuing the fatherhood internet
47 site, seeking additional federal access and visitation
48 grants, and applying for other federal funds that
49 become available, for the purpose of actively engaging
50 fathers in the lives of their children."

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1 27. Page 59, by striking line 1.
2 28. Page 65, by inserting after line 29 the
3 following:
4 "___ The provision under the appropriation for
5 child and family services, relating to the
6 requirements in section 237.5A involving a foster
7 parent unable to complete annual training due to being
8 engaged in active duty in the military service."
9 29. By renumbering as necessary.

Heaton of Henry offered the following amendment [H-1314](#), to amendment [H-1302](#), filed by him from the floor and moved its adoption:

H-1314

1 Amend the amendment, H-1302, to [House File 667](#) as
2 follows:
3 1. Page 1, by striking line 10.
4 2. By renumbering as necessary.

Amendment [H-1314](#) was adopted.

Division of amendment [H-1302](#), as amended, was requested as follows:

Page 1 – Lines 3 through 50, Division A
Page 2 – Lines 1 through 17, Division A
Page 2 – Lines 18 through 34, Division B
Page 3 – Lines 1 through 9, Division A

On motion by Heaton of Henry, amendment [H-1302A](#), as amended, was adopted.

Osterhaus of Jackson offered the following amendment [H-1307](#) filed by him and moved its adoption:

H-1307

- 1 Amend [House File 667](#) as follows:
- 2 1. Page 22, line 11, by striking the figure
- 3 "5,482,793" and inserting the following: "5,912,793".

Amendment [H-1307](#) lost.

Heaton of Henry offered the following amendment [H-1305](#) filed by him and moved its adoption:

H-1305

- 1 Amend [House File 667](#) as follows:
- 2 1. Page 28, by inserting after line 16 the
- 3 following:
- 4 "___ The department shall implement the
- 5 elimination of hospital crossover claims for dually
- 6 eligible federal Medicare and medical assistance
- 7 program beneficiaries for hospitals licensed under
- 8 chapter 135B, only if approval of a medical assistance
- 9 state plan amendment is received from the centers for
- 10 Medicare and Medicaid services of the United States
- 11 department of health and human services that protects
- 12 hospitals from financial losses specifically due to
- 13 the hospital crossover claims process under the
- 14 medical assistance program or the Medicare cost
- 15 reports."
- 16 2. By renumbering as necessary.

Amendment [H-1305](#) was adopted.

Petersen of Polk offered amendment [H-1309](#) filed by Petersen, et al., as follows:

H-1309

1 Amend [House File 667](#) as follows:

2 1. Page 32, by inserting after line 16, the
3 following:

4 "___ a. The department shall develop consumer
5 information material to assist parents in selecting a
6 child care provider. In developing the material, the
7 department shall consult with department of human
8 services staff, department of education staff, the
9 state child care advisory council, the Iowa
10 empowerment board, and child care resource and
11 referral services. In addition, the department may
12 consult with other entities at the local, state, and
13 national level.

14 b. The consumer information material developed by
15 the department for parents and other consumers of
16 child care services shall include but is not limited
17 to all of the following:

18 (1) A pamphlet or other printed material
19 containing consumer-oriented information on locating a
20 quality child care provider.

21 (2) Information explaining important
22 considerations a consumer should take into account in
23 selecting a licensed or registered child care
24 provider.

25 (3) Information explaining how a consumer can
26 identify quality services, including what questions to
27 ask of providers and what a consumer might expect or
28 demand to know before selecting a provider.

29 (4) An explanation of the applicable laws and
30 regulations written in layperson's terms.

31 (5) An explanation of what it means for a provider
32 to be licensed, registered, or unregistered.

33 (6) An explanation of the information considered
34 in registry and record background checks.

35 (7) Other information deemed relevant to
36 consumers.

37 c. The department shall implement and publicize an
38 internet page or site that provides all of the
39 following:

40 (1) The written information developed pursuant to
41 paragraphs "a" and "b".

42 (2) Regular informational updates, including when
43 a child care provider was last subject to a state
44 quality review or inspection and, based upon a final
45 score or review, the results indicating whether the
46 provider passed or failed the review or inspection.

47 (3) Capability for a consumer to be able to access
48 information concerning child care providers, such as
49 informational updates, identification of provider
50 location, name, and capacity, and identification of

Page 2

1 providers participating in the state child care
2 assistance program, by sorting the information or
3 employing other means that provide the information in
4 a manner that is useful to the consumer.
5 (4) Other information deemed appropriate by the
6 department."
7 2. By renumbering as necessary.

Petersen of Polk offered the following amendment [H-1315](#), to amendment [H-1309](#), filed by her from the floor and moved its adoption:

H-1315

1 Amend the amendment, H-1309, to [House File 667](#) as
2 follows:
3 1. Page 2, line 2, by inserting after the word
4 "program" the following: "and those participating in
5 the child care food program".

Amendment [H-1315](#) was adopted.

Petersen of Polk offered the following amendment [H-1319](#), to amendment [H-1309](#), filed by her from the floor and moved its adoption:

H-1319

1 Amend the amendment, H-1309, to [House File 667](#) as
2 follows:
3 1. Page 2, line 4, by inserting after the word
4 "consumer." the following: "Information regarding
5 provider location shall identify providers located in
6 the vicinity of an address selected by a consumer and
7 provide contact information without listing the
8 specific addresses of the providers."

Amendment [H-1319](#) was adopted.

On motion by Petersen of Polk, amendment [H-1309](#), as amended, was adopted.

Heddens of Story offered the following amendment [H-1310](#) filed by her and moved its adoption:

H-1310

- 1 Amend [House File 667](#) as follows:
- 2 1. Page 50, line 23, by striking the figure
- 3 "50,657,828" and inserting the following:
- 4 "50,875,728".
- 5 2. Page 51, line 13, by striking the figure
- 6 "10,803,626" and inserting the following:
- 7 "11,203,626".

Amendment [H-1310](#) lost.

On motion by Heaton of Henry, amendment [H-1302B](#) was adopted.

Hansen of Pottawattamie offered the following amendment [H-1312](#) filed by him and moved its adoption:

H-1312

- 1 Amend [House File 667](#) as follows:
- 2 1. Page 59, by inserting before line 25 the
- 3 following:
- 4 "Sec. __. Section 514I.4, Code 2003, is amended
- 5 by adding the following new subsection:
- 6 NEW SUBSECTION. 1A. The director, with the
- 7 approval of the board, may contract with participating
- 8 insurers to provide dental only services.
- 9 Sec. __. Section 514I.5, Code 2003, is amended by
- 10 adding the following new subsection:
- 11 NEW SUBSECTION. 9. The hawk-i board may provide
- 12 approval to the director to contract with
- 13 participating insurers to provide dental only
- 14 services. In determining whether to provide such
- 15 approval to the director, the board shall take into
- 16 consideration the impact on the overall program of
- 17 single source contracting for dental services."
- 18 2. By renumbering as necessary.

Amendment [H-1312](#) was adopted.

Dix of Butler offered the following amendment [H-1311](#) filed by him and moved its adoption:

H-1311

1 Amend [House File 667](#) as follows:
 2 1. Page 69, by inserting after line 20, the
 3 following:
 4 "DIVISION VI
 5 MEDICAL ASSISTANCE PROGRAM SUPPLEMENTATION
 6 Sec. __. MEDICAL ASSISTANCE APPROPRIATION
 7 SUPPLEMENTATION – FISCAL YEAR 2002-2003. There is
 8 appropriated from the following sources, to the
 9 department of human services, for the fiscal year
 10 beginning July 1, 2002, and ending June 30, 2003, the
 11 following amounts, or so much thereof as is necessary,
 12 to supplement the appropriations made for the medical
 13 assistance program for that fiscal year:
 14 1. From the general fund of the state:
 15 \$ 41,535,000
 16 2. From the senior living trust fund created in
 17 section 249H.4:
 18 \$ 9,465,000
 19 3. From the hospital trust fund created in section
 20 249I.4:
 21 \$ 7,000,000"
 22 Sec. __. MEDICAL ASSISTANCE PROGRAM – REVERSION
 23 TO SENIOR LIVING TRUST FUND FOR FY 2002-2003.
 24 Notwithstanding section 8.33, if moneys appropriated
 25 in this division for supplementation of the medical
 26 assistance program appropriation for the fiscal year
 27 beginning July 1, 2002, and ending June 30, 2003, from
 28 the general fund of the state, the senior living trust
 29 fund, and the hospital trust fund are in excess of
 30 actual expenditures for the medical assistance program
 31 and remain unencumbered or unobligated at the close of
 32 the fiscal year, the excess moneys shall not revert
 33 but shall be transferred to the senior living trust
 34 fund created in section 249H.4.
 35 Sec. __. EFFECTIVE DATE. This division of this
 36 Act, being deemed of immediate importance, takes
 37 effect upon enactment."

Amendment [H-1311](#) was adopted.

Whitaker of Van Buren offered amendment [H-1301](#) filed by him as follows:

H-1301

1 Amend [House File 667](#) as follows:
 2 1. Page 72, by inserting after line 7 the
 3 following:

4 "DIVISION VII
5 Sec. __. STATE WORKERS – ACTIVE DUTY –
6 EMPLOYMENT RETENTION. If a state employee employed by
7 the department of elder affairs, the Iowa department
8 of public health, the department of inspections and
9 appeals, the department of human services, or the
10 commission of veterans affairs is called to engage in
11 active duty in the military service, in addition to
12 complying with the requirements of section 29A.28, the
13 position of the state employee shall be retained for
14 the employee until the employee's return from active
15 duty. Following completion of the active duty the
16 employee shall be allowed to return to the same
17 position as that which the employee left to engage in
18 active duty, and the employee's engagement in active
19 duty shall not affect the employee's classification,
20 pay, or benefits.
21 Sec. __. EFFECTIVE DATE. This division of this
22 Act, being deemed of immediate importance, takes
23 effect upon enactment."
24 2. By renumbering as necessary.

Murphy of Dubuque offered the following amendment [H-1318](#), to amendment [H-1301](#), filed by him from the floor and moved its adoption:

H-1318

1 Amend the amendment, H-1301, to [House File 667](#) as
2 follows:
3 1. Page 1, line 17, by inserting after the word
4 "position" following: "in the same county".

Amendment [H-1318](#) was adopted.

Whitaker of Van Buren asked and received unanimous consent that amendment [H-1301](#), as amended, be deferred.

Gipp of Winneshiek asked and received unanimous consent that [House File 667](#) be deferred and that the bill retain its place on the calendar.

Regular Calendar

[House File 541](#), a bill for an act relating to the fee and use of fee for a certificate of birth, was taken up for consideration.

Murphy of Dubuque asked and received unanimous consent to withdraw amendment [H-1110](#) filed by him on March 19, 2003.

Horbach of Tama asked and received unanimous consent to withdraw amendment [H-1297](#) filed by him on April 9, 2003.

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

On the question "Shall the bill pass?" ([H.F. 541](#))

The ayes were, 78:

Alons	Arnold	Baudler	Bell
Boddicker	Boggess	Chambers	Cohoon
Connors	Davitt	De Boef	Dennis
Dix	Dolecheck	Drake	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greimann	Hahn
Hansen	Hanson	Heaton	Heddens
Hoffman	Hogg	Hunter	Huseman
Hutter	Jenkins	Jochum	Jones
Klemme	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
Mascher	Murphy	Myers	Oldson
Olson, S.	Osterhaus	Petersen	Quirk
Rants, Spkr.	Rasmussen	Reasoner	Roberts
Schickel	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	Jacobs,		
	Presiding		

The nays were, 20:

Berry	Boal	Carroll	Dandekar
Eichhorn	Elgin	Fallon	Greiner
Horbach	Huser	Kramer	Manternach
McCarthy	Mertz	Olson, D.	Paulsen
Raecker	Rayhons	Sands	Shultz

Absent or not voting, 2:

Bukta	Miller
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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 541](#) be immediately messaged to the Senate.

The House resumed consideration of [House File 667](#), found on pages 1067 through 1079 of the House Journal and amendment [H-1301](#), as amended, previously deferred.

Whitaker of Van Buren asked and received unanimous consent to withdraw amendment [H-1301](#), as amended and previously deferred.

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

On the question "Shall the bill pass?" ([H.F. 667](#))

The ayes were, 60:

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

The nays were, 37:

Bell	Berry	Cohoon	Connors
Dandekar	Fallon	Foege	Ford
Frevert	Gaskill	Greimann	Heddens
Hogg	Hunter	Huser	Jochum
Kuhn	Lensing	Lykam	McCarthy

Mertz	Murphy	Oldson	Olson, D.
Osterhaus	Petersen	Reasoner	Shultz
Stevens	Struyk	Swaim	Taylor, D.
Taylor, T.	Wendt	Whitaker	Winckler
Wise			

Absent or not voting, 3:

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

INTRODUCTION OF BILL

[House File 677](#), by committee on ways and means, a bill for an act relating to new capital investment for businesses and new jobs by creating a new capital investment program, creating tax incentives, and amending the new jobs and income program.

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

[HOUSE FILE 263](#) WITHDRAWN

Wilderdyke of Harrison asked and received unanimous consent to withdraw [House File 263](#) from further consideration by the House.

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 667](#) be immediately messaged to the Senate.

HOUSE FILES PLACED ON THE UNFINISHED BUSINESS CALENDAR

Gipp of Winneshiek asked and received unanimous consent that the following House Files be placed on the unfinished business calendar:

[House File 169](#)
[House File 211](#)
[House File 358](#)
[House File 598](#)
[House File 660](#)

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR**The Chief Clerk of the House submitted the following report:**

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 10th day of April, 2003: House Files 85, 381, 396, 472, 612 and 636.

MARGARET A. THOMSON
Chief Clerk of the House

Report adopted.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 9, 2003, he approved and transmitted to the Secretary of State the following bills:

[House File 175](#), an Act relating to the use of physical plant and equipment levy revenue, and providing an effective date.

[House File 216](#), an Act relating to intelligence data and intelligence assessment dissemination to an agency, organization, or person, and providing an effective date.

[House File 240](#), an Act relating to the composition of the Iowa Egg Council.

[House File 249](#), an Act relating to the manufacture, delivery, possession with the intent to manufacture or deliver, or conspiring to manufacture, deliver, or possess with the intent to manufacture or deliver flunitrazepam, and providing a penalty.

[House File 254](#), an Act providing that revenues deposited in the state Conservation Fund are temporarily exempt from reversion and providing an effective date.

[House File 289](#), an Act relating to electronic financial transactions with county treasurers.

[House File 341](#), an Act relating to personnel and instructors employed by community colleges.

[House File 342](#), an Act relating to the use of sick leave by certain members of the Iowa Department of Public Safety Peace Officers' Retirement, Accident, and Disability System who are temporarily incapacitated for duty and providing an effective date.

[House File 479](#), an Act designating advanced registered nurse practitioners as providers of health care services pursuant to managed care or prepaid services contracts under the medical assistance program.

[House File 503](#), an Act relating to the authorization of podiatrists to administer anesthesia.

[House File 615](#), an Act to legalize the proceedings of the City Council of the City of Urbandale relating to the approval of a partial exemption from property taxation of actual value added to industrial real estate, and providing for effective and applicability dates.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 8, 2003. Had I been present, I would have voted "aye" on [Senate File 272](#), 433; and "nay" amendments [H-1296](#) and [H-1273](#) to [Senate File 433](#).

HOFFMAN of Crawford

CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON
Chief Clerk of the House

- 2003\1167 Floris M. Waller, Cedar Falls – For celebrating her 80th birthday.
- 2003\1168 Robert and Elizabeth Smith, Springville – For celebrating their 64th wedding anniversary.
- 2003\1169 Larry and Shirley Geske, Marion – For celebrating their 50th wedding anniversary.
- 2003\1170 Lloyd and Martha McDonald, New Providence – For celebrating their 50th wedding anniversary.
- 2003\1171 Bernice Bangasser, Ackley – For celebrating her 80th birthday.
- 2003\1172 Ernest Barz, Eldora – For celebrating his 80th birthday.
- 2003\1173 Irma Schwarck, Eldora – For celebrating her 98th birthday.
- 2003\1174 Vernon and Joann Katzer, Le Grand – For celebrating their 50th wedding anniversary.
- 2003\1175 Mary and Norman Holmes, Gilman – For celebrating their 60th wedding anniversary.

- 2003\1176 Darlene and George Konicek, Clutier – For celebrating their 55th wedding anniversary.
- 2003\1177 Edna Mixdorf, Independence – For celebrating her 95th birthday.
- 2003\1178 Lulu Schau, Charter Oak – For celebrating her 90th birthday.
- 2003\1179 Hattie Susie, Battle Creek – For celebrating her 90th birthday.
- 2003\1180 Melvin and Marion Quandt, Schleswig – For celebrating their 50th wedding anniversary.
- 2003\1181 Frances and Henrietta Dick, Sigourney – For celebrating their 65th wedding anniversary.
- 2003\1182 H. Elaine Grobe, Oakland – For celebrating her 90th birthday.

SUBCOMMITTEE ASSIGNMENT

Senate File 393
(Committee of the Whole)

Agriculture: Greiner, Chair; Alons, Baudler, Davitt, De Boef, Dolecheck, J. Drake, Frevert, Huseman, Klemme, Kuhn, Lalk, Manternach, Mertz, S. Olson, Quirk, Rayhons, Stevens, Struyk, Swaim, Whitaker.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 311 Ways and Means

Relating to the transfer of certain property-related tax credits.

H.S.B. 312 Ways and Means

Relating to taxation of property and income and including effective date and applicability date provisions.

H.S.B. 313 Ways and Means

Relating to urban renewal and tax increment financing and including effective and retroactive applicability date provisions.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation have been received and are on file in the office of the Chief Clerk.

MARGARET A. THOMSON
Chief Clerk of the House

COMMITTEE ON AGRICULTURE

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.

Fiscal note is not required.

Recommended **Do Pass** April 9, 2003.

Senate File 392, a bill for an act relating to the animal agriculture compliance Act, providing for penalties, and providing an effective date.

Fiscal note is not required.

Recommended **Do Pass** April 9, 2003

Senate File 393, a bill for an act relating to the agricultural development authority by providing for its organization and administration.

Fiscal note is not required.

Recommended **Do Pass** April 9, 2003.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly **House File 33**), relating to licenses for bait dealers by creating resident and nonresident wholesale bait dealer licenses, providing reciprocity, and providing effective and applicability dates.

Fiscal note is not required.

Recommended **Do Pass** April 10, 2003.

Committee Bill (Formerly **House File 399**), relating to the new jobs and income program and providing a tax credit.

Fiscal note is not required.

Recommended **Do Pass** April 10, 2003.

Committee Bill (Formerly **House File 491**), relating to tax credits and associated refunds for cooperatives engaged in the production of value-added agricultural products, and providing for its applicability.

Fiscal note is not required.

Recommended **Do Pass** April 10, 2003.

Committee Bill (Formerly [House File 620](#)), relating to new capital investment for businesses and new jobs by creating a new capital investment program, creating tax incentives, and amending the new jobs and income program.

Fiscal note is not required.

Recommended **Amend and Do Pass** April 8, 2003.

AMENDMENT FILED

[H-1320](#) [H.F. 169](#) Drake of Pottawattamie

On motion by Gipp of Winneshiek the House adjourned at 4:52 p.m., until 8:45 a.m., Friday, April 11, 2003.