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**STATE OF IOWA**

**House Journal**

**TUESDAY, FEBRUARY 10, 2004**

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An official corrected copy is available for reference in the office of the Chief Clerk.  
(The official bound copy will be available after a reasonable time upon adjournment.)

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## JOURNAL OF THE HOUSE

Thirtieth Calendar Day - Twentieth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 10, 2004

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

Prayer was offered by Reverend Dan Witkowski, pastor of St. John's Lutheran Church, Des Moines. He was the guest of Representative Jo Oldson from Polk County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, February 9, 2004 was approved.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 9, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2039](#), a bill for an act relating to the state general fund expenditure limitation by revising the percentage amount used for the limitation and including effective date and applicability provisions.

Also: That the Senate has on February 9, 2003, 2004, passed the following bill in which the concurrence of the House is asked:

[Senate File 2066](#), a bill for an act modifying requirements for securing children transported in motor vehicles and making a penalty applicable.

MICHAEL E. MARSHALL, Secretary

### INTRODUCTION OF BILLS

[House Joint Resolution 2003](#), by Alons, Chambers, Baudler, Boal, De Boef, Granzow, Carroll, Klemme, Boggess, Sands, Hutter, Rayhons, Dennis, Boddicker, Watts, Roberts, Tymeson, Quirk, Mertz, Lalk, Wilderdyke, Paulsen, Kramer, Horbach, Upmeyer, Lukan, Kurtenbach, J.K. Van Fossen, Hahn, Huseman, Hanson, Drake,

J.R. Van Fossen, Elgin, Rasmussen, Freeman, Van Engelenhoven, Dix, Raecker and Dolecheck, a joint resolution proposing an amendment to the Constitution of the State of Iowa regarding marriage in this State.

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

[House File 2196](#), by Kramer, Watts, and J.K. Van Fossen, a bill for an act relating to the confidentiality of certain local government negotiations regarding economic development projects.

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

[House File 2197](#), by Winckler and Hutter, a bill for an act relating to local government authority to encourage development and rehabilitation of certain real property and including effective date and applicability date provisions.

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

[House File 2198](#), by Mascher, a bill for an act providing for the siting of certain confinement feeding operations, and making penalties applicable.

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

[House File 2199](#), by Hutter, a bill for an act allowing off-duty and out-of-state peace officers to carry weapons.

Read first time and referred to committee on **public safety**.

[House File 2200](#), by committee on public safety, a bill for an act relating to fire safety issues, including the promulgation of administrative rules by the state fire marshal and arson and simulated explosive related criminal offenses, and providing for a penalty.

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

[House File 2201](#), by committee on state government, a bill for an act providing for exemptions from massage therapy licensure requirements.

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

**House File 2202**, by Horbach, a bill for an act relating to an award of punitive or exemplary damages.

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

**House File 2203**, by Petersen and Huser, a bill for an act directing the department of human services to implement child welfare diversion and mediation pilot projects.

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

**House File 2204**, by Eichhorn, a bill for an act relating to a moratorium on new mandated health or medical expense benefits coverage.

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

**House File 2205**, by Ford, a bill for an act relating to application procedures and requirements for issuance of a driver's license or nonoperator's identification card to a noncitizen.

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

**House File 2206**, by Lukan, a bill for an act relating to parental consent prior to the performance of an abortion on a minor, and providing penalties.

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

#### SPECIAL PRESENTATIONS

Jenkins of Black Hawk introduced to the House a delegation from Saskatchewan, Canada, including: the Honorable John Nilson, Minister of Health; Brenda Bakken, Doreen Eagels, Wayne Elhard and Debbie Saum.

The House rose and expressed its welcome.

Smith of Marshall introduced to the House, Matt Dahlke and Dex Wallor, members of the Marshalltown Swim Team, whom through their Red Cross C.P.R. instruction rescued Ryan Huck from drowning.

The House rose and expressed its welcome.

[SENATE FILE 2059](#) REREFERRED

The Speaker announced that [Senate File 2059](#), previously referred to committee on **human resources** was rereferred to committee on **appropriations**.

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF EDUCATION

Annual Report of the Iowa Child Development Coordinating Council, pursuant to Chapter 256A.3 (8), Code of Iowa.

DEPARTMENT OF MANAGEMENT

Standing appropriations report for the prior two years, pursuant to Chapter 8.6 (2), Code of Iowa.

DEPARTMENT OF TRANSPORTATION  
Office of Public Transit

Annual Report, pursuant to Chapter 324A, Code of Iowa.

IOWA HIGHER EDUCATION LOAN AUTHORITY

2003 Annual Report, pursuant to Chapter 261A.21, Code of Iowa.

CERTIFICATES OF RECOGNITION

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

MARGARET A. THOMSON  
Chief Clerk of the House

2004\365 Paula Mangels, Monona – For celebrating her 100<sup>th</sup> birthday.

- 2004\366 Gertrude Christen, Guttenberg – For celebrating her 90<sup>th</sup> birthday.
- 2004\367 Arlene Bauer, Garnavillo – For celebrating her 80<sup>th</sup> birthday.
- 2004\368 Duane and Marie Hagen, Millville – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\369 Zach Wilker, Elkader – For winning the Upper Iowa Wrestling Conference Championship.
- 2004\370 John and Patti Mott, Iowa City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\371 Earl Anderson, Coralville – For celebrating his 90<sup>th</sup> birthday.
- 2004\372 Mary Davis, Russell – For celebrating her 90<sup>th</sup> birthday.
- 2004\373 Elsie Kray, Chariton – For celebrating her 95<sup>th</sup> birthday.
- 2004\374 Esther Faust, Denver – For celebrating her 90<sup>th</sup> birthday.
- 2004\375 Mable Stensvaag, Sumner – For celebrating her 90<sup>th</sup> birthday.
- 2004\376 Gladys Grimes, West Union – For celebrating her 90<sup>th</sup> birthday.
- 2004\377 Roy and Clarice Gass, West Union – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\378 Elmer and Esther Thurm, Denver – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2004\379 Carl and Judy Anderson, Newton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\380 Michael Kalkhoff, Spirit Lake – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2004\381 Quentin A. and Marilyn Bertelsen, Mason City – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\382 Bernice Van Roekel, Oskaloosa – For celebrating her 90<sup>th</sup> birthday.
- 2004\383 Charles and Marilyn Fenner, Grinnell – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\384 Richard and Berta Venter, Oskaloosa – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\385 Marvin and Mary Van Gorp, Montezuma – For celebrating their 50<sup>th</sup> wedding anniversary.

- 2004\386 Myrtle Gardner, Oskaloosa – For celebrating her 90<sup>th</sup> birthday.
- 2004\387 Shelby Duggan, Dubuque – For receiving a 2004 Prudential Spirit of Community Award.
- 2004\388 Luella Jacobs, Traer – For celebrating her 97<sup>th</sup> birthday.
- 2004\389 Lee and Lois McMillen, Ames – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\390 Jim and Julie Christensen, Royal – For being named Outstanding Cattleman of the Year.
- 2004\391 Ben Harris, Everly – For attaining the rank of Eagle of Scout, the highest rank in the Boy Scouts of America.
- 2004\392 Frances Marion Salter, Council Bluffs – For celebrating her 85<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### **House File 2012 Reassigned**

Human Resources: Hutter, Chair; Foege and Granzow.

##### **House File 2013**

Transportation: Chambers, Chair; Miller and Olson, S.

##### **House File 2082 Reassigned**

Ways and Means: Lukan, Chair; Frevert and Sands.

##### **House File 2147**

Human Resources: Heaton, Chair; Carroll and Smith.

##### **House File 2153**

Transportation: Rayhons, Chair; Chambers and Whitaker.

##### **House File 2165**

Human Resources: Upmeyer, Chair; Heddens and Lukan.

##### **House File 2172**

Education: Kramer, Chair; Cohoon and Dolecheck.

##### **House File 2173**

Education: Roberts, Chair; Dandekar and Upmeyer.

**House File 2184**

Human Resources: Upmeyer, Chair; Boddicker and Greimann.

**House File 2188**

Human Resources: Carroll, Chair; Berry and Wilderdyke.

**House File 2191**

Human Resources: Granzow, Chair; Upmeyer and Wendt.

**House File 2194**

State Government: Drake, Chair; Connors, Elgin, Jones and Lykam.

**House File 2195**

Human Resources: Heaton, Chair; Carroll and Jacoby.

**House File 2199**

Public Safety: Alons, Chair; Bell and Van Fossen, J.R.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 617**

Ways and Means: Van Fossen, J.K., Chair; Kramer and Shoultz.

**House Study Bill 618**

Human Resources: Granzow, Chair; Jacoby and Lukan.

**House Study Bill 619**

Human Resources: Upmeyer, Chair; Heddens and Roberts.

**House Study Bill 620**

Human Resources: Upmeyer, Chair; Roberts and Smith.

**House Study Bill 621**

Human Resources: Roberts, Chair; Boddicker and Foege.

**House Study Bill 622**

Commerce, Regulation and Labor: Watts, Chair; Dix, Petersen, Sands and Wise.



## HOUSE STUDY BILL COMMITTEE ASSIGNMENT

**H.S.B. 623 Oversight**

Relating to competitive bidding requirements for state agencies and establishing purchasing goals from certain businesses located in this state.

## COMMITTEE RECOMMENDATION

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

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON JUDICIARY

**Committee Bill** (Formerly [House Study Bill 511](#)), relating to safe deposit box access by a trustee of a trust created by the deceased owner or lessee of the safe deposit box.

Fiscal Note not required.

Recommended **Amend and Do Pass** February 10, 2004.

## RESOLUTIONS FILED

**HCR 107**, by Miller, a concurrent resolution urging the Senate and the House of Representatives to consider the budget certification deadline for cities and counties when enacting legislation reducing standing appropriations of funds to local governments.

Laid over under **Rule 25**.

**HR 110**, by De Boef, Carroll, Boal, Tymeson, Hanson, Boggess, Freeman, Hoffman, Rasmussen, Dix, Eichhorn, Wilderdyke, Hutter, Tjepkes, Watts Alons, Dennis, Drake, Raecker, J.K. Van Fossen, Lalk, Kurtenbach, Schickel, Rayhons, J.R. Van Fossen, S. Olson, Upmeyer, Sands, Kramer, Paulsen, Lukan, Manternach, Van Engelenhoven, Roberts, Jones, Greiner, Boddicker, Horbach, Dolecheck, Hahn, Huseman, Chambers, Baudler, Klemme, Mertz,

Struyk, Quirk and Davitt, a resolution declaring February 12, 2004, Marriage and Family Day.

Laid over under **Rule 25**.

**HR 111**, by Mascher, Lensing and Jacoby, a resolution honoring the nursing leaders at the University of Iowa Hospitals and Clinics upon their receipt of the Magnet Award for Nursing Excellence.

Laid over under **Rule 25**.

#### AMENDMENTS FILED

<a href="#"><u>H-8011</u></a>	<a href="#"><u>H.F. 2187</u></a>	Jochum of Dubuque
<a href="#"><u>H-8012</u></a>	<a href="#"><u>H.F. 2134</u></a>	Carroll of Poweshiek

On motion by Jacobs of Polk the House adjourned at 9:00 a.m., until 8:45 a.m., Wednesday, February 11, 2004.