

PROOF

STATE OF IOWA

House Journal

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JOURNAL OF THE HOUSE

Thirty-eighth Calendar Day - Twenty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 18, 2004

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

Prayer was offered by Reverend Jim Davis, pastor of Zion Lutheran Church, Gowrie. He was the guest of Representative David Tjepkes from Webster County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, February 17, 2004 was approved.

INTRODUCTION OF BILLS

[House File 2292](#), by Horbach, a bill for an act establishing a county enforcement surcharge for citations issued by the county sheriff.

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

[House File 2293](#), by Foege and Maddox, a bill for an act authorizing the use of public or private institutions or community-based programs for treatment to restore the competency of persons found to be mentally incompetent to stand trial.

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

SENATE MESSAGE CONSIDERED

[Senate File 2070](#), by committee on transportation, a bill for an act relating to duties and activities of the state department of transportation, including the registration and titling of motor vehicles, regulation of electric personal assistive mobility devices, and

issuance of commercial driver's licenses, and providing effective dates.

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

On motion by Klemme of Plymouth, the House was recessed at 8:54 a.m., until the adjournment of the committee on state government or 4:00 p.m., whichever came first.

AFTERNOON SESSION

The House reconvened at 3:08 p.m., Speaker Rants in the chair.

INTRODUCTION OF BILLS

[House File 2294](#), by committee on natural resources, a bill for an act relating to certain activities and property under the jurisdiction of the natural resource commission and the department of natural resources, including leases and easements of property and the issuance and suspension of certain licenses.

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

[House File 2295](#), by Huser, a bill for an act relating to juvenile court jurisdiction over child support orders.

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

[House File 2296](#), by Huser, a bill for an act relating to the senior living trust fund and providing for appropriation of the moneys in the fund.

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

[House File 2297](#), by Huser, a bill for an act providing for the department of elder affairs to assume authority over appropriations affecting the elderly.

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

[House File 2298](#), by Ford, a bill for an act relating to issuance of nonoperator's identification cards to certain inmates.

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

[House File 2299](#), by Ford, a bill for an act to require certain notices regarding the external review of denied health care insurance coverage.

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

[House File 2300](#), by Paulsen, a bill for an act to rename the dual party relay service and to establish an equipment distribution program for persons with communication impairments.

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

[House File 2301](#), by Ford, a bill for an act limiting a tax credit for pollution-control and recycling property used for the care and feeding of livestock, and providing for the tax credit's applicability.

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

[House File 2302](#), by committee on state government, a bill for an act relating to gambling, concerning the operation, licensure, regulation, fee assessment, and taxation of racetracks and excursion gambling boats, including pari-mutuel wagering, horse purses and gambling games at racetracks and on gambling boats, racing and gaming commission membership and employees, gambling treatment fund and community endowment fund appropriations, gambling by minors and others, and providing penalties and including effective and retroactive applicability date provisions.

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

The House stood at ease at 3:19 p.m., until the fall of the gavel.

EVENING SESSION

The House reconvened at 6:32 p.m., Speaker Rants in the chair.

INTRODUCTION OF BILLS

[House File 2302](#), by committee on state government, a bill for an act relating to gambling, concerning the operation, licensure,

regulation, fee assessment, and taxation of racetracks and excursion gambling boats, including pari-mutuel wagering, horse purses and gambling games at racetracks and on gambling boats, racing and gaming commission membership and employees, gambling treatment fund and community endowment fund appropriations, gambling by minors and others, and providing penalties and including effective and retroactive applicability date provisions.

Read second time and placed on the **special order calendar**.

[House File 2303](#), by committee on commerce, regulation and labor, a bill for an act relating to right to work provisions involving a condition of employment or continuation of employment.

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

[House File 2304](#), by committee on commerce, regulation and labor, a bill for an act relating to the provision of workers' compensation benefits, to the release of information concerning such benefits, and to workers' compensation liability insurance.

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

[House File 2305](#), by committee on commerce, regulation and labor, a bill for an act relating to the regulation of attorney fees in workers' compensation cases.

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

[House File 2306](#), by committee on commerce, regulation and labor, a bill for an act relating to fees charged for delayed redemption of electronic gift cards.

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

[House File 2307](#), by Ford, a bill for an act relating to a violation or attempted violation of a court order, a court-approved consent agreement, or a protective order under the Iowa domestic abuse Act.

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

[House File 2308](#), by Hahn, a bill for an act relating to deer hunting, including the receipt of deer venison as a gift, providing for a special senior deer license, and providing penalties.

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

[House File 2309](#), by Hogg, a bill for an act relating to the assessment and collection of penalty and interest charges imposed for the late payment of building code penalties, fines, and inspection and enforcement fees.

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

[House File 2310](#), by Hogg, a bill for an act relating to the inclusion of recreational trail development as part of projects under the vision Iowa program and the community attraction and tourism program.

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

[House File 2311](#), by Granzow, a bill for an act relating to the issuance of deer depredation permits and providing a penalty.

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

[House File 2312](#), by Dix, a bill for an act relating to the ability of cities and counties to designate enterprise zones.

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

[House File 2313](#), by Dix, a bill for an act updating the Iowa Code references to the Internal Revenue Code, providing for a coupling with certain bonus depreciation provisions, and providing retroactive applicability dates and an effective date.

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

[House File 2314](#), by Granzow, a bill for an act relating to county grants under the waste tire management fund.

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

[House File 2315](#), by Mertz, a bill for an act relating to agricultural conservation practices.

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

COMMITTEE APPOINTMENT

The Speaker announced the removal of Representative Danny Carroll from the House Ways and Means Committee, effective Wednesday, February 18, 2004. Representative Scott Raecker was appointed in his place.

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\461 Howard Bishop, Chariton – For celebrating his 90th birthday.
- 2004\462 Marie Curtis, Chariton – For celebrating her 102nd birthday.
- 2004\463 Bob and Luella Pedley, Ocheyedan – For celebrating their 50th wedding anniversary.
- 2004\464 Kenneth and Joyce Brower, Sanborn – For celebrating their 50th wedding anniversary
- 2004\465 Zita Thiele, Sibley – For celebrating her 90th birthday.
- 2004\566 Melissa Mueller, Sumner – For receiving the Iowa Speech-Language-Hearing Association Award for recognition of academic achievement from the University of Northern Iowa.
- 2004\567 Leta Davey, Indianola – For celebrating her 95th birthday.
- 2004\568 Leona Wadle, Indianola – For celebrating her 100th birthday.
- 2004\469 Rev. Frederick “Fritz” Kramer, Newton – For celebrating his 50th anniversary of his ordination to the priesthood.

SUBCOMMITTEE ASSIGNMENTS

[House File 673](#)

Agriculture: De Boef, Chair; Davitt and Dolecheck.

[House File 2084](#)

Transportation: Rayhons, Chair; Hunter and Rasmussen.

[House File 2178](#)

Transportation: Alons, Chair; Chambers, Hunter, Rayhons and Thomas.

[House File 2250](#)

Local Government: Schickel, Chair; Boal, Hanson, Huser, Olson, D., Tjepkes and Whitead.

[House File 2257](#)

Transportation: Alons, Chair; Chambers, Hunter, Rayhons and Thomas.

[House File 2268](#)

Local Government: Arnold, Chair; Connors and Hanson.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 639](#)

Transportation: Dolecheck, Chair; Klemme and Lykam.

[House Study Bill 643](#)

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

[House Study Bill 644](#)

Commerce, Regulation and Labor: Jenkins, Chair; Wilderdyke and Wise.

[House Study Bill 645](#)

Commerce, Regulation and Labor: Watts, Chair; Dix, Jacoby, Jenkins and Quirk.

[House Study Bill 646](#)

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

[House Study Bill 647](#)

Economic Growth: Kramer, Chair; Boggess and Lensing.

[House Study Bill 649](#)

Human Resources: Heaton, Chair; Carroll and Smith.

[House Study Bill 650](#)

State Government: Manternach, Chair; Dennis and Mascher.

House Study Bill 652

Economic Growth: Kramer, Chair; Jenkins, Lensing, Olson, S. and Thomas.

House Study Bill 653

Economic Growth: Olson, S., Chair; Granzow, Lalk, Miller and Olson, D.

House Study Bill 654

Economic Growth: Lukan, Chair; Jenkins and Struyk.

House Study Bill 655

Agriculture: Greiner, Chair; Huseman, Manternach, Quirk and Struyk.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 656 Local Government

Changing the budget certification deadline for county hospital budgets.

H.S.B 657 Commerce, Regulation and Labor

Requiring notification and safety precautions be taken prior to commencement of work in the vicinity of high-voltage lines, and providing for liability, penalties, and an effective date.

H.S.B. 658 Commerce, Regulation and Labor

Relating to the regulation of various industries by the insurance division, including modifications related to the interstate insurance product regulation compact; investigations and penalties; procedures and contempt orders; insurance company investments; insurance producer licensing; individual health insurance programs; coverage obligations and tax offsets of the Iowa comprehensive health insurance association; phaseout of certain individual insurance plans; coverage of federal Trade Adjustment Act recipients; penalties and discipline applicable to holders of establishment and sales permits for cemetery and funeral merchandise and services; providing and applying penalties; and providing effective dates.

H.S.B. 659 Ways and Means

Relating to the standards applicable to Iowa for purposes of imposing a business activity tax and including an applicability date provision.

H.S.B. 660 Human Resources

Relating to dependent adult abuse and dependent adult endangerment and providing penalties.

H.S.B. 661 Public Safety

Relating to applications for and denial of a permit to carry concealed weapons.

H.S.B. 662 Ways and Means

Proposing an amendment to the Constitution of the State of Iowa to require a vote of the people before certain tax or fee increases take effect.

H.S.B. 663 Judiciary

Relating to the transfer and apportionment of district associate judges and associate juvenile judges, and to the qualifications of magistrates.

H.S.B. 664 Judiciary

Relating to the revised Iowa nonprofit corporation Act and providing penalties and effective and applicability dates.

COMMITTEE RECOMMENDATIONS

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

MARGARET A. THOMSON
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

[House Joint Resolution 2004](#), a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

Fiscal Note is not required.

Recommendation **Do Pass** February 18, 2004.

[House Joint Resolution 2005](#), a joint resolution authorizing the temporary use and consumption of wine and beer in the State Capitol in conjunction with the 2004 Annual Meeting of the Midwestern Legislative Conference of the Council of State Governments.

Fiscal Note is not required.

Recommendation **Amend and Do Pass with amendment [H-8039](#)** February 18, 2004.

COMMITTEE ON COMMERCE, REGULATION AND LABOR

Committee Bill (Formerly [House File 2027](#)), relating to the provision of workers' compensation benefits, to the release of information concerning such benefits, and to workers' compensation liability insurance.

Fiscal Note not required.

Recommended **Amend and Do Pass** February 17, 2004.

Committee Bill (Formerly [House File 2101](#)), relating to right to work provisions involving a condition of employment or continuation of employment.

Fiscal Note not required.

Recommended **Do Pass** February 17, 2004.

Committee Bill (Formerly [House Study Bill 591](#)), relating to the regulation of attorney fees in workers' compensation cases.

Fiscal Note not required

Recommended **Amend and Do Pass** February 17, 2004.

Committee Bill (Formerly [House Study Bill 609](#)), relating to fees charged for delayed redemption of electronic gift cards.

Fiscal Note not required.

Recommended **Do Pass** February 17, 2004.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly [House Study Bill 122](#)), relating to the racing and gaming commission by making miscellaneous changes to provisions governing pari-mutuel wagering and gambling at racetracks and on gambling boats.

Fiscal Note is not required.

Recommended **Amend and Do Pass without Recommendation** February 18, 2004.

Committee Bill (Formerly [House Study Bill 579](#)), relating to the filing of statements of organization or dissolution by a political or candidate's committee, and regulating campaign and other contributions.

Fiscal Note not required.

Recommended **Amend and Do Pass** February 18, 2004.

Committee Bill (Formerly [House Study Bill 580](#)), relating to the operation, reporting, and dissolution of committees, reporting requirements for special and other elections, the placement of attribution statements in political materials, and the size and placement of political signs.

Fiscal Note not required.

Recommended **Amend and Do Pass** February 18, 2004.

COMMITTEE ON WAYS AND MEANS

[House File 2302](#), a bill for an act relating to gambling, concerning the operation, licensure, regulation, fee assessment, and taxation of racetracks and excursion gambling boats, including pari-mutuel wagering, horse purses and gambling games at racetracks and on gambling boats, racing and gaming commission membership and employees, gambling treatment fund and community endowment fund appropriations, gambling by minors and others, and providing penalties and including effective and retroactive applicability date provisions.

Fiscal Note not required

Recommended **Without Recommendation** February 18, 2004.

RESOLUTION FILED

[HR 117](#), by Rants, Tymeson, Chambers, Alons, Raecker, Boggess, Dandekar, Jenkins, Rasmussen, Maddox, Frevert, Eichhorn, Granzow, Heddens, Lukan, Roberts, Greiner, Boal, Drake, Huser, Hutter, Davitt, Manternach, De Boef, Huseman, Klemme, Watts, Connors, Whitaker, Jacoby, Baudler, Thomas, Dix, Kramer, Paulsen, Kurtenbach, S. Olson, Dolecheck, Greimann, Upmeyer, Schickel, Carroll, Wendt, D. Taylor, Horbach, Swaim, Hogg, Arnold, Jacobs,

Hoffman, Miller, Winckler, Dennis, Lensing, Tjepkes, Freeman, Heaton, D. Olson, Cohoon, Mascher, Lykam, Hunter, Gaskill, Struyk, Kuhn, Stevens, Quirk, Osterhaus, Whitead, Bell, Wise, Ford, Oldson, Smith, Reasoner, McCarthy, Shoultz, Foege, Petersen, Berry, Elgin, Jones, Mertz, Hahn, T. Taylor, Shomshor, J.R. Van Fossen, Bukta, Rayhons, Wilderdyke, Sands, Hanson, Boddicker, Gipp, Van Engelenhoven, Lalk, Jochum, J.K. Van Fossen and Murphy, a resolution to recognize and honor the members of the Iowa Army and Air National Guard.

Laid over under **Rule 25**.

AMENDMENT FILED

[H-8039](#) H.J.R. 2005 Committee on Administration and
Rules

On motion by Gipp of Winneshiek the House adjourned at 6:35 p.m., until 8:45 a.m., Thursday, February 19, 2004.