

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, MARCH 3, 2004

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(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Fifty-second Calendar Day - Thirty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 3, 2004

The House met pursuant to adjournment at 8:49 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend David Ruhe, pastor of Plymouth Congregational Church, Des Moines. He was the guest of Representative Libby Jacobs from Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, March 2, 2004 was approved.

INTRODUCTION OF BILLS

[House Joint Resolution 2007](#), by Cohoon, a joint resolution designating the channel catfish as the official state fish for the State of Iowa.

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

[House File 2417](#), by committee on education, a bill for an act relating to the duties of the college student aid commission and the approval and registration of postsecondary schools by the commission, the department of education, and the secretary of state, and the establishment and collection of fees and chargeable expenses by the state board of education and the secretary of state.

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

[House File 2418](#), by committee on education, a bill for an act relating to meeting dates by which the state board of regents must make final decisions on tuition increases for institutions of higher education under its control.

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

[House File 2419](#), by committee on education, a bill for an act relating to the number of signatures required on nomination petitions for school board elections.

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

[House File 2420](#), by Cohoon, a bill for an act relating to continuing education curriculum content for licensed barbers.

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

[House File 2421](#), by Upmeyer, a bill for an act relating to a pilot project for dementia-specific care alternatives.

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

[House File 2422](#), by Cohoon, a bill for an act allowing for recertification of city and county budgets and providing an effective and applicability date.

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

[House File 2423](#), by Thomas, a bill for an act providing for the transfer of certain special motor vehicle registration plate fees to the veterans license fee fund.

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

[House File 2424](#), by Cohoon, a bill for an act providing for a restriction relating to membership on the board of barber examiners.

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

[House File 2425](#), by committee on economic growth, a bill for an act relating to moneys and tax credits for economic development.

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

[House File 2426](#), by committee on economic growth, 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 placed on the **calendar**.

[House File 2427](#), by committee on economic growth, a bill for an act relating to investments in Iowa under the Iowa public employees' retirement system.

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

[House File 2428](#), by T. Taylor, a bill for an act relating to the purchase of certain information technology services by a state agency.

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

[House File 2429](#), by Kramer, S. Olson and Frevert, a bill for an act relating to technical and substantive changes regarding the Iowa educational savings plan trust and the establishment of an additional optional program by a specified date.

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

[House File 2430](#), by T. Taylor, a bill for an act relating to information regarding the use of contract employee services by the state.

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

[House File 2431](#), by committee on economic growth, a bill for an act relating to educational institutions under the university-based research utilization program.

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

[House File 2432](#), by committee on natural resources, a bill for an act relating to the issuance of free deer and wild turkey hunting licenses to certain landowners and other persons.

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

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 3, 2004, he approved and transmitted to the Secretary of State the following bills:

[House File 401](#), an Act relating to the procedures for certificates of completion of property rehabilitation projects for which tax credits may be available.

[House File 2180](#), an Act relating to filling the office of county attorney by appointment.

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\622 Shane Spooner, Ankeny – For winning the Class 3-A Heavyweight Championship of the 2004 State High School Wrestling Tournament.
- 2004\623 Wallace and Marian Rhinehart, Brooklyn – For celebrating their 50th wedding anniversary.
- 2004\624 Millie Kramme, Hartley – For celebrating her 92nd birthday.
- 2004\625 Howard and Carol Borchard, Hartley – For celebrating their 50th wedding anniversary.
- 2004\626 Mollie Worrell, Smithland – For celebrating her 80th birthday.
- 2004\627 Harold Fredericks, Denison – For celebrating his 85th birthday.
- 2004\628 Lucinda Kahl, Charter Oak – For celebrating her 90th birthday.
- 2004\629 Larry and Helen Cox, Sr., Grinnell – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS**[House File 511](#)**

State Government: Hutter, Chair; Rasmussen and Whitead.

[House File 2218](#)

Judiciary: Eichhorn, Chair; Berry and Dennis.

[House File 2336](#)

Human Resources: Carroll, Chair; Heaton and Smith.

[House File 2365](#)

Judiciary: Heaton, Chair; Eichhorn and Jochum.

[House File 2400](#)

State Government: Jacobs, Chair; Manternach and Oldson.

[House File 2406](#)

Agriculture: Mertz, Chair; Dolecheck and Whitaker.

[House File 2408](#)

Agriculture: Olson, S., Chair; Klemme and Kuhn.

[House File 2412](#)

Natural Resources: Arnold, Chair; Rasmussen and Whitaker.

[House File 2414](#)

Judiciary: Kramer, Chair; Heaton and Winckler.

[House File 2421](#)

Human Resources: Upmeyer, Chair; Foege and Granzow.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 700](#)

Commerce, Regulation and Labor: Jenkins, Chair; Quirk and Sands.

[House Study Bill 701](#)

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

[House Study Bill 705](#)

Education: Dennis, Chair; Tymeson and Winckler.

[House Study Bill 706](#)

Transportation: Klemme, Chair; Dolecheck and Huser.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 707](#) **Economic Growth**

Relating to tax credits under the university-based research utilization program.

[H.S.B. 708](#) **Judiciary**

Creating medical parole for certain persons committed to the custody of the department of corrections.

[H.S.B. 709](#) **Public Safety**

Relating to the performance of a notarial act by a chief officer when certifying a uniform citation and complaint under oath, and providing an effective date.

[H.S.B. 710](#) **State Government**

Providing for the licensure of electricians and installers on a statewide basis, providing for apprentice electrician registration, establishing fees, providing penalties, and providing an effective date.

[H.S.B. 711](#) **Judiciary**

Relating to the recovery of restitution for damages covered by insurance.

[H.S.B. 712](#) **Commerce, Regulation and Labor**

Relating to exempting certain customers from participation in energy efficiency plan requirements of electric utilities.

[H.S.B. 713](#) **State Government**

Concerning charter agencies and agencies designated as charter agencies, making appropriations, and providing an effective date.

H.S.B. 714 Commerce, Regulation and Labor

Relating to electric power generation and the cogeneration pilot program.

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 AGRICULTURE

Committee Bill (Formerly [House File 2031](#)), relating to persons engaged in the business of buying or selling feeder pigs.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2004.

Committee Bill (Formerly [House File 2377](#)), regulating the transportation of animal carcasses, and providing for fees.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2004.

Committee Bill (Formerly [House Study Bill 672](#)), regulating animal health by the department of agriculture and land stewardship, making an appropriation, and making penalties applicable.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2004.

Committee Bill (Formerly [House Study Bill 697](#)), regulating transmissible viruses afflicting poultry and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2004.

COMMITTEE ON COMMERCE, REGULATION AND LABOR

Committee Bill (Formerly [House Study Bill 537](#)), relating to the reorganization of the division of banking of the department of commerce and its regulation of banking.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2004.

Committee Bill (Formerly [House Study Bill 583](#)), relating to municipal utilities that provide local exchange services, including nonsubscriber costs, the confidentiality and audits of certain accounting records, and exemption from sales and use taxes.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2004.

Committee Bill (Formerly [House Study Bill 590](#)), relating to industry standards for boilers, directing the labor commissioner to adopt emergency rules when the industry standards are supplemented, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2004.

Committee Bill (Formerly [House Study Bill 608](#)), relating to the collection of costs associated with residential real estate loans.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2004.

Committee Bill (Formerly [House Study Bill 612](#)), relating to immunity from third-party liability for claims resulting from contaminated property.

Fiscal Note is not required.

Recommended **Do Pass** March 2, 2004.

Committee Bill (Formerly [House Study Bill 643](#)), relating to individual health insurance program modification; restructuring and modification of eligibility, benefits, tax offsets, and other terms related to the operation of the Iowa comprehensive health insurance association; phaseout of guaranteed basic and standard individual insurance plans; and coverage of federal Trade Adjustment Act recipients under the Iowa comprehensive health insurance Act; and providing effective dates.

Fiscal Note is not required.

Recommended **Amend Do Pass** March 3, 2004.

Committee Bill (Formerly [House Study Bill 646](#)), conferring additional enforcement authority on the real estate commission, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2004.

Committee Bill (Formerly [House Study Bill 658](#)), 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.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2004.

Committee Bill (Formerly [House Study Bill 687](#)), relating to the uniform electronic transactions Act.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2004.

COMMITTEE ON EDUCATION

Committee Bill (Formerly [House File 2410](#)), changing dates relating to school district requests to the department of education for approval to use additional allowable growth for programs for returning dropouts and dropout prevention

Fiscal Note is not required.

Recommended **Do Pass** March 3, 2004.

Committee Bill (Formerly [House Study Bill 40](#)), relating to school district transportation of students participating in open enrollment.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2004.

Committee Bill (Formerly [House Study Bill 610](#)), relating to residency qualifications for purposes of postsecondary tuition and fees paid at public institutions of higher education in this state.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2004.

Committee Bill (Formerly [House Study Bill 675](#)), relating to school district enrollment of students listed on the sex offender registry.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2004.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly [House File 2275](#)), relating to stormwater discharge permits issued by the department of natural resources.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2004.

COMMITTEE ON HUMAN RESOURCES

[House File 22](#), a bill for an act relating to the awarding of joint physical care of a child.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8154** March 2, 2004.

Committee Bill (Formerly [House File 487](#)), establishing requirements for persons contracting with the department of human services.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2004.

Committee Bill (Formerly [House File 2188](#)), establishing covenant marriages and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2004.

Committee Bill (Formerly [House File 2203](#)), directing the department of human services to implement child welfare diversion and mediation pilot projects.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 2004.

Committee Bill (Formerly [House File 2216](#)), relating to the establishment of a prescription drug assistance program by the commissioner of insurance, and providing for a contingent appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2004.

Committee Bill (Formerly [House File 2324](#)), relating to electronic and facsimile prescriptions and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2004.

Committee Bill (Formerly [House File 2354](#)), requiring a placement recommendation for persons subject to a court order for involuntary hospitalization.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2004.

Committee Bill (Formerly [House Study Bill 626](#)), providing for specified changes regarding programs under the purview of the department of public health, providing a penalty, and making and appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2004.

COMMITTEE ON JUDICIARY

Committee Bill (Formerly [House File 2179](#)), relating to the establishment of a toll-free telephone service by the department of justice to assist persons interested in receiving consumer fraud information.

Fiscal Note is not required.

Recommended **Do Pass** February 25, 2004.

Committee Bill (Formerly [House Study Bill 252](#)), relating to real property, including acknowledgments of real property conveyances and limitations on causes of action concerning real property.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 2004.

Committee Bill (Formerly [House Study Bill 602](#)), relating to the Iowa probate code, including provisions relating to estate recovery of medical assistance benefits, the power to disclaim property interests, and trusts.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 2004.

Committee Bill (Formerly [House Study Bill 663](#)), relating to the transfer and apportionment of district associate judges and associate juvenile judges, and to the qualifications of magistrates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2004.

COMMITTEE ON LOCAL GOVERNMENT

[House File 2309](#), 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.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 2004.

Committee Bill (Formerly [House File 488](#)), relating to state land management and planning and local land management and planning for certain counties and cities and providing effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2004.

Committee Bill (Formerly [House Study Bill 669](#)), relating to fire protection service by requiring counties to assume the duties and powers of township trustees in certain circumstances, requiring certain counties to negotiate fire protection agreements for townships, relating to dissolution of benefited fire districts, authorizing certain fire departments to assess fees to property owners for fire protection service, and delaying the budget certification deadline for certain townships, and including an effective date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2004.

Committee Bill (Formerly [House Study Bill 671](#)), relating to a prisoner from another state being detained or committed to a county jail in this state.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 2004.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly [House File 257](#)), relating to recycling waste oil filters, establishing fees, and making an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2004.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly [House File 2292](#)), establishing a county enforcement surcharge for citations issued by the county sheriff.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2004.

Committee Bill (Formerly [House Study Bill 681](#)), to update and modify the enhanced 911 emergency telephone communications system.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2004.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly [House File 139](#)), establishing a choose life motor vehicle registration plate and appropriating fees from such plates for adoption-related services.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2004.

Committee Bill (Formerly [House File 2086](#)), relating to fees retained by country treasurers for the issuance of driver's licenses and nonoperator identification cards.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2004.

Committee Bill (Formerly [House Study Bill 639](#)), relating to disclosure requirements for the sale, lease, or trade of a motor vehicle and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 2, 2004.

RESOLUTIONS FILED

[HCR 115](#), by Tymeson, a concurrent resolution requesting the Legislative Council to establish an interim study committee to examine the costs and benefits of Iowa joining the Midwestern Higher Education Compact.

Laid over under **Rule 25**.

[HR 127](#), by Tymeson, a resolution requesting the Legislative Council to create an interim study committee to examine options for integrating technology to improve student achievement.

Laid over under **Rule 25**.

AMENDMENTS FILED

<u>H-8152</u>	<u>H.F. 2294</u>	Boggess of Page
<u>H-8153</u>	<u>H.F. 2394</u>	Mascher of Johnson
<u>H-8154</u>	<u>H.F. 22</u>	Committee on Human Resources

On motion by Gipp of Winneshiek the House adjourned at 8:57 a.m., until 8:45 a.m., Thursday, March 4, 2004.