

PROOF

STATE OF IOWA

House Journal

MONDAY, MARCH 29, 2004

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JOURNAL OF THE HOUSE

Seventy-eighth Calendar Day - Fifty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, March 29, 2004

The House met pursuant to adjournment at 12:59 p.m., Speaker Rants in the chair.

Prayer was offered by Reverend Alan Mullikin, pastor of the LeGrand Friends Church, LeGrand. He was the guest of Representative Polly Granzow from Hardin County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Friday, March 26, 2004 was approved.

PETITION FILED

The following petition was received and placed on file:

By Murphy of Dubuque from fifty-five thousand signatures favoring adequate funding for schools.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

De Boef of Keokuk on request of Gipp of Winneshiek; Jones of Mills, until his arrival, on request of Gipp of Winneshiek; Shomshor of Pottawattamie on request of Murphy of Dubuque.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 25, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2538](#), an act providing a transfer from the cash reserve fund to the rebuild Iowa infrastructure fund for purposes of the standing appropriation to the environment first fund and providing an effective date.

MICHAEL E. MARSHALL, Secretary

HOUSE FILES REREFERRED TO COMMITTEE

Gipp of Winneshiek asked and received unanimous consent that the following bills be rereferred to the committee as listed:

House File 8	State Government
House File 627	Human Resources
House File 2123	State Government
House File 2135	Human Resources
House File 2151	Public Safety
House File 2294	Natural Resources
House File 2303	Commerce, Regulation and Labor
House File 2305	Commerce, Regulation and Labor
House File 2309	Local Government
House File 2379	Commerce, Regulation and Labor
House File 2380	Commerce, Regulation and Labor
House File 2391	Human Resources
House File 2426	Economic Growth
House File 2449	Commerce, Regulation and Labor
House File 2454	Judiciary
House File 2461	Education
House File 2466	Education
House File 2469	Transportation
House File 2470	Economic Growth
House File 2472	Local Government
House File 2485	Commerce, Regulation and Labor
House File 2498	Natural Resources
House File 2499	State Government
House File 2500	State Government
House File 2503	Judiciary
House File 2504	Judiciary
House File 2508	Judiciary
House File 2512	Public Safety
House File 2524	Public Safety
House File 2525	Economic Growth
House File 2529	Local Government

[House File 2534](#)
[House File 2539](#)
[House File 2542](#)

Judiciary
Commerce, Regulation and Labor
Commerce, Regulation and Labor

The House stood at ease at 1:08 p.m., until the fall of the gavel.

The House resumed session at 3:04 p.m., Roberts of Carroll in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-one members present, nineteen absent.

CONSIDERATION OF BILLS Unfinished Business Calendar

[House File 2342](#), a bill for an act relating to the motor vehicle operating privileges of a person convicted of motor fuel theft from a retail dealer, was taken up for consideration.

Huser of Polk asked and received unanimous consent to withdraw amendment [H-8280](#) filed by her and Raecker of Polk on March 22, 2004.

[SENATE FILE 2148](#) SUBSTITUTED FOR [HOUSE FILE 2342](#)

Sands of Louisa asked and received unanimous consent to substitute [Senate File 2148](#) for [House File 2342](#).

[Senate File 2148](#), a bill for an act relating to the motor vehicle operating privileges of a person convicted of motor fuel theft from a retail dealer, was taken up for consideration.

Huser of Polk asked and received unanimous consent to withdraw amendment [H-8285](#) filed by her and Raecker of Polk on March 22, 2004.

Sands of Louisa 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?" ([S.F. 2148](#))

The ayes were, 76:

Alons	Arnold	Baudler	Bell
Boal	Boddicker	Boggess	Carroll
Chambers	Cohoon	Dandekar	Davitt
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Freeman
Frevert	Gaskill	Gipp	Greiner
Hahn	Hanson	Heaton	Hoffman
Hogg	Horbach	Huseman	Hutter
Jacobs	Jacoby	Jenkins	Klemme
Kramer	Kuhn	Kurtenbach	Lalk
Lukan	Lykam	Maddox	Manternach
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, S.	Paulsen	Petersen
Quirk	Raecker	Rants, Spkr.	Rasmussen
Reasoner	Sands	Schickel	Smith
Stevens	Struyk	Swaim	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Whitaker	Wilderdyke	Wise	Roberts, Presiding

The nays were, 19:

Berry	Bukta	Connors	Fallon
Ford	Granzow	Greimann	Heddens
Hunter	Huser	Jochum	Lensing
Mascher	Olson, D.	Shultz	Taylor, D.
Taylor, T.	Whitead	Winckler	

Absent or not voting and 5:

De Boef	Jones	Osterhaus	Rayhons
Shomshor			

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

[HOUSE FILE 2342](#) WITHDRAWN

Sands of Louisa asked and received unanimous consent to withdraw [House File 2342](#) from further consideration by the House.

House File 2453, a bill for an act relating to the revised Iowa nonprofit corporation Act and providing penalties and effective and applicability dates, was taken up for consideration.

Maddox of Polk offered the following amendment [H-8270](#) filed by him and moved its adoption:

[H-8270](#)

- 1 Amend [House File 2453](#) as follows:
- 2 1. Page 2, line 23, by striking the figure
- 3 "504A.503" and inserting the following: "504.503".
- 4 2. Page 5, line 35, by striking the figures and
- 5 word "504.503 and 504.1510" and inserting the
- 6 following: "504.504, 504.1510, and 504.1613".
- 7 3. Page 7, by striking lines 18 through 21 and
- 8 inserting the following:
- 9 "c. That all fees have been paid."
- 10 4. Page 11, line 11, by striking the figures and
- 11 word "6 or 7" and inserting the following: "VI or
- 12 VII".
- 13 5. Page 17, line 5, by striking the word "Each"
- 14 and inserting the following: "An".
- 15 6. Page 30, line 17, by striking the word
- 16 "therefore" and inserting the following: "therefor".
- 17 7. Page 46, line 9, by inserting after the word
- 18 "appointment" the following: "form".
- 19 8. Page 74, line 23, by striking the word
- 20 "director," and inserting the following: "director
- 21 or".
- 22 9. Page 128, by striking lines 12 and 13.
- 23 10. Page 128, line 14, by striking the letter
- 24 "f." and inserting the following: "e."
- 25 11. Page 129, line 6, by striking the figure
- 26 "504.508" and inserting the following: "504.503".
- 27 12. Page 129, line 9, by striking the figure
- 28 "504.508" and inserting the following: "504.503".
- 29 13. Page 131, line 30, by striking the word
- 30 "Each" and inserting the following: "For the purposes
- 31 of this chapter, each".
- 32 14. Page 131, line 30, by striking the word
- 33 "designated" and inserting the following: "deemed".
- 34 15. Page 135, line 25, by striking the words "or
- 35 agents".
- 36 16. Page 137, by striking lines 30 and 31, and
- 37 inserting the following:
- 38 "Sec.____. Chapter 504A, Code 2005, is repealed
- 39 effective July 1, 2005."

Amendment [H-8270](#) was adopted.

[SENATE FILE 2274](#) SUBSTITUTED FOR [HOUSE FILE 2453](#)

Maddox of Polk asked and received unanimous consent to substitute [Senate File 2274](#) for [House File 2453](#).

[Senate File 2274](#), a bill for an act relating to the revised Iowa nonprofit corporation Act and providing penalties and effective and applicability dates, was taken up for consideration.

Maddox 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?" ([S.F. 2274](#))

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	Dennis
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greimann	Greiner	Hahn
Hanson	Heaton	Heddens	Hoffman
Hogg	Horbach	Hunter	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Klemme	Kramer
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Manternach
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Osterhaus	Paulsen	Petersen	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	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
Roberts, Presiding			

The nays were, none.

Absent or not voting, 3:

De Boef Jones Shomshor

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

HOUSE FILE 2453 WITHDRAWN

Maddox of Polk asked and received unanimous consent to withdraw [House File 2453](#) from further consideration by the House.

[House File 2544](#), a bill for an act requiring identification numbers for all parcels of real estate, additional real estate transaction recordings, and making a fee applicable, was taken up for consideration.

Kurtenbach of Story 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. 2544](#))

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	Dennis
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greimann	Greiner	Hahn
Hanson	Heaton	Heddens	Hoffman
Hogg	Horbach	Hunter	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Klemme	Kramer
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Manternach
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Osterhaus	Paulsen	Petersen	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Sands	Schickel	Shultz
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
Whitehead Wilderdyke Winckler Wise
Roberts,
Presiding

The nays were, none.

Absent or not voting, 3:

De Boef Jones Shomshor

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

HOUSE FILES 2183 and 2329 WITHDRAWN

Kurtenbach of Story asked and received unanimous consent to withdraw House Files 2183 and 2329 from further consideration by the House.

[House File 2552](#), a bill for an act relating to the issuance of special motor vehicle registration plates and providing effective and retroactive applicability dates, was taken up for consideration.

Hunter of Polk offered the following amendment [H-8324](#) filed by him and moved its adoption:

[H-8324](#)

- 1 Amend [House File 2552](#) as follows:
- 2 1. Page 3, by striking line 6 and inserting the
- 3 following: "registration plates. The rules shall
- 4 specify that the plate and emblem shall not have a
- 5 design or message containing any sexual connotation
- 6 and shall not be vulgar, prejudiced, hostile,
- 7 insulting, controversial, politically inflammatory or
- 8 divisive, or racially or ethnically degrading.
- 9 The rules shall include provisions for".

A non-record roll call was requested.

The ayes were 37, nays 51.

Amendment [H-8324](#) lost.

Lykam of Scott asked and received unanimous consent for the immediate consideration of amendment [H-8327](#), filed by him from the floor, to [House File 2552](#).

Lykam of Scott asked and received unanimous consent to withdraw amendment [H-8327](#) filed by him from the floor.

Huser 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. 2552](#))

The ayes were, 94:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	Dennis
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greimann	Greiner	Hahn
Hanson	Heaton	Heddens	Hoffman
Hogg	Horbach	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Klemme	Kramer	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Manternach	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, S.	Osterhaus	Paulsen
Petersen	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Sands
Schickel	Shoultz	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	Roberts, Presiding		

The nays were, 3:

Hunter	Mascher	Smith
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Absent or not voting, 3:

De Boef	Jones	Shomshor
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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

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2544, 2552 and Senate Files 2148 and 2274.**

[House File 2553](#), 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, and providing an effective date, was taken up for consideration.

Kramer 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. 2553](#)**)

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	Dennis
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greimann	Greiner	Hahn
Hanson	Heaton	Heddens	Hoffman
Hogg	Horbach	Hunter	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Klemme	Kramer
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Manternach
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Osterhaus	Paulsen	Petersen	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	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
Roberts,
Presiding

The nays were, none.

Absent or not voting, 3:

De Boef Jones Shomshor

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

[HOUSE FILE 2429](#) WITHDRAWN

Kramer of Polk asked and received unanimous consent to withdraw [House File 2429](#) from further consideration by the House.

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 29, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2042](#), a bill for an act relating to the donation of blood by persons sixteen years of age.

Also: That the Senate has on March 29, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2170](#), a bill for an act relating to product liability actions.

Also: That the Senate has on March 29, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2241](#), a bill for an act authorizing school districts and nonpublic schools to apply credit under the state education program for successful completion of military basic training.

Also: That the Senate has on March 29, 2004, amended and passed the following bill in which the concurrence of the Senate was asked:

[House File 2281](#), a bill for an act relating to licensing of nonresident bait dealers.

Also: That the Senate has on March 29, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2282](#), a bill for an act relating to the selling of bait by an aquaculture unit licensee.

Also: That the Senate has on March 29, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2318](#), a bill for an act relating to the filing of statements of organization or dissolution by a political or candidate's committee, and regulating campaign and other contributions.

Also: That the Senate has on March 29, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2358](#), a bill for an act providing for technical and substantive changes relating to the practice of cosmetology, establishing penalties, and making penalties applicable.

Also: That the Senate has on March 29, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2381](#), a bill for an act changing the budget certification deadline for county hospital budgets.

Also: That the Senate has on March 29, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2383](#), a bill for an act relating to rural improvement zones.

Also: That the Senate has on March 29, 2004, passed the following bill in which the concurrence of the Senate was asked:

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

Also: That the Senate has on March 29, 2004, amended and passed the following bill in which the concurrence of the House is asked:

[Senate File 2288](#), a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

MICHAEL E. MARSHALL, Secretary

Ways and Means Calendar

[Senate File 371](#), a bill for an act relating to formatting standards for recording documents or instruments by a county recorder, specifying a recording fee for certain documents or instruments, and

providing an effective date, with report of committee recommending passage, was taken up for consideration.

Kurtenbach of Story offered the following amendment [H-8314](#) filed by him and moved its adoption:

[H-8314](#)

- 1 Amend [Senate File 371](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 31, by inserting after the word
- 4 "Code" the following: "Supplement".

Amendment [H-8314](#) was adopted.

Sands of Louisa offered the following amendment [H-8312](#) filed by him and moved its adoption:

[H-8312](#)

- 1 Amend [Senate File 371](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 5, line 5, by striking the word "January"
- 4 and inserting the following: "July".
- 5 2. Page 5, line 10, by striking the word
- 6 "January" and inserting the following: "July".

Amendment [H-8312](#) was adopted.

Kurtenbach of Story 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?" ([S.F. 371](#))

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	Dennis
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greimann	Greiner	Hahn
Hanson	Heaton	Heddens	Hoffman
Hogg	Horbach	Hunter	Huseman

Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Klemme	Kramer
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Manternach
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Osterhaus	Paulsen	Petersen	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Sands	Schickel	Shultz
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
Roberts, Presiding			

The nays were, none.

Absent or not voting, 3:

De Boef	Jones	Shomshor
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Regular Calendar

[Senate File 2202](#), a bill for an act relating to meningococcal disease vaccination information for students who are enrolled in an institution of higher learning that has an on-campus dormitory or residence hall, and providing for related matters, with report of committee recommending amendment and passage, was taken up for consideration.

Dennis of Black Hawk 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?" ([S.F. 2202](#))

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Carroll	Chambers	Cohoon
Connors	Dandekar	Davitt	Dennis

Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greimann	Greiner	Hahn
Hanson	Heaton	Heddens	Hoffman
Hogg	Horbach	Hunter	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Klemme	Kramer
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Manternach
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Osterhaus	Paulsen	Petersen	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	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
Roberts, Presiding			

The nays were, none.

Absent or not voting, 3:

De Boef	Jones	Shomshor
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[Senate File 2257](#), a bill for an act relating to the use of credit information for underwriting or rating risks for personal insurance and providing an applicability date, with report of committee recommending passage, was taken up for consideration.

Hoffman of Crawford 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?" ([S.F. 2257](#))

The ayes were, 97:

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Boggess
Bukta	Carroll	Chambers	Cphoon

Connors	Dandekar	Davitt	Dennis
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greimann	Greiner	Hahn
Hanson	Heaton	Heddens	Hoffman
Hogg	Horbach	Hunter	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Klemme	Kramer
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Manternach
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Osterhaus	Paulsen	Petersen	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	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
Roberts, Presiding			

The nays were, none.

Absent or not voting, 3:

De Boef Jones Shomshor

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

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 29, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2362](#), a bill for an act relating to the duties of the birth defects institute by providing for a work group to study stillbirths and renaming the institute.

Also: That the Senate has on March 29, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2450](#), a bill for an act relating to real property, including acknowledgments of real property conveyances and limitations on causes of action concerning real property.

Also: That the Senate has on March 29, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2464](#), a bill for an act providing for the establishment and funding of an automated external defibrillator grant program, and providing an effective date.

Also: That the Senate has on March 29, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2479](#), a bill for an act relating to the regulation and zoning of commercial canine operations.

Also: That the Senate has on March 29, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2490](#), a bill for an act relating to the uniform electronic transactions Act.

Also: That the Senate has on March 29, 2004, passed the following bill in which the concurrence of the Senate was asked:

[House File 2506](#), a bill for an act relating to electronic and facsimile prescriptions and making penalties applicable.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILL

[House File 2558](#), by Gipp, a bill for an act relating to crimes against members of the species homo sapiens at any stage of development and making penalties applicable.

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

SENATE MESSAGE CONSIDERED

[Senate File 2288](#), by committee on appropriations, a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

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

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: [House File 2553](#) and [Senate Files 371, 2202 and 2257](#).

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 29, 2004, he approved and transmitted to the Secretary of State the following bills:

[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.

[House File 2325](#), an Act relating to raising an ineffective assistance of counsel claim against an attorney in a criminal case on appeal.

[House File 2373](#), an Act providing for the inapplicability of provisions regulating licensed real estate brokers and salespersons to auctioneers under specified circumstances, and providing penalties.

[House File 2403](#), an Act providing for the administration of fairs, providing for the allocation of moneys, and providing for an effective date.

[Senate Joint Resolution 2007](#), 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.

[Senate File 2070](#), 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.

[Senate File 2118](#), an Act regarding public utility rights-of-way and providing an effective date.

[Senate File 2167](#), an Act relating to the Iowa Probate Code, including provisions relating to estate recovery of medical assistance benefits, the power to disclaim property interests, and trusts.

[Senate File 2199](#), an Act relating to residential landlord-tenant law, by making certain changes concerning family violence and domestic abuse.

PRESENTATION OF VISITORS

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

Several students from Girl Scout Troup 171, Ankeny, Iowa. By Boal of Polk.

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF COMMERCE

The Iowa Alcoholic Beverage Division Fiscal Year 2003 Annual Report, pursuant to Chapter 123.4, Code of Iowa.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Fiscal year 2003 annual Community Economic Betterment Account report, pursuant to Chapter 15.315, 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\915 | Lois A. Boeyink, Pella – For being selected as the Central District Elementary School Physical Educator of the Year by the National Association for Sports and Physical Education (NASPE) in acknowledgment for her outstanding teaching performance at the elementary level. |
| 2004\916 | Frank and Mabel Garcia, Oelwein – For celebrating their 50 th wedding anniversary. |
| 2004\917 | Aaron Clark, Johnston High School – For being named a State of Iowa Scholar. |
| 2004\918 | David Blume, Johnston High School – For being named a State of Iowa Scholar. |

- 2004\919 Laura Copeland, Johnston High School – For being named a State of Iowa Scholar.
- 2004\920 Jeremy Cordes, Johnston High School – For being named a State of Iowa Scholar.
- 2004\921 Sarah Eckhart, Johnston High School – For being named a State of Iowa Scholar.
- 2004\922 Katie Hlavka, Johnston High School – For being named a State of Iowa Scholar.
- 2004\923 Adam Hsu, Johnston High School – For being named a State of Iowa Scholar.
- 2004\924 Bryan Junge, Johnston High School – For being named a State of Iowa Scholar.
- 2004\925 Melissa King, Johnston High School – For being named a State of Iowa Scholar.
- 2004\926 Kurt Larson, Johnston High School – For being named a State of Iowa Scholar.
- 2004\927 Ning Lu, Johnston High School – For being named a State of Iowa Scholar.
- 2004\928 Kyle Mandsager, Johnston High School – For being named a State of Iowa Scholar.
- 2004\929 Keegan McAllister, Johnston High School – For being named a State of Iowa Scholar.
- 2004\930 Charlotte Richter, Johnston High School – For being named a State of Iowa Scholar.
- 2004\931 Kelsey Rupp, Johnston High School – For being named a State of Iowa Scholar.
- 2004\932 Christopher Sigmund, Johnston High School – For being named a State of Iowa Scholar.
- 2004\933 Laura Stoeker, Johnston High School – For being named a State of Iowa Scholar.
- 2004\934 Scott Walter, Johnston High School – For being named a State of Iowa Scholar.
- 2004\935 Stephanie Wilmore, Johnston High School – For being named a State of Iowa Scholar.

- 2004\936 Kathleen Greenwood, North Polk High School – For being named a State of Iowa Scholar.
- 2004\937 Melissa Reinhart, North Polk High School – For being named a State of Iowa Scholar.
- 2004\938 Emily Fairchild, Saydel High School – For being named a State of Iowa Scholar.
- 2004\939 Alicia Johnson, Bondurant-Farrar High School – For being named a State of Iowa Scholar.
- 2004\940 Matthew Smelser, Bondurant-Farrar High School – For being named a State of Iowa Scholar.
- 2004\941 Lacy Cummings, Collins-Maxwell High School – For being named a State of Iowa Scholar.
- 2004\942 Lindsay Bennett, Dallas Center-Grimes Community High School – For being named a State of Iowa Scholar.
- 2004\943 Matthew Hauge, Dallas Center-Grimes Community High School – For being named a State of Iowa Scholar.
- 2004\944 Bryan Leppert, Dallas Center-Grimes Community High School – For being named a State of Iowa Scholar.
- 2004\945 Ashley Hollnigshead, Saydel High School – For being named a State of Iowa Scholar.
- 2004\946 Jennifer Howard, Saydel High School – For being named a State of Iowa Scholar.
- 2004\947 St. Edmonds High School Boys Basketball Team, Fort Dodge – For receiving 2nd place in the Class 2A Division of the State Boys Basketball Tournament.
- 2004\948 Mike Rector, Cardinal Stritch High School – For being named to the SEI Superconference South Division second team in boys basketball.
- 2004\949 Thomas Frey, Keokuk Cardinal Stritch High School – For having earned First Team basketball honors in the SEI Superconference South Division.
- 2004\950 Andrew Ellingboe, Donnellson Central Lee High School – For having earned Second Team basketball honors in the SEI Superconference West Division.
- 2004\951 Garrett Reising, Donnellson Central Lee High School – For having earned First Team basketball honors in the SEI Superconference West Division.

- 2004\952 Jordan Kramer, Donnellson Central Lee High School – For having earned First Team basketball honors in the SEI Superconference West Division.
- 2004\953 Haley Miller, Keokuk High School – For earning Second Team honors in the Southeast Conference in girls basketball and the Chief's second leading scorer.
- 2004\954 Jessica Miller, Keokuk High School – For being named to the First Team Girls Basketball Team for the second consecutive season of the Southeast Conference.
- 2004\955 Courtney Boyd, Keokuk High School – For being named Most Valuable girls basketball player of the Southeast Conference.
- 2004\956 Alex Hedrick, Council Bluffs – For receiving 2nd place in the 8-9th grade category for Best Essay on Women in Science and Engineering in the "Write Women Back Into History" Essay Contest.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2209](#)

Human Resources: Boddicker, Chair; Greimann and Upmeyer.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 726](#)

Ways and Means: Drake, Chair; Huser and Lalk.

[House Study Bill 727](#)

Ways and Means: Kramer, Chair; Carroll and Shomshor.

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 COMMERCE, REGULATION AND LABOR

[Senate File 2119](#), a bill for an act relating to collateral required to be pledged by banks to the treasurer of state in order to secure the deposit of public moneys.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment** [H-8331](#) March 24, 2004.

[Senate File 2183](#), a bill for an act relating to asset disregard under the medical assistance program for the purchase of a qualified long-term care insurance policy, providing for a repeal, and providing a contingent effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment** [H-8329](#) March 24, 2004.

COMMITTEE ON EDUCATION

[Senate File 2174](#), a bill for an act relating to the appointment of the ninth member of the state board of regents.

Fiscal Note is not required.

Recommended **Do Pass** March 24, 2004.

[Senate File 2246](#), a bill for an act requiring the board of directors of a school district to adopt a student promotion policy to support student reading at grade level, providing for related matters, and providing an effective date and for the Act's applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment** [H-8325](#) March 24, 2004.

COMMITTEE ON HUMAN RESOURCES

[Senate File 2209](#), a bill for an act relating to the content of immunizations, and making a penalty applicable.

Fiscal Note is not required.

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

COMMITTEE ON JUDICIARY

[Senate File 2235](#), a bill for an act establishing a uniform mediation Act.

Fiscal Note is not required.

Recommended **Failed to Pass** March 25, 2004.

[Senate File 2275](#), a bill for an act relating to criminal sentencing practice and procedure.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment** [H-8328](#) March 25, 2004.

Committee Bill (Formerly [House Study Bill 551](#)), relating to reopening a judgment and sentence for a person serving a sentence that requires the maximum accumulation of earned time credits of fifteen percent of the total sentence of confinement.

Fiscal Note is not required.

Recommended **Failed to Pass** March 3, 2004.

COMMITTEE ON PUBLIC SAFETY

[Senate File 2101](#), a bill for an act relating to receiving a precursor substance or possessing a product to be used in the unlawful manufacture of a controlled substance.

Fiscal Note is not required.

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

[Senate File 2154](#), a bill for an act relating to parties to whom traffic citations are issued for failure to obey school bus warning devices.

Fiscal Note is not required.

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

[Senate File 2233](#), a bill for an act eliminating a provision allowing a criminal offender to make a donation in lieu of performing community service.

Fiscal Note is not required.

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

[Senate File 2249](#), a bill for an act regulating contest events involving animals, and providing a penalty and effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-8335** March 25, 2004.

[Senate File 2272](#), a bill for an act relating to detaining or the placement of criminal defendants who are mentally incompetent or dangerous.

Fiscal Note is not required.

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

[Senate File 2278](#), a bill for an act creating medical parole for certain persons committed to the custody of the department of corrections, and providing an effective date.

Fiscal Note is not required.

Recommended **Without Recommendation** March 25, 2004.

RESOLUTIONS FILED

[HR 148](#), by Paulsen, a resolution honoring the town of Center Point and its surrounding community on the town's sesquicentennial year.

Laid over under **Rule 25**.

[HR 149](#), by Heaton and Whitaker, a resolution encouraging the adoption of the Iowa tartan and the Iowa dress tartan as official state tartans.

Laid over under **Rule 25**.

[HR 150](#), by Boal, a resolution recognizing Parents' Day.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8325	S.F. 2246	Committee on Education
H-8326	S.F. 2149	Paulsen of Linn
H-8328	S.F. 2275	Committee on Judiciary
H-8329	S.F. 2183	Committee on Commerce, Regulation and Labor
H-8330	H.F. 2548	Alons of Sioux
H-8331	S.F. 2119	Committee on Commerce, Regulation and Labor
H-8332	S.F. 2066	McCarthy of Polk
H-8333	H.F. 2281	Senate Amendment
H-8334	S.F. 2177	Upmeyer of Hancock
H-8335	S.F. 2249	Committee on Public Safety
H-8336	S.F. 2179	Raecker of Polk

On motion by Gipp of Winneshiek the House adjourned at 5:00 p.m., until 8:45 a.m., Tuesday, March 30, 2004.