

PROOF

STATE OF IOWA

House Journal

THURSDAY, JANUARY 22, 2004

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JOURNAL OF THE HOUSE

Eleventh Calendar Day - Eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, January 22, 2004

The House met pursuant to adjournment at 8:45 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Spencer D. Keroff, pastor of the Centerville Assembly of God Church, Centerville. He was the guest of Representative Kurt Swaim of Davis County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, January 21, 2004 was approved.

INTRODUCTION OF BILLS

House File 2058, by Swaim, a bill for an act relating to filling the office of county attorney by appointment.

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

House File 2059, by Quirk, a bill for an act prohibiting consideration of certain traffic accidents occurring in the course of a peace officer's employment in establishment of motor vehicle insurance rates.

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

House File 2060, by Carroll, a bill for an act relating to business relationships between persons involved in the sale of personal mobile vehicles, including motorcycles, all-terrain vehicles, snowmobiles, and personal watercraft, and providing for applicability.

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

House File 2061, by Lalk, Lukan, Paulsen, Greiner, Freeman, Horbach, Chambers, Wise, Huser, Connors, Wilderdyke, Hanson, Kurtenbach, Thomas, Huseman, Dolecheck, Upmeyer, Alons, J. R. Van Fossen, Gaskill, Hahn, Dennis, Hutter, Drake, S. Olson, Jones, J. K. Van Fossen, Raecker, Roberts, Van Engelenhoven, Arnold, Kramer, Rayhons, Schickel, Tjepkes, Boddicker, Heaton, Boggess, Sands, Granzow, Klemme, Boal, Tymeson, Struyk, Whitaker, Carroll, Osterhaus, Lykam, Whitead, Manternach, Watts, Wendt, Baudler, McCarthy, and De Boef, a bill for an act concerning eligibility requirements for payment of a volunteer emergency services provider death benefit resulting from a heart attack or stroke.

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

House File 2062, by Whitaker, Wendt, Greiner, Connors, Fallon, Frevert, Struyk, Mertz, Chambers, Davitt, Lukan, Reasoner, Baudler, and Jacoby, a bill for an act increasing the damages payable upon conviction of certain unlawful activities involving antlered deer.

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

House File 2063, by Shoultz, a bill for an act establishing motor vehicle registration fees for hybrid vehicles.

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

House File 2064, by Freeman, a bill for an act relating to the regulation of vessels by increasing certain vessel registration fees, regulating the operation of certain vessels by minors, providing for increased inspections of certain vessels, increasing pilot and engineer licensing fees, appropriating the moneys collected to the state fish and game protection fund, and specifying the use of the moneys.

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

House File 2065, by Kramer, Wilderdyke, Connors, and Raecker, a bill for an act relating to licensing of nonresident bait dealers.

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

House File 2066, by Maddox, a bill for an act providing an additional homestead property tax credit reimbursement payment for certain consolidated local governments.

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

House File 2067, by Swaim, 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.

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

On motion by Gipp of Winneshiek, the House was recessed at 8:52 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:01 p.m., Speaker pro tempore Carroll in the chair.

INTRODUCTION OF BILLS

House File 2068, by Carroll, a bill for an act changing the budget certification deadline for counties and providing an applicability date.

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

House File 2069, by Quirk, a bill for an act relating to an exemption from the sales and use taxes of building materials used in the construction of certain nonprofit hospitals, providing refunds, and including effective and retroactive date provisions.

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

House File 2070, by Jenkins, Dennis and Kurtenbach, a bill for an act relating to the financing and approval of projects utilizing revenue bonds undertaken at institutions of higher education under the control of the state board of regents.

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

House File 2071, by Lalk, a bill for an act requiring the natural resource commission to increase the number of nonresident deer hunting licenses available.

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

HOUSE FILES WITHDRAWN

Gipp of Winneshiek asked and received unanimous consent to withdraw the following House Files:

House Joint Resolution 10
 House Joint Resolution 11
 House File 517
 House File 528
 House File 669
 House File 691

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed seventy-seven members present, twenty-three absent.

CONSIDERATION OF BILLS Appropriations Calendar

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, was taken up for consideration.

Dix of Butler offered amendment H-8002 filed by him as follows:

H-8002

1 Amend House File 2039 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 "Sec. 100. CASH RESERVE TRANSFER TO GENERAL FUND.
 5 Notwithstanding any conflicting provisions of section
 6 8.56, there is transferred from the cash reserve fund
 7 created in section 8.56, to the general fund of the
 8 state for the fiscal year beginning July 1, 2002, and
 9 ending June 30, 2003, the following amount:
 10 \$ 45,828,000"
 11 2. Page 1, line 10, by striking the word
 12 "Section" and inserting the following:
 13 "1. Section 100 of this Act, providing a cash
 14 reserve transfer to the general fund of the state,
 15 being deemed of immediate importance, takes effect

16 upon enactment and is retroactively applicable to June
17 30, 2003.
18 2. Section".
19 3. Title page, line 1, by inserting after the
20 words "relating to" the following: "state budget
21 provisions involving the ending balance in the general
22 fund of the state and".
23 4. Title page, line 1, by inserting after the
24 word "limitation" the following: "by transferring
25 funds from the cash reserve fund and".
26 5. By renumbering as necessary.

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

The House resumed session at 1:37 p.m., Speaker pro tempore Carroll in the chair.

Hogg of Linn offered the following amendment H-8007, to amendment H-8002, filed by Hogg and Wise of Lee from the floor and moved its adoption:

H-8007

1 Amend the amendment, H-8002, to House File 2039 as
2 follows:
3 1. Page 1, by inserting after line 10, the
4 following:
5 "____. Page 1, by inserting after line 9, the
6 following:
7 "Sec. ____ Section 8.56, Code Supplement 2003, is
8 amended by adding the following new subsection:
9 NEW SUBSECTION. 5. Notwithstanding conflicting
10 provisions of this section, there is appropriated from
11 the cash reserve fund to the general fund of the state
12 for a fiscal year, an amount not to exceed fifty
13 million dollars, for the purposes of reducing or
14 preventing any overdraft on or deficit in the general
15 fund of the state. An appropriation made pursuant to
16 this subsection is subject to all of the following
17 conditions:
18 a. The revenue estimating conference has agreed to
19 an estimate for reduced general fund receipts for the
20 fiscal year in progress that results in a
21 determination that budget resources are insufficient
22 to pay all appropriations in full.
23 b. The appropriation expenditure is made only for
24 the fiscal year to which the appropriation applies and
25 the general assembly is not in session.
26 c. The governor determines that the expenditure of
27 the appropriation is a necessary alternative to

28 applying uniform reductions in accordance with section
 29 8.31. Prior to the expenditure of an appropriation
 30 made under this subsection, the governor shall notify
 31 the cochairpersons of the fiscal committee of the
 32 legislative council and the legislative services
 33 agency that the conditions described in this
 34 subsection exist."
 35 2. By renumbering as necessary.

Amendment H-8007 lost.

Dix of Butler moved the adoption of amendment H-8002.

Roll call was requested by Murphy of Dubuque and Fallon of Polk.

On the question "Shall amendment H-8002 be adopted?" (H.F. 2039)

The ayes were, 97:

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

The nays were, none.

Absent or not voting, 3:

Ford	Osterhaus	Rants, Spkr.
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Amendment H-8002 was adopted.

Kuhn of Floyd offered the following amendment H-8004 filed by him and moved its adoption:

H-8004

1 Amend House File 2039 as follows:

2 1. Page 1, by inserting before line 1, the
3 following:

4 "Sec. ____ Section 8.54, subsection 1, Code 2003,
5 is amended by adding the following new paragraph
6 before paragraph a and relettering the succeeding
7 paragraphs:

8 NEW PARAGRAPH. 1a. "Actual revenue" is the amount
9 of revenue credited to the general fund of the state
10 during a designated period."

11 2. Page 1, by striking lines 6 through 9, and
12 inserting the following:

13 "3. Except as otherwise provided in this section,
14 the state general fund expenditure limitation for a
15 fiscal year shall be one of the following:

16 a. If, at the time the revenue estimating
17 conference agrees to a revenue estimate used to
18 establish the appropriate adjusted revenue estimate
19 for a fiscal year, the conference agrees to an
20 estimate for the amount of revenue to be credited to
21 the general fund of the state during the fiscal year
22 in progress that is more than one hundred two percent
23 of the actual revenue credited to the general fund of
24 the state at the close of the most recently completed
25 fiscal year, the state general fund expenditure
26 limitation shall be ninety-eight percent of the
27 adjusted revenue estimate.

28 b. If, at the time the revenue estimating
29 conference agrees to a revenue estimate used to
30 establish the appropriate adjusted revenue estimate
31 for a fiscal year, the conference agrees to an
32 estimate for the amount of revenue to be credited to
33 the general fund of the state during the fiscal year
34 in progress that is one hundred two percent or less of
35 the actual revenue credited to the general fund of the
36 state at the close of the most recently completed
37 fiscal year, the state general fund expenditure
38 limitation shall be ninety-nine percent of the
39 adjusted revenue estimate."

Roll call was requested by Kuhn of Floyd and Fallon of Polk.

On the question "Shall amendment H-8004 be adopted?" (H.F. 2039)

The ayes were, 41:

Bell	Berry	Bukta	Cohoon
Connors	Davitt	Fallon	Foege
Frevert	Gaskill	Greimann	Heddens
Hogg	Hunter	Jacoby	Jochum
Kuhn	Lensing	Lykam	Mascher
McCarthy	Miller	Murphy	Oldson
Olson, D.	Petersen	Quirk	Reasoner
Shomshor	Shoultz	Smith	Stevens
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Wendt	Whitaker	Whitead
Winckler			

The nays were, 56:

Alons	Arnold	Baudler	Boal
Boddicker	Bogges	Chambers	Dandekar
De Boef	Dennis	Dix	Dolecheck
Drake	Eichhorn	Elgin	Freeman
Gipp	Granzow	Greiner	Hahn
Hanson	Heaton	Hoffman	Horbach
Huseman	Huser	Hutter	Jacobs
Jenkins	Jones	Klemme	Kramer
Kurtenbach	Lalk	Lukan	Maddox
Manternach	Mertz	Olson, S.	Paulsen
Raecker	Rasmussen	Rayhons	Roberts
Sands	Schickel	Struyk	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Wise	Carroll, Presiding

Absent or not voting, 3:

Ford	Osterhaus	Rants, Spkr.
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Amendment H-8004 lost.

Heaton of Henry offered amendment H-8003 filed by Heaton and Dix of Butler as follows:

H-8003

- 1 Amend House File 2039 as follows:
- 2 1. Page 1, by inserting after line 9 the

3 following:

4 "Sec. ____ Section 8.57, Code Supplement 2003, is
5 amended by adding the following new subsection:

6 NEW SUBSECTION. 1A. a. There is appropriated
7 from the surplus existing in the general fund of the
8 state at the conclusion of the fiscal year beginning
9 July 1, 2005, and ending June 30, 2006, and at the
10 conclusion of each succeeding fiscal year for
11 distribution to the senior living trust fund, an
12 amount equal to one percent of the adjusted revenue
13 estimate for the current fiscal year. The
14 appropriation made in this paragraph shall be
15 distributed to the senior living trust fund in the
16 succeeding fiscal year. For the purposes of this
17 subsection, "surplus" means the same as defined in
18 subsection 1, paragraph "b".

19 b. The appropriation made in paragraph "a" shall
20 be made before the appropriations are made pursuant to
21 subsections 1, 2, and 3, of the surplus existing in
22 the general fund of the state at the conclusion of the
23 fiscal year beginning July 1, 2005, and ending June
24 30, 2006, and each succeeding fiscal year.

25 c. The appropriation made in paragraph "a" shall
26 continue until the aggregate of the appropriations
27 made or transferred to the senior living trust fund
28 pursuant to paragraph "a" of this subsection and
29 section 8.55, subsection 2, paragraph "c", is equal to
30 one hundred eighteen million dollars.

31 d. The aggregate amount of the appropriations to
32 be transferred from the Iowa economic emergency fund
33 to the senior living trust fund pursuant to section
34 8.55, subsection 2, paragraph "c", shall be reduced by
35 the appropriations made pursuant to paragraph "a" of
36 this subsection.

37 e. This subsection is repealed when the aggregate
38 amount of appropriations specified in paragraph "c"
39 has been distributed or transferred to the senior
40 living trust fund. The director of the department of
41 management shall notify the Iowa Code editor when the
42 aggregate amount has been distributed or transferred."

43 2. Title page, line 2, by inserting after the
44 word "limitation" the following: ", providing for a
45 standing limited appropriation to the senior living
46 trust fund,".

47 3. By renumbering as necessary.

Kurtenbach of Story offered the following amendment H-8006, to amendment H-8003, filed by him from the floor and moved its adoption:

H-8006

1 Amend the amendment, H—8003, to House File 2039 as
2 follows:

3 1. Page 1, line 13, by inserting after the word
4 "year," the following: "However, if the amount of the
5 surplus existing in the general fund of the state at
6 the conclusion of a fiscal year is less than two
7 percent of the adjusted revenue estimate for that
8 fiscal year, the amount of the appropriation made in
9 this paragraph shall be equal to fifty percent of the
10 surplus amount."

Amendment H-8006 was adopted.

Heaton of Henry moved the adoption of amendment H-8003, as amended.

Roll call was requested by Murphy of Dubuque and Mascher of Johnson.

On the question "Shall amendment H-8003, as amended, be adopted?" (H.F. 2039)

The ayes were, 97:

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

The nays were, none.

Absent or not voting, 3:

Ford Osterhaus Rants, Spkr.

Amendment H-8003, as amended, was adopted.

Wise of Lee offered the following amendment H-8005 filed by Wise, et al., and moved its adoption:

H-8005

1 Amend House File 2039 as follows:
2 1. Page 1, by inserting after line 9 the
3 following:
4 "Sec. 200. Section 8.55, subsection 2, paragraph
5 a, as enacted by 2002 Iowa Acts, Second Extraordinary
6 Session, chapter 1001, section 25, and as made
7 effective by 2003 Iowa Acts, chapter 179, section 40,
8 is amended to read as follows:
9 a. The maximum balance of the fund is the amount
10 equal to ~~two and one-half~~ five percent of the adjusted
11 revenue estimate for the fiscal year. If the amount
12 of moneys in the Iowa economic emergency fund is equal
13 to the maximum balance, moneys in excess of this
14 amount shall be transferred to the general fund."
15 2. Page 1, by inserting after line 20 the
16 following:
17 "Sec. _____. CONTINGENT EFFECTIVE DATE. Section 200
18 of this Act, amending Code section 8.55, takes effect
19 on July 1 of the fiscal year immediately following the
20 fiscal year in which all transfers have been made from
21 the Iowa economic emergency fund, as required by
22 section 8.55, subsection 2, paragraphs "b", "c", and
23 "d". The director of the department of management
24 shall notify the Iowa Code editor when the transfers
25 have been made."
26 3. By renumbering as necessary.

Roll call was requested by Murphy of Dubuque and T. Taylor of Linn.

On the question "Shall amendment H-8005 be adopted?" (H.F. 2039)

The ayes were, 47:

Bell	Berry	Bukta	Cohoon
Connors	Dandekar	Davitt	Drake
Eichhorn	Fallon	Foege	Frevert
Gaskill	Greimann	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Petersen	Quirk
Reasoner	Shomshor	Shoultz	Smith
Stevens	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Whitaker
Whitead	Winckler	Wise	

The nays were, 50:

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

Absent or not voting, 3:

Ford	Osterhaus	Rants, Spkr.
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Amendment H-8005 lost.

Wise of Lee offered the following amendment H-8001 filed by him and moved its adoption:

H-8001

- 1 Amend House File 2039 as follows:
- 2 1. Page 1, by striking lines 10 through 20, and
- 3 inserting the following:
- 4 "Sec. ___. CONTINGENT EFFECTIVE DATE -

5 APPLICABILITY. If, on the date the revenue estimating
6 conference meets to agree to the revenue estimate for
7 the following fiscal year pursuant to section 8.22A,
8 subsections 3 and 4, both the actual total revenues
9 and the actual sales and use tax revenues credited to
10 the general fund of the state during the most recently
11 available twelve-month period exceed by two percent or
12 more both the actual total revenues and the actual
13 sales and use tax revenues credited to the general
14 fund of the state, respectively, during the twelve
15 months immediately preceding that period, section 1 of
16 this Act, amending section 8.54, shall take effect on
17 that date. Section 1 of this Act is first applicable
18 to the expenditure limitation calculated in accordance
19 with section 8.54 for the fiscal year succeeding the
20 fiscal year in which section 1 of this Act takes
21 effect. The revenue estimating conference shall
22 notify the Code editor in writing of the date that the
23 conditions for the effectiveness of section 1 of this
24 Act were met."
25 2. Title page, line 3, by inserting after the
26 word "including" the following: "contingent".
27 3. By renumbering as necessary.

Roll call was requested by Wise of Lee and T. Taylor of Linn.

On the question "Shall amendment H-8001 be adopted?" (H.F. 2039)

The ayes were, 45:

Bell	Berry	Bukta	Cohoon
Connors	Dandekar	Davitt	Foege
Frevert	Gaskill	Greimann	Heaton
Heddens	Hogg	Hunter	Huser
Jacoby	Jochum	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Petersen	Quirk	Reasoner	Shomshor
Shoultz	Smith	Stevens	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Whitaker	Whitead	Winckler
Wise			

The nays were, 52:

Alons	Arnold	Baudler	Boal
Boddicker	Bogess	Chambers	De Boef
Dennis	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Freeman
Gipp	Granzow	Greiner	Hahn

Hanson	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jenkins	Jones
Klemme	Kramer	Kurtenbach	Lalk
Lukan	Maddox	Manternach	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Tjepkes
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wilderdyke	Carroll, Presiding

Absent or not voting, 3:

Ford Osterhaus Rants, Spkr.

Amendment H-8001 lost.

Dix of Butler 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. 2039)

The ayes were, 60:

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

The nays were, 38:

Bell	Berry	Bukta	Cohoon
Connors	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Greimann
Heddens	Hunter	Huser	Jacoby
Jochum	Kuhn	Lensing	Lykam
Mascher	McCarthy	Miller	Murphy
Oldson	Olson, D.	Petersen	Shomshor

Shoultz
Taylor, T.
Winckler

Smith
Wendt
Wise

Stevens
Whitaker

Taylor, D.
Whitead

Absent or not voting, 2:

Osterhaus

Rants, Spkr.

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

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that **House File 2039** be immediately messaged to the Senate.

HOUSE FILES 142 and 626 WITHDRAWN

Dix of Butler asked and received unanimous consent to withdraw House Files 142 and 626 from further consideration by the House.

HOUSE FILE 2053 REREFERRED

The Speaker announced that House File 2053, previously referred to committee on **Local Government** was rereferred to committee on **Environmental Protection**.

COMMUNICATIONS RECEIVED

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

BOARD OF REGENTS

Annual Report on the Beginning Farmer Center at Iowa State University, pursuant to Chapter 266.39E, Code of Iowa.

DEPARTMENT OF HUMAN SERVICES

Report identifying the impact on the hawk-i program of the elimination of the six-month waiting period for children with employer sponsored insurance, pursuant to Chapter 514.7(g), Code of Iowa.

IOWA JUDICIAL BRANCH

Report concerning the Enhanced Court Collections Fund and the Court Technology and Modernization fund, pursuant to Chapter 173.1(7), Code of Iowa.

IOWA VETERANS HOME

2003 Annual Cost-Savings Report on Iowa Communications Network usage, pursuant to Chapter 8D.10, 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\123 Jamie Brejcha, Ankeny – For being selected as the Ankeny Community School District, Elementary School 2004 AEA Educator of the Year.
- 2004\124 Mary McMurry, Ankeny – For being selected as the Ankeny Community School District, Secondary School 2004 AEA Educator of the Year.
- 2004\125 Terry Peter, Ankeny – For being selected as Ankeny Chamber of Commerce 2003 Small Business Person of the Year.
- 2004\126 Kevin Koester, Ankeny – For being selected as the Ankeny Chamber of Commerce 2003 Outstanding Citizen of the Year.
- 2004\127 Albert and Viola Harms, Sioux City – For celebrating their 75th wedding anniversary.
- 2004\128 Marylin and Joe Shipley, Ottumwa – For celebrating their 50th wedding anniversary.
- 2004\129 Alvin and Darlene Segebart, Ida Grove – For celebrating their 50th wedding anniversary.
- 2004\130 Dorothy Pope, Battle Creek – For celebrating her 90th birthday.
- 2004\131 Evelyn Stallers, Denison – For celebrating her 90th birthday.
- 2004\132 Gladys Wiegel, Denison – For celebrating her 80th birthday.
- 2004\133 Ben Siemer, Dow City – For celebrating his 90th birthday.
- 2004\134 Martha Timm, Charter Oak – For celebrating her 100th birthday.
- 2004\135 Pauline Allen, Ottumwa – For celebrating her 80th birthday.
- 2004\136 George Leonard, Holstein – For celebrating his 80th birthday.

- 2004\137 Mary Millard, Ottumwa – For celebrating her 80th birthday.
2004\138 William Covert, Ottumwa – For celebrating his 80th birthday.
2004\139 Betty Kinney, Ottumwa – For celebrating her 80th birthday.
2004\140 Carl Shepherd, Ottumwa – For celebrating his 80th birthday.
2004\141 Jean Zollars, Ottumwa – For celebrating her 80th birthday.

SUBCOMMITTEE ASSIGNMENTS

House File 259

Judiciary: Maddox, Chair; Hutter and Reasoner.

House File 433

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

House File 566

Judiciary: Maddox, Chair; Paulsen and Swaim.

House File 573

Judiciary: Maddox, Chair; Dennis and Swaim.

House File 580

Judiciary: Maddox, Chair; Eichhorn and Winckler.

House File 581

Judiciary: Maddox, Chair; Paulsen and Swaim.

House File 587

Judiciary: Eichhorn, Chair; Paulsen and Winckler.

House File 607

Judiciary: Maddox, Chair; Heaton and Reasoner.

House File 635

Judiciary: Maddox, Chair; Boal and Reasoner.

House File 693 Reassigned

Education: Roberts, Chair; Boal, Dandekar, Dolecheck, Mascher, Schickel and Winckler.

House File 2049

Natural Resources: Arnold, Chair; Bell and Rayhons.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 535

Economic Growth: Lukan, Chair; Olson, D. and Wilderdyke.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 536 Local Government

Relating to the determination of the cost for access to a public record in an electronic format.

H.S.B. 537 Commerce, Regulation and Labor

Relating to the reorganization of the division of banking of the department of commerce and its regulation of banking.

H.S.B. 538 Commerce, Regulation and Labor

Relating to housing assistance and improvement funds.

H.S.B. 539 Judiciary

Relating to payment of legal expenses for indigent persons by the state public defender.

H.S.B. 540 Judiciary

Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

H.S.B. 541 Transportation

Relating to duties and activities of the state department of transportation, including the registration and titling of motor vehicles, and providing effective dates.

RESOLUTION FILED

HCR 104, by committee on appropriations, a concurrent resolution urging state employee unions and the Governor to renegotiate and establish a pay freeze for the fiscal year beginning July 1, 2004.

Placed on the **appropriations calendar**.

On motion by Gipp of Winneshiek the House adjourned at 3:14 p.m., until 9:00 a.m., Friday, January 23, 2004.