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**STATE OF IOWA**

**House Journal**

**TUESDAY, FEBRUARY 17, 2004**

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

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## JOURNAL OF THE HOUSE

Thirty-seventh Calendar Day - Twenty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 17, 2004

The House met pursuant to adjournment at 8:43 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend LaTanya Harrell, pastor of St. Mark's Methodist Church, Evansdale. She was the guest of Representative Deborah Berry from Black Hawk County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, February 16, 2004 was approved.

### INTRODUCTION OF BILLS

[House File 2272](#), by Lukan, a bill for an act concerning the sales and use taxes applicable to amounts received from bingo games operated by certain tax-exempt entities.

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

[House File 2273](#), by Shoultz, a bill for an act relating to mercury emissions for certain coal combustion electrical generators.

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

[House File 2274](#), by Wilderdyke, a bill for an act authorizing school districts to incur indebtedness and issue general obligation bonds for employee health benefit cost increases under specified circumstances.

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

[House File 2275](#), by Van Engelenhoven, a bill for an act relating to stormwater discharge permits issued by the department of natural resources.

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

[House File 2276](#), by Lukan, a bill for an act relating to the operation of bingo occasions within a structure or building.

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

[House File 2277](#), by Hogg, a bill for an act relating to the charging of second or subsequent domestic abuse assault offenses.

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

[House File 2278](#), by Greiner, a bill for an act providing for pathogens threatening animals and crops, and providing a penalty.

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

[House File 2279](#), by Hunter, Schickel, Jochum, T. Taylor, Connors, Bukta, De Boef and Murphy, a bill for an act relating to the provision of certain information for insureds regarding external review of health care coverage decisions.

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

[House File 2280](#), by Schickel, a bill for an act relating to counterfeit labels and trademarks, and providing penalties.

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

#### RULES SUSPENDED

Gipp of Winneshiek asked unanimous consent to suspend Rule 31.8 relating to timely filing of amendments; Rule 33, relating to the regular calendar; Rule 34, relating to the debate and special order

calendars; Rule 39, relating to the consideration of bills and Rule 61, relating to public hearings, and for the immediate consideration of [House File 2264](#).

Objection was raised.

Gipp of Winneshiek moved that the rules be suspended for the immediate consideration of [House File 2264](#).

Roll call was requested by Murphy of Dubuque and Shoultz of Black Hawk.

On the question "Shall the rules be suspended for the immediate consideration of [House File 2264](#)?"

The ayes were, 51:

Alons	Arnold	Baudler	Boal
Boddicker	Bogges	Carroll	Chambers
De Boef	Dennis	Dix	Dolecheck
Drake	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.R.
Watts	Wildurdyke	Mr. Speaker	
		Rants	

The nays were, 46:

Bell	Berry	Bukta	Cohoon
Connors	Dandekar	Eichhorn	Fallon
Foege	Ford	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		

Absent or not voting, 3:

Davitt                      Osterhaus                      Van Fossen, J.K.

The motion prevailed and the rules were suspended.

The House stood at ease at 9:01 a.m., until the fall of the gavel.

The House resumed session at 10:47 a.m., Speaker Rants in the chair.

#### QUORUM CALL

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

#### CONSIDERATION OF BILLS Appropriations Calendar

**House File 2264**, a bill for an act relating to education funding, providing for the establishment of the state percent of growth for purposes of the state school foundation program, providing for allocations for textbook and supply acquisition, making appropriations, and providing an applicability date, was taken up for consideration.

Wendt of Woodbury offered amendment **H-8024** filed by Wendt, et al., as follows:

#### H-8024

- 1 Amend **House File 2264** as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 257.8, subsection 1, Code
- 5 Supplement 2003, is amended to read as follows:
- 6 1. STATE PERCENT OF GROWTH. ~~The state percent of~~
- 7 ~~growth for the budget year beginning July 1, 2003, is~~
- 8 ~~two percent.~~ The state percent of growth for the
- 9 budget year beginning July 1, 2004, is two percent.
- 10 The state percent of growth for the budget year
- 11 beginning July 1, 2005, is four percent. The state
- 12 percent of growth for each subsequent budget year
- 13 shall be established by statute which shall be enacted
- 14 within thirty days of the submission in the year

15 preceding the base year of the governor's budget under  
16 section 8.21. The establishment of the state percent  
17 of growth for a budget year shall be the only subject  
18 matter of the bill which enacts the state percent of  
19 growth for a budget year.

20 Sec. 2. STUDENT ACHIEVEMENT AND TEACHER QUALITY  
21 PROGRAM. Notwithstanding section 257.8, subsection 1,  
22 it is the intent of the general assembly that the  
23 appropriation for the student achievement and teacher  
24 quality program established in section 284.1 for the  
25 fiscal year beginning July 1, 2005, shall be increased  
26 by at least \$44 million over the amount appropriated  
27 for the program for the fiscal year beginning July 1,  
28 2004.

29 Sec. 3. Notwithstanding the thirty-day deadline  
30 and restrictions for the enactment of the state  
31 percent of growth provided in section 257.8,  
32 subsection 1, such deadline and restrictions shall not  
33 apply to the Act enacted which establishes the state  
34 percent of growth during the 2004 Regular Session of  
35 the Eightieth General Assembly.

36 Sec. 4. APPLICABILITY. Section 1 of this Act is  
37 applicable for computing state aid under the state  
38 school foundation program for the school budget year  
39 beginning July 1, 2005."

40 2. Title page, by striking lines 1 through 5 and  
41 inserting the following: "An Act providing for the  
42 establishment of the state percent of growth for  
43 purposes of the state school foundation program,  
44 providing intent language regarding an appropriation  
45 for the student achievement and teacher quality  
46 program, and providing an applicability date."

Fallon of Polk asked and received unanimous consent to withdraw amendments [H-8029](#) and [H-8030](#), to amendment [H-8024](#), filed by him from the floor.

The House stood at ease at 12:21 p.m., until the fall of the gavel.

The House resumed session at 1:29 p.m., Speaker Rants in the chair.

Speaker pro tempore Carroll in the chair at 2:25 p.m.

#### QUORUM CALL

A record roll call was requested by Mascher of Johnson and Murphy of Dubuque to determine that a quorum was present.

One hundred members present

Alons	Arnold	Baudler	Bell
Berry	Boal	Boddicker	Bogges
Bukta	Chambers	Cohoon	Connors
Dandekar	Davitt	De Boef	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	Jones	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	Roberts	Sands
Schickel	Shomshor	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	Whitead	Whitaker
Wildurdyke	Winckler	Wise	Carroll, Presiding

Speaker Rants in the chair at 3:21 p.m.

Wendt of Woodbury moved the adoption of amendment [H-8024](#).

Roll call was requested by Wendt of Woodbury and Fallon of Polk.

On the question "Shall amendment [H-8024](#) be adopted?" ([H.F. 2264](#))

The ayes were, 47:

Bell	Berry	Bukta	Cohoon
Connors	Dandekar	Davitt	Fallon
Foege	Ford	Frevert	Gaskill
Greimann	Heddens	Hogg	Hunter
Huser	Jacoby	Jochum	Kuhn
Lensing	Lykam	Mascher	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Osterhaus	Petersen	Quirk
Reasoner	Shomshor	Shoultz	Smith
Stevens	Struyk	Swaim	Taylor, D.

Taylor, T. Whitead	Thomas Winckler	Wendt Wise	Whitaker
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The nays were, 53:

Alons	Arnold	Baudler	Boal
Boddicker	Boggess	Carrroll	Chambers
De Boef	Dennis	Dix	Dolecheck
Drake	Eichhorn	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
Mr. Speaker			
Rants			

Absent or not voting, none.

Amendment [H-8024](#) lost.

Fallon of Polk offered amendment [H-8026](#) filed by him from the floor as follows:

[H-8026](#)

1 Amend [House File 2264](#) as follows:  
2 1. By striking everything after the enacting  
3 clause and inserting the following:  
4 "Section 1. Section 257.8, subsection 1, Code  
5 Supplement 2003, is amended to read as follows:  
6 1. STATE PERCENT OF GROWTH. ~~The state percent of~~  
7 ~~growth for the budget year beginning July 1, 2003, is~~  
8 ~~two percent.~~ The state percent of growth for the  
9 budget year beginning July 1, 2004, is two percent.  
10 The state percent of growth for the budget year  
11 beginning July 1, 2005, is six percent. The state  
12 percent of growth for each subsequent budget year  
13 shall be established by statute which shall be enacted  
14 within thirty days of the submission in the year  
15 preceding the base year of the governor's budget under  
16 section 8.21. The establishment of the state percent  
17 of growth for a budget year shall be the only subject  
18 matter of the bill which enacts the state percent of  
19 growth for a budget year.  
20 Sec. 2. Notwithstanding the thirty-day deadline  
21 and restrictions for the enactment of the state



22 percent of growth provided in section 257.8,  
23 subsection 1, such deadline and restrictions shall not  
24 apply to the Act enacted which establishes the state  
25 percent of growth during the 2004 Regular Session of  
26 the Eightieth General Assembly.  
27 Sec. 3. APPLICABILITY. This Act is applicable for  
28 computing state aid under the state school foundation  
29 program for the school budget year beginning July 1,  
30 2005."  
31 2. Title page, by striking lines 1 through 5 and  
32 inserting the following: "An Act providing for the  
33 establishment of the state percent of growth for  
34 purposes of the state school foundation program, and  
35 providing an applicability date."

Wise of Lee offered the following amendment [H-8032](#), to  
amendment [H-8026](#), filed by him from the floor and moved its  
adoption:

[H-8032](#)

1 Amend the amendment, [H-8026](#), to [House File 2264](#), as  
2 follows:  
3 1. Page 1, by inserting after line 19 the  
4 following:  
5 "Sec. \_\_\_\_\_. Section 257.8, Code Supplement 2003, is  
6 amended by adding the following new subsection:  
7 NEW SUBSECTION. 7. ALLOCATION FOR STUDENT  
8 ACHIEVEMENT AND TEACHER QUALITY PROGRAM. For the  
9 budget year beginning July 1, 2005, from the  
10 appropriation attributable to the regular program  
11 allowable growth amount determined for the budget year  
12 beginning July 1, 2005, pursuant to subsection 2,  
13 there shall be allocated for the student achievement  
14 and teacher quality program pursuant to section 284.1  
15 the sum of forty-four million dollars. Amounts  
16 allocated pursuant to this subsection shall  
17 supplement, and not supplant, amounts otherwise  
18 appropriated for the program for the budget year  
19 beginning July 1, 2005. If the amount appropriated  
20 pursuant to section 257.16 after the allocation made  
21 pursuant to this subsection is less than the amount  
22 otherwise required pursuant to subsection 1, the  
23 difference shall be deducted from the payments that  
24 otherwise would have been required to be made to each  
25 school district in the same ratio that the budget  
26 enrollment of the school district for the budget year  
27 bears to the total budget enrollment in the state for  
28 that budget year."

Amendment [H-8032](#) lost.

The House stood at ease at 4:40 p.m., until the fall of the gavel.

The House resumed session at 5:03 p.m., Speaker Rants in the chair.

On motion by Fallon of Polk amendment [H-8026](#) lost.

Dix of Butler offered amendment [H-8025](#) filed by him from the floor as follows:

[H-8025](#)

- 1 Amend [House File 2264](#) as follows:
- 2 1. Page 2, by inserting after line 22 the
- 3 following:
- 4 "Sec. \_\_\_. Section 257.35, Code Supplement 2003,
- 5 is amended by adding the following new subsections:
- 6 **NEW SUBSECTION. 4.** Notwithstanding subsection 1,
- 7 and in addition to the reduction applicable pursuant
- 8 to subsection 2, the state aid for area education
- 9 agencies and the portion of the combined district cost
- 10 calculated for these agencies for the fiscal year
- 11 beginning July 1, 2004, and each succeeding fiscal
- 12 year, shall be reduced by the department of management
- 13 by eleven million seven hundred ninety-eight thousand
- 14 seven hundred three dollars. The reduction for each
- 15 area education agency shall be equal to the reduction
- 16 that the agency received in the fiscal year beginning
- 17 July 1, 2003.
- 18 **NEW SUBSECTION. 5.** Notwithstanding section
- 19 257.37, an area education agency may use the funds
- 20 determined to be available under this section in a
- 21 manner which the area education agency determines is
- 22 appropriate to best maintain the level of required
- 23 area education agency special education services. An
- 24 area education agency may also use unreserved fund
- 25 balances for media services or education services in a
- 26 manner which the area education agency determines is
- 27 appropriate to best maintain the level of required
- 28 area education agency special education services."
- 29 2. Title page, line 4, by inserting after the
- 30 word "acquisition," the following: "providing for a
- 31 reduction in area education agency funding."

Murphy of Dubuque rose on a point of order that amendment [H-8025](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8025](#) not germane.

Gipp of Winneshiek asked for unanimous consent to suspend the rules to consider amendment [H-8025](#).

Objection was raised.

Gipp of Winneshiek moved to suspend the rules to consider amendment [H-8025](#).

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

On the question "Shall the rules be suspended to consider amendment [H-8025](#)?" ([H.F. 2264](#))

The ayes were, 53:

Alons	Arnold	Baudler	Boal
Boddicker	Bogges	Carrroll	Chambers
De Boef	Dennis	Dix	Dolecheck
Drake	Eichhorn	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	Wilderdye
Mr. Speaker			
Rants			

The nays were, 47:

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

Absent or not voting, none.

The motion prevailed and the rules were suspended.

Dix of Butler moved the adoption of amendment [H-8025](#).

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

On the question "Shall amendment [H-8025](#) be adopted?" ([H.F. 2264](#))

The ayes were, 52:

Alons	Arnold	Baudler	Boal
Boddicker	Boggess	Carroll	Chambers
De Boef	Dennis	Dix	Dolecheck
Drake	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	Wildurdyke	Mr. Speaker
			Rants

The nays were, 48:

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

Absent or not voting, none.

Amendment [H-8025](#) was adopted.

Fallon of Polk asked and received unanimous consent to withdraw amendment [H-8027](#) filed by him from the floor.

Roberts of Carroll in the chair at 6:15 p.m.

The House stood at ease at 6:30 p.m., until the fall of the gavel.

The House resumed session at 7:07 p.m., Speaker Rants in the chair.

Gipp of Winneshiek asked and received unanimous consent that [House File 2264](#) be deferred.

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on February 17, 2004, amended the House amendment, concurred in the House amendment as amended, and passed the following bill in which the concurrence of the House is asked:

[Senate File 344](#), a bill for an act concerning regulatory and statutory requirements impacting business relating to liability reform, unemployment compensation benefits eligibility and employer contributions, workers' compensation, occupational safety and health, financial services, environmental regulatory requirements, public project contractor requirements, and economic development.

Also: That the Senate has on February 17, 2004, amended and passed the following bill in which the concurrence of the House is asked:

[Senate File 2070](#), a bill for an act relating to duties and activities of the state department of transportation, including the registration and titling of motor vehicles and issuance of commercial driver's licenses, and providing effective dates.

Also: That the Senate has on February 17, 2004, passed the following bill in which the concurrence of the House is asked:

[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.

Also: That the Senate has on February 17, 2004, passed the following bill in which the concurrence of the House is asked:

[Senate File 2112](#), a bill for an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, and the keep Iowa beautiful fund, and providing for the nonreversion of certain moneys.

Also: That the Senate has on February 17, 2004, amended and passed the following bill in which the concurrence of the House is asked:

[Senate File 2124](#), a bill for an act relating to education funding, providing for the establishment of the state percent of growth for purposes of the state school foundation program, providing for allocations for textbook and supply acquisition, making appropriations, and providing an applicability date.

MICHAEL E. MARSHALL, Secretary

#### SENATE MESSAGE CONSIDERED

[Senate File 2124](#), by committee on education, a bill for an act relating to education funding, providing for the establishment of the state percent of growth for purposes of the state school foundation program, providing for allocations for textbook and supply acquisition, providing for a reduction in area education agency funding, making appropriations, and providing an applicability date.

Read first time and **passed on file**.

[SENATE FILE 2124](#) SUBSTITUTED FOR [HOUSE FILE 2264](#)

Tymeson of Madison asked and received unanimous consent to substitute [Senate File 2124](#) for [House File 2264](#).

[Senate File 2124](#), a bill for an act relating to education funding, providing for the establishment of the state percent of growth for purposes of the state school foundation program, providing for the allocations for textbook and supply acquisition, providing for a reduction in area education agency funding, making appropriations, and providing an applicability date, was taken up for consideration.

Jacobs of Polk in the chair at 7:33 p.m.

Speaker Rants in the chair at 8:08 p.m.

Tymeson of Madison 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. 2124](#))

The ayes were, 53:

Alons	Arnold	Baudler	Boal
Boddicker	Boggess	Carroll	Chambers
De Boef	Dennis	Dix	Dolecheck
Drake	Eichhorn	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	Wildurdyke
Mr. Speaker			
Rants			

The nays were, 47:

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

Absent or not voting, none.

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

[HOUSE FILE 2264](#) WITHDRAWN

Tymeson of Madison asked and received unanimous consent to withdraw [House File 2264](#) from further consideration by the House.

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [Senate File 2124](#) be immediately messaged to the Senate.

## INTRODUCTION OF BILLS

[House Joint Resolution 2005](#), by Jacobs, 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.

Read first time and referred to committee on **administration and rules**.

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

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

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

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

[House File 2283](#), by Thomas, a bill for an act relating to the allowance of and reimbursement for the elderly and disabled property tax credits and increasing appropriations previously reduced and including an effective date.

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

[House File 2284](#), by Eichhorn, a bill for an act relating to the issuance of policies for health or medical expense coverages that do not include mandated coverages.

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

[House File 2285](#), by Thomas, a bill for an act creating a main street economic initiative.

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

[House File 2286](#), by Heaton, a bill for an act relating to the appointment and duties of mental health patient advocates.

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



[House File 2287](#), by Dolecheck, a bill for an act to prohibit the sale of gift certificates containing an expiration date.

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

[House File 2288](#), by Heaton, a bill for an act providing for the establishment and funding of an automated external defibrillator grant program.

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

[House File 2289](#), by Maddox, a bill for an act relating to inhibiting a railroad employee's access to first aid or medical treatment and providing penalties.

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

[House File 2290](#), by Murphy, Bukta, Mascher, Hunter, Jacoby, Lensing, Whitaker, Jochum, Osterhaus, Shoultz, T. Taylor, Oldson, Connors and Petersen, a bill for an act relating to health care delivery, including nurse staffing requirements, and providing penalties.

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

[House File 2291](#), by Huser and Lukan, a bill for an act appropriating moneys for fire service training bureau capital projects.

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

#### SENATE MESSAGES CONSIDERED

[Senate File 2101](#), by committee on judiciary, 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**.

[Senate File 2112](#), by committee on appropriations, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation,

including allocation and use of moneys from the road use tax fund, the primary road fund, and the keep Iowa beautiful fund, and providing for the nonreversion of certain moneys.

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

#### 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\433 Raymond and Joyce Siegele, McGregor – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\434 Carl Whitaker, Manchester – For celebrating his 80<sup>th</sup> birthday.
- 2004\435 Stany Piorkowski, Elkader – For celebrating his 93<sup>rd</sup> birthday.
- 2004\436 Grace Kuehl, Elkport – For celebrating her 95<sup>th</sup> birthday.
- 2004\437 Earl and Mary Lou Mechaelsen, Kamrar – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\438 Delmer and Marjorie Sanders, Eagle Grove – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2004\439 Joy Wilson, Webster City – For celebrating her 80<sup>th</sup> birthday.
- 2004\440 Bill Olson, Goldfield – For celebrating his 80<sup>th</sup> birthday.
- 2004\441 Bill Lester, Clarion – For celebrating his 80<sup>th</sup> birthday.
- 2004\442 Leona Wessels Gouly, Belmond – For celebrating her 90<sup>th</sup> birthday.
- 2004\443 Sylvia Holbert, Stratford – For celebrating her 90<sup>th</sup> birthday.
- 2004\444 Milton Ruppel, Webster City – For celebrating his 90<sup>th</sup> birthday.
- 2004\445 Mr. and Mrs. Robert Mundell, Ottumwa – For celebrating their 58<sup>th</sup> wedding anniversary.
- 2204\446 Mr. and Mrs. Charles Wagnes, Ottumwa – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2004\447 Ryan Ficken, Melbourne – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

- 2004\448 Verv and Gloria Davidson, Iowa Falls – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\449 Ken and Betty Coffman, Eldora – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2004\450 Joe and Rose Stalzer, Haverhill – For celebrating their 66<sup>th</sup> wedding anniversary.
- 2004\451 Ralph and Arlene Reed, Steamboat Rock – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2004\452 Naomi Jensen, Mason City – For celebrating her 94<sup>th</sup> birthday.
- 2004\453 Cletus Heffern, Mason City – For celebrating his 80<sup>th</sup> birthday.
- 2004\454 Betty and Elbert Djuren, Mason City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2004\455 Carl King, Eldora – For celebrating his 80<sup>th</sup> birthday.
- 2004\456 Velmo Anderson, Audubon – For celebrating her 90<sup>th</sup> birthday.
- 2004\457 Lorenz and Virginia Schellhorn, Fairbank – For celebrating their 55<sup>th</sup> wedding anniversary.
- 2004\458 Ted and Hilda Lubbers, Sioux Center – For celebrating their 77<sup>th</sup> wedding anniversary.
- 2004\459 Robert and Betty Lawson, Fairfield – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2004\460 Jonathan P. McKenny, Hawarden – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

#### SUBCOMMITTEE ASSIGNMENTS

##### [House File 220](#)

State Government: Elgin, Chair; Drake and Mascher.

##### [House File 286](#) Reassigned

State Government: Elgin, Chair; Drake and Whitead.

##### [House File 2126](#)

Judiciary: Maddox, Chair; Berry and Boal.

[House File 2162](#)

State Government: Rasmussen, Chair; Connors and Dennis.

[House File 2171](#)

Commerce, Regulation and Labor: Sands, Chair; Freeman and Taylor, T.

[House File 2202](#)

Commerce, Regulation and Labor: Horbach, Chair; Freeman and Oldson.

[House File 2233](#)

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

[House File 2237](#)

Education: Dolecheck, Chair; Boal and Cohoon.

[House File 2244](#)

Judiciary: Paulsen, Chair; Eichhorn and Jochum.

[House File 2245](#)

Human Resources: Hutter, Chair; Smith and Tymeson.

[House File 2246](#)

Education: Chambers, Chair; Upmeyer and Winckler.

[House File 2247](#)

Human Resources: Upmeyer, Chair; Granzow and Wendt.

[House File 2251](#)

Human Resources: Carroll, Chair; Hunter and Roberts.

[House File 2266](#)

Education: Tymeson, Chair; Mascher and Paulsen.

[House File 2267](#)

Education: Dolecheck, Chair; Kramer and Wise.

[House File 2273](#)

Environmental Protection: Elgin, Chair; Hahn and Shoultz.

[House File 2275](#)

Environmental Protection: Kurtenbach, Chair; Olson, D. and Watts.

[House File 2276](#)

State Government: Raecker, Chair; Gaskill, Greiner, Jochum, Jones, Lykam, Rasmussen and Roberts.

[House File 2278](#)

Environmental Protection: Greiner, Chair; Kuhn and Maddox.

[House File 2280](#)

Judiciary: Schickel, Chair; Swaim and Van Fossen, J.R.

[Senate File 2066](#)

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

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 632](#)

Economic Growth: Kramer, Chair; Dandekar and Jenkins.

[House Study Bill 633](#)

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

[House Study Bill 634](#)

Human Resources: Roberts, Chair; Foege, Lukan, Smith and Tymeson.

[House Study Bill 635](#)

Ways and Means: Paulsen, Chair; Kurtenbach and Shoultz.

[House Study Bill 636](#)

Education: Tymeson, Chair; Dolecheck and Wendt.

[House Study Bill 637](#)

Agriculture: Olson, S., Chair; Baudler and Whitaker.

[House Study Bill 638](#)

Public Safety: Sands, Chair; Hunter and Klemme.

**House Study Bill 640**

State Government: Elgin, Chair; Fallon, Hutter, Jochum, Oldson, Roberts and Watts.

**House Study Bill 641**

State Government: Elgin, Chair; Fallon, Hutter, Jochum, Oldson, Roberts and Watts.

**House Study Bill 642**

State Government: Jacobs, Chair; Dennis, Gaskill, Greiner, Mascher, Petersen and Rasmussen.

**HOUSE STUDY BILL COMMITTEE ASSIGNMENTS**

**H.S.B. 643 Commerce, Regulation and Labor**

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.

**H.S.B. 644 Commerce, Regulation and Labor**

Relating to a public utility's declining block rate charges to customers for overcharged usage due to overestimating consumption.

**H.S.B. 645 Commerce, Regulation and Labor**

Providing for the sale of Iowa communications network assets, providing for related technical and substantive changes, and providing an effective date.

**H.S.B. 646 Commerce, Regulation and Labor**

Conferring additional enforcement authority on the real estate commission, and providing penalties.

**H.S.B. 647 Economic Growth**

Relating to investments in Iowa under the Iowa public employees' retirement system.

**H.S.B. 648 Commerce, Regulation and Labor**

Providing for the regulation of securities, providing for fees and penalties, and providing an effective date.

**H.S.B. 649 Human Resources**

Providing for reform of services and other support provided for persons with mental illness, developmental disabilities, or brain injury, revising county property tax levy authority for the services, and providing appropriations and effective dates.

**H.S.B. 650 State Government**

To limit the period of effectiveness for an administrative rule adopted without a notice of intended action and opportunity for public participation.

**H.S.B. 651 Transportation**

Relating to the maximum gross weight limit for vehicles hauling crops during the annual period of harvest.

**H.S.B. 652 Economic Growth**

Relating to a study identifying a permanent funding source for the grow Iowa values fund.

**H.S.B. 653 Economic Growth**

Relating to moneys and tax credits for economic development.

**H.S.B. 654 Economic Growth**

Relating to job training programs and the job corps centers.

**H.S.B. 655 Agriculture**

Relating to setback distance requirements that apply to residences which are constructed in proximity to animal feeding operation structures and making penalties applicable.

## RESOLUTIONS FILED

[HCR 112](#), by Thomas, Granzow, Fallon, Greimann, Chambers, Lukan, Hutter, Jones, D. Olson, Swaim, Mertz and Foege, a concurrent resolution urging the United States Congress to appropriate funding for the federal Historic Preservation Fund and the Historic Barn Preservation Act.

Laid over under **Rule 25**.

[HR 115](#), by Heaton, Foege, Smith and Upmeyer, a resolution to recognize May 2004 as hepatitis C awareness and education month and to urge greater public awareness and education regarding hepatitis C.

Laid over under **Rule 25**.

[HR 116](#), by Greimann and Freeman, a resolution promoting a family and consumer sciences high school graduation requirement including parenting and life management skills.

Laid over under **Rule 25**.

## AMENDMENTS FILED

<a href="#">H-8028</a>	<a href="#">H.F. 421</a>	Baudler of Adair
<a href="#">H-8031</a>	<a href="#">H.F. 2135</a>	Shoultz of Black Hawk
<a href="#">H-8033</a>	<a href="#">H.F. 2174</a>	Struyk of Pottawattamie
		Greiner of Washington
<a href="#">H-8034</a>	<a href="#">H.F. 2259</a>	Baudler of Adair
<a href="#">H-8035</a>	<a href="#">H.F. 2151</a>	McCarthy of Polk
		Klemme of Plymouth
		Hunter of Polk
		T. Taylor of Linn
		J.R. Van Fossen of Scott
<a href="#">H-8036</a>	<a href="#">H.F. 2207</a>	Dennis of Black Hawk
<a href="#">H-8037</a>	<a href="#">S.F. 344</a>	Senate Amendment
<a href="#">H-8038</a>	<a href="#">H.F. 2145</a>	Fallon of Polk

On motion by Gipp of Winneshiek the House adjourned at 9:17 p.m., until 8:45 a.m., Wednesday, February 18, 2004.