

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, JANUARY 19, 2005

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

JOURNAL OF THE HOUSE

Tenth Calendar Day - Seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 19, 2005

The House met pursuant to adjournment at 8:51 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Michael Fitzsimmons, pastor of the First Presbyterian Church, Carroll. He was the guest of Representative Rod Roberts of Carroll County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, January 18, 2005 was approved.

INTRODUCTION OF BILLS

[House File 76](#), by Heaton, a bill for an act relating to the penalties for a payor who knowingly fails to withhold income or pay amounts withheld under a support order.

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

[House File 77](#), by Frevert, Wendt, D. Olson, Wessel-Kroeschell, Bukta, Smith and Kuhn, a bill for an act relating to confinement feeding operations by providing for the construction of structures associated with the operations.

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

[House File 78](#), by Winckler, Lensing, Frevert, Berry, Mascher, Davitt, Shultz, Reichert, Jochum, Cohoon, Lykam, Reasoner, D. Olson, Heddens, Foege, Fallon, Bell, R. Olson, Thomas, Wendt, D. Taylor, Hunter, Kuhn, Mertz, and Wessel-Kroeschell, a bill for an act relating to the establishment of a healthy Iowa for all program.

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

[House File 79](#), by Frevert, Wendt, D. Olson, Bukta, and Winckler, a bill for an act relating to utilization of the district management levy to pay the cost of employee health insurance benefits.

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

[House File 80](#), by Jochum, a bill for an act automatically restoring the right to vote and hold elective office for certain persons who have made full restitution and who have been discharged from probation, parole, or work release, or who have been released from confinement.

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

[House File 81](#), by Jones, a bill for an act providing an exemption to the qualifications for school bus drivers for hearing-impaired individuals authorized to transport students or clients by the superintendent of the Iowa braille and sight saving school or the state school for the deaf.

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

[House File 82](#), by Eichhorn, a bill for an act requiring that meetings relating to postsecondary school registration held by the Iowa coordinating council for post-high school education be open to the public.

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

[House File 83](#), by Miller, a bill for an act allowing the increased expensing allowance and the additional first-year depreciation allowance which were deductible for a tax year for which a tax return was filed prior to September 7, 2004, to be deducted on the return filed for the subsequent tax year and including an effective date provision.

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

[House File 84](#), by Fallon, a bill for an act relating to a delinquent amount owed to a city utility, city enterprise, or combined city enterprise by a prior account holder for a utility service.

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

[House File 85](#), by Heddens, a bill for an act eliminating the certified mail requirement concerning the service and delivery of certain civil rights complaints and orders.

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

[House File 86](#), by Whitaker, a bill for an act relating to agreement of all parties in the negotiation of the amount of support obligations and accrued support debts.

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

[House File 87](#), by Hunter, a bill for an act relating to veterans, concerning employment preference and other related benefits.

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

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 January 19, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 36](#), a bill for an act providing for the establishment of the state percent of growth for purposes of the state school foundation program and providing an applicability date.

MICHAEL E. MARSHALL, Secretary

[HOUSE FILE 49](#) REREFERRED

The Speaker announced that the [House File 49](#), previously referred to committee on **transportation** was rereferred to committee on **state government**.

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF EDUCATION

Report on the Team-Based Variable Pay: A Report of the Iowa Pilot Project, pursuant to Chapter 284.11, Code of Iowa.

Annual Report on Student Achievement and Accountability, pursuant to Chapter 284.12(1), Code of Iowa.

IOWA FINANCE AUTHORITY

Annual Performance Report for the Fiscal Year 2004, pursuant to Chapter 8E.210, 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

- | | |
|---------|--|
| 2005\49 | Orlen Creese, Charter Oak – For celebrating his 80 th birthday. |
| 2005\50 | Evelyn Iversen, Ida Grove – For celebrating her 80 th birthday. |
| 2005\51 | Lorraine Growth, Schleswig – For celebrating her 80 th birthday. |
| 2005\52 | Warren and Pat Thies, Ute – For celebrating their 50 th wedding anniversary. |
| 2005\53 | Lloyd and Noraline Lamborn, Monona – For celebrating their 60 th wedding anniversary. |
| 2005\54 | Clarion and Darlene Mathys, Wadena – For celebrating their 60 th wedding anniversary. |
| 2005\55 | Don and Pat Scheffert, Guttenberg – For celebrating their 50 th wedding anniversary. |
| 2005\56 | Marjorie Paulsen, Elgin – For celebrating her 90 th birthday. |
| 2005\57 | Ida Mae Schultz, Elkader – For celebrating her 80 th birthday. |

- 2005\58 Nancy Touil, Sioux City – For receiving a Glass Apple Award from Iowa First Lady Christie Vilsack, for her dedication and commitment to Iowa’s children as a teacher and librarian.
- 2005\59 Zach Juhl, Underwood – For being named to the Southwest Iowa Honor Marching Band.
- 2005\60 Corey Belt, Underwood – For being named to the Southwest Iowa Honor Marching Band.
- 2005\61 Samantha Fritsch, Underwood – For being named to the Southwest Iowa Honor Marching Band.
- 2005\62 Miranda Adams, Underwood – For being named to the Southwest Iowa Honor Marching Band.
- 2005\63 Gretchen Jensen, Underwood – For being named to the Southwest Iowa Honor Marching Band.
- 2005\64 Raquel Telfer, Underwood – For being named to the Southwest Iowa Honor Marching Band.
- 2005\65 Nichole Pribyl, Underwood – For being named to the Southwest Iowa Honor Marching Band.
- 2005\66 Matt Dawson, Underwood – For being named to the Southwest Iowa Honor Marching Band.
- 2005\67 Stephen Heineke, Underwood – For being named to the Southwest Iowa Honor Marching Band.
- 2005\68 Nate Heineke, Underwood – For being named to the Southwest Iowa Honor Marching Band.
- 2005\69 Annie Johnson, Underwood – For being named to the Southwest Iowa Honor Marching Band.
- 2005\70 Laura Simons, Underwood – For being named to the Southwest Iowa Honor Marching Band.
- 2005\71 Rachel Rollins, Underwood – For being named to the Southwest Iowa Honor Marching Band.
- 2005\72 Lauren Frodyma, Underwood – For being named to the Southwest Iowa Honor Marching Band.
- 2005\73 Michael Wismont, Underwood – For being named to the Southwest Iowa Honor Marching Band.
- 2005\74 Alex Merz, Dubuque – For receiving 2nd place in the Essay Category of the 9th–12th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.

- 2005\75 Nathan Andrew Hall, Dubuque – For winning 1st place in the Essay Category of the 9th–12th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\76 Ryan Sauser, Dubuque – For receiving 2nd place in the Poster Category of the 9th–12th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\77 Keysha Schmit, Dubuque – For winning 1st place in the Poster Category of the 9th–12th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\78 Antonio Garza, Dubuque – For receiving 2nd place in the Essay Category of the 8th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\79 Kayla Siegworth, Dubuque – For winning 1st place in the Essay Category of the 8th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\80 Bradley Powers, Dubuque – For receiving 2nd place in the Poster Category of the 8th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\81 Laura Davis, Dubuque – For winning 1st place in the Poster Category of the 8th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\82 Claire Spryison, Dubuque – For winning 1st place in the Essay Category of the 7th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\83 Brandon Deggendorf, Dubuque – For receiving 2nd place in the Poster Category of the 7th grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\84 Sarah White, Dubuque – For winning 1st place in the Poster Category of the 7th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\85 Drew Gibson, Dubuque – For receiving 2nd place in the Multimedia Category of the 7th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\86 Brian Herther, Dubuque – For receiving 2nd place in the Multimedia Category of the 7th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\87 Erik Johnson, Dubuque – For receiving 2nd place in the Multimedia Category of the 7th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.

- 2005\88 Morgan VanOstrand, Dubuque – For winning 1st place in the Multimedia Category of the 7th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\89 Nichole Kaesbauer, Dubuque – For Winning 1st place in the Multimedia Category of the 7th grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\90 Tricia Ertl, Dubuque – For winning 1st place in the Multimedia Category of the 7th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\91 Peyton Michels, Dubuque – For receiving 2nd place in the Poster Category of the 6th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\92 Claire Quade, Dubuque – For winning 1st place in the Poster Category of the 6th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\93 Christopher Willauer, Dubuque – For winning 1st place in the Poster Category of the 6th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\94 Rachel Parkin, Dubuque – For winning 1st place in the Multimedia Category of the 6th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\95 Shannon Oltmanns, Dubuque – For receiving 2nd place in the Multimedia Category of the 6th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\96 Amber Decker, Dubuque – For receiving 2nd place in the Multimedia Category of the 6th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\97 Jordan Lattner, Dubuque – For winning 1st place for his essay in the 5th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\98 Bradley Miehe, Dubuque – For receiving 2nd place for his poster in the 5th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\99 Kelsie Von Hollen, Dubuque – For winning 1st place for her poster in the 5th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\100 Morgan Dolan, Dubuque – For receiving 2nd place for her essay in the 4th grade Division of the 2004 Martin Luther King Jr. Tribute Contest.

- 2005\101 Molly O'Brien, Dubuque – For winning 1st place for her essay in the 4th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\102 Emily Schroeder, Dubuque – For receiving 2nd place for her poster in the 4th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\103 Jaquille Williams, Dubuque – For winning 1st place for his poster in the 4th Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\104 Jenna Reichel, Dubuque – For receiving 2nd place for her essay in the 3rd Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\105 Kate Banwarth, Dubuque – For winning 1st place for her essay in the 3rd Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\106 Beatrix Loewen, Dubuque – For receiving 2nd place for her poster in the 3rd Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\107 Amber Leytem, Dubuque – For winning 1st place for her poster in the 3rd Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\108 John Ott, Dubuque – For receiving 2nd place for his poster in the 2nd Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\109 Joseph Duehr, Dubuque – For receiving 2nd place for his poster in the 1st Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\110 Adeline Jochum, Dubuque – For winning 1st place for her poster in the 1st Grade Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\111 Michael Banwarth, Dubuque – For receiving 2nd place for his poster in the Kindergarten Division of the 2004 Martin Luther King Jr. Tribute Contest.
- 2005\112 Matthew Swanson, Ollie – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2005\113 Michael Molkenthin, Ollie – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2005\114 Alex Stork, CAM Middle School – For being a member of the 7th Grade Boys Basketball Squad that went undefeated with a record of 11–0, and for being commended by many opposing teams for his excellent sportsmanship.

- 2005\115 Jaxson Armstrong, CAM Middle School – For being a member of the 7th Grade Boys Basketball Squad that went undefeated with a record of 11–0, and for being commended by many opposing teams for his excellent sportsmanship.
- 2005\116 Luke Symonds, CAM Middle School – For being a member of the 7th Grade Boys Basketball Squad that went undefeated with a record of 11–0, and for being commended by many opposing teams for his excellent sportsmanship.
- 2005\117 Jordan Kopp, CAM Middle School – For being a member of the 7th Grade Boys Basketball Squad that went undefeated with a record of 11–0, and for being commended by many opposing teams for his excellent sportsmanship.
- 2005\118 Shay Kaufman, CAM Middle School – For being a member of the 7th Grade Boys Basketball Squad that went undefeated with a record of 11–0, and for being commended by many opposing teams for his excellent sportsmanship.
- 2005\119 Dayton Amdor, CAM Middle School – For being a member of the 7th Grade Boys Basketball Squad that went undefeated with a record of 11–0, and for being commended by many opposing teams for his excellent sportsmanship.
- 2005\120 Jim and Nada McClean, Ames – For celebrating their 60th wedding anniversary.
- 2005\121 Ben Chambers, Spirit Lake – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

SUBCOMMITTEE ASSIGNMENTS

[House File 15](#)

Judiciary: Boal, Chair; Eichhorn and Lensing.

[House File 30](#)

Judiciary: Alons, Chair; J.R. Van Fossen and Winckler.

[House File 33](#)

Human Resources: Hutter, Chair; Smith and Tymeson.

[House File 55](#)

Education: Raecker, Chair; Hogg and Schickel.

[House File 74](#)

Human Resources: Carroll, Chair; Hunter and Tymeson.

[House File 79](#)

Education: Dolecheck, Chair; Carroll and Oldson.

[House File 81](#)

Education: Roberts, Chair; Foege and Soderberg.

[House File 82](#)

Education: Schickel, Chair; Bukta and Tomenga.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 6](#)

Human Resources: Wilderdyke, Chair; Berry and Tomenga.

[House Study Bill 21](#)

State Government: Greiner, Chair; Boal and Lensing.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 22](#) **Human Resources**

Relating to the compensation of podiatrists under group health insurance policies or health maintenance organization contracts.

[H.S.B. 23](#) **Human Resources**

Relating to provisions of an accident or health policy regarding equal compensation of certain providers of equivalent services and accessibility to certain providers, and providing an effective date.

[H.S.B. 24](#) **Public Safety**

Allowing an advanced registered nurse practitioner to certify an alleged intoxicated driver's death or other incapacitated state for purposes of chemical testing and to administer a chemical test of bodily fluids, without a warrant, to a person suspected of driving while intoxicated.

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 EDUCATION

[House File 1](#), a bill for an act providing for the establishment of the state percent of growth for purposes of the state school foundation program and providing an applicability date.

Fiscal Note is not required.

Recommended **Do Pass** January 18, 2005.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly [House File 23](#)), to allow the additional first-year depreciation allowance and the increased expensing allowance which were deductible for a tax year for which a tax return was filed prior to September 7, 2004, to be deducted on the return filed for the subsequent tax year and including an effective date provision.

Fiscal Note is not required.

Recommended **Amend and do pass** January 18, 2005.

AMENDMENTS FILED

H-1006	S.F. 36	Paulsen of Linn
H-1007	H.F. 1	Paulsen of Linn

On motion by Jacobs of Polk the House adjourned at 8:59 a.m., until 8:45 a.m., Thursday, January 20, 2005.