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**STATE OF IOWA**

**House Journal**

**THURSDAY, JANUARY 20, 2005**

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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

Eleventh Calendar Day - Eighth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, January 20, 2005

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

Prayer was offered by the Honorable Tom Sands, state representative from Louisa County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, January 19, 2005 was approved.

## INTRODUCTION OF BILLS

[House File 88](#), by Elgin, a bill for an act establishing sales-tax-free weekends in each calendar quarter.

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

[House File 89](#), by Jochum, Smith, Pettengill, Swaim, Jacoby, Ford, Whitaker, Schueller, Cohoon, Bell, Fallon, Miller, Hogg, Shultz, Mascher, Lensing, Whitead, Kressig, Winckler, Wendt, Berry, Wessel-Kroeschell, Thomas, Heddens, Dandekar, Kuhn, D. Taylor, R. Olson, Bukta, Foege, Shomshor, Reichert, Reasoner, Mertz, Zirkelbach and Gaskill, a bill for an act relating to third-party payment of health care coverage costs for mental health conditions, including alcohol or substance abuse treatment services.

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

[House File 90](#), by Wilderdyke, a bill for an act permitting residential elevators to be used in certain churches to transport persons with special needs.

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

**House File 91**, by May, a bill for an act providing for the compensation of members of a county commission of veteran affairs.

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

**House File 92**, by Tymeson, a bill for an act relating to assessments associated with soil and water conservation districts, by providing for the deposit of moneys in a fund established by a district's commissioners.

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

**House File 93**, by Huser and Raecker, a bill for an act relating to the electronic and written filing of personal financial disclosure statements, lobbyist registration statements, lobbyist reports, and lobbyist's client reports with the Iowa ethics and campaign disclosure board and the general assembly.

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

**House File 94**, by Kurtenbach, a bill for an act requiring the establishment of alternative defined contribution retirement systems for elementary and secondary school teachers and public hospital employees.

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

**House File 95**, by Foege, a bill for an act relating to authorization for a county commissioner of elections to appoint certain high school students to serve as precinct election board members.

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

**House File 96**, by Elgin, a bill for an act modifying allocations and apportionments of road use tax funds.

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

[House File 97](#), by Hogg and Dandekar, a bill for an act creating a small business development program and fund.

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

[House File 98](#), by Hogg and Dandekar, a bill for an act relating to criteria and incentives under the new capital investment program and providing effective date and retroactive applicability provisions.

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

[House File 99](#), by Hogg and Dandekar, a bill for an act establishing a regulatory efficiency commission.

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

[House File 100](#), by Reichert, Lukan and Thomas, a bill for an act relating to eligible beneficiaries for a line of duty death benefit under the statewide fire and police retirement system and providing effective and applicability dates.

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

[House File 101](#), by Lukan, Struyk, Kaufmann and S. Olson, a bill for an act exempting the sale of toys to certain nonprofit organizations from state sales and use taxes.

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

[House File 102](#), by committee on ways and means, a bill for an act relating to state income taxes by authorizing individuals, corporations, and financial institutions to elect to take the additional first-year depreciation allowance and 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 a certain date to be deducted on the return filed for the subsequent tax year and including an effective date provision and a retroactive applicability date provision.

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

**House File 103**, by Roberts, a bill for an act relating to certain commercial dock permits and providing an effective date.

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

**House File 104**, by Raecker, Jacobs and Huser, a bill for an act prohibiting the publication of certain false statements of fact made with actual malice concerning a candidate for public office and providing remedies.

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

#### SENATE MESSAGE CONSIDERED

**Senate File 36**, by committee on education, 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.

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

#### COMMITTEE APPOINTMENT

The Speaker announced the removal of Representative Jim Lykam from the Administration and Regulation Appropriations Subcommittee effective Tuesday, January 11, 2005. Representative Mary Gaskill was appointed in his place.

#### COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

#### BOARD OF REGENTS

Estimated Fiscal Year 2004 increased costs with the use of Iowa Communications Network, 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

- 2005\122 Roy and Lucy Hoppe, Sheldon – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2005\123 Jeff and Cindy Pearson, Everly – For receiving the 2004 Clay County Cattlemen Association Outstanding Cattlemen of the Year Award.
- 2005\124 Bev Schumann, Hartley – For receiving a Glass Apple Award from Iowa's First Lady Christie Vilsack, for her dedication and commitment to Iowa's children as a teacher and librarian.
- 2005\125 Freda Vander Meulen, Ocheyedan – For celebrating her 90<sup>th</sup> birthday.
- 2005\126 Wilfred and Dalorus Gaudian, Primghar – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2005\127 Mr. and Mrs. Alvin Korthaus, Davenport – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2005\128 Cecil and Elva Bearden, Tama – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2005\129 Mr. and Mrs. Warren Darland, Eldridge – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2005\130 Charles Loussaert, Long Grove – For celebrating his 80<sup>th</sup> birthday.
- 2005\131 Leon and Alice Timmerman, Bennett – For celebrating their 70<sup>th</sup> wedding anniversary.
- 2005\132 Alice Timmerman, Bennett – For celebrating her 91<sup>st</sup> birthday.
- 2005\133 Leon Timmerman, Bennett – For celebrating his 92<sup>nd</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### [House File 49](#)

State Government: Jacobs, Chair; Boal, Gaskill, Greiner, T. Taylor, Upmeyer and Wendt.

##### [House File 73](#)

Local Government: Schickel, Chair; Huser and Jones.

##### [House File 75](#)

State Government: Raecker, Chair; Elgin and Lensing.

**House File 76**

Human Resources: Lukan, Chair; Granzow and Wendt.

**House File 80**

State Government: Raecker, Chair; Elgin and Lensing.

**House File 85**

State Government: Tomenga, Chair; Roberts and Whitead.

**House File 87**

State Government: Jones, Chair; Greiner, Paulsen, Quirk and Whitead.

**House File 91**

State Government: Jones, Chair; Greiner, Paulsen, Quirk and Whitead.

**House File 94**

State Government: Elgin, Chair; Drake, Jochum, Tomenga and Wendt.

**House File 100**

State Government: Elgin, Chair; Drake, Jochum, Tomenga and Wendt.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 20**

Education: Paulsen, Chair; Cohoon and Granzow.

**House Study Bill 22**

Human Resources: Wilderdyke, Chair; Berry and Tomenga.

**House Study Bill 23**

Human Resources: Wilderdyke, Chair; Berry and Tomenga.

**House Study Bill 24**

Public Safety: Eichhorn, Chair; Berry and Sands.

## HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

### **H.S.B. 25 State Government**

Restricting executive branch authority to transfer appropriations between departments.

### **H.S.B. 26 Education**

Providing supplementary weighting for pupils attending classes taught via the Iowa communications network.

### **H.S.B. 27 Education**

Eliminating Code provisions relating to extended school programs.

### **H.S.B. 28 Education**

Relating to residency qualifications for purposes of postsecondary tuition and fees paid at public institutions of higher education in this state.

### **H.S.B. 29 State Government**

Relating to the regulation of liquefied petroleum gas storage tanks, making an appropriation, and providing penalties.

### **H.S.B. 30 Judiciary**

A concurrent resolution requesting the legislative council to establish an interim committee to examine issues relating to the need for, benefits of establishing, and functions of a friend of the court agency to provide services to persons involved in domestic relations cases.

### **H.S.B. 31 Local Government**

Relating to vital statistics, by allowing the county registrar to certify copies of records on the county registrar's internet website.



## COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON PUBLIC SAFETY

**Committee Bill** (Formerly [House File 51](#)), relating to the criminal penalty surcharge, creating a criminalistics laboratory fund, and appropriating criminal penalty surcharge moneys to the fund.

Fiscal Note is not required.

Recommended **Amend and Do Pass** January 20, 2005.

## AMENDMENTS FILED

<a href="#">H-1008</a>	<a href="#">H.F.</a>	<a href="#">1</a>	Wendt of Woodbury
<a href="#">H-1009</a>	<a href="#">H.R.</a>	<a href="#">4</a>	Gaskill of Wapello
<a href="#">H-1010</a>	<a href="#">H.R.</a>	<a href="#">4</a>	Gaskill of Wapello
<a href="#">H-1011</a>	<a href="#">H.F.</a>	<a href="#">1</a>	Wendt of Woodbury
			Jochum of Dubuque
			Lensing of Johnson
			Bukta of Clinton
			Ford of Polk
			Shoultz of Black Hawk
			Gaskill of Wapello
			Bell of Jasper
			Heddens of Story
			Schueller of Jackson
			Wessel-Kroeschell of Story
			Oldson of Polk
			Wendt of Woodbury
			Wendt of Woodbury
			Jochum of Dubuque
			Lensing of Johnson
			Bukta of Clinton
<a href="#">H-1012</a>	<a href="#">S.F.</a>	<a href="#">36</a>	
<a href="#">H-1013</a>	<a href="#">S.F.</a>	<a href="#">36</a>	
			Fallon of Polk
			Winckler of Scott
			Kuhn of Floyd

Whitead of Woodbury  
Swaim of Davis  
Thomas of Clayton  
D. Olson of Boone  
D. Taylor of Linn  
R. Olson of Polk  
Mertz of Kossuth  
Berry of Black Hawk  
Mascher of Johnson

Ford of Polk  
Shoultz of Black Hawk  
Gaskill of Wapello  
Bell of Jasper  
Heddens of Story  
Schueller of Jackson  
Wessel-Kroeschell of Story  
Oldson of Polk

On motion by Gipp of Winneshiek the House adjourned at 9:00 a.m., until 9:00 a.m., Friday, January 21, 2005.