

PROOF

STATE OF IOWA

House Journal

MONDAY, JANUARY 24, 2005

Printed daily by the State of Iowa during the sessions of the General Assembly.
An official corrected copy is available for reference in the office of the Chief Clerk.
(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Fifteenth Calendar Day - Tenth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, January 24, 2005

The House met pursuant to adjournment at 1:12 p.m., Speaker Rants in the chair.

Prayer was offered by Reverend Van Rathbun, pastor of Central Reform Church, Sioux Center. He was the guest of Dwayne Alons from Sioux County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Boy Scout Troup #29 from DeWitt, accompanied by Assistant Troup Leaders Leo Muller and Kurt Sager. They were the guests of Representative Steve Olson from Clinton County.

The Journal of Friday, January 21, 2005 was approved.

INTRODUCTION OF BILLS

[House File 114](#), by Struyk, Dandekar, Huser, Mertz, Lukan, Baudler, Tjepkes and S. Olson, a bill for an act prohibiting consideration of certain traffic accidents occurring in the course of an Iowa state patrol member's employment in establishment of motor vehicle insurance rates.

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

[House File 115](#), by Sands, a bill for an act providing for the licensing and regulation of mortgage originators, providing fees and penalties, and providing an effective date.

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

[House File 116](#), by Struyk, Mertz, Dandekar and Lukan, a bill for an act allowing certain senior residents to hunt deer during the youth and severely disabled deer hunting season.

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

[House File 117](#), by Struyk, Huser, Mertz, Petersen and Lukan, a bill for an act establishing a regulatory efficiency commission.

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

[House File 118](#), by Granzow, a bill for an act relating to school reorganization by allowing certain landowners in a reorganizing school district to petition to join a contiguous school district.

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

[House File 119](#), by Swaim, a bill for an act providing an appropriation for the older Iowans legislature.

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

The House stood at ease at 1:19 p.m., until the fall of the gavel.

The House resumed session at 2:09 p.m., Speaker Rants in the chair.

CONSIDERATION OF BILLS Regular Calendar

[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, with report of committee recommending passage, was taken up for consideration.

The following amendments were withdrawn by unanimous consent:

Amendment [H-1007](#) filed by Paulsen of Linn on January 19, 2005.

Amendment [H-1008](#) filed by Wendt of Woodbury on January 20, 2005.

Wendt of Woodbury offered the following amendment [H-1011](#) filed by him and Fallon of Polk and moved its adoption:

[H-1011](#)

- 1 Amend [House File 1](#) as follows:
- 2 1. Page 1, line 7, by striking the word "four"
- 3 and inserting the following: "six".

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

On the question "Shall amendment [H-1011](#) be adopted?" ([H.F. 1](#))

The ayes were, 49:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Zirkelbach			

The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Mr. Speaker	
		Rants	

Absent or not voting, none.

Amendment [H-1011](#) lost.

[SENATE FILE 36](#) SUBSTITUTED FOR [HOUSE FILE 1](#)

Tymeson of Madison asked and received unanimous consent to substitute [Senate File 36](#) for [House File 1](#).

[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, was taken up for consideration.

The following amendments were withdrawn by unanimous consent:

Amendment [H-1006](#) filed by Paulsen of Linn on January 19, 2005.

Amendment [H-1012](#) filed by Wendt of Woodbury on January 20, 2005.

Amendment [H-1013](#) filed by Wendt of Woodbury et al., on January 20, 2005.

Dix of Butler asked unanimous consent to suspend Rule 31.8, relating to the timely filing of amendments, to consider amendment [H-1015](#) filed by him from the floor.

Objection was raised.

Amendment [H-1015](#) filed by Dix of Butler was placed out of order.

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. 36](#))

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter

Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Zirkelbach	Mr. Speaker	
		Rants	

The nays were, 1:

Fallon

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.

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [Senate File 36](#) be immediately messaged to the Senate.

INTRODUCTION OF BILLS

[House File 120](#), by Smith, a bill for an act relating to substitute decision making and guardians and conservators, providing for the collection and appropriation of fees, and making an appropriation.

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

[House File 121](#), by Elgin, a bill for an act relating to registration and use of antique motor vehicles.

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

House File 122, by Dandekar, Jacobs, Petersen, Huser and Upmeyer, a bill for an act creating a women entrepreneurs in business program.

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

House File 123, by committee on public safety, a bill for an act relating to the criminal penalty surcharge and creating a criminalistics laboratory fund.

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

SPONSOR ADDED
(House Files 12, 20 and 22)

Swaim of Davis requested to be added as a sponsor of House Files 12, 20 and 22.

COMMUNICATION RECEIVED

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

DEPARTMENT OF HUMAN SERVICES
Mental Health, Mental Retardation, Developmental Disabilities and Brain Injury
Commission

System redesign progress report, pursuant to Chapter 35(1), 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\134 | Joe and Lorna Ruley, Oxford Junction – For celebrating their 50 th wedding anniversary. |
| 2005\135 | Carroll Louks, Nevada – For celebrating his 90 th birthday. |
| 2005\136 | Harold Childers, Story City – For celebrating his 80 th birthday. |

- 2005\137 Rex and Esther Gross, Colo – For celebrating their 50th wedding anniversary.
- 2005\138 Nelland and Inez Sesker, Maxwell – For celebrating their 60th wedding anniversary.
- 2005\139 Lee and Helen Zook, Story City – For celebrating their 65th wedding anniversary.
- 2005\140 George McCoy, Moscow – For celebrating his 88th birthday.
- 2005\141 Don and Marlys Schmidt, Hawarden – For celebrating their 50th wedding anniversary.
- 2005\142 Earl and Helena Cavanaugh, Waterloo – For celebrating their 65th wedding anniversary.
- 2005\143 Gladys Homolar, Waterloo – For celebrating her 88th birthday.
- 2005\144 Charles Shinnors, Davenport – For celebrating his 80th birthday.
- 2005\145 Amos Oakland, Hubbard – For celebrating his 80th birthday.
- 2005\146 Gerald and Irene Shayer, Tama – For celebrating their 60th wedding anniversary.
- 2005\147 Hilda Christensen, Audubon – For celebrating her 95th birthday.
- 2005\148 Cecil and Jean Zehr, Fairfield – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

[House File 93](#)

State Government: Raecker, Chair; Bukta and Paulsen.

[House File 104](#)

State Government: Raecker, Chair; Roberts and T. Taylor.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 29](#)

State Government: Drake, Chair; Ford, Hutter, Quirk and Tomenga.

[House Study Bill 32](#)

Commerce, Regulation and Labor: Wilderdyke, Chair; Quirk and Soderberg.

[House Study Bill 33](#)

State Government: Roberts, Chair; Quirk and Raecker.

[House Study Bill 34](#)

State Government: Roberts, Chair; Quirk and Raecker.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 35](#) **Ways and Means**

Updating the Code references to the Internal Revenue Code and including retroactive applicability and effective date provisions.

[H.S.B. 36](#) **Ways and Means**

Relating to the utility replacement tax task force.

[H.S.B. 37](#) **Environmental Protection**

Relating to accounts and fees under the water quality protection fund.

[H.S.B. 38](#) **State Government**

Relating to the issuance of hunting and fishing combined licenses to certain veterans.

[H.S.B. 39](#) **State Government**

Relating to funds in an account for a state veterans cemetery and providing an effective date.

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.

Pursuant to Rule 31.7, [House File 123](#) was referred to the committee on ways and means.

AMENDMENT FILED

[H-1014](#) [H.F. 102](#) Carroll of Poweshiek

On motion by Gipp of Winneshiek the House adjourned at 3:10 p.m., until 8:45 a.m., Tuesday, January 25, 2005.