

PROOF

STATE OF IOWA

House Journal

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JOURNAL OF THE HOUSE

Fortieth Calendar Day - Twenty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, February 18, 2005

The House met pursuant to adjournment at 9:05 a.m., Tymeson of Madison in the chair.

Prayer was offered by the Honorable Jodi Tymeson, state representative from Madison County.

The Journal of Thursday, February 17, 2005 was approved.

INTRODUCTION OF BILLS

House Joint Resolution 2, by Granzow, Lensing, Winckler, Miller, May, D. Taylor, Smith, De Boef, Shoultz, Watts, S. Olson, Berry, Gaskill, T. Taylor, Jones, Tjepkes, Drake, Wilderdyke, Elgin, Roberts, Heddens, Jacoby, Tomenga, Lukan, Rasmussen, Van Engelenhoven, Arnold, Huseman and Lalk, a joint resolution proposing an amendment to the Constitution of the State of Iowa to change the length of term of office for members of the Iowa House of Representatives from two years to four years.

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

House File 340, by Tymeson and Lensing, a bill for an act authorizing the sale of Iowa communications network capacity under specified circumstances, affecting the operation of the network, and making appropriations.

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

House File 341, by Huser, Arnold, Boal, Ford, Jacobs, Maddox, McCarthy, Oldson, R. Olson, Petersen, Raecker and Tomenga, a bill for an act providing procedures for a rural water district to transfer to a city utility its right to provide water service and for dissolution of the district.

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

House File 342, by Upmeyer, Heaton, Carroll, Raecker, Baudler, Alons, Huseman, Tymeson, Watts, Wilderdyke, Granzow, Hutter, Jones, Lukan, De Boef, Tjepkes, Chambers, Hoffman, Drake, Gipp, Greiner, Soderberg, Sands, S. Olson, J. R. Van Fossen, Dolecheck, Schickel, Elgin, Horbach, Arnold, Kurtenbach, Van Engelenhoven, Rayhons, Rasmussen, Lalk, Boal, Kaufmann, Tomenga, Jacobs, Maddox, Dix, Roberts, May, Paulsen, Freeman and Jenkins, a bill for an act relating to the establishment of a prescription drug assistance program by the commissioner of insurance, and providing for a contingent appropriation.

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

House File 343, by Elgin, a bill for an act modifying voluntary annexation procedures and related tax exemptions.

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

House File 344, by Kaufmann, a bill for an act appropriating state franchise tax revenues to cities and counties.

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

House File 345, by Shomshor, D. Olson, T. Taylor, Smith, Maddox, Bukta, Kressig, Wendt, Whitaker, Reasoner, Eichhorn, Rayhons and Pettengill, a bill for an act requiring the posting of close-clearance warning devices by railroads and providing a penalty.

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

House File 346, by Berry, a bill for an act relating to delayed deposit services including fees, notices, transaction amounts, and reporting requirements.

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

[House File 347](#), by Heddens and Shoultz, a bill for an act relating to pesticide application within schools, and on school grounds, athletic fields, and playgrounds, and providing an effective date.

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

[House File 348](#), by Mascher, a bill for an act providing for the Iowa department of public health to administer the Iowa food code in place of the department of inspections and appeals.

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

[House File 349](#), by Heddens, a bill for an act relating to permissible uses of physical plant and equipment levy revenue, and including an applicability provision.

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

[House File 350](#), by Dix, a bill for an act relating to the liability of the owner of a rented motor vehicle for damages caused by negligence of the driver of the vehicle.

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

[House File 351](#), by Mascher, a bill for an act providing for an increase in home food establishment, food establishment, and food processing plant fees.

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

[House File 352](#), by Berry, a bill for an act relating to consumer credit by creating the refund anticipation loan Act and providing penalties.

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

[House File 353](#), by Upmeyer, Heaton, Eichhorn, Carroll, Raecker, Baudler, Alons, Huseman, Tymeson, Watts, Wilderdyke, Granzow, Hutter, Jones, Lukan, De Boef, Tjepkes, Chambers, Hoffman, Drake,

Gipp, Greiner, Sands, S. Olson, J.R. Van Fossen, Dolecheck, Boal, Kaufmann, Elgin, Horbach, Arnold, Kurtenbach, Van Engelenhoven, Rayhons, Rasmussen, Lalk, Tomenga, Jacobs, Maddox, Dix, Roberts, Soderberg, May, Paulsen, Freeman and Jenkins, a bill for an act relating to asset disregard under the medical assistance program for the purchase of a certified long-term care insurance policy, providing for a repeal, providing a contingent effective date, and providing an appropriation.

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

[House File 354](#), by De Boef, a bill for an act providing for the retention of solid waste tonnage fees by sanitary landfills for purposes of regional collection centers and third parties providing services similar to regional collection centers.

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

[House File 355](#), by Mascher, a bill for an act providing for the state to assume the entire cost of shelter care services.

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

[House File 356](#), by Heddens and Shoultz, a bill for an act restricting the idling of school buses on school grounds.

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

[House File 357](#), by Ford, a bill for an act relating to information contained in applications for and recorded on driver's licenses and nonoperator's identification cards and providing an effective date.

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

[House File 358](#), by Wise, a bill for an act requiring the department of management to study the issue of tax increment financing for purposes of urban renewal.

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

[House File 359](#), by Ford, a bill for an act relating to the time period used to enhance a domestic abuse assault charge.

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

[House File 360](#), by Wendt and Oldson, a bill for an act providing supplementary weighting for shared school district operational functions, making an appropriation, and providing effective and applicability dates.

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

[House File 361](#), by Ford, a bill for an act prohibiting a landlord under Iowa's residential landlord-tenant law from retaliating against a tenant for summoning or receiving police or emergency assistance in response to a family violence or domestic abuse situation.

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

[House File 362](#), by Watts, a bill for an act relating to the authority of the county board of supervisors over appointed officers and boards.

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

[House File 363](#), by Ford, a bill for an act providing for the appointment of minorities to appointive boards, commissions, committees and councils.

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

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, 2005, passed the following bill in which the concurrence of the Senate was asked:

[House File 102](#), 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.

Also: That the Senate has on February 17, 2005, passed the following bill in which the concurrence of the Senate was asked:

[House File 197](#), a bill for an act relating to inheritance tax by eliminating the requirement that the department of revenue receive notice of withdrawal of funds from a joint account by a surviving joint owner.

Also: That the Senate has on February 17, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 98](#), a bill for an act relating to county recorders and vital statistics record fees, and providing an effective date.

Also: That the Senate has on February 17, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 113](#), a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

Also: That the Senate has on February 17, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 169](#), a bill for an act relating to the regulation of substances which are precursors to amphetamine and methamphetamine and providing a penalty and effective dates.

MICHAEL E. MARSHALL, Secretary

COMMUNICATION RECEIVED

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

DEPARTMENT OF HUMAN RIGHTS
Iowa Commission on the Status of Women

Annual report of accomplishments, pursuant to Chapter 216A.60, Code of Iowa.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 167](#)

Human Resources: Upmeyer, Chair; Hunter and Roberts.

[House Study Bill 183](#)

Judiciary: Kaufmann, Chair; Eichhorn and Winckler.

[House Study Bill 184](#)

Human Resources: Roberts, Chair; Hutter and Smith.

[House Study Bill 185](#)

Human Resources: Kurtenbach, Chair; Hutter and Jacoby.

[House Study Bill 186](#)

Local Government: Watts, Chair; Arnold and Gaskill.

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 ECONOMIC GROWTH

Committee Bill (Formerly [House File 185](#)), relating to small business development centers and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** February 17, 2005.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly [House Study Bill 99](#)), concerning billing for anatomic pathology services and making licensing sanctions applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 17, 2005.

Committee Bill (Formerly [House Study Bill 117](#)), relating to third-party payment of health care coverage costs for biologically based mental illness treatment services.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 17, 2005.

On motion by Watts of Dallas the House adjourned at 9:12 a.m., until 12:45 p.m., Monday, February 21, 2005.