

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, MARCH 9, 2005

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JOURNAL OF THE HOUSE

Fifty-ninth Calendar Day - Forty-first Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 9, 2005

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

Prayer was offered by Reverend Chris Fontanini, Vocations Director of the Greater Des Moines Catholic Dioceses and Chaplain of the St. Thomas More Center, Des Moines. He was the guest of Representative Walt Tomenga from Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, March 8, 2005 was approved.

INTRODUCTION OF BILLS

[House Joint Resolution 4](#), by Gipp and Murphy, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

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

[House File 642](#), by committee on agriculture, a bill for an act relating to the regulation of agricultural seed, by providing for preemption of local legislation.

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

[House File 643](#), by committee on environmental protection, a bill for an act relating to administrative rules for controlling fugitive dust.

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

House File 644, by committee on state government, a bill for an act relating to elections and voter registration by prohibiting the processing of certain voter registration applications, allowing certain voter registrations to be submitted after the deadline, removing the requirement for separate entrances to buildings where polling places for more than one precinct are located, relating to use of voting machines or paper ballots at certain elections, requiring names of candidates for nonpartisan office to be printed on the ballot in alphabetical order, relating to information printed on a certain portion of the ballot, modifying opening hours of the polls at certain elections, allowing the voter's declaration of eligibility to be printed on the election register, relating to the abstract of votes for county offices, relating to appointment of observers present when ballots are counted, allowing absentee voting at the commissioner's office for part of the day of the election for certain elections, requiring the registered voter's date of birth on the absentee ballot application, clarifying that certain confined persons may vote an absentee ballot in person at the commissioner's office, changing the deadline for challenging an absentee voter's qualifications, relating to persons nominated for city office by write-in votes, repealing the provisions declaring it unlawful for an absentee voter to fail to return the voter's absentee ballot, and including an applicability date provision.

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

House File 645, by committee on state government, a bill for an act relating to the regulation of lotteries, including the definition of a lottery, permissible lotteries by commercial organizations, and the prosecution of violators.

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

House File 646, by committee on state government, a bill for an act concerning social and charitable gambling, including the regulation of cash raffles at fairs, prohibiting raffles at annual game nights, establishing a permanent electrical and mechanical amusement devices special fund and providing an appropriation, prohibiting certain electrical or mechanical amusement devices and bona fide contests, and providing for the denial, suspension, and

revocation of certain gambling licenses by the department of inspections and appeals.

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

[House File 647](#), by committee on state government, a bill for an act relating to electronic filing of campaign finance organizational statements, dissolution reports, and disclosure reports by candidates for statewide office or for the general assembly, establishing a filing deadline for all statements and reports, providing a penalty, and providing applicability dates.

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

[House File 648](#), by committee on state government, a bill for an act relating to state agency employment opportunities for members of the general assembly within two years after the termination of service.

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

[House File 649](#), by R. Olson, a bill for an act relating to a probation period following certain periods of driver's license suspension, revocation, or bar.

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

[House File 650](#), by Ford, a bill for an act relating to the responsibilities of the child development coordinating council and the standing appropriation for programs for at-risk children.

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

[House File 651](#), by Jochum, a bill for an act relating to continuity of care for cancer treatment and providing an effective date and retroactive applicability.

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

[House File 652](#), by R. Olson, a bill for an act providing for the reinstatement of a person's driver's license or nonresident operating privilege relating to an operating-while-intoxicated offense not resulting in a conviction or deferred judgment.

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

[House File 653](#), by Ford and Berry, a bill for an act repealing the maximum accumulation of earned time credits of approximately fifteen percent of a criminal sentence of confinement.

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

[House File 654](#), by Thomas and Kuhn, a bill for an act relating to economic development initiatives by providing for the Iowa agricultural industry finance Act, providing for the repayment of moneys loaned by the department of economic development to a corporation, providing for the allocation of those moneys, and providing effective dates.

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

[House File 655](#), by Jones and Smith, a bill for an act exempting from the sales and use taxes certain medical assistive devices for use by persons with a mental or physical impairment.

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

[House File 656](#), by Ford, a bill for an act making appropriations to the department of human rights for the divisions on the status of African-Americans, Iowans of Asian and Pacific Islander heritage, and Latino affairs.

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

[House File 657](#), by Jochum, a bill for an act to delay the issuance of executions in forcible entry or detention actions for tenancies in manufactured and mobile home parks.

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

[House File 658](#), by Hunter, a bill for an act relating to fees for special motor vehicle registration plates issued to disabled veterans.

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

[House File 659](#), by Smith, a bill for an act relating to the provision of child support and postsecondary education subsidies for nonmarital children.

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

[House File 660](#), by Ford, a bill for an act relating to videorecording of eluding or attempting to elude a pursuing law enforcement vehicle.

Read first time and referred to committee on **public safety**.

[House File 661](#), by Elgin, a bill for an act relating to the manufacture and sale of native distilled spirits, and establishing a permit fee.

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

[House File 662](#), by Gaskill, a bill for an act relating to the termination of a franchise agreement granted by a city to a rate-regulated electric utility.

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

[House File 663](#), by Lukan, a bill for an act relating to a sales tax exemption for bingo operations run by certain charitable organizations.

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

[House File 664](#), by Mascher, Foegen, Jacoby and Lensing, a bill for an act designating lake Macbride as a protected water area.

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

[House File 665](#), by Ford, a bill for an act prohibiting the use of credit information for underwriting or rating risks for personal insurance and providing penalties and an applicability date.

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

[House File 666](#), by Whitaker, a bill for an act relating to competitive local exchange service providers.

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

[House File 667](#), by Hunter, a bill for an act concerning veterans, relating to employment preference and other benefits.

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

[House File 668](#), by Ford, a bill for an act providing for establishment of a task force to study the creation of a single state department with responsibility for juvenile justice services and programs and including an effective date.

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

[House File 669](#), by committee on environmental protection, a bill for an act relating to environmental regulations regarding water treatment, sewer systems, and household hazardous waste.

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

[House File 670](#), by committee on economic growth, a bill for an act relating to the transferability of eligible housing business tax credits for new housing investment under the enterprise zone program.

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

[House File 671](#), by committee on judiciary, a bill for an act relating to the procedures and duties of the judicial branch, making

an appropriation to the enhanced court collections fund, and providing for fees.

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

[House File 672](#), by committee on local government, a bill for an act relating to delinquent property taxes and other duties of the county treasurer and including effective date and applicability date provisions.

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

[House File 673](#), by committee on natural resources, a bill for an act restricting the sale of bait by nonresidents who hold a license to engage in aquaculture.

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

[House File 674](#), by committee on transportation, a bill for an act relating to distribution of secondary and farm-to-market road funds.

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

[House File 675](#), by Tymeson, Upmeyer, Chambers and Heaton, a bill for an act relating to early childhood programs available through the community empowerment initiative.

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

ADOPTION OF [HOUSE RESOLUTION 12](#)

Murphy of Dubuque, Schueller of Jackson, Zirkelbach of Jones, Jochum of Dubuque and Lukan of Dubuque called up for consideration [House Resolution 12](#), a resolution congratulating Dubuque Main Street Limited, and moved its adoption.

The motion prevailed and the resolution was adopted.

On motion by Jacobs of Polk, the House was recessed at 9:07 a.m., until 4:00 p.m.

AFTERNOON SESSION

The House reconvened at 4:01 p.m., Speaker Rants in the chair.

INTRODUCTION OF BILLS

[House File 676](#), by Jacobs, a bill for an act authorizing a city to sell land gifted or dedicated to a city for park purposes.

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

[House File 677](#), by Bukta, a bill for an act requiring elections to be conducted by mail ballots and providing penalties.

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

[House File 678](#), by Hutter, a bill for an act relating to the approval of attorney fees when representing an indigent person.

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

[House File 679](#), by Jacoby, a bill for an act relating to the criminal offense of interference with official acts.

Read first time and referred to committee on **public safety**.

[House File 680](#), by Hunter, a bill for an act providing an Iowa individual income tax checkoff for qualified Iowa zoos, making an appropriation, and providing for the Act's implementation.

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

[House File 681](#), by committee on judiciary, a bill for an act relating to workers' compensation insurance, benefits, and settlements.

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

[House File 682](#), by committee on judiciary, a bill for an act relating to the assessment of a civil penalty upon the entry of a deferred judgment.

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

[House File 683](#), by committee on judiciary, a bill for an act authorizing the appointment of an attorney to represent an indigent parole violator, and providing effective and retroactive applicability date provisions.

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

[House File 684](#), by committee on public safety, a bill for an act allowing a nonresident person who possesses a valid out-of-state weapons permit to carry weapons in this state under reciprocity conditions.

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

[House File 685](#), by committee on public safety, a bill for an act establishing the child identification and protection Act, which prohibits the fingerprinting of children, and providing for exceptions.

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

[House File 686](#), by committee on education, a bill for an act relating to the duties and responsibilities of the state board of regents and the institutions under its control.

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

[House File 687](#), by committee on transportation, a bill for an act relating to the issuance of traffic citations for railroad crossing violations.

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

[House File 688](#), by Alons and Raecker, a bill for an act to privatize the pool of passenger motor vehicles maintained and operated by the department of administrative services.

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

[House File 689](#), by Kaufmann, a bill for an act providing for income tax credits for the cost of purchasing health insurance

coverage by certain small employers and providing effective and retroactive applicability dates.

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

[House File 690](#), by Jochum, a bill for an act relating to the sales and use taxes on the operation of bingo games.

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

[House File 691](#), by Ford, a bill for an act relating to state purchasing preferences and goals for minority-owned targeted small business.

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

[House File 692](#), by Shomshor, a bill for an act relating to coupling Iowa's tax laws with the federal Internal Revenue Code and including an applicability date provision.

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

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 March 9, 2005, passed the following bill in which the concurrence of the Senate was asked:

[House File 418](#), a bill for an act concerning billing for anatomic pathology services and making licensing sanctions applicable.

Also: that the Senate has on March 9, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 264](#), a bill for an act relating to the funding of the dual party relay service through assessments on telecommunications carriers providing telephone service.

Also: that the Senate has on March 9, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 270](#), a bill for an act relating to identity theft including criminal violations and damages recoverable in a civil action, providing for forfeiture of property and for certain rights of financial institutions, and providing for civil remedies.

Also: that the Senate has on March 9, 2005, concurred in the House amendment and adopted the following resolution in which the concurrence of the Senate was asked:

[Senate Concurrent Resolution 3](#), a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-first general assembly.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

[Senate File 270](#), by committee on commerce, a bill for an act relating to identity theft including criminal violations and damages recoverable in a civil action, providing for forfeiture of property and for certain rights of financial institutions, and providing for civil remedies.

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

[Senate File 264](#), by committee on commerce, a bill for an act relating to the funding of the dual party relay service through assessments on telecommunications carriers providing telephone service.

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

The House stood at ease at 4:05 p.m., until the fall of the gavel.

The House resumed session at 4:55 p.m., Speaker Rants in the chair.

CONSIDERATION OF BILLS

Regular Calendar

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

Baudler of Adair offered amendment [H-1047](#) filed by the committee on public safety as follows:

[H-1047](#)

1 Amend [Senate File 169](#), as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting
4 clause and inserting the following:
5 "Section 1. Section 124.212, subsection 4, Code
6 2005, is amended by striking the subsection and
7 inserting in lieu thereof the following:
8 4. PRECURSORS TO AMPHETAMINE AND METHAMPHETAMINE.
9 Unless specifically excepted in paragraph "d" or
10 listed in another schedule, any material, compound,
11 mixture, or preparation which contains any quantity of
12 the following precursors to amphetamine or
13 methamphetamine, including their salts, optical
14 isomers, and salts of their optical isomers:
15 a. Ephedrine.
16 b. Phenylpropanolamine.
17 c. Pseudoephedrine. A person shall not purchase
18 more than seven thousand five hundred milligrams of
19 pseudoephedrine within a thirty-day period from a
20 pharmacy, unless the person has a prescription for a
21 pseudoephedrine product in excess of that quantity.
22 d. A pseudoephedrine product warehoused by a
23 distributor located in this state which is warehoused
24 for export to a retailer outside this state is
25 excepted from this schedule. A distributor
26 warehousing and exporting a pseudoephedrine product
27 shall register with the board and comply with any
28 rules adopted by the board relating to the diversion
29 of pseudoephedrine products from legitimate commerce.
30 Sec. 2. NEW SECTION. 124.213 PHARMACY
31 PSEUDOEPHEDRINE SALE RESTRICTION – PENALTY.
32 A person who purchases more than seven thousand
33 five hundred milligrams of pseudoephedrine from a
34 pharmacy in violation of section 124.212 within a
35 thirty-day period commits a serious misdemeanor.
36 Sec. 3. Section 602.8105, subsection 4, Code 2005,
37 is amended by striking the subsection.
38 Sec. 4. Section 805.8C, subsection 6, Code 2005,
39 is amended by striking the subsection.
40 Sec. 5. PSEUDOEPHEDRINE – PREEMPTION. A
41 political subdivision of the state shall not adopt an
42 ordinance regulating the display or sale of products
43 containing pseudoephedrine. An ordinance adopted in
44 violation of this section is void and unenforceable
45 and any enforcement activity of an ordinance in
46 violation of this section is void.

47 Sec. 6. DRUG POLICY COORDINATOR – REPORT. The
 48 drug policy coordinator shall report, in a joint
 49 meeting, to the committee on judiciary of the senate
 50 and the committee on public safety of the house of

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1 representatives in January 2006 and in January 2007,
 2 the effects of this Act on methamphetamine abuse and
 3 related criminal activity.

4 Sec. 7. Sections 126.23A and 714.7C, Code 2005,
 5 are repealed.

6 Sec. 8. EFFECTIVE DATES. This Act takes effect
 7 sixty days from the date of enactment or July 1, 2005,
 8 whichever is earlier. However, the portion of the
 9 section of this Act amending section 124.212,
 10 subsection 4, which makes all ephedrine products
 11 schedule V controlled substances, takes effect upon
 12 enactment."

Watts of Dallas asked and received unanimous consent to withdraw amendment [H-1052](#) to the committee amendment [H-1047](#) filed by him from the floor.

On motion by Baudler of Adair, the committee amendment [H-1047](#) was adopted.

Fallon of Polk 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. 169](#))

The ayes were, 100:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
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	Shultz
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, none.

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 169](#) be immediately messaged to the Senate.

[HOUSE FILE 595](#) REREFERRED

The Speaker announced that [House File 595](#), previously referred to committee on **judiciary** was rereferred to committee on **human resources**.

[HOUSE FILE 625](#) REREFERRED

The Speaker announced that [House File 625](#), previously referred to committee on **public safety** was rereferred to committee on **judiciary**.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 7, 2005. Had I been present, I would have voted "aye" on House Files 277 and 418 and "aye" on [Senate File 114](#).

WENDT of Woodbury

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\661 Luetta Carlson, Paullina – For celebrating her 90th birthday.
- 2005\662 Loretta Davis, Oelwein – For celebrating her 96th birthday.
- 2005\663 Letha Bunn, Maynard – For celebrating her 95th birthday.
- 2005\664 Russ White, Oelwein – For celebrating his 80th birthday.
- 2005\665 Marie Tegtmeier, Sumner – For celebrating her 85th birthday.
- 2005\666 Karoll Williams, Oelwein – For celebrating her 85th birthday.
- 2005\667 Virgil and Joyce Kehe, Readlyn – For celebrating their 60th wedding anniversary.
- 2005\668 Robert and June Tangen, West Union – For celebrating their 50th wedding anniversary.
- 2005\669 Bill and Joanne Hunter, Newton – For celebrating their 50th wedding anniversary.
- 2005\670 Kurt Simon, Humbolt – For receiving 2nd place in the 140 lb. weight class in the class 2-A Division of the 2005 State Wrestling Tournament.
- 2005\671 Craig Kremen, Tipton – For receiving 2nd place in the 171 lb. weight class in the 1-A Division of the 2005 State Wrestling Tournament.
- 2005\672 Chad Beatty, Moscow – For winning 1st place in the 171 lb. weight class in the Class 2-A Division of the 2005 State Wrestling Tournament.
- 2005\673 Marvene Guyer, Durant – For celebrating her 80th birthday.
- 2005\674 Mr. and Mrs. William Ketelsen, Durant – For celebrating their 50th wedding anniversary.
- 2005\675 Betty Carson, Independence – For celebrating her 85th birthday.
- 2005\676 Howard Arnold, Aurora – For celebrating his 90th birthday.

- 2005\677 Jim and JoAnn Willis, Libertyville – For celebrating their 50th wedding anniversary.
- 2005\678 Lenard and Marlys Geater, Vinton – For celebrating their 50th wedding anniversary.
- 2005\679 Washington High School Speech Students, Vinton – For receiving Division I rating at the South East District Large Group Speech contest.
- 2005\680 Loretta Greiner, Keota – For celebrating her 85th birthday.
- 2005\681 Darlene Greiner, Keota – For celebrating her 80th birthday.
- 2005\682 Norman and Lois Collins, Sigourney – For celebrating their 50th wedding anniversary.
- 2005\683 David and Gayle Rhinehart, Victor – For celebrating their 65th wedding anniversary.
- 2005\684 Evalena Dale, Brooklyn – For celebrating her 90th birthday.
- 2005\685 Llyod and Meralene Lee, Salem – For celebrating their 50th wedding anniversary.
- 2005\686 Eldon and Mildred Sear, Dubuque – For celebrating their 65th wedding anniversary.
- 2005\687 Clarinda Cardinals Boys Basketball Team and coaches Brent Douma, Rodney Eberly and Joel Bartz of Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball, their first championship since 1976,
- 2005\688 Anthony Davis, Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball.
- 2005\689 Tyler Beery, Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball.
- 2005\690 Steven Lydick, Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball.
- 2005\691 Hunter Driscoll, Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball.
- 2005\692 Jared Moore, Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball.
- 2005\693 Matthew Ulmer, Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball.

- 2005\694 James Chrouser, Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball.
- 2005\695 Grant Mosier, Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball.
- 2005\696 Jordan Moore, Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball.
- 2005\697 Keoni Hartstack, Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball.
- 2005\698 Jordan Moses, Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball.
- 2005\699 Jared Sunderman, Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball.
- 2005\700 Andrew Stimson, Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball.
- 2005\701 Scott Brown, Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball.
- 2005\702 Dustin Skahill, Clarinda – For winning the 2005 Hawkeye 10 Conference Championship in Boys Basketball.
- 2005\703 Iva Crouse, Sigourney – For celebrating her 110th birthday.
- 2005\704 Lynn Jacobsen and the Danville High School Drama Students, Danville – For receiving 2nd place in the All-State Competition.

SUBCOMMITTEE ASSIGNMENTS

[House File 527](#)

Education: Soderberg, Chair; Bukta and Roberts.

[House File 541](#)

Education: Dolecheck, Chair; Ford and Tomenga.

[House File 546](#)

Education: Paulsen, Chair; Tymeson and Wise.

[House File 547](#)

Education: Raecker, Chair; Chambers and Hogg.

[House File 576](#)

Commerce, Regulation and Labor: Wilderdyke, Chair; Struyk and D. Taylor.

[House File 631](#)

Commerce, Regulation and Labor: Wilderdyke, Chair; Struyk and D. Taylor.

[House File 633](#)

Education: Tomenga, Chair; Chambers and Cohoon.

[House File 675](#)

Human Resources: Tymeson, Chair; Foegen, Heaton, Petersen and Upmeyer.

[Senate File 176](#)

Education: Tymeson, Chair; Chambers and Wendt.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 261](#)

Commerce, Regulation and Labor: Quirk, Chair; Horbach and Jenkins.

[House Study Bill 262](#)

Commerce, Regulation and Labor: Soderberg, Chair; Jacoby and Watts.

[House Study Bill 263](#)

State Government: Upmeyer, Chair; Boal and Jochum.

[House Study Bill 264](#)

Judiciary: Kaufmann, Chair; Berry and Tymeson.

[House Study Bill 265](#)

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

[House Study Bill 266](#)

Government Oversight: Alons, Chair; Eichhorn and Winckler.

[House Study Bill 267](#)

Natural Resources: Lukan, Chair; Frevert and Tjepkes.

House Study Bill 269

Human Resources: Roberts, Chair; Carroll and Hunter.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 270 Environmental Protection

Relating to the replacement of groundwater sources and coverage under the remedial account of the Iowa comprehensive petroleum underground storage tank fund.

H.S.B. 271 Education

Providing for inclusion of funding for returning dropout and dropout prevention programs within the school finance formula, and providing effective and applicability dates.

H.S.B. 272 Agriculture

Regulating the disposal of used cooking grease, providing fees, and providing penalties.

H.S.B. 273 Commerce, Regulation and Labor

Relating to the regulation and supervision of title insurance agents, to the sale of title insurance, providing for penalties, and providing for effective and applicability dates.

H.S.B. 274 Commerce, Regulation and Labor

Relating to antitrust activities of cable television service providers and providing for civil remedies.

H.S.B. 275 Appropriations

Relating to and making appropriations to the judicial branch, and providing an effective date.

H.S.B. 276 Appropriations

Relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources.

H.S.B. 277 Appropriations

Relating to and making appropriations to the department of economic development, certain board of regents institutions, the department of workforce development, and the public employment relations board and related matters.

H.S.B. 278 Appropriations

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters, and providing an effective date.

H.S.B. 279 Appropriations

Relating to and making appropriations to the justice system.

H.S.B. 280 Judiciary

Relating to a homestead exemption waiver notice contained in a written contract affecting agricultural land.

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 AGRICULTURE

Committee Bill (Formerly [House File 226](#)), relating to the establishment of a form of business association referred to as a cooperative, and providing for fees and tax credits, providing penalties, and providing effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House File 542](#)), relating to the Iowa soybean association, by providing for its board of directors, market development, and providing for an assessment.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 247](#)), relating to animal feeding operations, by providing for chronic complaints.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

COMMITTEE ON COMMERCE, REGULATION AND LABOR

Committee Bill (Formerly [House File 115](#)), providing for the licensing and regulation of mortgage originators, providing fees and penalties, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 15](#)), relating to awards of noneconomic damages against health care providers.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 88](#)), relating to the characterization of personal injuries for purposes of workers' compensation liability.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 130](#)), relating to the labor commissioner's regulatory duties and responsibilities regarding occupational safety and health, including training for inspections and investigations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 131](#)), concerning authorized testing substances for private sector employee drug testing.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 211](#)), relating to various provisions administered by the insurance division of the department of commerce concerning premium tax refunds, the interstate insurance compact, insurer insolvency proceedings, individual health insurance, the small employer carrier reinsurance program, the Iowa comprehensive health association, fire insurance policies, the Iowa insurance guaranty association, the FAIR plan, motor vehicle service contracts, investments by county and state mutual associations, reciprocal or interinsurance contract premium rates, unauthorized activity of insurance producers, and annuity contracts for cemetery and funeral merchandise and funeral services, and making fees and penalties applicable and providing effective and retroactive applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 231](#)), relating to access to dependent adult abuse information and unemployment compensation claims.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 233](#)), concerning public employee collective bargaining.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2005.

COMMITTEE ON ECONOMIC GROWTH

Committee Bill (Formerly [House File 122](#)), creating a women entrepreneurs in business program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House File 238](#)), relating to tourism marketing by the department of economic development and making appropriations.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2005.

Committee Bill (Formerly [House File 284](#)), relating to the establishment of rural improvement zones.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House File 425](#)), relating to the port authorities including providing for the establishment, control, and dissolution of port authorities and providing for certain powers, limitations, and requirements including issuing revenue bonds and pledge orders, charging fees, entering into contracts and agreements, employing persons and peace officers, and providing for the use of revenues and exemption from the property taxes.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 53](#)), relating to transferability of eligible housing business tax credits for new housing investment under the enterprise zone program.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 3, 2005.

Pursuant to Rule 31.7, [House File 670](#) was referred to the committee on ways and means.

Committee Bill (Formerly [House Study Bill 139](#)), relating to state individual income tax exemptions for residents of border cities, replacement local option sales and services and property tax, and including an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

COMMITTEE ON ENVIRONMENTAL PROTECTION

Committee Bill (Formerly [House File 166](#)), relating to the acceptance of empty beverage containers by dealers of beverages, the reimbursement amount paid by a distributor for empty beverage containers, a property tax exemption for glass recyclers, and providing civil penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 9, 2005.

Committee Bill (Formerly [House File 414](#)), relating to persons commercially cleaning private sewage disposal facilities by providing regulations, fees, and civil penalties, requiring cities to regulate the division of certain land outside city boundaries and accept certain septage from subdivisions approved by cities outside city boundaries, and making appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 9, 2005.

Committee Bill (Formerly [House File 489](#)), relating to the publishing of notice of recommendations to grant permits for diversion, storage, and withdrawal of water.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 9, 2005.

COMMITTEE ON JUDICIARY

[House File 498](#), a bill for an act prescribing the frequency of a guardian ad litem's visits to the residence of a child.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 196](#)), relating to the procedures and duties of the judicial branch, making an appropriation to the enhanced court collections fund, and providing for fees.

Fiscal Note is not required.

Recommended **Do Pass** March 3, 2005.

Pursuant to Rule 31.7, [House File 671](#) was referred to the committee on appropriations.

Committee Bill (Formerly [House Study Bill 209](#)), relating to the assessment of a civil penalty upon the entry of a deferred judgment.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 236](#)), authorizing the appointment of an attorney to represent an indigent parole violator, and providing effective and retroactive applicability date provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2005.

COMMITTEE ON LOCAL GOVERNMENT

Committee Bill (Formerly [House File 232](#)), allowing counties to share the services of certain elective county officers.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House File 341](#)), 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.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

COMMITTEE ON NATURAL RESOURCES

Committee Bill (Formerly [House File 304](#)), relating to deer population management and providing penalties and appropriations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 9, 2005.

Committee Bill (Formerly [House Study Bill 250](#)), relating to wild animals, by providing for their regulation, providing for fees and appropriations, and providing for penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 9, 2005.

Committee Bill (Formerly [House Study Bill 260](#)), relating to the regulation of all-terrain vehicles, establishing fees, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 9, 2005.

Committee Bill (Formerly [House Study Bill 267](#)), relating to the regulation of snowmobiles, establishing fees, and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 9, 2005.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly [House File 483](#)), establishing the child identification and protection Act, which prohibits the fingerprinting of children and providing for exceptions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House File 549](#)), allowing a nonresident person who possesses a valid out-of-state weapons permit to carry weapons in this state under reciprocity conditions.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 24](#)), 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.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 40](#)), relating to requiring certain persons to submit a DNA sample for DNA profiling, authorizing a fee, providing a penalty, and providing effective and contingent effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

COMMITTEE ON STATE GOVERNMENT

[House File 59](#), a bill for an act providing for the determination of partisan balance on boards and commissions and including an applicability provision.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2005.

Committee Bill (Formerly [House File 104](#)), prohibiting the publication of certain false statements of fact made with actual malice concerning a candidate for public office and providing remedies.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House File 326](#)), relating to the improper influence of executive branch officials, executive branch employees, members of the general assembly, and legislative employees, and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House File 365](#)), relating to eligibility of certain members of the reserve forces of the United States and the Iowa national guard for the military service tax credit and exemption and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 21](#)), relating to the recognition and registration of professional employer organizations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 29](#)), relating to the regulation of liquefied petroleum gas storage tanks, making an appropriation, and providing penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 45](#)), providing for state employee payroll deductions for Iowa educational savings plan trust contributions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 62](#)), relating to the ethical conduct of state and local officials and employees.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 163](#)), establishing an interior design examining board, providing for the registration of interior designers, and providing fees and penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 166](#)), relating to the Iowa public employees' retirement system and the judicial retirement system.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 191](#)), relating to state government financial matters concerning charter agencies, the state appeal board, and reinvention initiatives of the department of management, and making appropriations.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2005.

Committee Bill (Formerly [House Study Bill 192](#)), relating to the military division and the homeland security and emergency management division of the department of public defense concerning the activation and use of the civil air patrol, the authority of the adjutant general to enter into interstate agreements for use of national guard personnel, peace officer status for national guard personnel performing certain missions, and the use of the national incident management system for state emergencies.

Fiscal Note is not required.

Recommended **Do Pass** March 8, 2005.

RESOLUTIONS FILED

[HCR 9](#), by Winkler and Maddox, a concurrent resolution designating March 2005 as Iowa Women's History Month.

Laid over under **Rule 25**.

[HR 17](#), by Quirk, a resolution to recognize the sesquicentennial of the town of New Hampton, Iowa.

Laid over under **Rule 25**.

AMENDMENT FILED

[H-1053](#) [H.F. 608](#) Smith of Marshall

On motion by Gipp of Winneshiek the House adjourned at 5:14 p.m., until 8:45 a.m., Thursday, March 10, 2005.