

PROOF

STATE OF IOWA

House Journal

THURSDAY, MARCH 10, 2005

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

JOURNAL OF THE HOUSE

Sixtieth Calendar Day - Forty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 10, 2005

The House met pursuant to adjournment at 8:47 a.m., Speaker Rants in the chair.

“The Lords Prayer” was sung by Senate Page, Ellen Harris from Ankeny. She was the guest of Representative Carmen Boal from Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, March 9, 2005 was approved.

INTRODUCTION OF BILLS

[House File 693](#), by Ford, a bill for an act requiring secondary school students to take a college entrance examination prior to graduating from high school and making an appropriation.

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

[House File 694](#), by Fallon, Whitaker and Swaim, a bill for an act requiring the department of agriculture and land stewardship to revise certain application requirements applicable to the women, infants, and children Iowa farmers market nutrition program and the senior farmers market nutrition program and providing an effective date.

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

[House File 695](#), by Thomas, a bill for an act relating to a regional business assistance cooperative.

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

[House File 696](#), by Kaufmann, a bill for an act authorizing voluntary health care purchasing pools for certain employers.

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

[House File 697](#), by Mascher, a bill for an act relating to the imposition of a countywide hotel and motel tax.

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

[House File 698](#), by committee on economic growth, a bill for an act relating to tourism marketing by the department of economic development and making appropriations.

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

[HOUSE FILE 658](#) REREFERRED

The Speaker announced that [House File 658](#), previously referred to committee on **state government** was rereferred to committee on **transportation**.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 10, 2005, he approved and transmitted to the Secretary of State the following bill:

[Senate File 75](#), an Act allocating funding appropriated to assist individuals assigned to active duty military service and providing effective and applicability date provisions.

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF PUBLIC HEALTH

Bureau of Health Statistics status report for 2004, pursuant to Chapter 1175, 2004 Iowa Acts.

2004 Report on Anatomical Gifts Annual Donation and Compliance, pursuant to Chapter 142C.17, Code of Iowa.

STATE OF IOWA
Alcoholic Beverages Division

Fiscal Year 2004 annual report, pursuant to Chapter 123, 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\705 Dorothy Amfahr, Jesup – For celebrating her 92nd birthday.
- 2005\706 Ivan and Marlene Steinbeck, Independence – For celebrating their 50th wedding anniversary.
- 2005\707 Jim “The Bear” Wheeler, West Branch – For being inducted into the Iowa High School Golf Coaches Hall of Fame.

SUBCOMMITTEE ASSIGNMENTS

[House File 595](#)

Human Resources: Carroll, Chair; Foege and Heaton.

[House File 625](#)

Judiciary: Swaim, Chair; Hutter and J.R Van Fossen.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 271](#)

Education: Paulsen, Chair; Tymeson and Wendt.

[House Study Bill 272](#)

Agriculture: S. Olson, Chair; Mertz and Struyk.

[House Study Bill 273](#)

Commerce, Regulation and Labor: Jacobs, Chair; Oldson and Sands.

[House Study Bill 274](#)

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

[House Study Bill 280](#)

Judiciary: Eichhorn, Chair; Swaim and J.R. Van Fossen.

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 435](#)), providing for the regulation of commercial canine operations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 2005.

Committee Bill (Formerly [House File 490](#)), relating to the keeping of farm deer.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 2005.

Committee Bill (Formerly [House File 507](#)), providing for the liability of a landowner who provides for drainage.

Fiscal Note is not required.

Recommended **Do Pass** March 10, 2005.

Committee Bill (Formerly [House Study Bill 235](#)), relating to animal feeding operations, by providing for the regulation of open feedlot operations, and providing for penalties.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 2005.

COMMITTEE ON COMMERCE, REGULATION AND LABOR

Committee Bill (Formerly [House File 353](#)), 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.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 187](#)), providing for the privatization of the state liquor warehouse, and providing penalties.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 212](#)), relating to cemeteries and cemetery regulation, providing administration and enforcement procedures, establishing requirements for interment rights agreements and reporting, establishing and appropriating fees, and providing penalties.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 230](#)), repealing registration requirements for construction contactors and providing for related matters.

Fiscal Note is not required.

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

COMMITTEE ON EDUCATION

[House File 118](#), 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.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment H-1055** March 9, 2005.

[House File 454](#), a bill for an act requiring the state board of education to adopt rules establishing criteria for the approval of requests submitted by school districts for early school start dates.

Fiscal Note is not required.

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

Committee Bill (Formerly [House File 303](#)), relating to the inclusion of kindergarten and prekindergarten pupils in the actual enrollment of a school district.

Fiscal Note is not required.

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

Committee Bill (Formerly [House File 409](#)), relating to education technology, including the creation of an Iowa learning technology commission and pilot program, establishment of a research triangle and clearinghouse, and allowing for the use of physical plant and equipment levy revenues for education technology.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 20](#)), relating to driver education by a teaching parent.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 228](#)), relating to the Iowa early intervention block grant program by changing the distribution method and reporting requirements, extending the repeal of the chapter establishing the program, and providing an effective date.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 243](#)), relating to the duties and responsibilities of school districts, area education agencies, and the department of education by expanding school district audit requirements, requiring the department to submit an achievement gap report, changing deadlines and adding reporting requirements related to dropout and dropout prevention programs, eliminating an early school start date penalty, eliminating certain requirements for school district payments and settlements, authorizing school site sale revenues to be used for physical plant and equipment levy fund expenditures, allowing school districts to establish nonprofit entities or organizations, eliminating Code provisions related to extended school programs and evening and part-time schools, providing for changes to open enrollment requirements, deadlines, and authorizations, repealing a school district lawful fence requirement, expanding the penalties for school bus drivers in violation of Code requirements, revising requirements for prior authorization and a certificate of need for local option and services tax for school infrastructure fund use, and reinstating open enrollment eligibility under a certain circumstance related to desegregation plans.

Fiscal Note is not required.

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

COMMITTEE ON ECONOMIC GROWTH

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.

Pursuant to Rule 31.7, [House File 698](#) was referred to the committee on appropriations.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly [House File 325](#)), creating a prescription drug donation and redispensing pilot program, and providing penalties.

Fiscal Note is not required.

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

Committee Bill (Formerly [House File 552](#)), establishing the enactment of the postsecondary education subsidy provision as a substantial change in circumstances, allowing modification of a support order, and providing effective and retroactive applicability dates.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 124](#)), relating to a nursing facility quality assurance assessment, providing a contingent effective date, providing for retroactive applicability, and providing an effective date.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 176](#)), providing for the Iowa department of public health to administer the Iowa food code in place of the department of inspections and appeals.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 223](#)), relating to mental health, mental retardation, developmental disabilities, and brain injury services and the services fund administered by counties by revising levy provisions applicable to that fund and providing for county administration of services on behalf of the state, and including an effective and applicability date.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 225](#)), relating to programs and functions under the purview of the Iowa department of public health and providing criminal penalties and civil remedies.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 226](#)), providing for the creation of an electronic drug database, establishing fees, providing penalties, and providing an effective date.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 227](#)), making changes relating to the practice of pharmacy, establishing fees, and providing penalties.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 241](#)), relating to the providing of another business or activity in a health care facility.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 251](#)), establish an advanced practice registered nurse compact and including a future repeal.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 252](#)), relating to the establishment of a direct care worker task force.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 253](#)), relating to information to be reported regarding an induced termination of pregnancy performed on a minor, and making penalties applicable.

Fiscal Note is not required.

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

COMMITTEE ON JUDICIARY

Committee Bill (Formerly [House Study Bill 69](#)), relating to family law provisions including dissolution of marriage and domestic relations, termination of parental rights proceedings, and postsecondary education subsidy provisions, providing an effective date, and providing for retroactive applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 2005.

Committee Bill (Formerly [House Study Bill 76](#)), relating to confidentiality and liability provisions involving the child advocacy board and the programs and volunteers associated with the board and making a penalty applicable.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 138](#)), relating to the criminal offense of theft of leased or rented personal property and making penalties applicable.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 140](#)), relating to the timing of a mental competency hearing for a person accused of a criminal offense.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 240](#)), relating to the Iowa probate code, the Iowa trust code, and certain other trusts.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 248](#)), requesting the establishment of an interim study committee by the legislative council to conduct a study of issues related to the costs of professional liability insurance for health care providers in Iowa.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 10, 2005.

Committee Bill (Formerly [House Study Bill 249](#)), relating to liens associated with agricultural production, by providing for the termination of those liens.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 280](#)), relating to a homestead exemption waiver notice contained in a written contract affecting agricultural land.

Fiscal Note is not required.

Recommended **Do Pass** March 10, 2005.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly [House Study Bill 46](#)), expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

Fiscal Note is not required.

Recommended **Do Pass** March 10, 2005.

AMENDMENTS FILED

H-1054	H.F. 642	Kuhn of Floyd
H-1055	H.F. 118	Committee on Education
H-1056	H.F. 642	Kuhn of Floyd

On motion by Gipp of Winneshiek the House adjourned at 8:56 a.m., until 9:00 a.m., Friday, March 11, 2005.