

PROOF

STATE OF IOWA

House Journal

FRIDAY, MARCH 11, 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

Sixty-first Calendar Day - Forty-third Session Day

Hall of the House of Representatives
Des Moines, Iowa, Friday, March 11, 2005

The House met pursuant to adjournment at 9:02 a.m., Gipp of Winneshiek in the chair.

Prayer was offered by Becky Lorenz, Confidential Secretary to the Speaker of the House.

The Journal of Thursday, March 10, 2005 was approved.

INTRODUCTION OF BILLS

[House File 699](#), by Wendt, a bill for an act providing for the establishment of an Iowa educator professional growth program, making an appropriation, and including effective and applicability date provision.

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

[House File 700](#), by committee on agriculture, a bill for an act relating to the Iowa soybean association, by providing for its board of directors, market development, and providing for an assessment.

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

[House File 701](#), by committee on agriculture, a bill for an act relating to animal feeding operations, by providing for chronic complaints.

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

[House File 702](#), by committee on commerce, regulation and labor, a bill for an act relating to the responsibilities of divisions within the department of workforce development, including training for occupational safety and health inspections and investigations, and certain workers' compensation benefits.

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

[House File 703](#), by committee on commerce, regulation and labor, a bill for an act concerning authorized testing substances for private sector employee drug testing.

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

[House File 704](#), by committee on commerce, regulation and labor, a bill for an act relating to awards of noneconomic damages against health care providers.

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

[House File 705](#), by committee on commerce, regulation and labor, a bill for an act relating to the characterization of personal injuries for purposes of workers' compensation liability.

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

[House File 706](#), by committee on commerce, regulation and labor, a bill for an act relating to access to dependent adult abuse information and unemployment compensation claims.

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

[House File 707](#), by committee on commerce, regulation and labor, a bill for an act concerning public employee collective bargaining.

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

[House File 708](#), by committee on economic growth, a bill for an act relating to the establishment of rural improvement zones.

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

[House File 709](#), by committee on human resources, a bill for an act relating to the establishment of a prescription drug assistance clearinghouse program by the commissioner of insurance, and providing for a contingent appropriation.

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

[House File 710](#), by committee on human resources, a bill for an act relating to the regulation of elder group homes and providing penalties.

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

[House File 711](#), by committee on judiciary, a bill for an act relating to judicial branch procedures involving the appointment process of certain officers and judges and applications for further review at the appellate level.

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

[House File 712](#), by committee on local government, a bill for an act allowing counties to share the services of certain elective county officers.

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

[House File 713](#), by committee on public safety, a bill for an act relating to requiring certain persons to submit a DNA sample for DNA profiling, making a request for DNA profiling, providing a penalty, and providing effective and contingent effective dates.

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

[House File 714](#), by committee on state government, a bill for an act establishing an interior design examining board, providing for the registration of interior designers, and providing fees and penalties.

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

[House File 715](#), by committee on state government, a bill for an act relating to state government financial matters concerning charter agencies, the state appeal board, and reinvention initiatives of the department of management, and making appropriations.

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

[House File 716](#), by committee on state government, a bill for an act 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.

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

House File 717, by committee on transportation, a bill for an act prohibiting the unauthorized sale, ownership, possession, or use of traffic signal preemption devices and providing a penalty.

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

House File 718, by committee on transportation, a bill for an act allowing a refund of unexpired motor vehicle registration fees to a vehicle owner who moves out of state.

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

House File 719, by committee on commerce, regulation and labor, a bill for an act repealing registration requirements for construction contractors and providing for related matters.

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

House File 720, by committee on economic growth, a bill for an act creating a women entrepreneurs and young professionals in business program.

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

House File 721, by committee on economic growth, a bill for an act relating to state individual income tax exemptions for residents of border cities, replacement local option sales and services, withholding tax credits, and property tax, and including an effective date.

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

[House File 722](#), by committee on human resources, a bill for an act providing for the creation of an electronic drug database, establishing fees, providing penalties, and providing an effective date.

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

[House File 723](#), by committee on human resources, a bill for an act 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.

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

[House File 724](#), by committee on human resources, a bill for an act creating a prescription drug donation and redispensing pilot program, and providing penalties.

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

[House File 725](#), by committee on natural resources, a bill for an act relating to the regulation of snowmobiles, establishing fees, and providing penalties.

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

[House File 726](#), by committee on public safety, a bill for an act allowing a physician assistant and an advanced registered nurse practitioner to certify an alleged intoxicated driver's incapacitated state for purposes of chemical testing.

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

[House File 727](#), by committee on state government, a bill for an act relating to activities by lobbyist and clients of lobbyists and providing an effective date.

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

[House File 728](#), by committee on state government, a bill for an act relating to the improper influence of executive branch officials,

executive branch employees, members of the general assembly, and legislative employees, and making penalties applicable.

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

[House File 729](#), by committee on state government, a bill for an act relating to the Iowa public employees' retirement system and the judicial retirement system.

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

[House File 730](#), by Paulsen, a bill for an act establishing a property tax limitation for cities and counties and including an effective date and applicability date provision.

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

[House File 731](#), by committee on commerce, regulation and labor, a bill for an act concerning state liquor activities, including liquor prices set by the alcoholic beverages division, moneys appropriated from liquor sale revenues for substance abuse treatment, and state liquor warehouse operations.

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

[House File 732](#), by committee on education, a bill for an act relating to the inclusion of kindergarten and prekindergarten pupils in the actual enrollment of a school district, and providing an effective and applicability date.

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

[House File 733](#), by committee on economic growth, a bill for an act 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 property taxes.

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

[House File 734](#), by Paulsen and J.K. Van Fossen, a bill for an act relating to the repeal of the sourcing rules under the state sales and use taxes.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 10, 2005, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was 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 FOR THE BLIND

Report on the purchase of products with recycled content, pursuant to Chapter 216B.3(12d), Code of Iowa.

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 COMMERCE, REGULATION AND LABOR

Committee Bill (Formerly [House File 176](#)), requiring every insurer offering certain individual or group health insurance policies to provide coverage for certain enteral formulas.

Fiscal Note is not required.

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

Committee Bill (Formerly [House File 576](#)), concerning elevators, by providing for membership on the elevator safety board, variances for residential elevators in churches, and providing applicability and effective date provisions.

Fiscal Note is not required.

Recommended **Do Pass** March 10, 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.

Pursuant to Rule 31.7, [House File 731](#) was referred to the committee on appropriations.

Committee Bill (Formerly [House Study Bill 261](#)), relating to the unemployment rate of contribution of a person who acquires an organization, trade, or business and providing penalties.

Fiscal Note is not required.

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

COMMITTEE ON ECONOMIC GROWTH

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 property taxes.

Fiscal Note is not required.

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

Pursuant to Rule 31.7, [House File 733](#) was referred to the committee on ways and means.

Committee Bill (Formerly [House Study Bill 139](#)), relating to state and 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.

Pursuant to Rule 31.7, [House File 721](#) was referred to the committee on ways and means.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly [House File 342](#)), relating to the establishment of a prescription drug assistance program by the commissioner of insurance, and providing for a contingent appropriation.

Fiscal Note is not required.

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

Pursuant to Rule 31.7, [House File 709](#) was referred to the committee on appropriations.

COMMITTEE ON NATURAL RESOURCES

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.

Pursuant to Rule 31.7, [House File 725](#) was referred to the committee on ways and means.

COMMITTEE ON STATE GOVERNMENT

[House File 321](#), a bill for an act changing the bid threshold requirement for certain public improvement contracts.

Fiscal Note is not required.

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

[House File 551](#), a bill for an act requiring a specific citation in published material, or is a radio or television announcement, which references a candidate's voting record.

Fiscal Note is not required.

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

Committee Bill (Formerly [House File 189](#)), relating to political campaigns by requiring attribution statements for political polls, limiting campaign contributions for statewide and legislative elections, and imposing a penalty for falsely filing a complaint with the ethics and campaign disclosure board.

Fiscal Note is not required.

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

Committee Bill (Formerly [House File 265](#)), relating to county supervisors in certain counties by allowing full-time or part-time status to be decided by the

electorate, by requiring a five-member board of supervisors elected by voters in districts, by requiring districts to be drawn by the state commissioner of elections, and including implementation, effective date, and transition provisions.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 57](#)), relating to the conduct of elections and voter registration by providing when candidates to fill county office vacancies are to be nominated at the primary election, relating to signature requirements on nomination petitions, requiring legislative council approval of certain expenditures for implementation of the Help America Vote Act, relating to use of substitute precinct election officials, relating to ballot printing requirements, modifying closing hours of the polls, modifying identification requirements at the polls, providing grounds for challenging a voter's qualifications, relating to preparation of tally lists, modifying the deadline for filing certain presidential nomination documents, prohibiting candidates or incumbents from being observers when absentee ballots are counted, clarifying that certain confined persons may vote an absentee ballot in person at the commissioner's office, exempting military and overseas voters from the identification and verification requirements for mail voter registrants, relating to multiple requests for an absentee ballot for a military and overseas voter, relating to changes of address and replacement absentee ballots for military and overseas voters, exempting military and overseas voters from absentee ballot return restrictions, allowing certain military voters to return absentee ballots from within the United States, modifying the time period relating to counting federal write-in ballots after an application for a regular absentee ballot is received from the same voter, repealing provisions that allow voting at satellite absentee voting stations, defining voter registration list, relating to signature requirements on voter registration applications, including the social security administration as a verification source for certain voter registration information, specifying the county commissioner as the official responsible for voter registration verification, limiting the dates of special elections on public measures for certain political subdivisions and school corporations, providing for the biennial election of directors of local school districts, area education agencies, and merged areas, and including effective date, applicability date, and transition provisions.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 136](#)), relating to violations of the open meetings and open records law by a member of a governmental body, the lawful custodian of a public record, or any other appropriate person.

Fiscal Note is not required.

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

Pursuant to Rule 31.7, [House File 714](#) was referred to the committee on ways and means.

Committee Bill (Formerly [House Study Bill 165](#)), relating to the authority and duties of the department of administrative services, including information technology services, cooperative procurement agreements, distribution of state employee salary information, state vehicle assignment, publication fees for official notices, and cost reimbursement for project management services, and providing an effective date and retroactive applicability provision.

Fiscal Note is not required.

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

Pursuant to Rule 31.7, [House File 715](#) was referred to the committee on appropriations.

Committee Bill (Formerly [House Study Bill 246](#)), providing for the establishment of a technology governance board within the department of administrative services, and making an appropriation.

Fiscal Note is not required.

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

Committee Bill (Formerly [House Study Bill 255](#)), proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors.

Fiscal Note is not required.

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

On motion by Struyk of Pottawattamie the House adjourned at 9:10 a.m., until 1:00 p.m., Monday, March 14, 2005.