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**STATE OF IOWA**

**House Journal**

**WEDNESDAY, MARCH 23, 2005**

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## JOURNAL OF THE HOUSE

Seventy-third Calendar Day - Fifty-first Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 23, 2005

The House met pursuant to adjournment at 8:58 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Steve Peters, pastor of Trinity United Methodist Church, Ft. Dodge. He was the guest of Representative Helen Miller from Webster County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, March 22, 2005 was approved.

### 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 22, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 359](#), a bill for an act providing for payroll deduction for county, city, and school district employees for charitable giving.

MICHAEL E. MARSHALL, Secretary

### SENATE MESSAGE CONSIDERED

[Senate File 359](#), by committee on local government, a bill for an act providing for payroll deduction for county, city, and school district employees for charitable giving.

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

The House stood at ease at 9:02 a.m., until the fall of the gavel.

The House resumed session at 11:25 a.m., Speaker Rants in the chair.

#### QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed sixty-eight members present, thirty-two absent.

#### CONSIDERATION OF BILLS Regular Calendar

[House File 540](#), a bill for an act prohibiting consideration of certain traffic accidents occurring in the line of duty during a certified law enforcement officer's employment in establishment of motor vehicle insurance rates, was taken up for consideration.

Tomenga of Polk offered the following amendment [H-1117](#) filed by him and moved its adoption:

#### [H-1117](#)

- 1 Amend [House File 540](#) as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. NEW SECTION. 80.43 TRAFFIC ACCIDENTS
- 5 INVOLVING CERTIFIED LAW ENFORCEMENT OFFICERS.
- 6 1. The commissioner shall adopt rules to define
- 7 when a traffic accident involving the operation of a
- 8 motor vehicle by a certified law enforcement officer
- 9 occurs in the line of duty during the officer's
- 10 employment as a certified law enforcement officer.
- 11 2. Any traffic accident involving the operation of
- 12 a motor vehicle by a certified law enforcement officer
- 13 shall be reported by the officer's employer to the
- 14 department of public safety for review pursuant to the
- 15 rules adopted under subsection 1, and the department
- 16 shall certify whether or not the accident occurred
- 17 while in the line of duty during the officer's
- 18 employment as a certified law enforcement officer. If
- 19 the department certifies that the accident occurred in
- 20 the line of duty during the officer's employment as a
- 21 certified law enforcement officer, the department
- 22 shall forward the certification to the state
- 23 department of transportation.
- 24 3. Upon receiving a certification pursuant to
- 25 subsection 2, the state department of transportation

26 shall not maintain an accident report of the accident  
 27 described in the certification pursuant to section  
 28 321.266.  
 29 4. For the purposes of this section, "certified  
 30 law enforcement officer" means a law enforcement  
 31 officer who is certified through the Iowa law  
 32 enforcement academy as provided in section 80B.13,  
 33 subsection 3, or section 80B.17."  
 34 2. Title page, by striking lines 1 through 4 and  
 35 inserting the following: "An Act relating to reports  
 36 of traffic accidents involving certified law  
 37 enforcement officers."

Amendment [H-1117](#) was adopted.

Tomenga 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?" ([H.F. 540](#))

The ayes were, 100:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohon	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	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Zirkelbach	Mr. Speaker
			Rants

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

### Appropriations Calendar

[House File 810](#), a bill for an act 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, was taken up for consideration.

Winckler of Scott offered the following amendment [H-1151](#) filed by her and moved its adoption:

#### [H-1151](#)

- 1 Amend [House File 810](#) as follows:
- 2 1. Page 3, by inserting after line 24 the
- 3 following:
- 4 "As a condition of the appropriation in this
- 5 section, for auditing services provided by the
- 6 auditor, the auditor shall establish, by rule, a
- 7 customer council responsible for overseeing the
- 8 auditor's operations with regard to the service
- 9 provided to ensure that the auditor of state meets the
- 10 needs of affected governmental entities and the
- 11 citizens those entities serve. The rules adopted
- 12 shall provide, at a minimum, for the method of
- 13 appointment of members to the council by governmental
- 14 entities required to receive the service from the
- 15 auditor of state and for the powers and duties of the
- 16 council as they relate to the service provided, which
- 17 shall include the authority of approving, on an annual
- 18 basis, the procedure for resolving complaints
- 19 concerning the service provided, and the procedure for
- 20 setting rates for the service. In addition, if the
- 21 service to be provided may also be provided to the
- 22 judicial branch, then the rules shall provide that the
- 23 chief justice of the supreme court may, in the chief
- 24 justice's discretion, appoint a member to the
- 25 applicable customer council."
- 26 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 38, nays 41.

Amendment [H-1151](#) lost.

Speaker pro tempore Carroll in the chair at 11:56 a.m.

Hunter of Polk asked and received unanimous consent to withdraw amendment [H-1139](#) filed by him on March 22, 2005.

Sands of Louisa asked and received unanimous consent that amendment [H-1160](#) be deferred.

Hunter of Polk asked and received unanimous consent that amendment [H-1141](#) be deferred.

Hunter of Polk offered the following amendment [H-1140](#) filed by him and moved its adoption:

[H-1140](#)

- 1 Amend [House File 810](#) as follows:
- 2 1. Page 14, by inserting after line 19 the
- 3 following:
- 4 "4. PERFORMANCE AUDITS
- 5 For conducting performance audits and developing
- 6 performance measures, including salaries, support,
- 7 maintenance, miscellaneous purposes, and for not more
- 8 than the following full-time equivalent positions:
- 9 ..... \$ 430,000
- 10 .....FTEs 5.00"
- 11 2. By renumbering as necessary.

Amendment [H-1140](#) lost.

Sands of Louisa offered the following amendment [H-1148](#) filed by him and moved its adoption:

[H-1148](#)

- 1 Amend [House File 810](#) as follows:
- 2 1. Page 17, by inserting after line 34 the
- 3 following:
- 4 "Sec. \_\_. 2004 Iowa Acts, chapter 1175, section
- 5 1, subsection 3, is amended by adding the following

6 new unnumbered paragraph:  
 7 ~~NEW UNNUMBERED PARAGRAPH.~~ Notwithstanding section  
 8 8.33, moneys appropriated in this subsection that  
 9 remain unencumbered or unobligated at the close of the  
 10 fiscal year shall not revert but shall remain  
 11 available for expenditure until the close of the  
 12 succeeding fiscal year."  
 13 2. By renumbering as necessary.

Amendment [H-1148](#) was adopted.

Sands of Louisa asked and received unanimous consent to further defer amendment [H-1160](#).

Hunter of Polk offered the following amendment [H-1141](#), previously deferred, filed by him and moved its adoption:

[H-1141](#)

1 Amend [House File 810](#) as follows:  
 2 1. Page 10, by striking lines 32 and 33 and  
 3 inserting the following:  
 4 ..... " § 2,356,836  
 5 ..... FTEs 113.25  
 6 Of the funds appropriated in this subsection,  
 7 \$80,000 and 1.00 FTE shall be used for the operation,  
 8 expansion, and maintenance of the direct care worker  
 9 registry."

Amendment [H-1141](#) lost.

Sands of Louisa offered amendment [H-1160](#), previous deferred, filed by him as follows:

[H-1160](#)

1 Amend [House File 810](#) as follows:  
 2 1. Page 9, by striking line 18 and inserting the  
 3 following:  
 4 " ..... \$ 329,530"  
 5 2. Page 10, by striking line 14 and inserting the  
 6 following:  
 7 " ..... \$ 1,644,755"

Ford of Polk offered the following amendment [H-1165](#), to amendment [H-1160](#), filed by him from the floor and moved its adoption:

[H-1165](#)

1 Amend the amendment, [H-1160](#), to [House File 810](#) as  
 2 follows:  
 3 1. Page 1, line 2, by striking the word and  
 4 figure "line 18", and inserting the following: "lines  
 5 18 and 19".  
 6 2. Page 1, by striking line 4, and inserting the  
 7 following:  
 8 "" ..... \$ 542,821  
 9 ..... FTEs 3.00  
 10 Of the amounts appropriated in this subsection, the  
 11 division shall transfer \$83,282 to the Latino affairs  
 12 division and \$130,009 to the status of African-  
 13 Americans division for each division for issues  
 14 concerning Latino and African-American women.""

Amendment [H-1165](#) lost.

On motion by Sands of Louisa, amendment [H-1160](#) was adopted.

Sands of Louisa 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?" ([H.F. 810](#))

The ayes were, 51:

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

The nays were, 49:

Bell	Berry	Bukta	Cphoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens



Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Zirkelbach			

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 MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 540 and 810.**

#### Regular Calendar

[House File 741](#), a bill for an act relating to driver education by a teaching parent, was taken up for consideration.

Paulsen of Linn 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?" ([H.F. 741](#))

The ayes were, 56:

Alons	Anderson	Arnold	Baudler
Boal	Chambers	Dandekar	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Freeman
Frevert	Gipp	Granzow	Greiner
Hoffman	Horbach	Huseman	Huser
Hutter	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
May	McCarthy	Mertz	Olson, S.
Paulsen	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga

Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wilderdyke	Carroll, Presiding

The nays were, 44:

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

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 [House File 741](#) be immediately messaged to the Senate.

[House File 769](#), a bill for an act requiring the department of human services to propose options for expediting the department's response to requests for correction of child abuse data or findings and providing an effective date, was taken up for consideration.

Roberts of Carroll offered the following amendment [H-1159](#) filed by him and Smith of Marshall and moved its adoption:

#### [H-1159](#)

- 1 Amend [House File 769](#) as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 232.69, subsection 1,
- 5 paragraph b, Code 2005, is amended by adding the
- 6 following new subparagraph:
- 7 NEW SUBPARAGRAPH. (13) An employee or operator of
- 8 a provider of services to children funded under a
- 9 federally approved medical assistance home and
- 10 community-based services waiver.

11 Sec. 2. Section 232.71D, subsection 3, paragraph  
12 i, Code 2005, is amended by striking the paragraph.  
13 Sec. 3. Section 235A.15, subsection 2, paragraph  
14 b, subparagraph (9), Code 2005, is amended by striking  
15 the subparagraph.  
16 Sec. 4. Section 235A.15, subsection 2, paragraph  
17 c, Code 2005, is amended by adding the following new  
18 subparagraphs:  
19 NEW SUBPARAGRAPH. (12) To an area education  
20 agency or other person responsible for providing early  
21 intervention services to children that is funded under  
22 part C of the federal Individuals with Disabilities  
23 Education Act.  
24 NEW SUBPARAGRAPH. (13) To a federal, state, or  
25 local governmental unit, or agent of the unit, that  
26 has a need for the information in order to carry out  
27 its responsibilities under law to protect children  
28 from abuse and neglect.  
29 Sec. 5. Section 235A.15, subsection 2, paragraph  
30 e, Code 2005, is amended by adding the following new  
31 subparagraph:  
32 NEW SUBPARAGRAPH. (18) To a person or agency  
33 responsible for the care or supervision of a child  
34 named in a report as an alleged victim of abuse or a  
35 person named in a report as having allegedly abused a  
36 child, if the juvenile court or department deems  
37 access to report data and disposition data by the  
38 person or agency to be necessary.  
39 Sec. 6. Section 235A.15, subsection 3, paragraphs  
40 b and c, Code 2005, are amended to read as follows:  
41 b. Persons involved in an assessment of child  
42 abuse identified in subsection 2, paragraph "b",  
43 subparagraphs (2), (3), (4), (6), ~~and (7), and (9).~~  
44 c. Others identified in subsection 2, paragraph  
45 "e", subparagraphs (2), (3), ~~and (6), and (18).~~  
46 Sec. 7. Section 235A.15, subsection 4, paragraph  
47 c, Code 2005, is amended to read as follows:  
48 c. Others identified in subsection 2, paragraph  
49 "e", ~~subparagraph subparagraphs (2) and (18).~~  
50 Sec. 8. Section 235A.19, subsection 2, paragraph

Page 2

1 b, Code 2005, is amended by adding the following new  
2 subparagraph:  
3 NEW SUBPARAGRAPH. (9) For others identified in  
4 section 235A.15, subsection 2, paragraph "d",  
5 subparagraph (7), and paragraph "e", subparagraphs (9)  
6 and (16)."  
7 2. Title page, by striking lines 1 through 4 and  
8 inserting the following: "An Act relating to child  
9 abuse reporting and registry requirements."

Amendment [H-1159](#) was adopted.

Roberts of Carroll 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?" ([H.F. 769](#))

The ayes were, 98:

Alons	Arnold	Baudler	Bell
Berry	Boal	Bukta	Chambers
Cohoon	Dandekar	Davitt	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	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	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Zirkelbach	Carroll, Presiding		

The nays were, none.

Absent or not voting, 2:

Anderson                      Gipp

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

## IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that [House File 769](#) be immediately messaged to the Senate.

[House File 770](#), a bill for an act providing for the Iowa department of public health to administer the hotel sanitation code, regulation of home food establishments, Iowa food code, and regulation of egg handlers in place of the department of inspections and appeals, was taken up for consideration.

Upmeyer of Hancock 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?" ([H.F. 770](#))

The ayes were, 92:

Alons	Arnold	Baudler	Bell
Berry	Boal	Bukta	Chambers
Cohoon	Dandekar	Davitt	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Freeman
Frevert	Gaskill	Gipp	Granzow
Greiner	Heaton	Heddens	Hoffman
Hogg	Horbach	Huseman	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
Mertz	Miller	Murphy	Olson, D.
Olson, S.	Paulsen	Pettengill	Quirk
Raecker	Rants, Spkr.	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	Carroll, Presiding

The nays were, 6:

Hunter	Huser	McCarthy	Oldson
Olson, R.	Petersen		

Absent or not voting, 2:

Anderson                      Ford

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 777**, a bill for an act relating to a person who assaults a peace officer by exchanging or attempting to exchange bodily fluids, was taken up for consideration.

Swaim of Davis offered the following amendment **H-1143** filed by him and moved its adoption:

**H-1143**

- 1 Amend **House File 777** as follows:
- 2 1. Page 1, line 12, by striking the word "that"
- 3 and inserting the following: "~~that~~ the".
- 4 2. Page 1, line 19, by striking the words "peace
- 5 officer" and inserting the following: "person".
- 6 3. Page 1, line 20, by inserting after the word
- 7 "person" the following: "that may have caused an
- 8 infection".
- 9 4. Page 1, lines 25 and 26, by striking the words
- 10 "potentially infected peace officer" and inserting the
- 11 following: "any other potentially infected person".
- 12 5. Page 1, lines 31 and 32, by striking the words
- 13 "peace officer" and inserting the following: "any
- 14 other potentially infected person".
- 15 6. Page 1, line 34, by striking the words
- 16 "persons, including the segregation of" and inserting
- 17 the following: "persons, including the segregation
- 18 of. The sheriff or person in charge of the jail shall
- 19 also segregate".
- 20 7. Title page, line 1, by striking the words "a
- 21 person who assaults a peace officer" and inserting the
- 22 following: "testing a person for contagious or
- 23 infectious disease if the person assaults a person".
- 24 8. Title page, line 2, by inserting after the
- 25 word "fluids" the following: ", and providing a
- 26 penalty".

Amendment **H-1143** was adopted.

Swaim of Davis 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?" ([H.F. 777](#))

The ayes were, 100:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
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	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Zirkelbach	Carroll, Presiding

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, as amended, was agreed to.

[House File 781](#), a bill for an act relating to the establishment of a direct care worker task force, was taken up for consideration.

Boal of Polk in the chair at 1:25 p.m.

Freeman of Buena Vista 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?" ([H.F. 781](#))

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Zirkelbach	Boal,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Fallon

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

**House File 784**, a bill for an act to establish an advanced practice registered nurse compact and including a future repeal, was taken up for consideration.

Upmeyer of Hancock 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?" ([H.F. 784](#))



The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Zirkelbach	Boal,	
		Presiding	

The nays were, none.

Absent or not voting and 1:

Fallon

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### HOUSE FILE 625 WITHDRAWN

Swaim of Davis asked and received unanimous consent to withdraw House File 625 from further consideration by the House.

House File 789, a bill for an act relating to programs and functions under the purview of the Iowa department of public health, was taken up for consideration.

Roberts of Carroll offered the following amendment [H-1101](#) filed by him and moved its adoption:

[H-1101](#)

- 1 Amend [House File 789](#) as follows:
- 2 1. Page 1, by inserting after line 35 the
- 3 following:
- 4 "Sec. \_\_. Section 135.107, subsection 1, Code
- 5 2005, Is amended by adding the following new
- 6 unnumbered paragraph:
- 7 NEW UNNUMBERED PARAGRAPH. A simple majority of the
- 8 membership of the advisory committee shall constitute
- 9 a quorum. Action may be taken by the affirmative vote
- 10 of a majority of the advisory committee membership."
- 11 2. By renumbering as necessary.

Amendment [H-1101](#) was adopted.

Carroll of Poweshiek asked and received unanimous consent to withdraw amendment [H-1152](#) filed by him on March 22, 2005.

Roberts of Carroll 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?" ([H.F. 789](#))

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	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	Jones
Kaufmann	Kressig	Kuhn	Lalk
Lensing	Lukan	Lykam	Maddox
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor

Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdike	Winckler	Wise	Zirkelbach
Boal, Presiding			

The nays were, none.

Absent or not voting, 3:

Jochum	Kurtenbach	May
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 770, 777, 781, 784 and 789.**

#### SPECIAL PRESENTATION

Lukan of Dubuque introduced to the House members of the Sherrill Fire and Rescue as follows: Bob Sporre, Dave Berringer, Gary Hefel, Alvin Nemnoes and Dale Puls.

The House rose and expressed its welcome.

#### 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 23, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 343](#), a bill for an act relating to governmental services involving audit reports and the family investment program.

Also: That the Senate has on March 23, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 352](#), a bill for an act relating to confidentiality and liability provisions involving the child advocacy board and the programs associated with the board and making a penalty applicable.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 1:54 p.m., until the fall of the gavel.

The House resumed session at 2:23 p.m., Speaker Rants in the chair.

[House File 809](#), a bill for an act 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, was taken up for consideration.

Kuhn of Floyd asked and received unanimous consent to withdraw amendment [H-1161](#) filed by him on March 22, 2005.

Ford of Polk asked and received unanimous consent to withdraw amendment [H-1158](#) placing out of order amendment [H-1163](#) filed by Ford of Polk from the floor.

Reasoner of Union asked and received unanimous consent that amendment [H-1162](#) be deferred.

Fallon of Polk offered the following amendment [H-1150](#) filed by Fallon, et al., and moved its adoption:

[H-1150](#)

- 1 Amend [House File 809](#) as follows:
- 2 1. Page 3, line 13, by striking the figure
- 3 "5,533,511" and inserting the following: "5,718,511".
- 4 2. Page 3, by inserting after line 26 the
- 5 following:
- 6 "\_\_\_ Of the moneys appropriated in this
- 7 subsection, the department shall allocate \$185,000 to
- 8 the main street program for purposes of providing
- 9 grants to communities participating in the main street
- 10 program. A grant shall not exceed \$5,000 and the
- 11 department shall adopt rules for the administration of
- 12 the grants allowed under this lettered paragraph."

Roll call was requested by Fallon of Polk and Reasoner of Union.

Rule 75 was invoked.

On the question “Shall amendment [H-1150](#) be adopted?” ([H.F. 809](#))

The ayes were, 50:

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

The nays were, 50:

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

Absent or not voting, none.

Amendment [H-1150](#) lost.

Hogg of Linn asked and received unanimous consent to withdraw amendment [H-1155](#) filed by him on March 22, 2005.

Murphy of Dubuque offered amendment [H-1162](#), previously deferred, filed by him as follows:

[H-1162](#)

- 1 Amend [House File 809](#) as follows:
- 2 1. Page 2, by inserting after line 18 the
- 3 following:
- 4 "bb. In addition to the other requirements for a
- 5 disbursement of public moneys for grants, loans, tax
- 6 incentives, or other financial assistance for economic
- 7 development, preference shall be given to businesses
- 8 that will have work that will be solely provided by
- 9 citizens of the United States who reside within the
- 10 United States, or any person authorized to work in the
- 11 United States pursuant to federal law, including legal
- 12 resident aliens in the United States. Any vendor who
- 13 receives such public moneys shall provide such
- 14 periodic assurances as the state shall require, that
- 15 the services are solely provided by citizens of the
- 16 United States who reside within the United States, or
- 17 any person authorized to work in the United States
- 18 pursuant to federal law, including legal resident
- 19 aliens in the United States."
- 20 2. By renumbering as necessary.

Murphy of Dubuque offered the following amendment [H-1166](#), to amendment [H-1162](#), filed by him and Wise of Lee from the floor and moved its adoption:

[H-1166](#)

- 1 Amend the amendment, H-1162, to [House File 809](#) as
- 2 follows:
- 3 1. Page 1, by striking lines 4 through 8 and
- 4 inserting the following:
- 5 ""bb. A business creating jobs with economic
- 6 development assistance through moneys appropriated in
- 7 this subsection shall be subject to contract
- 8 provisions stating that new and retained jobs shall be
- 9 filled by individuals who are".
- 10 2. Page 1, line 13, by striking the words
- 11 "provide such" and inserting the following: "adhere
- 12 to such contract provisions and provide".
- 13 3. Page 1, line 15, by striking the words
- 14 "services are solely provided" and inserting the
- 15 following: "jobs are filled solely".

Amendment [H-1166](#) was adopted.

On motion by Murphy of Dubuque, amendment [H-1162](#), as amended, was adopted.

Lukan of Dubuque 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?" ([H.F. 809](#))

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Zirkelbach	Mr. Speaker	
		Rants	

The nays were, 1:

Fallon

Absent or not voting and none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

## 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 23, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 350](#), a bill for an act relating to the suspension of a child support obligation.

Also: That the Senate has on March 23, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 355](#), a bill for an act relating to the creation of a task force to provide for the implementation of Medicare Part D and providing an effective date.

Also: That the Senate has on March 23, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 363](#), a bill for an act providing for the regulation of persons engaged in soliciting business opportunities, including franchises.

Also: That the Senate has on March 23, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 367](#), a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, and making penalties applicable.

Also: That the Senate has on March 23, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 370](#), a bill for an act relating to the duration of a no-contact order in a criminal case.

Also: That the Senate has on March 23, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 383](#), a bill for an act relating to the penalty for sexual misconduct with offenders committed by an officer, employee, or agent of the department of corrections or a judicial district department of correctional services, and providing a penalty.

MICHAEL E. MARSHALL, Secretary

### [HOUSE FILE 114](#) WITHDRAWN

Tomenga of Polk asked and received unanimous consent to withdraw [House File 114](#) from further consideration by the House.



## INTRODUCTION OF BILLS

[House File 822](#), by committee on ways and means, a bill for an act relating to deer population management and providing penalties and appropriations.

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

[House File 823](#), by Fallon, a bill for an act regulating mobile establishments involved in the slaughter or preparation of livestock and poultry, providing for fees, and making penalties applicable.

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

[House File 824](#), by Fallon, a bill for an act requiring that state agencies purchase Iowa agricultural commodities and food derived from Iowa agricultural commodities.

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

## IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that [House File 809](#) be immediately messaged to the Senate.

[House File 703](#), a bill for an act concerning authorized testing substances for private sector employee drug testing, was taken up for consideration.

Struyk of Pottawattamie offered the following amendment [H-1142](#) filed by him and moved its adoption:

[H-1142](#)

- 1 Amend [House File 703](#) as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 730.5, subsection 1, paragraph
- 5 b, Code 2005, is amended to read as follows:
- 6 b. "Confirmed positive test result" means, except
- 7 for alcohol testing conducted pursuant to subsection
- 8 7, paragraph "f", subparagraph (2), the results of a
- 9 ~~blood, urine, or oral fluid~~ drug test in which the
- 10 level of controlled substances or metabolites in the

11 ~~specimen sample~~ analyzed meets or exceeds nationally  
 12 accepted standards for determining detectable levels  
 13 of controlled substances as adopted by the ~~federal~~  
 14 United States department of health and human services'  
 15 substance abuse and mental health services  
 16 administration. If nationally accepted standards for  
 17 ~~oral fluid~~ tests on a particular specimen have not  
 18 been adopted by the ~~federal~~ United States department  
 19 of health and human services' substance abuse and  
 20 mental health services administration, the standards  
 21 for determining detectable levels of controlled  
 22 substances for purposes of determining a confirmed  
 23 positive test result shall be the same standard that  
 24 has been ~~established~~ cleared or approved by the  
 25 federal United States department of health and human  
 26 services' food and drug administration for the  
 27 ~~measuring instrument used to perform the oral fluid~~  
 28 ~~test~~ particular specimen testing utilized.

29 Sec. 2. Section 730.5, subsection 1, paragraph k,  
 30 Code 2005, is amended to read as follows:

31 k. "Sample" means such sample from the human body  
 32 capable of revealing the presence of alcohol or other  
 33 drugs, or their metabolites, ~~which shall include only~~  
 34 urine, saliva, breath, and blood. However, "sample"  
 35 does not mean blood except as authorized pursuant to  
 36 subsection 7, paragraph "l".

37 Sec. 3. Section 730.5, subsection 7, paragraph b,  
 38 Code 2005, is amended to read as follows:

39 b. Collection of a urine sample for testing of  
 40 current employees shall be performed so that the  
 41 specimen is split into two components at the time of  
 42 collection in the presence of the individual from whom  
 43 the sample or specimen is collected. The second  
 44 portion of the specimen or sample shall be of  
 45 sufficient quantity to permit a second, independent  
 46 confirmatory test as provided in paragraph "i". ~~The~~  
 47 If the sample is urine, the sample shall be split such  
 48 that the primary sample contains at least thirty  
 49 milliliters and the secondary sample contains at least  
 50 fifteen milliliters. Both portions of the sample

Page 2

1 shall be forwarded to the laboratory conducting the  
 2 initial confirmatory testing. In addition to any  
 3 requirements for storage of the initial sample that  
 4 may be imposed upon the laboratory as a condition for  
 5 certification or approval, the laboratory shall store  
 6 the second portion of any sample until receipt of a  
 7 confirmed negative test result or for a period of at  
 8 least forty-five calendar days following the  
 9 completion of the initial confirmatory testing, if the

10 first portion yielded a confirmed positive test  
 11 result.  
 12 Sec. 4. Section 730.5, subsection 7, paragraph f,  
 13 subparagraph (2), Code 2005, is amended to read as  
 14 follows:  
 15 (2) Notwithstanding any provision of this section  
 16 to the contrary, alcohol testing, including initial  
 17 and confirmatory testing, may be conducted pursuant to  
 18 requirements established by the employer's written  
 19 policy. The written policy shall include requirements  
 20 governing evidential breath testing devices, alcohol  
 21 screening devices, and the qualifications for  
 22 personnel administering initial and confirmatory  
 23 testing, which shall be consistent with regulations  
 24 adopted as of ~~January 1, 1999~~ March 15, 2005, by the  
 25 United States department of transportation governing  
 26 alcohol testing required to be conducted pursuant to  
 27 the federal Omnibus Transportation Employee Testing  
 28 Act of 1991."  
 29 2. Title page, line 1, by striking the words  
 30 "authorized testing substances for".

Amendment [H-1142](#) was adopted.

Struyk of Pottawattamie 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?" ([H.F. 703](#))

The ayes were, 56:

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

The nays were, 44:

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

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that [House File 703](#) be immediately messaged to the Senate.

#### 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 23, 2005, concurred in the House amendment and passed the following bill in which the concurrence of the House is asked:

[Senate File 71](#), a bill for an act relating to an appropriation from the environment first fund for the establishment of permanent soil and water conservation practices, by allocating moneys to support the administration of local governmental units, and providing an effective date.

Also: That the Senate has on March 23, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 245](#), a bill for an act relating to a secondary school core curriculum, including requiring the state board of education to determine a model core curriculum and set a statewide core curriculum completion rate goal, and requiring school districts and schools to report core curriculum completion percentages annually.

Also: That the Senate has on March 23, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 358](#), a bill for an act relating to liens associated with agricultural production, by providing for the termination of those liens.

MICHAEL E. MARSHALL, Secretary

[House File 808](#), a bill for an act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources, was taken up for consideration.

Mertz of Kossuth offered amendment [H-1153](#) filed by her as follows:

[H-1153](#)

- 1 Amend [House File 808](#) as follows:
- 2 1. Page 1, line 15, by striking the figure
- 3 "18,047,299" and inserting the following:
- 4 "18,083,299".
- 5 2. Page 2, by inserting after line 15, the
- 6 following:
- 7 "\_\_\_ Of the amount appropriated in subsection 1,
- 8 the department shall not expend less than \$40,000 for
- 9 salary, support, maintenance and miscellaneous
- 10 purposes relating to the administration of apiary
- 11 regulations as provided in chapter 160."
- 12 3. Page 4, line 3, by striking the figure
- 13 "16,390,463" and inserting the following:
- 14 "16,985,439".
- 15 4. Page 4, line 5, by striking the word "a."
- 16 5. Page 4, by striking lines 8 through 16.
- 17 6. Page 7, by inserting after line 9 the
- 18 following:
- 19 "MISCELLANEOUS PROVISIONS
- 20 Sec. \_\_\_. Section 99D.22, subsection 4, Code 2005,
- 21 is amended to read as follows:
- 22 4. a. To qualify for the Iowa horse and dog
- 23 breeders fund, a dog shall have been whelped in Iowa
- 24 and raised for the first six months of its life in
- 25 Iowa. In addition, the owner of the dog shall have
- 26 been a resident of the state for at least two years
- 27 prior to the whelping. The department of agriculture
- 28 and land stewardship shall adopt rules and prescribe
- 29 forms to bring Iowa breeders into compliance with
- 30 residency requirements of dogs and breeders in this
- 31 subsection.
- 32 b. The department may adopt a schedule of fees to
- 33 be charged to breeders of dogs for purposes of
- 34 administering this subsection."
- 35 7. Title page, line 3, by inserting after the
- 36 word "resources" the following: ", and providing for
- 37 fees".
- 38 8. By renumbering as necessary.

De Boef of Keokuk offered the following amendment [H-1164](#), to amendment [H-1153](#), filed by her from the floor and moved its adoption:

[H-1164](#)

- 1 Amend the amendment, [H-1153](#), to [House File 808](#), as
- 2 follows:
- 3 1. Page 1, by striking lines 2 through 4.
- 4 2. Page 1, by striking lines 12 through 15.
- 5 3. Page 1, by striking line 16, and inserting the
- 6 following:
- 7 "\_\_\_ . Page 4, line 8, by inserting after the word
- 8 and figure "subsection 1," the following: "and from
- 9 any other moneys available to the department,".
- 10 \_\_\_ . Page 4, line 11, by inserting after the word
- 11 and figure "subsection 1," the following: "and from
- 12 any other moneys available to the department,".
- 13 \_\_\_ . Page 4, line 14, by inserting after the word
- 14 and figure "subsection 1," the following: "and from
- 15 any other moneys available to the department,".

Roll call was requested by Murphy of Dubuque and Kuhn of Floyd.

Rules 75 was invoked.

On the question "Shall amendment [H-1164](#) to amendment [H-1153](#) be adopted?" ([H.F. 808](#))

The ayes were, 51:

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

The nays were, 49:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens

Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Zirkelbach			

Absent or not voting, none.

Amendment [H-1164](#) was adopted.

Mertz of Kossuth asked and received unanimous consent to withdraw amendment [H-1153](#), as amended, filed by her on March 22, 2005.

Hogg of Linn offered amendment [H-1156](#) filed by him and Shoultz of Black Hawk as follows:

[H-1156](#)

1 Amend [House File 808](#) as follows:  
 2 1. Page 7, by inserting after line 9 the  
 3 following:  
 4 "MISCELLANEOUS PROVISIONS  
 5 Sec. \_\_. NEW SECTION. 455B.196 IOWA CLEAN WATER  
 6 GRANT PROGRAM.  
 7 1. The commission shall establish and administer  
 8 an Iowa clean water grant program for purposes of  
 9 providing financial assistance for remedial activities  
 10 designed to lead to the removal of a water of the  
 11 state from any list of impaired waters including any  
 12 section 303(d) list within five years of receiving the  
 13 financial assistance.  
 14 2. Any city, county, soil and water conservation  
 15 district, county conservation board, or other public  
 16 sector agency may apply to the commission for  
 17 financial assistance under the program. The applicant  
 18 shall be deemed to be the lead local agency for  
 19 purposes of the program. In addition to any other  
 20 information required by the commission, an applicant  
 21 shall provide all of the following information:  
 22 a. The impaired water of the state that is  
 23 intended to be remediated.  
 24 b. Entities that support the application for  
 25 financial assistance. Such entities may include, but  
 26 are not limited to, the department of agriculture and

27 land stewardship, the Iowa department of public  
 28 health, a city, a county, a soil and water  
 29 conservation district, a county conservation board, a  
 30 farm services agency office, the Iowa state university  
 31 agricultural extension service, a school district, a  
 32 community college, an accredited private college, a  
 33 university under the control of the state board of  
 34 regents, and a nonprofit organization. The  
 35 application shall state the type of support that the  
 36 entity is providing to the lead local agency.  
 37 c. The source and amount of public and private  
 38 local funding, as well as additional state and federal  
 39 funding for the remediation plan.  
 40 d. A remediation plan which may consist of a total  
 41 maximum daily load plan. The remediation plan shall  
 42 include all of the following:  
 43 (1) The biological feasibility of cleaning up the  
 44 impaired water of the state that is subject to the  
 45 application to the extent that the water of the state  
 46 can be removed from any list of impaired waters  
 47 including any section 303(d) list.  
 48 (2) The method for measuring water quality in the  
 49 watershed and for measuring the results of the  
 50 remediation plan, once implemented.

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1 (3) The anticipated public health, environmental,  
 2 wildlife, and economic impact of the remediation plan.  
 3 (4) The need for the remediation plan as  
 4 demonstrated by past monitoring data and an assessment  
 5 of current sources of water pollution.  
 6 3. Applications for financial assistance under the  
 7 program shall be reviewed and approved by the  
 8 commission. In addition to any financial assistance  
 9 awarded by the commission, the commission may, as part  
 10 of an award, require technical assistance to be given  
 11 by the department. The commission shall not award  
 12 financial assistance to one lead local agency in an  
 13 amount that is more than twenty percent or less than  
 14 two percent of the total amount appropriated to the  
 15 commission during a fiscal year for the program.  
 16 Sec. \_\_. APPROPRIATION. There is appropriated  
 17 from the general fund of the state to the  
 18 environmental protection commission for the fiscal  
 19 year beginning July 1, 2005, and ending June 30, 2006,  
 20 the following amount, or so much thereof as is  
 21 necessary, to be used for the purpose designated:  
 22 For providing grants under the clean water grant  
 23 program, pursuant to section 455B.196, if enacted:  
 24 ..... \$ 10,000,000"  
 25 2. By renumbering as necessary.



De Boef of Keokuk rose on a point of order that amendment [H-1156](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1156](#) not germane.

Hogg of Linn asked for unanimous consent to suspend the rules to consider amendment [H-1156](#).

Objection was raised.

Hogg of Linn moved to suspend the rules to consider amendment [H-1156](#).

Roll call was requested by Murphy of Dubuque and Hogg of Linn.

Rule 75 was invoked.

On the question “Shall the rules be suspended to consider amendment [H-1156](#)?” ([H.F. 808](#))

The ayes were, 50:

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

The nays were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk

Lukan	May	Olson, S.	Paulsen
Raecker	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wilderdyke	Mr. Speaker		
	Rants		

Absent or not voting, none:

The motion to suspend the rules lost.

S. Olson of Clinton in the chair at 4:39 p.m.

Speaker Rants in the chair at 4:46 p.m.

De Boef of Keokuk 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?" ([H.F. 808](#))

The ayes were, 51:

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

The nays were, 49:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foegen
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk

Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Zirkelbach			

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

Jacobs of Polk asked and received unanimous consent that [House File 808](#) be immediately messaged to the Senate.

[House File 702](#), 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, was taken up for consideration.

Roberts of Carroll in the chair at 5:03 p.m.

Struyk of Pottawattamie offered amendment [H-1103](#) filed by him as follows:

#### [H-1103](#)

1 Amend [House File 702](#) as follows:  
2 1. Page 1, by inserting after line 24 the  
3 following:  
4 "Sec. \_\_. Section 85.35, Code 2005, is amended to  
5 read as follows:  
6 85.35 ~~SETTLEMENT IN CONTESTED CASE SETTLEMENTS.~~  
7 1. The parties to a contested case or persons who  
8 are involved in a dispute which could culminate in a  
9 contested case may enter into a settlement of any  
10 claim arising under this chapter or chapter 85A, 85B,  
11 or 86, providing for final disposition of the claim,  
12 ~~provided that no final disposition affecting rights to~~  
13 ~~future benefits may be had when the only dispute is~~  
14 ~~the degree of disability resulting from an injury for~~  
15 ~~which an award for payments or agreement for~~  
16 ~~settlement under section 86.13 has been made.~~ The  
17 settlement shall be in writing on forms prescribed by  
18 the workers' compensation commissioner and submitted

19 to the workers' compensation commissioner for  
20 approval.

21 2. The parties may enter into an agreement for  
22 settlement that establishes the employer's liability,  
23 fixes the nature and extent of the employee's current  
24 right to accrued benefits, and establishes the  
25 employee's right to statutory benefits that accrue in  
26 the future.

27 3. The parties may enter into a compromise  
28 settlement of the employee's claim to benefits as a  
29 full and final disposition of the claim.

30 4. The parties may enter into a settlement that is  
31 a combination of an agreement for settlement and a  
32 compromise settlement that establishes the employer's  
33 liability for part of a claim but makes a full and  
34 final disposition of other parts of a claim.

35 5. A contingent settlement may be made and  
36 approved, conditioned upon subsequent approval by a  
37 court or governmental agency, or upon any other  
38 subsequent event that is expected to occur within one  
39 year from the date of the settlement. If the  
40 subsequent approval or event does not occur, the  
41 contingent settlement and its approval may be vacated  
42 by order of the workers' compensation commissioner  
43 upon a petition for vacation filed by one of the  
44 parties or upon agreement by all parties. If a  
45 contingent settlement is vacated, the running of any  
46 period of limitation provided for in section 85.26 is  
47 tolled from the date the settlement was initially  
48 approved until the date that the settlement is  
49 vacated, and the claim is restored to the status that  
50 the claim held when the contingent settlement was

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1 initially approved. The contingency on a settlement  
2 lapses and the settlement becomes final and fully  
3 enforceable if an action to vacate the contingent  
4 settlement or to extend the period of time allowed for  
5 the subsequent approval or event to occur is not  
6 initiated within one year from the date that the  
7 contingent settlement was initially approved.

8 6. The parties may agree that settlement proceeds,  
9 which are paid in a lump sum, are intended to  
10 compensate the injured worker at a given monthly or  
11 weekly rate over the life expectancy of the injured  
12 worker. If such an agreement is reached, neither the  
13 weekly compensation rate which either has been paid,  
14 or should have been paid, throughout the case, nor the  
15 maximum statutory weekly rate applicable to the injury  
16 shall apply. Instead, the rate set forth in the  
17 settlement agreement shall be the rate for the case.

18 ~~The settlement shall not be approved unless~~  
19 ~~evidence of a bona fide dispute exists concerning any~~  
20 ~~of the following:~~  
21 ~~1. The claimed injury arose out of or in the~~  
22 ~~course of the employment.~~  
23 ~~2. The injured employee gave notice under section~~  
24 ~~85.23.~~  
25 ~~3. Whether or not the statutes of limitations as~~  
26 ~~provided in section 85.26 have run. When the issue~~  
27 ~~involved is whether or not the statute of limitations~~  
28 ~~of section 85.26, subsection 2, has run, the final~~  
29 ~~disposition shall pertain to the right to weekly~~  
30 ~~compensation unless otherwise provided for in~~  
31 ~~subsection 7 of this section.~~  
32 ~~4. The injury was caused by the employee's willful~~  
33 ~~intent to injure the employee's self or to willfully~~  
34 ~~injure another.~~  
35 ~~5. Intoxication, which did not arise out of and in~~  
36 ~~the course of employment but which was due to the~~  
37 ~~effects of alcohol or another narcotic, depressant,~~  
38 ~~stimulant, hallucinogenic, or hypnotic drug not~~  
39 ~~prescribed by an authorized medical practitioner, was~~  
40 ~~a substantial factor in causing the employee's injury.~~  
41 ~~6. The injury was caused by the willful act of a~~  
42 ~~third party directed against the employee for reasons~~  
43 ~~personal to such employee.~~  
44 ~~7. This chapter or chapter 85A, 85B, 86 or 87~~  
45 ~~applies to the party making the claim.~~  
46 ~~8. A substantial portion of the claimed disability~~  
47 ~~is related to physical or mental conditions other than~~  
48 ~~those caused by the injury.~~  
49 7. A settlement shall be approved by the workers'  
50 compensation commissioner if the parties show all of

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1 the following:  
2 a. Substantial evidence exists to support the  
3 terms of the settlement.  
4 b. Waiver of the employee's right to a hearing,  
5 decision, and statutory benefits is made knowingly by  
6 the employee.  
7 c. The settlement is a reasonable and informed  
8 compromise of the competing interests of the parties.  
9 If an employee is represented by legal counsel, it  
10 is presumed that the required showing for approval of  
11 the settlement has been made.  
12 8. Approval of a settlement by the workers'  
13 compensation commissioner shall be binding on the  
14 parties and shall not be construed as an original  
15 proceeding. Notwithstanding any provisions of this  
16 chapter and chapters 85A, 85B, 86, and 87, an approved

17 compromise settlement shall constitute a final bar to  
 18 any further rights arising under this chapter and  
 19 chapters 85A, 85B, 86, and 87—~~Such regarding the~~  
 20 subject matter of the compromise and a payment made  
 21 pursuant to a compromise settlement agreement shall  
 22 not be construed as the payment of weekly  
 23 compensation."

24 2. Page 2, by inserting after line 1 the  
 25 following:

26 "Sec. \_\_. Section 85.71, Code 2005, is amended by  
 27 adding the following new subsection:

28 NEW SUBSECTION. 5. The employer has a place of  
 29 business in Iowa, and the employee is working under a  
 30 contract of hire which provides that the employee's  
 31 workers' compensation claims be governed by Iowa law.

32 Sec. \_\_. Section 86.24, subsection 4, Code 2005,  
 33 is amended to read as follows:

34 4. A transcript of a contested case proceeding  
 35 shall be provided by an appealing party at the party's  
 36 cost ~~and an affidavit shall be filed by the appealing~~  
 37 ~~party or the party's attorney with the workers'~~  
 38 ~~compensation commissioner within ten days after the~~  
 39 ~~filing of the appeal to the workers' compensation~~  
 40 ~~commissioner stating that the transcript has been~~  
 41 ~~ordered and identifying the name and address of the~~  
 42 ~~reporter or reporting firm from which the transcript~~  
 43 ~~has been ordered.~~

44 Sec. \_\_. Section 87.14A, Code 2005, is amended to  
 45 read as follows:

46 87.14A ~~INSURANCE OR BOND REQUIRED.~~

47 An employer subject to this chapter and chapters  
 48 85, 85A, 85B, and 86 shall not engage in business  
 49 without first obtaining insurance covering  
 50 compensation benefits or obtaining relief from

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1 insurance as provided in this chapter ~~or furnishing a~~  
 2 ~~bond pursuant to section 87.16.~~ A person who  
 3 willfully and knowingly violates this section is  
 4 guilty of a class "D" felony.

5 Sec. \_\_. Section 87.19, unnumbered paragraph 1,  
 6 Code 2005, is amended to read as follows:

7 Upon the receipt of information by the workers'  
 8 compensation commissioner of any employer failing to  
 9 comply with ~~sections 87.16 and 87.17~~ section 87.14A,  
 10 the commissioner shall at once notify such employer by  
 11 certified mail that unless such employer comply with  
 12 the requirements of law, legal proceedings will be  
 13 instituted to enforce such compliance.

14 Sec. \_\_. Section 87.20, Code 2005, is amended to  
 15 read as follows:

16 87.20 REVOCATION OF RELEASE FROM INSURANCE.  
 17 The insurance commissioner ~~with the concurrence of~~  
 18 ~~the workers' compensation commissioner~~ may, at any  
 19 time, upon reasonable notice to such employer and upon  
 20 hearing, revoke for cause any order theretofore made  
 21 relieving any employer from carrying insurance as  
 22 provided by this chapter."  
 23 3. Page 2, by inserting after line 27 the  
 24 following:  
 25 "Sec. \_\_. Sections 87.16 and 87.17, Code 2005,  
 26 are repealed."  
 27 4. Title page, by striking line 4, and inserting  
 28 the following: "and workers' compensation."  
 29 5. By renumbering as necessary.

Struyk of Pottawattamie offered the following amendment [H-1169](#), to amendment [H-1103](#), filed by him and Jenkins of Black Hawk from the floor and moved its adoption:

[H-1169](#)

1 Amend the amendment, [H-1103](#), to [House File 702](#) as  
 2 follows:  
 3 1. Page 4, by inserting after line 22 the  
 4 following:  
 5 " \_\_. Page 2, by striking lines 26 and 27 and  
 6 inserting the following: "was obtained, and shall  
 7 make the information documented available upon  
 8 request."

Amendment [H-1169](#) was adopted.

On motion by Struyk of Pottawattamie amendment [H-1103](#), as amended, was adopted.

Struyk of Pottawattamie 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?" ([H.F. 702](#))

The ayes were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach

Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Roberts, Presiding	

The nays were, 49:

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

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

#### IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that [House File 702](#) be immediately messaged to the Senate.

#### [SENATE FILE 206](#) REREFERRED

The Speaker announced that [Senate File 206](#), previously referred to committee on **natural resources** was **passed on file**.

#### EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber the week of March 13 through March 18, 2005. Had I been present, I would have voted "aye" on House Files 370, 398, 399, 419, 423, 438, 469, 476, 478, 480, 512, 532, 580, 581, 584, 591, 602, 607, 624, 641, 644, 645, 646,



673, 682, 683, 685, 700,716, 717; amendment [H-1056B](#) to [House File 642](#) and amendment [H-1077](#) to [House File 644](#) and Senate Files 71, 139, 141 and 169. I would have voted "nay" on House Files 440, 479, 529, 642 and [House Joint Resolution 1](#).

HEDDENS of Story

I was necessarily absent from the House chamber on March 21 and March 22, 2005. Had I been present, I would have voted "aye" on House Files 254, 585, 587, 613, 617, 710, 712, 718, 722, 726, 738, 740, 742, 745, 746, 754, 757, 758, 760, 764, 774, 786, 787 and "nay" on House Files 739 and 767.

FOEGE of Linn

#### PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Thirty 5<sup>th</sup> and 6<sup>th</sup> grade students from Wickham Elementary School, Coralville, Iowa, accompanied by Jane Balvanz. By Jacoby of Johnson, Lensing of Johnson and Mascher of Johnson.

#### 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\927 | Lindsey Trost, Wall Lake View – Auburn High School – For being named a State of Iowa Scholar. |
| 2005\928 | Angela Hartwig, North Scott High School – For being named a State of Iowa Scholar.            |
| 2005\929 | Ashley Carstens, North Scott High School – For being named a State of Iowa Scholar.           |
| 2005\930 | Cori Thompson, North Scott High School – For being named a State of Iowa Scholar.             |

- 2005\931 Thomas Campie, Camanche High School – For being named a State of Iowa Scholar.
- 2005\932 Stephanie Delacy, Camanche High School – For being named a State of Iowa Scholar.
- 2005\933 Paul Thomas, Camanche High School – For being named a State of Iowa Scholar.
- 2005\934 Matthew Yoder, Camanche High School – For being named a State of Iowa Scholar.
- 2005\935 Daphne Allensworth, Central High School – For being named a State of Iowa Scholar.
- 2005\936 Carissa Cheney, Central High School – For being named a State of Iowa Scholar.
- 2005\937 Sara Dierickx, Central High School – For being named a State of Iowa Scholar.
- 2005\938 Elizabeth Farrell, Central High School – For being named a State of Iowa Scholar.
- 2005\939 Matthew Gravert, Central High School – For being named a State of Iowa Scholar.
- 2005\940 Sarah Leners, Central High School – For being named a State of Iowa Scholar.
- 2005\941 Jovon Eberhart, Maquoketa High School – For being named a State of Iowa Scholar.
- 2005\942 Molly McDermott, Maquoketa High School – For being named a State of Iowa Scholar.

#### SUBCOMMITTEE ASSIGNMENTS

##### [House File 437](#)

Ways and Means: Paulsen, Chair; Shomshor and Tomenga.

##### [Senate File 210](#)

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

##### [Senate File 260](#)

Commerce, Regulation and Labor: Sands, Chair; May and Quirk.

[Senate File 359](#)

Local Government: Schickel, Chair; Gaskill and Jones.

[Senate File 375](#)

Environmental Protection: Greiner, Chair; Heddens, Horbach, Huseman and Kressig.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 288](#)

Government Oversight: Raecker, Chair; Hutter and Thomas.

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 APPROPRIATIONS

**Committee Bill** (Formerly [House Study Bill 284](#)), relating to and making appropriations to the department of human services, the department of elder affairs, the Iowa department of public health, the commission of veterans affairs and the Iowa veterans home, and the department of inspections and appeals, providing for fee increases, and including other related provisions and appropriations, and providing effective dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 22, 2005.

COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly [House File 750](#)), relating to deer population management and providing penalties and appropriations.

Fiscal Note is not required.

Recommended **Do Pass** March 22, 2005.

RESOLUTIONS FILED

[HCR 11](#), by Kuhn and Whitaker, a concurrent resolution requesting the United States government to take actions securing the integrity

of the nation's meat supply by restricting the importation of ruminants and ruminant products into the United States from Canada.

Laid over under **Rule 25**.

[HCR 12](#), by Fallon, a concurrent resolution requesting that the legislative council establish an interim study committee to study instant runoff voting.

Laid over under **Rule 25**.

[HR 25](#), by Wessel-Kroeschell, Heddens, D. Olson and Kurtenbach, a resolution honoring the Iowa State University football team and Coach Dan McCarney for their successful season and victory at the Independence Bowl.

Laid over under **Rule 25**.

[HR 26](#), by Wessel-Kroeschell, Heddens, D. Olson and Kurtenbach, a resolution to recognize Joanne Olson of Iowa State University for being named the Outstanding Science Teacher Educator of the Year by the Association for Science Teacher Education.

Laid over under **Rule 25**.

[HR 27](#), by Wessel-Kroeschell, Heddens, D. Olson and Kurtenbach, a resolution to recognize Holly Bender, Associate Professor of Veterinary Pathology at Iowa State University, for receiving the Teaching Excellence Award for Basic Sciences from the Student American Veterinary Medicine Association.

Laid over under **Rule 25**.

[HR 28](#), by Wessel-Kroeschell, Heddens, D. Olson and Kurtenbach, a resolution of appreciation to the Iowa Chapter of the American Institute of Architects for designating C.Y. Stephens Auditorium as Iowa's Building of the Century.

Laid over under **Rule 25**.

## AMENDMENTS FILED

<u>H-1167</u>	<u>H.F. 610</u>	Dix of Butler Petersen of Polk
<u>H-1168</u>	<u>H.F. 536</u>	Raecker of Polk
<u>H-1170</u>	<u>H.F. 822</u>	Whitaker of Van Buren
<u>H-1171</u>	<u>H.F. 711</u>	Eichhorn of Hamilton Swaim of Davis
<u>H-1172</u>	<u>H.F. 539</u>	Tomenga of Polk
<u>H-1173</u>	<u>H.F. 816</u>	Alons of Sioux Chambers of O'Brien De Boef of Keokuk
<u>H-1174</u>	<u>H.F. 814</u>	Alons of Sioux
<u>H-1175</u>	<u>H.F. 793</u>	Gaskill of Wapello
<u>H-1176</u>	<u>H.F. 799</u>	Paulsen of Linn

On motion by Jacobs of Polk the House adjourned at 5:11 p.m., until 8:45 a.m., Thursday, March 24, 2005.