

PROOF

STATE OF IOWA

House Journal

TUESDAY, APRIL 5, 2005

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JOURNAL OF THE HOUSE

Eighty-sixth Calendar Day - Fifty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 5, 2005

The House met pursuant to adjournment at 8:56 a.m., Speaker Rants in the chair.

In honor of the 60th wedding anniversary of the Honorable John Connors and wife, Marge, former state representative from Polk County, his brother Bob Connors sang before the House.

The House rose and expressed its welcome.

Prayer was offered by Reverend Robert Doner, pastor of Peace United Church of Christ, Gladbrook. He was the guest of Representative Lance Horbach from Tama County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, April 4, 2005 was approved.

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 April 4, 2005, passed the following bill in which the concurrence of the Senate was asked:

[House File 332](#), a bill for an act allowing certain abstractors to request a mortgage release.

Also: That the Senate has on April 4, 2005, passed the following bill in which the concurrence of the Senate was asked:

[House File 373](#), a bill for an act relating to equipment dealerships, by providing for the sale or transfer of a dealership and providing for the Act's applicability.

Also: That the Senate has on April 4, 2005, concurred in the House amendment and passed the following bill in which the concurrence of the House was asked:

[Senate File 74](#), a bill for an act relating to financial institutions by prohibiting the deceptive use of name, and providing remedies and penalties.

Also: That the Senate has on April 4, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 325](#), a bill for an act relating to the procedures and duties of the judicial branch, and making an appropriation to the enhanced court collections fund.

Also: That the Senate has on April 4, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 360](#), a bill for an act relating to various provisions administered by the insurance division of the department of commerce concerning premium tax refunds, the interstate insurance compact, insurer insolvency proceedings, individual health insurance, the small employer carrier reinsurance program, the Iowa comprehensive health association, fire insurance policies, the Iowa insurance guaranty association, the FAIR plan, motor vehicle service contracts, investments by county and state mutual associations, reciprocal or interinsurance contract premium rates, unauthorized activity of insurance producers, and annuity contracts for cemetery and funeral merchandise and funeral services, and making fees and penalties applicable and providing effective and retroactive applicability dates.

MICHAEL E. MARSHALL, Secretary

SPECIAL PRESENTATION

Speaker Rants welcomed into the House the Honorable Thomas Vilsack, Governor.

The House rose and expressed its welcome.

Speaker pro tempore Carroll and Minority Leader Murphy introduced to the House, the Honorable John and Marge Connors and presented them with a certificate in honor of their 60th wedding anniversary. Former Representative Connors introduced his wife Marge and addressed the House briefly in appreciation and sang "It Had To Be You" to his wife.

The House rose and expressed its welcome.

On motion by Gipp of Winneshiek, the House was recessed at 9:15 a.m., until 11:00 a.m., or until the completion of the Medicaid Initiative presentation.

MORNING SESSION

The House reconvened at 10:41 a.m., Roberts of Carroll in the chair.

QUORUM CALL

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

On motion by Gipp of Winneshiek, the House was recessed at 10:44 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:11 p.m., Speaker pro tempore Carroll in the chair.

QUORUM CALL

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

Speaker Rants in the chair at 1:12 p.m.

CONSIDERATION OF BILLS

Appropriations Calendar

House File 825, a bill for an act 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, was taken up for consideration.

Foege of Linn asked and received unanimous consent to withdraw amendment **H-1277** filed by him on March 31, 2005.

Foege of Linn offered the following amendment [H-1279](#) filed by him and Whitaker of Van Buren and moved its adoption:

[H-1279](#)

- 1 Amend [House File 825](#) as follows:
- 2 1. Page 1, line 23, by striking the figure
- 3 "2,730,522" and inserting the following: "3,230,522".
- 4 2. Page 2, by inserting after line 4 the
- 5 following:
- 6 "Of the amount appropriated in this section,
- 7 \$500,000 is allocated for the department's case
- 8 management activities."

Roll call was requested by Reasoner of Union and Whitaker of Van Buren.

Rule 75 was invoked.

On the question "Shall amendment [H-1279](#) be adopted?" ([H.F. 825](#))

The ayes were, 49:

Bell	Berry	Bukta	Cohon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Petersen	Pettengill	Quirk	Reasoner
Reichert	Schueller	Shomshor	Shultz
Smith	Swaim	Taylor, D.	Taylor, T.
Thomas	Van Fossen, J.K.	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	Maddox	May	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons

Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.R.	Watts
Wildurdyke	Mr. Speaker		
	Rants		

Absent or not voting, 1:

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Amendment [H-1279](#) lost.

Heaton of Henry offered amendment [H-1308](#) filed by him as follows:

[H-1308](#)

1 Amend [House File 825](#) as follows:
2 1. Page 1, line 23, by striking the figure
3 "2,730,522" and inserting the following: "2,791,522".
4 2. Page 1, line 24, by striking the figure
5 "26.75" and inserting the following: "27.75".
6 3. Page 2, line 18, by striking the figure "6.45"
7 and inserting the following: "7.45".
8 4. Page 2, line 33, by striking the figure
9 "862,592" and inserting the following: "915,761".
10 5. Page 3, line 4, by striking the figure
11 "1,295,342" and inserting the following: "1,265,342".
12 6. Page 5, line 32, by inserting after the word
13 "services." the following: "Of the amount
14 appropriated in subsection 1, up to \$100,000 may be
15 used for the licensing of gambling treatment programs
16 as provided in section 135.150."
17 7. Page 6, line 10, by striking the figure
18 "295,717" and inserting the following: "320,717".
19 8. Page 6, line 12, by striking the figure
20 "75,000" and inserting the following: "50,000".
21 9. Page 6, line 18, by striking the figure
22 "25,000" and inserting the following: "75,000".
23 10. Page 11, line 23, by striking the figure
24 "40,316,718" and inserting the following:
25 "40,250,000".
26 11. Page 12, line 27, by striking the figure
27 "524,510,863" and inserting the following:
28 "524,800,000".
29 12. Page 15, by striking lines 25 through 29.
30 13. Page 16, by inserting after line 1, the
31 following:
32 "___ The medical assistance pharmaceutical and
33 therapeutics committee established pursuant to section
34 249A.20A shall develop options for increasing the

35 savings relative to psychotropic drugs, while
36 maintaining patient care quality."
37 14. Page 20, line 4, by striking the figure
38 "76,508,683" and inserting the following:
39 "76,400,000".
40 15. Page 24, by inserting after line 27 the
41 following:
42 "___ . If the department receives federal approval
43 to implement a waiver under Title IV-E of the federal
44 Social Security Act to enable providers to serve
45 children who remain in the children's families and
46 communities, for purposes of eligibility under the
47 medical assistance program children who participate in
48 the waiver shall be considered to be placed in foster
49 care."
50 16. Page 24, line 35, by striking the figure

Page 2

1 "32,275,732" and inserting the following:
2 "32,250,000".
3 17. Page 28, line 7, by striking the figure
4 "12,650,344" and inserting the following:
5 "12,600,000".
6 18. Page 28, line 10, by striking the figure
7 "7,073,088" and inserting the following: "7,050,000".
8 19. Page 32, line 14, by striking the figure
9 "53,519,372" and inserting the following:
10 "53,505,000".
11 20. Page 33, line 14, by striking the figure
12 "158,752,891" and inserting the following:
13 "161,600,000".
14 21. Page 33, by inserting after line 33, the
15 following:
16 "(3) For recalculation of the per diem cost and
17 the patient-day-weighted medians used in rate setting
18 for nursing facilities effective July 1, 2005, the
19 inflation factor applied from the midpoint of the cost
20 report period to the first day of the state fiscal
21 year rate period shall be zero percent."
22 22. Page 38, by striking lines 14 through 23 and
23 inserting the following: "completed in December 1998.
24 The department shall set rates in a manner so as to
25 provide incentives for a nonregistered provider to
26 become registered. If the federal government provides
27 additional funding for child care during the fiscal
28 year beginning July 1, 2005, the additional funding
29 shall be used to develop and implement an electronic
30 billing and payment system for child care providers."
31 23. Page 39, by striking lines 3 through 32.
32 24. By striking page 39, line 33, through page
33 41, line 14, and inserting the following:

34 "Sec. ____ 2001 Iowa Acts, chapter 192, section 4,
35 subsection 3, paragraphs e and f, as amended by 2004
36 Iowa Acts, chapter 1175, section 154, are amended to
37 read as follows:

38 e. The department shall calculate the rate ceiling
39 for the direct-care cost component at 120 percent of
40 the median of case-mix adjusted costs. Nursing
41 facilities with case-mix adjusted costs at 95 percent
42 of the median or greater, shall receive an amount
43 equal to their costs not to exceed 120 percent of the
44 median. ~~Nursing facilities with case-mix adjusted
45 costs below 95 percent of the median shall receive an
46 excess payment allowance by having their payment rate
47 for the direct-care cost component calculated as their
48 case-mix adjusted cost plus 100 percent of the
49 difference between 95 percent of the median and their
50 case-mix adjusted cost, not to exceed 10 percent of~~

Page 3

1 ~~the median of case-mix adjusted costs. Beginning July
2 1, 2004, nursing facilities with case-mix adjusted
3 costs below 95 percent of the median shall receive an
4 excess payment allowance by having their payment rate
5 for the direct-care cost component calculated as their
6 case-mix adjusted cost plus 50 percent of the
7 difference between 95 percent of the median and their
8 case-mix adjusted cost, not to exceed 10 percent of
9 the median of case-mix adjusted costs. Any excess
10 payment allowance realized from the direct-care cost
11 component of the modified-price-based case-mix
12 reimbursement shall be expended to increase the
13 compensation of direct-care workers or to increase the
14 ratio of direct-care workers to residents. The
15 department of human services shall implement a new
16 monitoring and reporting system to assess compliance
17 with the provisions of this paragraph.~~

18 f. The department shall calculate the rate ceiling
19 for the nondirect care cost component at 110 percent
20 of the median of non-case-mix adjusted costs. Nursing
21 facilities with non-case-mix adjusted costs at 96
22 percent of the median or greater shall receive an
23 amount equal to their costs not to exceed 110 percent
24 of the median. ~~Nursing facilities with non-case-mix
25 adjusted costs below 96 percent of the median shall
26 receive an excess payment allowance that is their
27 costs plus 65 percent of the difference between 96
28 percent of the median and their non-case-mix adjusted
29 costs, not to exceed 8 percent of the median of non-
30 case-mix adjusted costs. Beginning July 1, 2004,
31 nursing facilities with non-case-mix adjusted costs
32 below 96 percent of the median shall receive an excess~~

33 ~~payment allowance that is their costs plus 32.5~~
34 ~~percent of the difference between 96 percent of the~~
35 ~~median and their non case mix adjusted costs, not to~~
36 ~~exceed 8 percent of the median of non case mix~~
37 ~~adjusted costs. Any excess payment allowance realized~~
38 ~~from the nondirect care cost component of the modified~~
39 ~~price based case mix reimbursement shall be used to~~
40 ~~fund quality of life improvements. The department of~~
41 ~~human services shall implement a new monitoring and~~
42 ~~reporting system to assess compliance with the~~
43 ~~provisions of this paragraph."~~

44 25. Page 41, by inserting after line 31, the
45 following:
46 "Sec. __. 2004 Iowa Acts, chapter 1175, section
47 134, is amended by adding the following new
48 subsection:
49 NEW SUBSECTION. 3. Notwithstanding section 8.33,
50 moneys appropriated in this section that remain

Page 4

1 unencumbered or unobligated at the close of the fiscal
2 year shall not revert but shall remain available for
3 expenditure for the purposes designated until the
4 close of the succeeding fiscal year."

5 26. Page 42, lines 6 and 7, by striking the words
6 "for the purposes designated".

7 27. Page 43, by inserting after line 16, the
8 following:

9 " __. The provision amending 2004 Iowa Acts,
10 chapter 1175, section 134."

11 28. Page 57, line 2, by striking the word
12 "COMMISSION" and inserting the following: "COMMISSION
13 BOARD".

14 29. Page 59, by inserting after line 34 the
15 following:

16 "Sec. __. Section 135.150, subsection 2, Code
17 2005, is amended to read as follows:

18 2. a. Moneys appropriated to the department under
19 this section shall be for the purpose of operating a
20 gambling treatment program and shall be used for
21 funding of administrative costs and to provide
22 programs which may include, but are not limited to,
23 outpatient and follow-up treatment for persons
24 affected by problem gambling, rehabilitation and
25 residential treatment programs, information and
26 referral services, crisis call access, education and
27 preventive services, and financial management and
28 credit counseling services.

29 b. A person shall not maintain or conduct a
30 gambling treatment program funded under this section
31 unless the person has obtained a license for the

32 program from the department. The department shall
33 adopt rules to establish standards for the licensing
34 and operation of gambling treatment programs under
35 this section. The rules shall specify, but are not
36 limited to specifying, the qualifications for persons
37 providing gambling treatment services, standards for
38 the organization and administration of gambling
39 treatment programs, and a mechanism to monitor
40 compliance with this section and the rules adopted
41 under this section."

42 30. Page 66, by inserting after line 9 the
43 following:

44 "___ In addition to the amounts authorized in
45 subsections 1 through 6, the examining boards listed
46 in section 147.80 may retain and expend ninety percent
47 of the revenue generated from an increase in license
48 and renewal fees established pursuant to section
49 147.80 for the practice of the licensed profession for
50 which an examining board conducts examinations above

Page 5

1 the license and renewal fees in effect as of June 30,
2 2005. The moneys retained by an examining board shall
3 be used for any of the board's duties, including but
4 not limited to addition of full-time equivalent
5 positions for program services and investigations.
6 Revenues retained by an examining board pursuant to
7 this subsection shall be considered repayment receipts
8 as defined in section 8.2."

9 31. Page 73, line 2, by striking the word "Any"
10 and inserting the following: "To the extent allowed
11 by the United States social security administration,
12 any".

13 32. Page 77, by striking lines 1 and 2, and
14 inserting the following: "of such costs if the person
15 does not have a county of has no legal settlement or
16 the legal settlement is unknown so that the person is
17 deemed to be a state case."

18 33. Page 78, by striking lines 25 and 26, and
19 inserting the following: "have no legal settlement or
20 the legal settlement is unknown so that the persons
21 are deemed to be state cases."

22 34. Page 79, by striking lines 13 through 15 and
23 inserting the following: "provided to such persons
24 without a county of who have no legal settlement or
25 the legal settlement is unknown so that the persons
26 are deemed to be state cases."

27 35. By striking page 80, line 34 through page 81,
28 line 1 and inserting the following: "share of such
29 costs if the person does not have a county of has no
30 legal settlement or the legal settlement is unknown so

31 that the person is deemed to be a state case.
32 36. By renumbering as necessary.

Heddens of Story offered the following amendment [H-1310](#) to amendment [H-1308](#), filed by her and Gaskill of Wapello from the floor and moved its adoption:

[H-1310](#)

1 Amend the amendment, [H-1308](#), to [House File 825](#) as
2 follows:
3 1. Page 1, line 11, by striking the figure
4 "1,265,342" and inserting the following: "2,192,342".
5 2. Page 1, by inserting after line 11, the
6 following:
7 "___". Page 3, line 5, by striking the figure
8 "1.35" and inserting the following: "5.35".
9 "___". Page 3, by inserting after line 9 the
10 following:
11 "Of the amount appropriated in this subsection,
12 \$927,000 is allocated for efforts to address
13 obesity.""

Amendment [H-1310](#) lost.

Raecker of Polk offered the following amendment [H-1314](#), to amendment [H-1308](#), filed by him from the floor and moved its adoption:

[H-1314](#)

1 Amend the amendment, [H-1308](#), to [House File 825](#) as
2 follows:
3 1. Page 1, by inserting after line 11 the
4 following:
5 "___". Page 5, by inserting after line 23, the
6 following:
7 "It is the intent of the general assembly that from
8 the moneys appropriated in this subsection, persons
9 with a dual diagnosis of substance abuse and gambling
10 addictions shall be given priority in treatment
11 services.""
12 2. Page 4, by inserting after line 41 the
13 following:
14 "___". By striking page 59, line 35, through page
15 60, line 5."
16 3. By renumbering as necessary.

Amendment [H-1314](#) was adopted.

Cohoon of Des Moines offered the following amendment [H-1315](#), to amendment [H-1308](#), filed by him and Wendt of Woodbury from the floor and moved its adoption:

[H-1315](#)

- 1 Amend the amendment, [H-1308](#), to [House File 825](#) as
- 2 follows:
- 3 1. Page 1, line 11, by striking the figure
- 4 "1,265,342" and inserting the following: "1,565,342".
- 5 2. Page 1, by inserting after line 11 the
- 6 following:
- 7 "___ Page 3, by inserting after line 9 the
- 8 following:
- 9 "Of the amount appropriated in this subsection,
- 10 \$300,000 is allocated as additional funding for child
- 11 health specialty clinics."
- 12 3. By renumbering as necessary.

Roll call was requested by Cohoon of Des Moines and Reasoner of Union.

On the question "Shall amendment [H-1315](#) to amendment [H-1308](#) be adopted?" ([H.F. 825](#))

The ayes 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			

The nays 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	

Absent or not voting, none.

Amendment [H-1315](#) lost.

Smith of Marshall offered amendment [H-1309](#), to amendment [H-1308](#), filed by him from the floor as follows:

Speaker pro tempore Carroll in the chair at 1:43 p.m.

[H-1309](#)

- 1 Amend the amendment, [H-1308](#), to [House File 825](#) as
- 2 follows:
- 3 1. Page 1, by inserting after line 22 the
- 4 following:
- 5 "___". Page 10, line 15, by striking the figure
- 6 "5,133,042" and inserting the following: "5,811,782".
- 7 2. By renumbering as necessary.

Amendment [H-1309](#) lost.

Hogg of Linn offered the following amendment [H-1316](#), to amendment [H-1308](#), filed by him from the floor and moved its adoption:

[H-1316](#)

- 1 Amend the amendment, [H-1308](#), to [House File 825](#) as
- 2 follows:
- 3 1. Page 1, line 39, by striking the figure
- 4 "76,400,000" and inserting the following:
- 5 "76,700,000".
- 6 2. Page 1, by inserting after line 49 the
- 7 following:
- 8 "___". Of the amount appropriated in this section,
- 9 \$300,000 shall be used for distribution of competitive
- 10 grants for the provision of public education and
- 11 outreach to reduce the incidence of sexual abuse and
- 12 exploitation of children and sexual crimes against
- 13 children. To receive a grant under this subsection, a

- 14 grantee must demonstrate successful collaboration with
 15 a child abuse prevention council or a community
 16 partnership for protecting children."
 17 3. By renumbering as necessary.

Roll call was requested by Hogg of Linn and Smith of Marshall.

On the question "Shall amendment [H-1316](#) to amendment [H-1308](#) be adopted?" ([H.F. 825](#))

The ayes were, 50:

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

The nays were, 50:

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

Absent or not voting, none.

Amendment [H-1316](#) lost.

Heddens of Story offered the following amendment [H-1311](#), to amendment [H-1308](#), filed by her from the floor and moved its adoption:

[H-1311](#)

1 Amend the amendment, [H-1308](#), to [House File 825](#) as
 2 follows:
 3 1. Page 4, by inserting after line 10 the
 4 following:
 5 "___ . Page 47, by inserting after line 8 the
 6 following:
 7 "Sec. ___ . CHILDREN'S REDESIGN. There is
 8 appropriated from the general fund of the state to the
 9 department of human services for the fiscal year
 10 beginning July 1, 2005, and ending June 30, 2006, the
 11 following amounts, or so much thereof as is necessary,
 12 to be used for redesign of the children's mental
 13 health, mental retardation, developmental
 14 disabilities, and brain injury services system:
 15 1. For the children's portion of the system of
 16 care waiver:
 17 \$ 225,000
 18 2. For home and community-based services waiver
 19 costs under the medical assistance program for
 20 children's services:
 21 \$ 500,000"
 22 2. By renumbering as necessary.

Amendment [H-1311](#) lost.

Petersen of Polk offered the following amendment [H-1320](#), to amendment [H-1308](#), filed by her from the floor and moved its adoption:

[H-1320](#)

1 Amend the amendment, [H-1308](#), to [House File 825](#) as
 2 follows:
 3 1. Page 2, by striking lines 22 through 30, and
 4 inserting the following:
 5 "___ . Page 38, line 21, by inserting after the
 6 word "survey." the following: "Otherwise, if
 7 additional federal funding is provided but not in a
 8 sufficient amount to set provider reimbursement rates
 9 based on the 2002 survey, the additional funding shall
 10 be used to pay provider bonuses, to enhance provider
 11 professional development opportunities, or for a
 12 combination of measures to support child care
 13 providers.""

Amendment [H-1320](#) lost.

Fallon of Polk offered the following amendment [H-1321](#), to amendment [H-1308](#), filed by him from the floor and moved its adoption:

[H-1321](#)

1 Amend the amendment, [H-1308](#), to [House File 825](#) as
 2 follows:
 3 1. Page 1, by inserting after line 22 the
 4 following:
 5 "___". Page 11, by inserting after line 3 the
 6 following:
 7 "d. For reinstating and operating the emergency
 8 assistance program:
 9 \$ 500,000"

Amendment [H-1321](#) lost.

Heaton of Henry offered the following amendment [H-1322](#), to amendment [H-1308](#), filed by him from the floor and moved its adoption:

[H-1322](#)

1 Amend the amendment, [H-1308](#), to [House File 825](#) as
 2 follows:
 3 1. Page 1, line 36, by inserting after the word
 4 "quality." the following: "This subsection shall not
 5 be construed to amend, modify, or repeal the exception
 6 provided pursuant to section 249A.20A relating to
 7 drugs prescribed for mental illness. The committee
 8 shall submit a report of any options the committee
 9 recommends to the general assembly by January 1, 2006.
 10 Any options developed or recommended shall not be
 11 implemented without an affirmative action enacted by
 12 the general assembly."

Amendment [H-1322](#) was adopted.

Division to amendment [H-1308](#), as amended, was requested as follows:

Page 1 Line 2 through Page 4 Line 41 and Page 5 Lines 9 through 31, Division A.

Page 4, Lines 42 through Page 5 Line 8, Division B.

Heaton of Henry moved the adoption of amendment [H-1308A](#), as amended.

Roll call was requested by Smith of Marshall and Murphy of Dubuque.

On the question "Shall amendment [H-1308A](#), as amended, be adopted?" ([H.F. 825](#))

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.

Amendment [H-1308A](#) was adopted.

Speaker Rants in the chair at 2:10 p.m.

Heddens of Story offered the following amendment [H-1307](#) filed by her and moved its adoption:

H-1307

- 1 Amend [House File 825](#) as follows:
- 2 1. Page 2, line 33, by striking the figure
- 3 "862,592" and inserting the following: "1,698,592".
- 4 2. Page 2, by inserting after line 34 the
- 5 following:
- 6 "Of the amount appropriated in this subsection,
- 7 \$836,000 is allocated for funding of mobile dental
- 8 clinics."

Amendment [H-1307](#) lost.

Heaton of Henry offered the following amendment [H-1301](#) filed by him and Foege of Linn and moved its adoption:

H-1301

- 1 Amend [House File 825](#) as follows:
- 2 1. Page 3, by inserting after line 29 the
- 3 following:
- 4 "The amount appropriated in this subsection
- 5 includes \$150,000 in additional funding for childhood
- 6 lead poisoning prevention activities, and of this
- 7 amount, \$100,000 is allocated for counties not
- 8 receiving federal funding for this purpose and \$50,000
- 9 is allocated for a pilot project involving a
- 10 multicounty effort to address lead poisoning
- 11 prevention and remediation activities."

Amendment [H-1301](#) was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Winckler of Scott on request of Heddens of Story.

Foege of Linn offered the following amendment [H-1281](#) filed by him and moved its adoption:

H-1281

- 1 Amend [House File 825](#) as follows:
- 2 1. Page 4, line 6, by striking the figure
- 3 "1,044,151" and inserting the following: "1,379,044".
- 4 2. Page 4, line 9, by striking the figure
- 5 "335,107" and inserting the following: "670,000".

Roll call was requested by Reasoner of Union and Murphy of Dubuque.

On the question "Shall amendment [H-1281](#) be adopted?" ([H.F. 825](#))

The ayes were, 47:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	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	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	Maddox	May	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.R.	Watts
Wilderdyke	Mr. Speaker		
	Rants		

Absent or not voting, 3:

Huser Van Fossen, J.K. Winckler

Amendment [H-1281](#) lost.

Foege of Linn asked and received unanimous consent to withdraw amendment [H-1280](#) filed by him on March 31, 2005.

Smith of Marshall asked and received unanimous consent that amendment [H-1201](#) be deferred.

Petersen of Polk offered amendment [H-1295](#) filed by her and requested division as follows:

[H-1295](#)

1 Amend [House File 825](#) as follows:

[H-1295 A](#)

- 2 1. Page 18, line 2, by striking the figure
3 "8,350,752" and inserting the following: "17,350,752".
4 2. Page 18, line 4, by striking the figure
5 "7,325,228" and inserting the following: "16,325,228".

[H-1295 B](#)

- 6 3. Page 38, by striking lines 14 through 21 and
7 inserting the following: "completed in December 2002."
8 The department shall set rates in a manner so as".

Petersen of Polk moved the adoption of amendment [H-1295A](#).

Roll call was requested by Murphy of Dubuque and Reasoner of Union.

On the question "Shall amendment [H-1295A](#) be adopted?" ([H.F. 825](#))

The ayes were, 48:

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	Wise	Zirkelbach

The nays 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	

Absent or not voting, 1:

Winckler

Amendment [H-1295A](#) lost.

Amendment [H-1295B](#) was placed out of order with the adoption of amendment [H-1308A](#), as amended.

Foegen of Linn asked and received unanimous consent to withdraw amendment [H-1299](#) filed by him on April 4, 2005.

Smith of Marshall offered the following amendment [H-1278](#) filed by him and moved its adoption:

[H-1278](#)

- 1 Amend [House File 825](#) as follows:
- 2 1. Page 20, line 4, by striking the figure
- 3 "76,508,683" and inserting the following:
- 4 "77,208,683".
- 5 2. Page 37, line 18, by striking the figure "3"
- 6 and inserting the following: "4".

Amendment [H-1278](#) lost.

Foegen of Linn offered the following amendment [H-1300](#) filed by him and moved its adoption:

[H-1300](#)

- 1 Amend [House File 825](#) as follows:
- 2 1. Page 20, line 22, by inserting after the word
- 3 "section." the following: "The department shall pay
- 4 the nonfederal share of the costs of rehabilitative
- 5 treatment and support services provided to youth who
- 6 have committed a delinquent act and are subject to an
- 7 informal adjustment agreement under section 232.29."

Amendment [H-1300](#) lost.

Smith of Marshall offered the following amendment [H-1298](#) filed by him and moved its adoption:

[H-1298](#)

- 1 Amend [House File 825](#) as follows:
- 2 1. Page 24, by inserting after line 27 the
- 3 following:
- 4 "___ The governor and the legislative council are
- 5 requested to create a child welfare system improvement
- 6 committee consisting of legislators, child welfare
- 7 agency board members, child welfare agency staff,
- 8 department of human services staff, juvenile court
- 9 officers, and child advocacy board representatives.
- 10 The committee should commence deliberations during the
- 11 2005 legislative interim and consider all of the
- 12 following in making recommendations to the governor
- 13 and the general assembly in regard to the child
- 14 welfare and juvenile justice systems:
- 15 a. System changes to provide better results for
- 16 children.
- 17 b. System streamlining to improve services through
- 18 increased flexibility.
- 19 c. Increasing the degree of partnership by
- 20 strengthening the role of the state and the state's
- 21 community-based partners.
- 22 d. Increasing innovative service development.
- 23 e. Identifying the amount of resources necessary
- 24 for achieving better results.
- 25 f. Identifying the barriers to obtaining better
- 26 results and eliminating those barriers.
- 27 g. Developing a strategy to reduce the discrepancy
- 28 between state and private agency staff salaries.
- 29 h. Identifying the effects of low salaries and
- 30 inadequate system funding.
- 31 i. Developing a means for service providers to
- 32 keep pace with the inflationary cost increases in
- 33 order to maintain the quality level in child welfare
- 34 services.
- 35 j. Identifying the effects on children of
- 36 implementing an option for a managed care provider to
- 37 manage all or a portion of child welfare services
- 38 funding, including but not limited to all of the
- 39 following:
- 40 (1) The effects of coordinating this option with
- 41 the redesign of the children's mental health system.
- 42 (2) The interaction between the child welfare,
- 43 juvenile justice, and children's mental health
- 44 systems.

45 (3) The effects of providing wraparound services
46 under this option.
47 The department shall not implement an option for a
48 managed care provider to manage all or a portion of
49 child welfare services funding until recommendations
50 regarding this option have been received from a

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1 committee created pursuant to this subsection."
2 2. By renumbering as necessary.

Amendment [H-1298](#) lost.

Smith of Marshall offered the following amendment [H-1287](#) filed by Smith, et al., and moved its adoption:

[H-1287](#)

1 Amend [House File 825](#) as follows:
2 1. Page 29, line 11, by striking the figure "1."
3 2. Page 29, by striking lines 21 through 32.

Amendment [H-1287](#) lost.

Foege of Linn asked and received unanimous consent to withdraw amendment [H-1276](#) filed by him on March 31, 2005.

With the adoption of amendment [H-1308A](#), amendment [H-1274](#) filed by Petersen of Polk on March 31, 2005, was placed out of order.

Heaton of Henry offered the following amendment [H-1266](#) filed by Heaton, et al., and moved its adoption:

[H-1266](#)

1 Amend [House File 825](#) as follows:
2 1. Page 37, line 19, by inserting after the
3 figure "2005." the following: "It is the intent of
4 the general assembly that the increase in
5 reimbursement rates authorized in this subsection
6 shall be used for the provision of direct care with an
7 emphasis on increasing the compensation for direct
8 care workers."

Amendment [H-1266](#) was adopted.

Thomas of Clayton offered amendment [H-1296](#) filed by him as follows:

[H-1296](#)

1 Amend [House File 825](#) as follows:

2 1. Page 50, by inserting after line 27 the

3 following:

4 "Sec. . NEW SECTION. 35A.14 VETERANS SERVICE

5 FUND.

6 1. A veterans service fund is created in the state

7 treasury under the control of the commission.

8 2. The veterans service fund shall consist of all

9 of the following:

10 a. Moneys in the form of a devise, gift, bequest,

11 donation, federal or other grant, reimbursement,

12 repayment, judgment, transfer, payment, or

13 appropriation from any source intended to be used for

14 the purposes of the service fund. Notwithstanding

15 section 8.33, moneys credited to the service fund

16 shall not revert to any other fund.

17 b. Interest attributable to investment of moneys

18 in the fund or an account of the service fund.

19 Notwithstanding section 12C.7, subsection 2, interest

20 or earnings on moneys in the service fund shall be

21 credited to the service fund.

22 c. For each fiscal year, the department of

23 management shall annually identify an amount of state

24 savings in human services programs achieved during

25 that fiscal year due to efforts funded under this

26 section that assisted veterans in obtaining federal

27 veterans benefits. An amount equal to twenty percent

28 of the identified amount shall be transferred to the

29 service fund from the appropriations to which the

30 state savings are attributed. However, if the balance

31 of the service fund reaches one million dollars or

32 more, the transfers otherwise required by this

33 paragraph are suspended.

34 3. Moneys credited to the veterans service fund

35 shall not be transferred, used, obligated,

36 appropriated, or otherwise encumbered, except as

37 provided in this section. Moneys in the service fund

38 may be used for cash flow purposes during a fiscal

39 year provided that any moneys so allocated are

40 returned to the service fund by the end of that fiscal

41 year.

42 4. Moneys credited to the veterans service fund

43 are appropriated to the commission to be used for the

44 benefit of veterans and the spouses and dependents of

45 veterans, technical assistance, matching other funds,

46 other purposes of the commission, and associated

47 administrative costs."

48 2. By renumbering as necessary.

Heaton of Henry rose on a point of order that amendment [H-1296](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1296](#) not germane.

Thomas of Clayton moved to suspend the rules to consider amendment [H-1296](#).

Roll call was requested by Thomas of Clayton and Murphy of Dubuque.

On the question "Shall the rules be suspended to consider amendment [H-1296](#)?" ([H.F. 825](#))

The ayes were, 47:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Mascher	McCarthy	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	Zirkelbach	

The nays 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	

Absent or not voting, 2:

Mertz

Wise

The motion to suspend the rules lost.

Foege of Linn offered the following amendment [H-1297](#) filed by him and Heaton of Henry and moved its adoption:

[H-1297](#)

- 1 Amend [House File 825](#) as follows:
- 2 1. Page 59, by inserting after line 34, the
- 3 following:
- 4 "Sec. __. Section 135.63, subsection 2, paragraph
- 5 o, Code 2005, is amended to read as follows:
- 6 o. The change in ownership, licensure,
- 7 organizational structure, operational structure, or
- 8 designation of the type of institutional health
- 9 facility if the health services offered by the
- 10 successor institutional health facility are unchanged.
- 11 For the purposes of this paragraph, change in
- 12 ownership, licensure, organizational structure,
- 13 operational structure, or designation of the type of
- 14 institutional health facility shall include any such
- 15 change, whether voluntary or involuntary, in which the
- 16 successor institutional health facility offers health
- 17 services unchanged from the predecessor institutional
- 18 health facility without a significant interruption in
- 19 services whether or not the predecessor institutional
- 20 health facility consents to the continuation of
- 21 services. An interruption in services is not
- 22 significant if the successor institutional health
- 23 facility offers the same health services as the
- 24 predecessor institutional health facility within one
- 25 year of the change in ownership, licensure,
- 26 organizational structure, operational structure, or
- 27 designation of the type of institutional health
- 28 facility."
- 29 2. Page 84, by inserting after line 32, the
- 30 following:
- 31 "Sec. __. EFFECTIVE DATE AND RETROACTIVE
- 32 APPLICABILITY. The amendment in this division of this
- 33 Act to section 135.63, subsection 2, paragraph "o",
- 34 being deemed of immediate importance, takes effect
- 35 upon enactment and is retroactively applicable to
- 36 December 1, 2004."
- 37 3. Title page, line 7, by inserting after the
- 38 word "dates" the following: "and providing for
- 39 retroactive applicability".
- 40 4. By renumbering as necessary.

Amendment [H-1297](#) lost.

Smith of Marshall asked and received unanimous consent to withdraw amendment [H-1192](#) filed by him on March 28, 2005.

Reichert of Muscatine offered the following amendment [H-1285](#) filed by him and Petersen of Polk and moved its adoption:

[H-1285](#)

- 1 Amend [House File 825](#) as follows:
- 2 1. Page 65, by striking lines 22 through 25 and
- 3 inserting the following: "one hundred percent of the
- 4 revenues generated from license and renewal fees
- 5 established pursuant to section 147.80 for the
- 6 practice of nursing. The moneys".

Amendment [H-1285](#) lost.

Foege of Linn asked and received unanimous consent to withdraw amendment [H-1302](#) filed by him on April 4, 2005.

Smith of Marshall offered the following amendment [H-1225](#) filed by him and moved its adoption:

[H-1225](#)

- 1 Amend [House File 825](#) as follows:
- 2 1. Page 65, by striking lines 21 through 32.
- 3 2. Page 66, by inserting after line 9 the
- 4 following:
- 5 "_. The examining boards listed in section
- 6 147.80, other than the board of dental examiners, the
- 7 board of medical examiners, and the board of pharmacy
- 8 examiners that are otherwise addressed in this
- 9 section, may retain and expend ninety percent of the
- 10 revenue generated from license and renewal fees
- 11 established pursuant to section 147.80 for the
- 12 practice of the licensed profession for which an
- 13 examining board conducts examinations. The moneys
- 14 retained by an examining board shall be used for any
- 15 of the board's duties, including but not limited to
- 16 addition of full-time equivalent positions for program
- 17 services and investigations. Revenues retained by an
- 18 examining board pursuant to this subsection shall be
- 19 considered repayment receipts as defined in section
- 20 8.2."
- 21 3. By renumbering as necessary.

Roll call was requested by Smith of Marshall and Whitaker of Van Buren.

On the question "Shall amendment [H-1225](#) be adopted?" ([H.F. 825](#))

The ayes 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			

The nays 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	

Absent or not voting, none.

Amendment [H-1225](#) lost.

Mascher of Johnson offered the following amendment [H-1290](#) filed by her and moved its adoption:

[H-1290](#)

- 1 Amend [House File 825](#) as follows:
- 2 1. Page 74, by inserting after line 32 the

3 following:

4 "Sec. __. Section 237A.30, Code 2005, is amended
5 by striking the section and inserting in lieu thereof
6 the following:

7 237A.30 CHILD CARE QUALITY RATING SYSTEM.

8 1. The department shall work with the community
9 empowerment office of the department of management
10 established in section 28.3 and the state child care
11 advisory council in designing and implementing a
12 quality rating system for each provider type of child
13 care facility.

14 2. The quality rating system shall be voluntary
15 and composed of multiple ratings based upon the rating
16 criteria adopted for the system. The initial system
17 shall provide for five levels; however, the department
18 may periodically revise the system to change the
19 number of levels and make other changes to improve the
20 system. The department shall identify the period for
21 which a rating is awarded and the means by which a
22 rating may be withdrawn or modified.

23 3. The criteria utilized for the rating system may
24 include but are not limited to any of the following:
25 facility type; provider staff experience, education,
26 training, and credentials; facility director education
27 and training; an environmental rating score or other
28 direct assessment environmental methodology; national
29 accreditation; facility history of compliance with law
30 and rules; child-to-staff ratio; curriculum; business
31 practices; staff retention rates; evaluation of staff
32 members and program practices; staff compensation and
33 benefit practices; provider and staff membership in
34 professional early childhood organizations; and
35 parental involvement with the facility.

36 4. The department may directly administer or
37 contract for the administration of the quality rating
38 system. A facility's quality rating may be included
39 on the internet page and in the consumer information
40 provided by the department pursuant to section 237A.25
41 and shall be identified in the child care provider
42 referrals made by child care resource and referral
43 service grantees under section 237A.26.

44 5. For reimbursement paid under the state child
45 care assistance program established in section
46 237A.13, the department may implement a reimbursement
47 rate methodology applicable to child care facilities
48 participating in the rating system in which the
49 reimbursement rate varies based upon the rating of a
50 facility. In addition, as part of the quality rating

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1 system, the department may pay an achievement bonus to

2 providers that are awarded a quality rating."
3 2. Page 84, by inserting after line 29 the
4 following:
5 "Sec. __. PHASED IMPLEMENTATION OF CHILD CARE
6 QUALITY RATING SYSTEM.
7 1. Effective July 1, 2005, the department of human
8 services shall no longer accept applications for the
9 gold seal quality designation for child care providers
10 under section 237A.30, Code 2005. However, if a child
11 care provider has been awarded the designation prior
12 to July 1, 2005, the designation may continue to be
13 utilized for that provider until the designated period
14 of nationally recognized accreditation for which the
15 gold seal designation was awarded has ended.
16 2. The department of human services shall commence
17 implementation of the child care quality rating system
18 under section 237A.30, as amended by this division of
19 this Act, by awarding ratings beginning on or after
20 January 1, 2006. The department may modify
21 implementation of the rating system and the rating
22 system itself as necessary to conform to the funding
23 made available for the rating system for the fiscal
24 year beginning July 1, 2005."
25 3. By renumbering as necessary.

Amendment [H-1290](#) lost.

Zirkelbach of Jones offered the following amendment [H-1303](#) filed by him and Kressig of Black Hawk and moved its adoption:

[H-1303](#)

1 Amend [House File 825](#) as follows:
2 1. Page 81, by inserting after line 1 the
3 following:
4 "Sec. __. NEW SECTION. 249A.30A MEDICAL
5 ASSISTANCE - PERSONAL NEEDS ALLOWANCE.
6 The personal needs allowance under the medical
7 assistance program, which may be retained by a
8 resident of a nursing facility as defined in section
9 135C.1, shall be fifty dollars per month."
10 2. By renumbering as necessary.

Roll call was requested by Murphy of Dubuque and Kressig of Black Hawk.

On the question "Shall amendment [H-1303](#) be adopted?" ([H.F. 825](#))

The ayes 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			

The nays 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	

Absent or not voting, none.

Amendment [H-1303](#) lost.

Dix of Butler offered amendment [H-1288](#) filed by him and Heaton of Henry as follows:

[H-1288](#)

- 1 Amend [House File 825](#) as follows:
- 2 1. Page 84, by inserting after line 32 the
- 3 following:
- 4 "DIVISION _____
- 5 SUPPLEMENTAL APPROPRIATIONS
- 6 Sec. ____ 2004 Iowa Acts, chapter 1175, section
- 7 116, unnumbered paragraph 2, is amended to read as
- 8 follows:
- 9 For medical assistance reimbursement and associated

10 costs as specifically provided in the reimbursement
 11 methodologies in effect on June 30, 2004, except as
 12 otherwise expressly authorized by law, including
 13 reimbursement for abortion services, which shall be
 14 available under the medical assistance program only
 15 for those abortions which are medically necessary:

16 ~~\$352,794,101~~
 17 422,794,101

18 Sec. __. 2004 Iowa Acts, chapter 1175, section
 19 118, unnumbered paragraph 2, is amended to read as
 20 follows:

21 For medical contracts, including salaries, support,
 22 maintenance, and miscellaneous purposes, and for not
 23 more than the following full-time equivalent position:

24 \$ ~~9,725,035~~
 25 10,725,035
 26 FTEs 1.00

27 Of the amount appropriated in this section,
 28 \$1,000,000 is allocated for implementation costs for
 29 the Iowa Medicaid enterprise initiative.

30 Sec. __. 2004 Iowa Acts, chapter 1175, section
 31 130, subsections 1 and 2, are amended to read as
 32 follows:

33 1. For the state resource center at Glenwood for
 34 salaries, support, maintenance, and miscellaneous
 35 purposes:

36 \$ ~~8,550,280~~
 37 9,550,280

38 2. For the state resource center at Woodward for
 39 salaries, support, maintenance, and miscellaneous
 40 purposes:

41 \$ ~~4,520,459~~
 42 5,520,459

43 Sec. __. 2004 Iowa Acts, chapter 1175, section
 44 131, is amended to read as follows:
 45 SEC. 131. MI/MR/DD STATE CASES. There is
 46 appropriated from the general fund of the state to the
 47 department of human services for the fiscal year
 48 beginning July 1, 2004, and ending June 30, 2005, the
 49 following amount, or so much thereof as is necessary,
 50 to be used for the purpose designated:

Page 2

1 For purchase of local services for persons with
 2 mental illness, mental retardation, and developmental
 3 disabilities where the client has no established
 4 county of legal settlement:

5 \$ ~~11,014,619~~
 6 11,264,619

7 The general assembly encourages the department to
 8 continue discussions with the Iowa state association

9 of counties and administrators of county central point
 10 of coordination offices regarding proposals for moving
 11 state cases to county budgets.
 12 Sec. __. 2004 Iowa Acts, chapter 1175, section
 13 134, subsection 1, unnumbered paragraph 2, is amended
 14 to read as follows:

15 For costs associated with the commitment and
 16 treatment of sexually violent predators in the unit
 17 located at the state mental health institute at
 18 Cherokee, including costs of legal services and other
 19 associated costs, including salaries, support,
 20 maintenance, and miscellaneous purposes:
 21 \$ ~~2,833,646~~
 22 3,608,646

23 Sec. __. EFFECTIVE DATE. This division of this
 24 Act, being deemed of immediate importance, takes
 25 effect upon enactment."
 26 2. By renumbering as necessary.

Heaton of Henry offered the following amendment [H-1292](#), to amendment [H-1288](#), filed by him and moved its adoption:

[H-1292](#)

1 Amend the amendment, [H-1288](#), to [House File 825](#) as
 2 follows:
 3 1. Page 2, by inserting after line 11 the
 4 following:
 5 "Notwithstanding section 8.33, moneys appropriated
 6 in this section that remain unencumbered or
 7 unobligated at the close of the fiscal year shall not
 8 revert but shall remain available for expenditure for
 9 the purposes designated until the close of the
 10 succeeding fiscal year."

Amendment [H-1292](#) was adopted.

Murphy of Dubuque offered the following amendment [H-1317](#), to amendment [H-1288](#), filed by Murphy, Hogg of Linn, Bell of Jasper, Berry of Black Hawk, Bukta of Clinton, Cohoon of Des Moines, Dandekar of Linn, Davitt of Warren, Foege of Linn, Ford of Polk, Frevert of Palo Alto, Gaskill of Wapello, Heddens of Story, Hunter of Polk, Jacoby of Johnson, Jochum of Dubuque, Kressig of Black Hawk, Kuhn of Floyd, Lensing of Johnson, Lykam of Scott, Mascher of Johnson, McCarthy of Polk, Mertz of Kossuth, Miller of Webster, Oldson of Polk, D. Olson of Boone, Petersen of Polk, Pettengill of Benton, Quirk of Chickasaw, Reasoner of Union, Schueller of Jackson, Shomshor of Pottawattamie, Smith of Marshall, Swaim of

Davis, T. Taylor of Linn, Thomas of Clayton, Wendt of Woodbury, Wessel-Kroeschell of Story, Whitaker of Van Buren, Whitead of Woodbury, Winckler of Scott and Zirkelbach of Jones, from the floor, and moved its adoption:

[H-1317](#)

1 Amend the amendment, [H-1288](#), to [House File 825](#) as
 2 follows:
 3 1. Page 2, line 22, by striking the figure
 4 "~~3,608,646~~" and inserting the following: "4,233,646".
 5 2. Page 2, by inserting before line 23 the
 6 following:
 7 "Notwithstanding section 8.33, moneys appropriated
 8 in this section that remain unencumbered or
 9 unobligated at the close of the fiscal year shall not
 10 revert but shall remain available for expenditure for
 11 the purposes designated until the close of the
 12 succeeding fiscal year."

Roll call was requested by Murphy of Dubuque and Whitaker of Van Buren.

On the question "Shall amendment [H-1317](#) to amendment [H-1288](#) be adopted?" ([H.F. 825](#))

The ayes 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			

The nays 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	

Absent or not voting, none.

Amendment [H-1317](#) lost.

Dix of Butler moved the adoption of amendment [H-1288](#), as amended.

Roll call was requested by Murphy of Dubuque and Whitaker of Van Buren.

On the question "Shall amendment [H-1288](#), as amended, be adopted?" ([H.F. 825](#))

The ayes were, 100:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	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 Winckler	Whitaker Wise	Whitead Zirkelbach	Wilderdyke Mr. Speaker Rants
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The nays were, none.

Absent or not voting, none.

Amendment [H-1288](#), as amended, was adopted.

Smith of Marshall offered amendment [H-1201](#), previously deferred, filed by him as follows:

[H-1201](#)

- 1 Amend [House File 825](#) as follows:
- 2 1. Page 15, by striking lines 8 through 13.
- 3 2. By renumbering as necessary.

Hoffman of Crawford offered the following amendment [H-1325](#), to amendment [H-1201](#), filed by him from the floor and moved its adoption:

[H-1325](#)

- 1 Amend the amendment, [H-1201](#), to [House File 825](#) as
- 2 follows:
- 3 1. Page 1, line 2, by striking the figure "13."
- 4 and inserting the following: "13 and inserting the
- 5 following:
- 6 "___ . It is the intent of the general assembly
- 7 that the department annually collect data on the
- 8 reimbursement rates paid to the providers and by the
- 9 third-party payors participating in the medical
- 10 assistance program. The department shall consult with
- 11 the division of insurance in adopting administrative
- 12 rules specifying the reporting format and guaranteeing
- 13 the confidentiality of the information provided by the
- 14 providers and third-party payors. The department
- 15 shall annually review the reimbursement rate data and
- 16 make recommendations for reimbursement rate changes to
- 17 the governor and the general assembly annually by
- 18 January 1. The department may adopt emergency rules
- 19 to implement the provisions of this subsection.""

Amendment [H-1325](#) was adopted.

On motion by Smith of Marshall, amendment [H-1201](#), as amended, was adopted.

Heaton of Henry 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. 825](#))

The ayes were, 64:

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

The nays were, 36:

Bell	Bukta	Cohoon	Davitt
Fallon	Frevert	Gaskill	Heddens
Hogg	Hunter	Jochum	Kressig
Kuhn	Lensing	Lykam	Mascher
Mertz	Murphy	Oldson	Olson, D.
Petersen	Quirk	Reasoner	Reichert
Schueller	Shomshor	Shoultz	Smith
Taylor, D.	Taylor, T.	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise

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

INTRODUCTION OF BILLS

[House File 837](#), by committee on appropriations, 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 placed on the **appropriations calendar**.

[House File 838](#), by committee on appropriations, a bill for an act relating to the procedures and duties of the judicial branch, including sending notices, and providing for fees.

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

[House File 839](#), by committee on appropriations, a bill for an act providing for the establishment of a technology governance board within the department of administrative services, and making an appropriation.

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

SENATE MESSAGE CONSIDERED

[Senate File 325](#), by committee on judiciary, a bill for an act relating to the procedures and duties of the judicial branch, including sending notices and reports, and providing an effective date.

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

SPECIAL PRESENTATION

Murphy of Dubuque introduced to the House the Honorable Greg Stevens former state representative from Dickinson County.

The House rose and expressed its welcome.

Regular Calendar

[House File 724](#), a bill for an act creating a prescription drug donation and redispensing pilot program, and providing penalties, was taken up for consideration.

Speaker pro tempore Carroll in the chair at 4:28 p.m.

Kurtenbach of Story offered amendment [H-1269](#) filed by Kurtenbach, et al., as follows:

[H-1269](#)

- 1 Amend [House File 724](#) as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. NEW SECTION. 135M.1 PURPOSE.
- 5 The purpose of this chapter is to improve the
- 6 health of low-income Iowans through a prescription
- 7 drug donation repository that authorizes medical
- 8 facilities and pharmacies to redispense prescription
- 9 drugs and supplies that would otherwise be destroyed.
- 10 Sec. 2. NEW SECTION. 135M.2 DEFINITIONS.
- 11 1. "Anti-rejection drug" means a prescription drug
- 12 that suppresses the immune system to prevent or
- 13 reverse rejection of a transplanted organ.
- 14 2. "Cancer drug" means a prescription drug that is
- 15 used to treat any of the following:
- 16 a. Cancer or the side effects of cancer.
- 17 b. The side effects of any prescription drug that
- 18 is used to treat cancer or the side effects of cancer.
- 19 3. "Controlled substance" means the same as
- 20 defined in section 155A.3.
- 21 4. "Department" means the Iowa department of
- 22 public health.
- 23 5. "Indigent" means a person with an income that
- 24 is below two hundred percent of the federal poverty
- 25 level as defined by the most recently revised poverty
- 26 income guidelines published by the United States
- 27 department of health and human services.
- 28 6. "Medical facility" means any of the following:
- 29 a. A physician's office.
- 30 b. A hospital.
- 31 c. A health clinic.
- 32 d. A nonprofit health clinic which includes a
- 33 federally qualified health center as defined in 42
- 34 U.S.C. } 1396d(l)(2)(B); a rural health clinic as
- 35 defined in 42 U.S.C. § 1396d(l)(1); and a nonprofit
- 36 health clinic that provides medical care to patients
- 37 who are indigent, uninsured, or underinsured.
- 38 e. A free clinic as defined in section 135.24
- 39 f. A charitable organization as defined in section
- 40 135.24.
- 41 g. A nursing facility as defined in section
- 42 135C.1.
- 43 7. "Pharmacy" means a pharmacy as defined in
- 44 section 155A.3.

45 8. "Prescription drug" means the same as defined
46 in section 155A.3, and includes cancer drugs and anti-
47 rejection drugs, but does not include controlled
48 substances.
49 9. "Supplies" means the supplies necessary to
50 administer the prescription drugs donated.

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1 Sec. 3. NEW SECTION. 135M.3 PRESCRIPTION DRUG
2 DONATION REPOSITORY PROGRAM AUTHORIZED.

3 1. The department, in cooperation with the board
4 of pharmacy examiners, may establish and maintain a
5 prescription drug donation repository program under
6 which any person may donate prescription drugs and
7 supplies for use by an individual who meets
8 eligibility criteria specified by the department by
9 rule. The department may contract with a third party
10 to implement and administer the program.

11 2. Donations of prescription drugs and supplies
12 under the program may be made on the premises of a
13 medical facility or pharmacy that elects to
14 participate in the program and meets the requirements
15 established by the department.

16 3. The medical facility or pharmacy may charge an
17 individual who receives a prescription drug or
18 supplies a handling fee that shall not exceed an
19 amount established by rule by the department.

20 4. A medical facility or pharmacy that receives
21 prescription drugs or supplies may distribute the
22 prescription drugs or supplies to another eligible
23 medical facility or pharmacy for use pursuant to the
24 program.

25 5. Participation in the program shall be
26 voluntary.

27 Sec. 4. NEW SECTION. 135M.4 PRESCRIPTION DRUG
28 DONATION REPOSITORY PROGRAM REQUIREMENTS.

29 1. A prescription drug or supplies may be accepted
30 and dispensed under the prescription drug donation
31 repository program if all of the following conditions
32 are met:

33 a. The prescription drug is in its original sealed
34 and tamper-evident packaging. However, a prescription
35 drug in a single-unit dose or blister pack with the
36 outside packaging opened may be accepted if the
37 single-unit dose packaging remains intact.

38 b. The prescription drug bears an expiration date
39 that is more than six months after the date the
40 prescription drug was donated.

41 c. The prescription drug or supplies are inspected
42 before the prescription drug or supplies are dispensed
43 by a licensed pharmacist employed by or under contract

44 with the medical facility or pharmacy, and the
45 licensed pharmacist determines that the prescription
46 drug or supplies are not adulterated or misbranded.
47 d. The prescription drug or supplies are
48 prescribed by a health care practitioner for use by an
49 eligible individual and are dispensed by a pharmacist.
50 2. A prescription drug or supplies donated under

Page 3

1 this chapter shall not be resold.
2 3. a. If a person who donates prescription drugs
3 under this chapter to a medical facility or pharmacy
4 receives a notice from a pharmacy that a prescription
5 drug has been recalled, the person shall inform the
6 medical facility or pharmacy of the recall.
7 b. If a medical facility or pharmacy receives a
8 recall notification from a person who donated
9 prescription drugs under this chapter, the medical
10 facility or pharmacy shall perform a uniform
11 destruction of all of the recalled prescription drugs
12 in the medical facility or pharmacy.
13 4. A prescription drug dispensed through the
14 prescription drug donation repository program shall
15 not be eligible for reimbursement under the medical
16 assistance program.
17 5. The department shall adopt rules establishing
18 all of the following:
19 a. Requirements for medical facilities and
20 pharmacies to accept and dispense donated prescription
21 drugs and supplies, including all of the following:
22 (1) Eligibility criteria for participation by
23 medical facilities and pharmacies.
24 (2) Standards and procedures for accepting, safely
25 storing, and dispensing donated prescription drugs and
26 supplies.
27 (3) Standards and procedures for inspecting
28 donated prescription drugs to determine if the
29 prescription drugs are in their original sealed and
30 tamper-evident packaging, or if the prescription drugs
31 are in single-unit doses or blister packs and the
32 outside packaging is opened, if the single-unit dose
33 packaging remains intact.
34 (4) Standards and procedures for inspecting
35 donated prescription drugs and supplies to determine
36 that the prescription drugs and supplies are not
37 adulterated or misbranded.
38 b. Eligibility criteria for individuals to receive
39 donated prescription drugs and supplies dispensed
40 under the program. The standards shall prioritize
41 dispensing to individuals who are indigent or
42 uninsured, but may permit dispensing to other

43 individuals if an uninsured or indigent individual is
44 unavailable.

45 c. Necessary forms for administration of the
46 prescription drug donation repository program,
47 including forms for use by individuals who donate,
48 accept, distribute, or dispense the prescription drugs
49 or supplies under the program.

50 d. A means by which an individual who is eligible

Page 4

1 to receive donated prescription drugs and supplies may
2 indicate such eligibility.

3 e. The maximum handling fee that a medical
4 facility or pharmacy may charge for accepting,
5 distributing, or dispensing donated prescription drugs
6 and supplies under the program.

7 f. A list of prescription drugs that the
8 prescription drug donation repository program will
9 accept.

10 Sec. 5. NEW SECTION. 135M.5 EXEMPTION FROM
11 DISCIPLINARY ACTION, CIVIL LIABILITY, AND CRIMINAL
12 PROSECUTION.

13 1. In the absence of bad faith, a drug
14 manufacturer is not subject to criminal prosecution or
15 civil liability for injury, death, or loss to a person
16 or property for matters related to the donation,
17 acceptance, or dispensing of a prescription drug
18 manufactured by the drug manufacturer that is donated
19 under this chapter, including liability for failure to
20 transfer or communicate product or consumer
21 information or the expiration date of the donated
22 prescription drug.

23 2. Except as provided in subsection 3, a person
24 other than a drug manufacturer subject to subsection
25 1, is immune from civil liability and criminal
26 prosecution for injury to or the death of an
27 individual to whom a donated prescription drug is
28 dispensed under this chapter and shall be exempt from
29 disciplinary action related to the person's acts or
30 omissions related to the donation, acceptance,
31 distribution, or dispensing of a donated prescription
32 drug under this chapter.

33 3. The immunity and exemption provided in
34 subsection 2 do not extend to any of the following:

35 a. The donation, acceptance, distribution, or
36 dispensing of a donated prescription drug under this
37 chapter by a person if the person's acts or omissions
38 involve reckless, wanton, or intentional misconduct.

39 b. To acts or omissions outside the scope of the
40 program.

41 Sec. 6. NEW SECTION. 135M.6 SAMPLE PRESCRIPTION

42 DRUGS.

43 This chapter shall not be construed to restrict the
44 use of samples by a physician or other person legally
45 authorized to prescribe drugs pursuant to section
46 147.107 during the course of the physician's or other
47 person's duties at a medical facility or pharmacy.
48 Sec. 7. **NEW SECTION.** 135M.7 RESALE PROHIBITED.
49 This chapter shall not be construed to authorize
50 the resale of prescription drugs by any person."

Page 5

1 2. Title page, line 1, by striking the words "and
2 redispensing".
3 3. Title page, by striking line 2 and inserting
4 the following: "repository program."

Swaim of Davis offered the following amendment [H-1323](#), to amendment [H-1269](#), filed by him, Murphy of Dubuque and Carroll of Poweshiek from the floor and moved its adoption:

[H-1323](#)

1 Amend the amendment, [H-1269](#) to [House File 724](#), as
2 follows:
3 1. Page 4, by striking lines 13 and 14, and
4 inserting the following:
5 "1. A drug manufacturer acting reasonably and in
6 good faith, is not subject to criminal prosecution
7 or".
8 2. Page 4, line 25, by inserting after the figure
9 "1," the following: "acting reasonably and in good
10 faith,".
11 3. Page 4, by striking line 38, and inserting the
12 following: "are not performed reasonably and in good
13 faith."

Amendment [H-1323](#) was adopted.

On motion by Kurtenbach of Story, amendment [H-1269](#), as amended, was adopted.

Kurtenbach of Story 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. 724](#))

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 737](#), a bill for an act relating to the registration and licensing of mortgage bankers and brokers, providing for fees, and providing an effective date, was taken up for consideration.

Sands of Louisa offered the following amendment **[H-1188](#)** filed by him and moved its adoption:

[H-1188](#)

- 1 Amend **[House File 737](#)** as follows:
- 2 1. Page 1, line 25, by striking the words "loans

- 3 or" and inserting the following: "loans".
 4 2. Page 1, line 26, by inserting after the word
 5 "nature" the following: ", or otherwise do not
 6 involve direct contact with loan applicants".
 7 3. Page 1, line 35, by striking the words "loans
 8 or" and inserting the following: "loans".
 9 4. Page 2, line 1, by inserting after the word
 10 "nature" the following: ", or otherwise do not
 11 involve direct contact with loan applicants".

Amendment [H-1188](#) was adopted.

Sands of Louisa offered the following amendment [H-1074](#) filed by him and moved its adoption:

[H-1074](#)

- 1 Amend [House File 737](#) as follows:
 2 1. Page 2, by inserting after line 1, the
 3 following:
 4 "Sec. __. Section 535B.2, Code 2005, is amended
 5 to read as follows:
 6 535B.2 EXEMPTIONS.
 7 This chapter, except for sections 535B.3, 535B.11,
 8 535B.12, and 535B.13, does not apply to any of the
 9 following:
 10 1. A ~~national bank, bank holding company, savings~~
 11 ~~bank, savings and loan association, or credit union~~
 12 ~~organized under the laws of this state, another state,~~
 13 ~~or the United States, or a subsidiary or affiliate of~~
 14 ~~such a bank, bank holding company, savings bank,~~
 15 ~~savings and loan association, or credit union.~~
 16 2. A ~~federally chartered savings and loan~~
 17 ~~association.~~
 18 3. A ~~federally chartered savings bank.~~
 19 4. A ~~federally chartered credit union.~~
 20 5. 2. A loan company licensed under chapter 536
 21 or 536A.
 22 6. A ~~bank organized under chapter 524.~~
 23 7. A ~~savings and loan association or savings bank~~
 24 ~~organized under chapter 534.~~
 25 8. A ~~credit union organized under chapter 533.~~
 26 9. 3. An insurance company or a subsidiary or
 27 affiliate of an insurance company organized under the
 28 laws of this state, another state, or the United
 29 States, and subject to regulation by the commissioner
 30 of insurance.
 31 10. A ~~wholly owned subsidiary of an organization~~
 32 ~~listed in subsections 1 through 9 if the listed~~
 33 ~~organization has its principal place of business in~~
 34 ~~Iowa.~~

35 ~~11. A bank, savings and loan association, credit~~
 36 ~~union, or insurance company organized or chartered~~
 37 ~~under the laws of any other state, provided the~~
 38 ~~financial institution or insurance company has a place~~
 39 ~~of business in Iowa or in a county of another state if~~
 40 ~~that county is contiguous to an Iowa border.~~
 41 ~~12. 4. Mortgage lenders or mortgage bankers~~
 42 ~~maintaining an office in this state whose principal~~
 43 ~~business in this state is conducted with or through~~
 44 ~~mortgage lenders or mortgage bankers otherwise exempt~~
 45 ~~under this section and which maintain a place of~~
 46 ~~business in this state.~~
 47 5. An insurance producer licensed under chapter
 48 522B.
 49 6. An individual who is employed by a person
 50 otherwise exempt under this section, or who is under

Page 2

1 an exclusive contract with a person otherwise exempt
 2 under this section to the extent that the individual
 3 is acting within the scope of the individual's
 4 employment or exclusive contract with the exempt
 5 person and is acting within the scope of the exempt
 6 person's charter, license, authority, approval, or
 7 certificate.
 8 7. A real estate broker licensed under chapter
 9 543B.
 10 ~~13. 8. A nonprofit organization qualifying for~~
 11 ~~tax-exempt status under the Internal Revenue Code as~~
 12 ~~defined in section 422.3 which offers housing services~~
 13 ~~to low and moderate income families.~~
 14 ~~Sec. __. Section 535B.3, subsections 1 and 3,~~
 15 ~~Code 2005, are amended to read as follows:~~
 16 ~~1. A person exempt under section 535B.2,~~
 17 ~~subsection 10, 11, 12, or 13 4 or 8, shall register~~
 18 ~~with the administrator.~~
 19 ~~3. The registrant, except a nonprofit organization~~
 20 ~~exempt under section 535B.2, subsection 13 8, shall~~
 21 ~~pay an annual registration fee of one hundred~~
 22 ~~dollars."~~
 23 ~~2. Page 3, by inserting after line 29, the~~
 24 ~~following:~~
 25 ~~"Sec. __. Section 558.70, subsection 4, Code~~
 26 ~~2005, is amended to read as follows:~~
 27 ~~4. This section applies to a contract seller who~~
 28 ~~entered into four or more residential real estate~~
 29 ~~contracts in the three hundred sixty-five days~~
 30 ~~previous to the contract seller signing the contract~~
 31 ~~disclosure statement. For purposes of this~~
 32 ~~subsection, two or more entities sharing a common~~
 33 ~~owner or manager are considered a single contract~~

34 seller. This section does not apply to an
 35 organization listed in section 535B.2, subsections 1
 36 through ~~4~~ 7."
 37 3. By renumbering as necessary.

Amendment [H-1074](#) 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. 737](#))

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 and none.

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.

[HOUSE FILE 325](#) WITHDRAWN

Kurtenbach of Story asked and received unanimous consent to withdraw [House File 325](#) from further consideration by the House.

[HOUSE FILE 115](#) WITHDRAWN

Sands of Louisa asked and received unanimous consent to withdraw [House File 115](#) from further consideration by the House.

Ways and Means Calendar

[House File 589](#), a bill for an act relating to the property taxation of nursing facilities and including effective and applicability date provisions, was taken up for consideration.

Kurtenbach of Story asked and received unanimous consent to withdraw amendment [H-1100](#) filed by him on March 17, 2005.

Kurtenbach of Story asked and received unanimous consent to withdraw amendment [H-1154](#) filed by him on March 22, 2005.

Kurtenbach of Story offered the following amendment [H-1202](#) filed by him and moved its adoption:

[H-1202](#)

- 1 Amend [House File 589](#) as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 427.1, subsection 14,
- 5 unnumbered paragraph 2, Code 2005, is amended to read
- 6 as follows:
- 7 The assessor, in arriving at the valuation of any
- 8 property of the society or organization, shall take
- 9 into consideration any uses of the property not for
- 10 the appropriate objects of the organization and shall
- 11 assess in the same manner as other property, all or
- 12 any portion of the property involved which is leased
- 13 or rented and is used regularly for commercial
- 14 purposes for a profit to a party or individual. If a
- 15 portion of the property is used regularly for
- 16 commercial purposes, an exemption shall not be allowed
- 17 upon property so used and the exemption granted shall
- 18 be in the proportion of the value of the property used
- 19 solely for the appropriate objects of the

20 organization, to the entire value of the property.
 21 However, the board of trustees or the board of
 22 directors of a hospital, as defined in section 135B.1,
 23 may permit use of a portion of the hospital for
 24 commercial purposes, and the hospital is entitled to
 25 full exemption for that portion used for nonprofit
 26 health-related purposes, upon compliance with the
 27 filing requirements of this subsection. The property
 28 of a nursing facility, as defined in section 135C.1,
 29 subsection 13, which is exempt from federal income tax
 30 under section 501(c)(3) of the Internal Revenue Code,
 31 and otherwise qualified, is entitled to the full
 32 exemption of the property regardless of the proportion
 33 of residents of the facility for whom the cost of care
 34 is privately paid or paid under Title XIX of the
 35 federal Social Security Act, upon compliance with the
 36 filing requirements of this subsection.
 37 Sec. 2. EFFECTIVE AND APPLICABILITY DATE. This
 38 Act, being deemed of immediate importance, takes
 39 effect upon enactment and applies to property taxes
 40 due and payable in fiscal years beginning on or after
 41 July 1, 2005."

Amendment [H-1202](#) was adopted.

Kurtenbach of Story 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. 589](#))

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	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, none.

Absent or not voting, none.

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

Ways and Means Calendar

House File 827, a bill for an act relating to the recognition and licensing of professional employer organizations and providing for penalties, was taken up for consideration.

Greiner of Washington offered the following amendment **H-1293** filed by her and moved its adoption:

H-1293

- 1 Amend **House File 827** as follows:
- 2 1. Page 4, line 10, by striking the word
- 3 "registration" and inserting the following:
- 4 "licensure".
- 5 2. Page 17, line 23, by striking the word
- 6 "registered" and inserting the following: "licensed".
- 7 3. Page 17, line 25, by striking the word
- 8 "registered" and inserting the following: "licensed".
- 9 4. Page 17, line 29, by striking the word
- 10 "registration" and inserting the following: "license".
- 11 5. Page 18, line 1, by striking the word
- 12 "registered" and inserting the following: "licensed".
- 13 6. Page 18, line 6, by striking the word
- 14 "REGISTRATION" and inserting the following: "LICENSE".
- 15 7. Page 18, line 7, by striking the words "-
- 16 CIVIL PENALTY".
- 17 8. Page 18, line 8, by striking the word
- 18 "registration" and inserting the following: "license".
- 19 9. Page 18, line 9, by striking the word
- 20 "registration" and inserting the following: "license".
- 21 10. Title page, line 2, by inserting after the
- 22 word "for" the following: "fees and".

Amendment [H-1293](#) was adopted.

Lensing of Johnson offered amendment [H-1294](#) filed by Lensing, et al., as follows:

[H-1294](#)

- 1 Amend [House File 827](#) as follows:
- 2 1. Page 5, line 22, by inserting after the word
- 3 "agreement." the following: "A coemployment
- 4 relationship between a professional employer
- 5 organization and a public employer as defined in
- 6 chapter 20 shall be deemed to be a coemployment
- 7 relationship between two public employers for the
- 8 purposes of chapter 20."
- 9 2. Page 10, line 15, by inserting after the word
- 10 "FEES" the following: "- APPROPRIATION".
- 11 3. Page 10, line 19, by striking the words "five
- 12 hundred" and inserting the following: "one thousand".
- 13 4. Page 10, line 22, by striking the words "five
- 14 hundred" and inserting the following: "one thousand".
- 15 5. Page 10, by inserting after line 34 the
- 16 following:
- 17 "6. APPROPRIATION. Fees collected pursuant to
- 18 this section are appropriated to the department for
- 19 the costs of administration of this chapter."
- 20 6. Title page, by striking line 2 and inserting
- 21 the following: "employer organizations, providing for
- 22 penalties, and making an appropriation."

Lensing of Johnson offered the following amendment [H-1313](#), to amendment [H-1294](#), filed by her from the floor and moved its adoption:

[H-1313](#)

- 1 Amend the amendment, [H-1294](#), to [House File 827](#) as
- 2 follows:
- 3 1. Page 1, by striking lines 2 through 8 and
- 4 inserting the following:
- 5 "___". Page 5, by inserting after line 22 the
- 6 following:
- 7 "2. PUBLIC EMPLOYEES. An agreement between a
- 8 public employer as defined in section 20.3 and a
- 9 professional employer organization shall not operate
- 10 to deny or limit the rights, benefits, or employment
- 11 of any covered employee who is a coemployee of the
- 12 public employer. Coemployment of a public employee as
- 13 a covered employee by a professional employer
- 14 organization pursuant to a professional employment

15 agreement between a public employer and a professional
 16 employer organization shall not be deemed to limit or
 17 to prevent the jurisdiction of the public employment
 18 relations board or the application of any provision of
 19 chapter 20 with regard to the public employee or the
 20 public employer."

21 ____ Page 5, line 23, by striking the figure "2."
 22 and inserting the following: "3."

23 ____ Page 6, line 8, by striking the figure "3."
 24 and inserting the following: "4."

25 ____ Page 6, line 28, by striking the figure "4."
 26 and inserting the following: "5."

27 2. By renumbering as necessary.

Amendment [H-1313](#) was adopted.

On motion by Lensing of Johnson, amendment [H-1294](#), as amended, was adopted.

Boal 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. 827](#))

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.

Regular Calendar

House File 772, a bill for an act 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, was taken up for consideration.

Raecker 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. 772](#))

The ayes were, 77:

Alons	Anderson	Baudler	Berry
Boal	Chambers	Dandekar	Davitt
Dix	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Jones	Kaufmann
Kressig	Kuhn	Kurtenbach	Lukan
Maddox	May	Mertz	Miller
Murphy	Olson, D.	Olson, S.	Paulsen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rayhons	Reasoner	Reichert	Roberts
Sands	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Thomas	Tomenga	Tymeson	Upmeyer
Van Fossen, J.K.	Van Fossen, J.R.	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Zirkelbach
Carroll, Presiding			

The nays were, 23:

Arnold	Bell	Bukta	Cohoon
De Boef	Hunter	Lalk	Lensing
Lykam	Mascher	McCarthy	Oldson
Olson, R.	Petersen	Rasmussen	Schickel
Taylor, D.	Taylor, T.	Tjepkes	Van Engelenhoven
Watts	Winckler	Wise	

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

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 589, 724, 737, 772 and 827.**

HOUSE FILE 791 WITHDRAWN

Boal of Polk asked and received unanimous consent to withdraw House File 791 from further consideration by the House.

INTRODUCTION OF BILLS

House File 840, by committee on ways and means, a bill for an act authorizing the rebate of state sales tax to the owner or operator of a sanctioned automobile racetrack facility.

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

House File 841, by Gipp and Murphy, a bill for an act relating to health care reform, including provisions relating to the medical assistance program, providing appropriations, providing effective dates, and providing for retroactive applicability.

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

The House stood at ease at 5:09 p.m., until the fall of the gavel.

The House resumed session at 5:29 p.m., Greiner of Washington in the chair.

HOUSE FILE 833 REREFERRED

The Speaker announced that [House File 833](#), previously referred to the **ways and means calendar** was rereferred to committee on **judiciary**.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 5, 2005. Had I been present, I would have voted "aye" on amendments [H-1281](#) and [H-1295A](#) to [House File 825](#).

WINCKLER of Scott

PRESENTATION OF VISITORS

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

Eighth grade students from Odeboldt-Arthur School, Odeboldt, Iowa, accompanied by Joyce Falck and Steve Walsh. By Freeman of Buena Vista and Hoffman of Crawford.

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\1064 Dale P. Figgins, State Center – For celebrating his 90th birthday.
- 2005\1065 Joe Rash, Union – For celebrating his 80th birthday.
- 2005\1066 Mary Jagerson, Madrid – For celebrating her 80th birthday.
- 2005\1067 Marie Bailey, Ames – For celebrating her 85th birthday.
- 2005\1068 Phyllis Reister, Ames – For celebrating her 85th birthday.
- 2005\1069 Elsie Swanson, Ames – For celebrating her 85th birthday.
- 2005\1070 Mary Beckman, Ames – For celebrating her 80th birthday.

- 2005\1071 Harriet Goslin, Ames – For celebrating her 80th birthday.
- 2005\1072 Fern Anderson, Ames – For celebrating her 80th birthday.
- 2005\1073 Marion Weiss, Ames – For celebrating her 80th birthday.
- 2005\1074 Patricia Rua, Ames – For celebrating her 80th birthday.
- 2005\1075 Kenneth Smith, Gilbert – For celebrating his 80th birthday.
- 2005\1076 Ronald Marshall, Ames – For celebrating his 80th birthday.
- 2005\1077 Thomas Mcelherne, Ames – For celebrating his 80th birthday.
- 2005\1078 Darwin Bradley, Glenwood – For celebrating his 80th birthday.
- 2005\1079 Mr. and Mrs. Harold Aulwes, Garber – For celebrating their 50th wedding anniversary.
- 2005\1080 Oliver and Rose Marie Doerring, Monona – For celebrating their 50th wedding anniversary.
- 2005\1081 Virgil and Carlyn Hunt, Edgewood – For celebrating their 60th wedding anniversary.
- 2005\1082 Bernelle Glawe, Elkader – For celebrating his 80th birthday.
- 2005\1083 Dorothy Rizer, Edgewood – For celebrating her 90th birthday.
- 2005\1084 Gertrude Wessels, Strawberry Point – For celebrating her 100th birthday.
- 2005\1085 John and Marge Connors, Des Moines – For celebrating their 60th wedding anniversary.
- 2005\1086 Carl Berning, Milford – For celebrating his 90th birthday.
- 2005\1087 Edith Hilsabeck, Spirit Lake – For celebrating her 95th birthday.
- 2005\1088 Josie England, Ruthven – For celebrating her 102nd birthday.
- 2005\1089 Michael David Hansen, Spirit Lake – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2005\1090 Elmer and Mildred Andersen, Harlen – For celebrating their 70th wedding anniversary.
- 2005\1091 Mr. And Mrs. Robert H. Guy, Wilton – For celebrating their 60th wedding anniversary.

- 2005\1092 George and Mildred Jacoby, Marion – For celebrating their 50th wedding anniversary.
- 2005\1093 Richard and Alice Kelly, Dubuque – For celebrating their 50th wedding anniversary.
- 2005\1094 Richard and Eleanor Nunez, Dubuque – For celebrating their 50th wedding anniversary.
- 2005\1095 Benjamin Pedersen, Rolfe – For receiving the United States National Award in Band and in History and Government.
- 2005\1096 Jim and Marilyn Humke, Newton – For celebrating their 50th wedding anniversary.
- 2005\1097 Bob and Pat Brooke, West Liberty – For celebrating their 50th wedding anniversary.
- 2005\1098 Lowell and Darlene Van Briesen, Ashton – For celebrating their 50th wedding anniversary.
- 2005\1099 Lyle and Audrey Mayer, Hartley – For celebrating their 50th wedding anniversary.
- 2005\1100 Emery Dreher, Sibley – For celebrating his 90th birthday.
- 2005\1101 Joseph Richard Noe, Altoona – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.

SUBCOMMITTEE ASSIGNMENTS

[House File 749](#)

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

[House File 806](#)

Ways and Means: Drake, Chair; Frevert and Lalk.

[Senate File 275](#)

Agriculture: Struyk, Chair; Drake and Mertz.

[Senate File 342](#)

Appropriations: Dix, Chair; Petersen and Watts.

[Senate File 346](#)

Appropriations: May, Chair; Roberts and Smith.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 287](#)

Ways and Means: Kaufmann, Chair; Lalk and Shoultz.

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

COMMITTEE ON APPROPRIATIONS

Committee Bill (Formerly [House File 671](#)), relating to the procedures and duties of the judicial branch, making an appropriation to the enhanced court collections fund, and providing for fees.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 4, 2005.

Committee Bill (Formerly [House File 715](#)), 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 **Amend and Do Pass** April 4, 2005.

Committee Bill (Formerly [House File 792](#)), 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** April 4, 2005.

RESOLUTION FILED

[HR 35](#), by Rants, Frevert and Huser, a resolution to honor professional golfer Zach Johnson.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-1312	H.F. 829	Alons of Sioux
H-1318	S.F. 206	Rayhons of Hancock
H-1319	H.F. 805	Struyk of Pottawattamie
H-1324	H.F. 807	Horbach of Tama
H-1326	H.F. 820	Struyk of Pottawattamie
H-1327	H.F. 807	T. Taylor of Linn
H-1328	H.F. 811	T. Taylor of Linn
H-1329	H.F. 829	Wessel-Kroeschell of Story
H-1330	H.F. 461	Hogg of Linn
H-1331	S.F. 206	Baudler of Adair
H-1332	H.F. 811	Dix of Butler
		Horbach of Tama
H-1333	H.F. 811	Horbach of Tama

On motion by Gipp of Winneshiek the House adjourned at 5:29 p.m., until 8:45 a.m., Wednesday, April 6, 2005.