

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, APRIL 6, 2005

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JOURNAL OF THE HOUSE

Eighty-seventh Calendar Day - Fifty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, April 6, 2005

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

Prayer was offered by Ahmed Kamal, member of the Board of Directors of the Darul Argum Islamic Center of Ames. He was the guest of Representative Lisa Heddens from Story County and Representative Beth Wessel-Kroeschell from Story County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, April 5, 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 5, 2005, passed the following bill in which the concurrence of the Senate was asked:

[House File 186](#), a bill for an act updating the Code references to the Internal Revenue Code and including retroactive applicability and effective date provisions.

Also: That the Senate has on April 5, 2005, passed the following bill in which the concurrence of the Senate was asked:

[House File 187](#), a bill for an act relating to the utility replacement tax task force.

Also: That the Senate has on April 5, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 220](#), a bill for an act relating to the authorized uses of physical plant and equipment levy revenue, and including an applicability provision.

Also: That the Senate has on April 5, 2005, refused to concur in the House amendment to the following bill in which the concurrence of the Senate was asked:

[Senate File 246](#), a bill for an act prohibiting a donation or contribution to an agency, organization, or political subdivision of the state in a criminal proceeding.

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

[Senate File 341](#), a bill for an act relating to the long-term living system in Iowa including establishment of the intent for Iowa's long-term living system.

Also: That the Senate has on April 5, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 344](#), a bill for an act relating to the required fuel efficiency of newly purchased state vehicles.

Also: That the Senate has on April 5, 2005, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

[Senate File 379](#), a bill for an act relating to the Iowa probate code, the Iowa trust code, and certain other trusts.

Also: That the Senate has on April 5, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 395](#), a bill for an act relating to the activities of the grape and wine development commission, and providing for the transfer of wine gallonage tax revenues to the grape and wine development fund.

MICHAEL E. MARSHALL, Secretary

On motion by Gipp of Winneshiek, the House was recessed at 8:58 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:08 p.m., Speaker Rants in the chair.

SENATE MESSAGES CONSIDERED

[Senate File 220](#), by committee on education, a bill for an act relating to requirements and support for school districts, including changing the school start date, eliminating authorization for a school district to request approval for an earlier start date, and providing for matters related to the expansion of physical plant and equipment levy revenue, and including an applicability provision.

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

[Senate File 341](#), by committee on human resources, a bill for an act relating to the long-term living system in Iowa including establishment of the intent for Iowa's long-term living system.

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

[Senate File 344](#), by committee on transportation, a bill for an act relating to the required fuel efficiency of newly purchased state vehicles.

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

[Senate File 395](#), by committee on ways and means, a bill for an act relating to the activities of the grape and wine development commission, and providing for the transfer of wine gallonage tax revenues to the grape and wine development fund.

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

CONSIDERATION OF BILLS Appropriations Calendar

[House File 807](#), a bill for an act relating to and making appropriations to the judicial branch, and providing an effective date, was taken up for consideration.

The House stood at ease at 2:10 p.m., until the fall of the gavel.

The House resumed session at 3:12 p.m., Speaker Rants in the chair.

INTRODUCTION OF BILLS

[House File 842](#), by Foege, a bill for an act expanding prohibitions of unfair or discriminatory practices at educational institutions.

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

[House File 843](#), by committee on ways and means, a bill for an act providing for the property taxation of the facilities of city-operated cable communications systems and including effective and applicability date provisions.

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

[House File 844](#), by committee on ways and means, a bill for an act relating to the exemption of sales and use taxes on the purchase of coins, currency, or bullion.

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

The House resumed consideration of [House File 807](#).

T. Taylor of Linn offered the following amendment [H-1327](#) filed by him and moved its adoption:

[H-1327](#)

- 1 Amend [House File 807](#) as follows:
- 2 1. Page 1, by striking line 20 and inserting the
- 3 following:
- 4 "..... \$125,084,282"

Roll call was requested by T. Taylor of Linn and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment [H-1327](#) be adopted?" ([H.F. 807](#))

The ayes were, 50:

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

The nays were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rasmussen	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-1327](#) lost.

Horbach of Tama offered the following amendment [H-1324](#) filed by him and moved its adoption:

[H-1324](#)

- 1 Amend [House File 807](#) as follows:
- 2 1. Page 1, line 25, by striking the words "for
- 3 administration and operations" and inserting the
- 4 following: "to enhance court technology".
- 5 2. Page 1, line 33, by inserting after the word
- 6 "subsection." the following: "Notwithstanding section
- 7 8.33, moneys appropriated in this subsection that
- 8 remain unencumbered or unobligated at the close of the
- 9 fiscal year shall not revert but shall remain
- 10 available for expenditure for the purposes designated
- 11 until expended."

Amendment [H-1324](#) was adopted.

R. Olson of Polk asked and received unanimous consent to withdraw amendment [H-1258](#) filed by him on March 30, 2005.

Horbach of Tama 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. 807](#))

The ayes were, 60:

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

The nays were, 40:

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

Absent or not voting, none.

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

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 807](#) be immediately messaged to the Senate.

[House File 811](#), a bill for an act relating to and making appropriations to the justice system, was taken up for consideration.

Dix of Butler offered the following amendment [H-1332](#) filed by him and Horbach of Tama and moved its adoption:

H-1332

1 Amend [House File 811](#) as follows:

2 1. Page 1, by inserting before line 1 the
3 following:

4 "DIVISION I
5 FY 2005-2006 APPROPRIATIONS"

6 2. Page 21, by inserting after line 29 the
7 following:

8 "DIVISION II
9 SUPPLEMENTAL APPROPRIATIONS
10 DEPARTMENT OF CORRECTIONS – FACILITIES

11 Sec. __. 2004 Iowa Acts, chapter 1175, section
12 183, subsection 1, paragraph c, is amended to read as
13 follows:

14 c. For the operation of the Oakdale correctional
15 facility, including salaries, support, maintenance,
16 and miscellaneous purposes:

17 \$ ~~23,536,936~~
18 23,636,936

19 Of the funds allocated in this paragraph "c",
20 \$100,000 is allocated for the costs of remodeling and
21 construction to establish a specialized 24-bed mental
22 health unit for offenders who are not ordered to
23 inpatient mental health treatment. The unit shall
24 operate as an adjunct to the licensed hospital program
25 within the Oakdale correctional facility.

26 DEPARTMENT OF CORRECTIONS – ADMINISTRATION

27 Sec. __. 2004 Iowa Acts, chapter 1175, section
28 184, subsection 1, paragraph a, unnumbered paragraph
29 1, is amended to read as follows:

30 For general administration, including salaries,
31 support, maintenance, employment of an education
32 director to administer a centralized education program
33 for the correctional system, and miscellaneous
34 purposes:

35 \$ ~~2,784,303~~
36 3,198,809

37 JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
38 SERVICES

39 Sec. __. 2004 Iowa Acts, chapter 1175, section
40 185, subsection 1, is amended to read as follows:

41 1. There is appropriated from the general fund of
42 the state to the department of corrections for the
43 fiscal year beginning July 1, 2004, and ending June
44 30, 2005, the following amounts, or so much thereof as
45 is necessary, to be allocated as follows:

46 a. For the first judicial district department of
47 correctional services, including the treatment and
48 supervision of probation and parole violators who have
49 been released from the department of corrections
50 violator program, the following amount, or so much

Page 3

1 5,700.939

2 h. For the eighth judicial district department of

3 correctional services, including the treatment and

4 supervision of probation and parole violators who have

5 been released from the department of corrections

6 violator program, the following amount, or so much

7 thereof as is necessary:

8 \$ 5,574,865

9 5,606.740

10 The appropriations made in this subsection include

11 additional funding for costs to address additional

12 methamphetamine drug offenders under supervision.

13 Sec. __. 2004 Iowa Acts, chapter 1175, section

14 188, is amended to read as follows:

15 SEC. 188. STATE PUBLIC DEFENDER. There is

16 appropriated from the general fund of the state to the

17 office of the state public defender of the department

18 of inspections and appeals for the fiscal year

19 beginning July 1, 2004, and ending June 30, 2005, the

20 following amounts, or so much thereof as is necessary,

21 to be allocated as follows for the purposes

22 designated:

23 1. For salaries, support, maintenance, and

24 miscellaneous purposes, and for not more than the

25 following full-time equivalent positions:

26 \$ 16,663,446

27 18,247,561

28 FTEs 202.00

29 2. For the fees of court-appointed attorneys for

30 indigent adults and juveniles, in accordance with

31 section 232.141 and chapter 815:

32 \$ 19,355,297

33 22,251,339

34 Sec. __. 2004 Iowa Acts, chapter 1175, section

35 192, subsection 2, unnumbered paragraph 1, is amended

36 to read as follows:

37 For the division of criminal investigation and

38 bureau of identification, including the state's

39 contribution to the peace officers' retirement,

40 accident, and disability system provided in chapter

41 97A in the amount of 17 percent of the salaries for

42 which the funds are appropriated, to meet federal fund

43 matching requirements, and for not more than the

44 following full-time equivalent positions:

45 \$ 14,058,510

46 14,208,510

47 FTEs 221.50

48 Sec. __. 2004 Iowa Acts, chapter 1175, section

49 193, is amended to read as follows:

50 SEC. 193. CIVIL RIGHTS COMMISSION. There is

Page 4

1 appropriated from the general fund of the state to the
 2 Iowa state civil rights commission for the fiscal year
 3 beginning July 1, 2004, and ending June 30, 2005, the
 4 following amount, or so much thereof as is necessary,
 5 to be used for the purposes designated:
 6 For salaries, support, maintenance, miscellaneous
 7 purposes, and for not more than the following full-
 8 time equivalent positions:
 9 \$ ~~825,752~~
 10 881,752
 11 FTEs 28.00
 12 The Iowa state civil rights commission may enter
 13 into a contract with a nonprofit organization to
 14 provide legal assistance to resolve civil rights
 15 complaints.
 16 Sec. __. EFFECTIVE DATE. This division of this
 17 Act, being deemed of immediate importance, takes
 18 effect upon enactment."
 19 3. Title page, line 2, by inserting after the
 20 word "system" the following: "and providing an
 21 effective date".
 22 4. By renumbering as necessary.

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

On the question "Shall amendment [H-1332](#) be adopted?" ([H.F. 811](#))

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	Shultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Zirkelbach	Mr. Speaker
			Rants

The nays were, none.

Absent or not voting, none.

Amendment [H-1332](#) was adopted.

Horbach of Tama offered the following amendment [H-1333](#) filed by him and moved its adoption:

[H-1333](#)

1 Amend [House File 811](#) as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 "APPROPRIATIONS"
 5 2. Page 2, line 22, by striking the words "to be
 6 used for administration and operations" and inserting
 7 the following: "of which \$250,000 shall be used for
 8 the civil commitment of sexually violent predators".
 9 3. Page 14, by inserting after line 1 the
 10 following:
 11 "Sec. __. ELECTRONIC TRACKING AND MONITORING. Of
 12 the amounts appropriated in sections 4, 5, and 6, the
 13 department of corrections shall allocate the funds
 14 necessary for electronic tracking and monitoring of
 15 persons under supervision and who are required to
 16 register as sex offenders.
 17 It is the intent of the general assembly that
 18 persons who are subject to electronic tracking and
 19 monitoring shall reimburse the department of
 20 corrections the cost of such tracking and monitoring."
 21 4. Page 20, by inserting after line 32 the
 22 following:
 23 "Of the amounts appropriated in this section, the
 24 department shall allocate the funds necessary for the
 25 DNA profiling of all felons. In addition, of the
 26 amounts appropriated in this section the department
 27 shall allocate the funds necessary for personnel to
 28 maintain information, including addresses and

29 photographs, for the sex offender registry's internet
 30 page, and shall allocate \$25,000 to update the sex
 31 offender registry."

Roll call was requested by Murphy of Dubuque and Mascher of Johnson.

On the question "Shall amendment [H-1333](#) be adopted?" ([H.F. 811](#))

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	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Zirkelbach	Mr. Speaker
			Rants

The nays were, none.

Absent or not voting, none

Amendment [H-1333](#) was adopted.

Mascher of Johnson offered the following amendment [H-1123](#) filed by her and moved its adoption:

[H-1123](#)

- 1 Amend [House File 811](#) as follows:
 2 1. Page 1, by striking line 24 and inserting the
 3 following:
 4 "..... § 1,935,86"

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

Rule 75 was invoked.

On the question "Shall amendment [H-1123](#) be adopted?" ([H.F. 811](#))

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-1123](#) lost.

Mascher of Johnson offered the following amendment [H-1124](#) filed by her and moved its adoption:

[H-1124](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 1, by striking line 31, and inserting the
- 3 following:
- 4 "..... \$ 1,500,000"

Roll call was requested by Mascher of Johnson and Whitaker of Van Buren.

On the question "Shall amendment [H-1124](#) be adopted?" ([H.F. 811](#))

The ayes were, 49:

Bell	Berry	Bukta	Cohon
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-1124](#) lost.

Horbach of Tama asked and received unanimous consent that amendment [H-1126](#) be deferred.

Alons of Sioux in the chair at 4:19 p.m.

Murphy of Dubuque offered the following amendment [H-1304](#) filed Murphy, et al., and moved its adoption:

[H-1304](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 13, by inserting after line 18 the
- 3 following:
- 4 "2. There is appropriated from the general fund of
- 5 the state to the department of corrections for the
- 6 fiscal year beginning July 1, 2005, and ending June
- 7 30, 2006, the following amount, or so much thereof as
- 8 is necessary, to be used for the purpose designated:
- 9 For use by the judicial district departments of
- 10 correctional services for electronic tracking and
- 11 monitoring of persons required to register as sex
- 12 offenders:
- 13\$ 2,300,000"
- 14 2. By renumbering as necessary.

Roll call was requested by Murphy of Dubuque and T. Taylor of Linn.

On the question "Shall amendment [H-1304](#) be adopted?" ([H.F. 811](#))

The ayes were, 49:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevort	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 Zirkelbach	Whitead	Winckler	Wise
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The nays were, 51:

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

Absent or not voting, none.

Amendment [H-1304](#) lost.

Murphy of Dubuque offered amendment [H-1305](#) filed by Murphy, et al., as follows:

[H-1305](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 17, by inserting after line 31 the
- 3 following:
- 4 "1A. For the DNA profiling of felons:
- 5\$ 1,078,808"

Roll call was requested by Murphy of Dubuque and T. Taylor of Linn.

On the question "Shall amendment [H-1305](#) be adopted?" ([H.F. 811](#))

The ayes were, 49:

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

Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Reichert	Schueller	Shomshor
Shoultz	Smith	Swaim	Taylor, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Zirkelbach			

The nays were, 50:

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

Absent or not voting, 1:

Tymeson

Amendment [H-1305](#) lost.

T. Taylor of Linn offered amendment [H-1328](#) filed by him as follows:

[H-1328](#)

1 Amend [House File 811](#) as follows:
 2 1. Page 18, by striking line 4 and inserting the
 3 following:
 4 "..... § 14,075,052"

T. Taylor of Linn offered the following amendment [H-1335](#), to amendment [H-1328](#), filed by him from the floor and moved its adoption:

[H-1335](#)

1 Amend the amendment, [H-1328](#), to [House File 811](#) as
 2 follows:
 3 1. Page 1, line 4, by striking the figure

- 4 "14,075,052" and inserting the following:
 5 "15,539,052".
 6 2. Page 1, by inserting after line 4 the
 7 following:
 8 "___". Page 19, line 21, by striking the figure
 9 "43,151,973" and inserting the following:
 10 "43,511,973".
 11 3. By renumbering as necessary.

Amendment [H-1335](#) was adopted.

T. Taylor of Linn moved the adoption of amendment [H-1328](#), as amended.

Roll call was requested by T. Taylor of Linn and Murphy of Dubuque.

On the question "Shall amendment [H-1328](#), as amended, be adopted?" ([H.F. 811](#))

The ayes were, 48:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	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	Shultz
Smith	Swaim	Taylor, D.	Taylor, T.
Thomas	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Winckler	Wise	Zirkelbach

The nays were, 52:

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

Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wildurdyke	Alons, Presiding

Absent or not voting, none.

Amendment [H-1328](#) lost.

Hogg of Linn asked and received unanimous consent to defer amendment [H-1286](#).

Murphy of Dubuque offered the following amendment [H-1306](#) filed by Murphy, et al., and moved its adoption:

[H-1306](#)

1 Amend [House File 811](#) as follows:
 2 1. Page 18, by inserting after line 5 the
 3 following:
 4 "2A. For three agents to maintain information,
 5 including addresses and photographs, for the sex
 6 offender registry's web page:
 7 \$ 330,000
 8FTEs 3.00"

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

On the question "Shall amendment [H-1306](#) be adopted?" ([H.F. 811](#))

The ayes were, 49:

Bell	Berry	Bukta	Cohon
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:

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

Absent or not voting, none.

Amendment [H-1306](#) lost.

Whitaker of Van Buren offered the following amendment [H-1236](#) filed by him and moved its adoption:

Speaker Rants in the chair at 4:57 p.m.

[H-1236](#)

1 Amend [House File 811](#) as follows:
 2 1. Page 21, by inserting after line 11, the
 3 following:
 4 "Sec. __. PILOT PROJECT. The division of
 5 criminal investigation and bureau of identification of
 6 the department of public safety shall conduct a pilot
 7 project to evaluate the use of brain fingerprinting as
 8 a pretrial investigative technique, including, but not
 9 limited to, the effectiveness of brain fingerprinting
 10 as a method of reducing investigatory costs by
 11 assisting in determining whether a defendant has
 12 knowledge of specific information regarding a crime
 13 and the effectiveness of brain fingerprinting as a
 14 method of reducing trial costs by assisting the county
 15 attorney or the defendant in determining the validity
 16 of the criminal offense charged. The pilot project
 17 shall be conducted pursuant to a contract with an Iowa
 18 business that has experience using brain
 19 fingerprinting technology in actual criminal cases.
 20 The contract shall contain a provision under which the
 21 business agrees to forgo reimbursement of its expenses
 22 regarding the pilot project up to \$108,000, unless the

23 division determines that, as a result of conducting
24 the pilot project, the state of Iowa realizes a
25 savings of at least \$108,000. The division, in
26 consultation with the contracting business, shall file
27 a report regarding the results of the pilot project
28 with the cochairpersons and ranking members of the
29 joint appropriations subcommittee on the justice
30 system and the legislative services agency by January
31 15, 2006."

A non-record roll call was requested.

The ayes were 17, nays 48.

Amendment [H-1236](#) lost.

Jochum of Dubuque offered amendment [H-1138](#) filed by her and Ford of Polk as follows:

[H-1138](#)

1 Amend [House File 811](#) as follows:
2 1. Page 21, by inserting after line 11 the
3 following:
4 "Sec. ___. Section 99D.15, Code 2005, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. 6. a. One-quarter of one percent
7 of the gross sum wagered by the pari-mutuel method
8 from the tax revenue received by the commission
9 pursuant to subsections 1 and 3 is appropriated to the
10 department of corrections to be used for inmate
11 substance abuse and mental health treatment.
12 b. One-quarter of one percent of the gross sum
13 wagered by the pari-mutuel method from the tax revenue
14 received by the commission pursuant to subsections 1
15 and 3 is appropriated to the Iowa department of public
16 health to be used for substance abuse treatment.
17 Sec. ___. Section 99F.11, subsection 3, Code 2005,
18 is amended by adding the following new paragraphs:
19 NEW PARAGRAPH. dd. One-quarter of one percent of
20 the adjusted gross receipts is appropriated to the
21 department of corrections to be used for inmate
22 substance abuse and mental health treatment.
23 NEW PARAGRAPH. de. One-quarter of one percent of
24 the adjusted gross receipts is appropriated to the
25 Iowa department of public health to be used for
26 substance abuse treatment.
27 Sec. ___. Section 99G.39, subsection 1, Code 2005,
28 is amended by adding the following new paragraphs:
29 NEW PARAGRAPH. c. An amount equal to one-quarter

30 of one percent of the gross lottery revenue for the
 31 year is appropriated to the department of corrections
 32 to be used for inmate substance abuse and mental
 33 health treatment.
 34 NEW PARAGRAPH. d. An amount equal to one-quarter
 35 of one percent of the gross lottery revenue for the
 36 year is appropriated to the Iowa department of public
 37 health to be used for substance abuse treatment."
 38 2. By renumbering as necessary.

Horbach of Tama rose on a point of order that amendment [H-1138](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1138](#) not germane.

Jochum of Dubuque asked for unanimous consent to suspend the rules to consider amendment [H-1138](#).

Objection was raised.

Jochum of Dubuque moved to suspend the rules to consider amendment [H-1138](#).

Roll call was requested by Murphy of Dubuque and Pettengill of Benton.

On the question "Shall the rules be suspended to consider amendment [H-1138](#)?" ([H.F. 811](#))

The ayes were, 49:

Bell	Berry	Bukta	Cohon
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	Wildurdyke	Mr. Speaker	
		Rants	

Absent or not voting, none.

The motion to suspend the rules lost.

Foege of Linn offered amendment [H-1246](#) filed by Foege, et al., as follows:

[H-1246](#)

1 Amend [House File 811](#) as follows:
 2 1. Page 21, by inserting after line 29 the
 3 following:
 4 "Sec. __. Section 815.7, Code 2005, is amended to
 5 read as follows:
 6 815.7 FEES TO ATTORNEYS.
 7 An attorney who has not entered into a contract
 8 authorized under section 13B.4 and who is appointed by
 9 the court to represent any person charged with a crime
 10 in this state, seeking postconviction relief, against
 11 whom a contempt action is pending, appealing a
 12 criminal conviction, appealing a denial of
 13 postconviction relief, or subject to a proceeding
 14 under section 811.1A or chapter 229A or 812, or to
 15 serve as counsel for any person or guardian ad litem
 16 for any child in juvenile court, shall be entitled to
 17 reasonable compensation and expenses. For
 18 appointments made on or after July 1, 1999, the
 19 reasonable compensation shall be calculated on the
 20 basis of ~~sixty~~ ~~sixty-five~~ dollars per hour for class
 21 "A" felonies, ~~fifty-five~~ ~~sixty~~ dollars per hour for
 22 class "B" felonies, and ~~fifty~~ ~~fifty-five~~ dollars per
 23 hour for all other cases. The expenses shall include
 24 any sums as are necessary for investigations in the
 25 interest of justice, and the cost of obtaining the

26 transcript of the trial record and briefs if an appeal
27 is filed. The attorney need not follow the case into
28 another county or into the appellate court unless so
29 directed by the court. If the attorney follows the
30 case into another county or into the appellate court,
31 the attorney shall be entitled to compensation as
32 provided in this section. Only one attorney fee shall
33 be so awarded in any one case except that in class "A"
34 felony cases, two may be authorized."

Huser of Polk offered the following amendment [H-1337](#), to amendment [H-1246](#), filed by her from the floor and moved its adoption:

[H-1337](#)

1 Amend the amendment, [H-1246](#), to [House File 811](#) as
2 follows:
3 1. Page 1, line 18, by striking the figure "1999"
4 and inserting the following: "~~1999~~ 2006".
5 2. Page 1, by inserting after line 34 the
6 following:
7 "____. Page 21, by inserting after line 29 the
8 following:
9 "Sec.____. EFFECTIVE DATE. The section of this
10 Act amending section 815.7 takes effect on July 1,
11 2006."
12 "____. Title page, line 2, by inserting after the
13 word "system" the following: ", and providing an
14 effective date".
15 3. By renumbering as necessary.

Amendment [H-1337](#) was adopted.

Horbach of Tama rose on a point of order that amendment [H-1246](#), as amended, was not germane.

The Speaker ruled the point well taken and amendment [H-1246](#), as amended, not germane.

Foege of Linn moved to suspend the rules to consider amendment [H-1246](#), as amended.

Roll call was requested by Horbach of Tama and S. Olson of Clinton.

On the question "Shall the rules be suspended to consider amendment [H-1246](#), as amended?" ([H.F. 811](#))

The ayes were, 48:

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

The nays were, 51:

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

Absent or not voting, 1:

Hunter

The motion to suspend the rules lost.

Horbach of Tama offered amendment [H-1126](#), previously deferred, filed by him and T. Taylor of Linn as follows:

[H-1126](#)

- 1 Amend [House File 811](#) as follows:
- 2 1. Page 11, by inserting after line 33 the
- 3 following:
- 4 " ____ . It is the intent of the general assembly

5 that as a condition of receiving the appropriation
6 provided in this lettered paragraph, the department
7 shall not enter into any agreement with a private
8 sector nongovernmental entity for the purpose of
9 housing inmates committed to the custody of the
10 director of the department, without express
11 authorization of the general assembly to do so."

Huser of Polk offered the following amendment [H-1338](#), to amendment [H-1126](#), filed by her from the floor and moved its adoption:

[H-1338](#)

1 Amend the amendment, [H-1126](#), to [House File 811](#) as
2 follows:
3 1. Page 1, by inserting after line 11 the
4 following:
5 "___ Page 19, by inserting after line 12 the
6 following: "Of the amount appropriated in this
7 paragraph, the state fire marshal shall allocate \$200
8 for the mailing of a notice to all affected agencies
9 or emergency services providers informing the agencies
10 or providers about the requirement of an autopsy under
11 section 144.56A".
12 ___ Page 21, by inserting after line 29 the
13 following:
14 "Sec. ___ NEW SECTION. 144.56A PUBLIC SAFETY
15 OFFICER DEATH - REQUIRED NOTICE - AUTOPSY.
16 A person who is authorized to pronounce individuals
17 dead is required to inform one of the persons
18 authorized to request an autopsy, as provided in
19 section 144.56, that an autopsy will be required if
20 the individual who died was a public safety officer
21 who may have died in the line of duty and an eligible
22 beneficiary of the deceased seeks to claim a federal
23 public safety officer death benefit.""
24 2. By renumbering as necessary.

Amendment [H-1338](#) was adopted.

On motion by Horbach of Tama amendment [H-1126](#), as amended, was adopted.

Hogg of Linn asked and received unanimous consent to withdraw amendment [H-1286](#), previously deferred, filed by him on March 31, 2005.

Horbach of Tama 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. 811](#))

The ayes were, 58:

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

The nays were, 42:

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

Absent or not voting, none.

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

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 811](#) be immediately messaged to the Senate.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 6, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 382](#), a bill for an act limiting the preference to purchase an unused right-of-way.

Also: That the Senate has on April 6, 2005, passed the following bill in which the concurrence of the House is asked:

[Senate File 394](#), a bill for an act relating to veterans by providing for the establishment of a department of veterans affairs, and extending veterans' benefits, preferences, eligibility for appointments, and the military service tax credit and exemption to certain members of the reserve forces of the United States and the Iowa national guard and providing an effective date.

MICHAEL E. MARSHALL, Secretary

Ways and Means Calendar

[House File 822](#), a bill for an act relating to deer population management and providing penalties and appropriations, was taken up for consideration.

Rayhons of Hancock offered the following amendment [H-1178](#) filed by him and moved its adoption:

[H-1178](#)

- 1 Amend [House File 822](#) as follows:
- 2 1. Page 1, by inserting before line 1, the
- 3 following:
- 4 "Section 1. Section 170.1, subsection 4, Code
- 5 2005, is amended to read as follows:
- 6 4. "Farm deer" means an animal belonging to the
- 7 cervidae family and classified as part of the dama
- 8 species of the dama genus, commonly referred to as
- 9 fallow deer; part of the elaphus species of the cervus
- 10 genus, commonly referred to as red deer or elk; part
- 11 of the virginianus species of the odocoileus genus,
- 12 commonly referred to as whitetail; part of the
- 13 hemionus species of the odocoileus genus, commonly
- 14 referred to as mule deer; or part of the nippon
- 15 species of the cervus genus, commonly referred to as
- 16 sika. However, a farm deer does not include any
- 17 unmarked free-ranging elk, whitetail ~~deer~~, ~~or~~ mule

18 deer, or whitetail deer on hunting preserves regulated
 19 under chapter 484B.
 20 Sec. 2. Section 483A.1, subsection 2, paragraph c,
 21 Code 2005, is amended to read as follows:
 22 c. Hunting license, eighteen years of age or older
 23 \$ ~~80.00~~
 24 100.00"
 25 2. Page 1, line 34, by inserting after the word
 26 "of" the following: "deer herd population management,
 27 including".
 28 3. Page 2, line 6, by inserting after the word
 29 "of" the following: "deer herd population management,
 30 including".
 31 4. Page 2, by striking lines 21 through 23, and
 32 inserting the following: "licenses have been issued,
 33 all additional licenses shall be issued for antlerless
 34 deer only. The commission shall annually determine the
 35 number of nonresident antlerless deer only deer
 36 hunting licenses that will be available for issuance."
 37 5. Page 2, by striking line 24, and inserting the
 38 following:
 39 "d. The commission shall allocate ~~the~~ all
 40 nonresident deer".
 41 6. Page 3, line 9, by striking the words "help us
 42 stop hunger program" and inserting the following:
 43 "purpose of deer herd population management".
 44 7. By striking page 3, line 22, through page 4,
 45 line 6, and inserting the following: "information
 46 pursuant to this section as is required by the
 47 commission by rule.
 48 2. A nonresident deer hunter who violates this
 49 section shall not be issued another deer hunting
 50 license for the next year until after all other

Page 2

1 nonresident applications for deer hunting licenses
 2 have been fulfilled and then only if such licenses
 3 allocated remain available for issuance."
 4 8. Page 4, by striking lines 7 through 30, and
 5 inserting the following:
 6 "Sec. __. Section 483A.24, subsection 2,
 7 paragraph a, subparagraph (2), Code 2005, is amended
 8 to read as follows:
 9 (2) "Farm unit" means all parcels of land which
 10 are certified by the commission pursuant to rule as
 11 meeting all of the following requirements:
 12 (a) Are in tracts of ten acres or more, not
 13 necessarily contiguous;
 14 (b) ~~which are~~ Are operated as a unit for
 15 agricultural purposes ~~and which are~~
 16 (c) Are under the lawful control of the owner or

17 the tenant.

18 The commission shall adopt rules establishing a
19 procedure for the certification of parcels of land as
20 farm units for the purposes of this subsection.

21 Sec. __. Section 483A.24, subsection 2, paragraph
22 b, Code 2005, is amended to read as follows:

23 b. Upon written application on forms furnished by
24 the department, the department shall issue annually
25 without fee ~~one deer or one wild turkey license, or~~
26 ~~both~~, to the owner of a farm unit or to a member of
27 the owner's family, but not to both, and to the tenant
28 or to a member of the tenant's family, but not to
29 both. ~~The deer hunting license or wild turkey hunting~~
30 ~~license issued shall be valid only on the farm unit~~
31 ~~for which an applicant qualifies pursuant to this~~
32 ~~subsection and shall be equivalent to the least~~
33 ~~restrictive license issued under section 481A.38. The~~
34 ~~owner or the tenant need not reside on the farm unit~~
35 ~~to qualify for a free license to hunt on that farm~~
36 ~~unit. A free deer hunting license issued pursuant to~~
37 ~~this subsection shall be valid during all shotgun deer~~
38 ~~seasons.~~

39 Sec. __. Section 483A.24, subsection 2, Code
40 2005, is amended by adding the following new
41 paragraph:

42 NEW PARAGRAPH. c. Upon written application on
43 forms furnished by the department, the department
44 shall issue annually without fee two deer hunting
45 licenses, one antlered or any sex deer hunting license
46 and one antlerless deer only deer hunting license, to
47 the owner of a farm unit or a member of the owner's
48 family, but only a total of two licenses for both, and
49 to the tenant of a farm unit or a member of the
50 tenant's family, but only a total of two licenses for

Page 3

1 both. The deer hunting licenses issued shall be valid
2 only for use on the farm unit for which the applicant
3 applies pursuant to this paragraph. The owner or the
4 tenant need not reside on the farm unit to qualify for
5 the free deer hunting licenses to hunt on that farm
6 unit. The free deer hunting licenses issued pursuant
7 to this paragraph shall be valid and may be used
8 during any shotgun deer season. The licenses may be
9 used to harvest deer in two different seasons. In
10 addition, a person who receives a free deer hunting
11 license pursuant to this paragraph shall pay a one
12 dollar fee for each license that shall be used and is
13 appropriated for the purpose of assisting with the
14 cost of processing deer donated to the help us stop
15 hunger program administered by the commission."

- 16 9. Page 4, line 34, by striking the words "'b"
 17 or".
 18 10. By striking page 5, line 17, through page 6,
 19 line 13, and inserting the following:
 20 "Sec. NEW SECTION. 483A.24B SPECIAL DEER
 21 HUNTS – INTENT – PENALTY.
 22 It is the intent of the general assembly that the
 23 department shall administer and enforce the
 24 administrative rules concerning special deer hunts
 25 promulgated pursuant to sections 481A.38 and 481A.39.
 26 A person violating such rules is guilty of a simple
 27 misdemeanor punishable as a scheduled violation as
 28 provided in section 483A.42.
 29 Sec. NEW SECTION. 483A.24C DEER DEPREDATION
 30 MANAGEMENT AGREEMENTS – PERMITS.
 31 It is the intent of the general assembly that the
 32 department shall administer and enforce the
 33 administrative rules concerning deer depredation that
 34 are contained in 571 IAC chapter 106.
 35 Sec. Section 483A.24A, Code 2005, is
 36 repealed."
 37 11. By renumbering as necessary.

Amendment [H-1178](#) was adopted.

Whitaker of Van Buren asked and received unanimous consent to withdraw amendment [H-1170](#) filed by him on March 23, 2005.

[SENATE FILE 206](#) SUBSTITUTED FOR [HOUSE FILE 822](#)

Rayhons of Hancock asked and received unanimous consent to substitute [Senate File 206](#) for [House File 822](#).

[Senate File 206](#), a bill for an act relating to deer population management and providing penalties and appropriations, was taken up for consideration.

Rayhons of Hancock offered amendment [H-1282](#) filed by him as follows:

[H-1282](#)

- 1 Amend [Senate File 206](#), as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by striking lines 1 through 14.
 4 2. Page 4, by striking lines 11 through 17 and
 5 inserting the following: "information pursuant to
 6 this section. Information collected by the commission

7 pursuant to the deer harvest reporting system from a
8 deer hunter who takes a deer shall be limited to the
9 following:
10 a. The county where the deer was taken.
11 b. The season during which the deer was taken.
12 c. The sex of the deer taken.
13 d. The age of the deer taken.
14 e. The type of weapon used.
15 f. The hunting license number of the hunter.
16 g. The number of days the hunter hunted.
17 h. The total number of deer taken by the hunter.
18 2. The deer harvest reporting system established
19 by the commission shall utilize and is limited to
20 utilizing one or more of the following methods of
21 reporting deer taken by hunters:
22 a. A toll-free telephone number.
23 b. A postcard.
24 c. Reporting at an electronic licensing location.
25 d. Electronic internet communication."
26 3. Page 6, by striking lines 22 through 29 and
27 inserting the following:
28 "Sec. __. NEW SECTION. 483A.24B SPECIAL DEER
29 HUNTS.
30 1. The commission may establish a special season
31 deer hunt for antlerless deer in those counties where
32 paid antlerless only deer hunting licenses remain
33 available for issuance.
34 2. Antlerless deer may be taken by shotgun,
35 muzzleloading rifle, muzzleloading pistol, handgun, or
36 bow during the special season as provided by the
37 commission by rule.
38 3. Prior to December 15, a resident may obtain up
39 to three paid antlerless only deer hunting licenses
40 for the special season regardless of how many paid or
41 free gun or bow deer hunting licenses the person may
42 have already obtained. Beginning December 15, a
43 resident or nonresident may purchase an unlimited
44 number of antlerless only deer hunting licenses for
45 the special season. Notwithstanding section 483A.1,
46 the fee for an antlerless only deer hunting license
47 issued pursuant to this section shall be ten dollars
48 for residents.
49 4. All antlerless deer hunting licenses issued
50 pursuant to this section shall be included in the

Page 2

1 quotas established by the commission by rule for each
2 county and shall be available in each county only
3 until the quota established by the commission for that
4 county is filled.
5 5. The daily bag and possession limit during the

6 special season is one deer per license. The tagging
 7 requirements are the same as for the regular gun
 8 season.
 9 6. A person who receives a license pursuant to
 10 this section shall be otherwise qualified to hunt deer
 11 in this state and shall have a hunting license and pay
 12 the wildlife habitat fee.
 13 7. A person violating a provision of this section
 14 or a rule adopted pursuant to this section is guilty
 15 of a simple misdemeanor punishable as a scheduled
 16 violation as provided in section 483A.42."
 17 4. By renumbering as necessary.

Zirkelbach of Jones asked and received unanimous consent to withdraw amendment [H-1336](#) to amendment [H-1282](#), filed by him from the floor.

On motion by Rayhons of Hancock, amendment [H-1282](#) was adopted.

Baudler of Adair offered the following amendment [H-1331](#) filed by him and moved its adoption:

[H-1331](#)

1 Amend [Senate File 206](#), as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 1, by striking lines 15 through 19.

A non-record roll call was requested.

The ayes were 51, nays 17.

Amendment [H-1331](#) was adopted.

Rayhons of Hancock offered the following amendment [H-1318](#) filed by him and moved its adoption:

[H-1318](#)

1 Amend [Senate File 206](#), as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, lines 18 and 19, by striking the words
 4 "~~deer herd population management, including~~".
 5 2. Page 2, line 27, by striking the words "~~deer~~
 6 ~~herd population management, including~~".
 7 3. Page 3, line 32, by striking the words

8 "purpose of deer herd population management" and
9 inserting the following: "help us stop hunger
10 program".

Amendment [H-1318](#) was adopted.

Rayhons of Hancock offered the following amendment [H-1275](#) filed by him and moved its adoption:

[H-1275](#)

1 Amend [Senate File 206](#), as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 4, line 23, by striking the word "ten"
4 and inserting the following: "two".
5 2. Page 4, by striking lines 29 through 31.

Amendment [H-1275](#) was adopted.

Rayhons of Hancock asked and received unanimous consent to withdraw amendment [H-1283](#) filed by him on March 31, 2005.

Whitaker of Van Buren asked and received unanimous consent to withdraw amendment [H-1189](#) filed by him on March 28, 2005.

Rayhons of Hancock offered the following amendment [H-1255](#) filed by Rayhons, et al., and moved its adoption:

[H-1255](#)

1 Amend [Senate File 206](#), as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 6, by inserting after line 21, the
4 following:
5 "Sec. __. Section 483A.24, subsection 2, Code
6 2005, is amended by adding the following new
7 paragraph:
8 NEW PARAGRAPH. f. A deer hunting license or wild
9 turkey hunting license issued pursuant to this
10 subsection shall be attested by the signature of the
11 person to whom the license is issued and shall contain
12 a statement in substantially the following form:
13 By signing this license I certify that I qualify as
14 an owner or tenant under Iowa Code section 483A.24.
15 A person who makes a false attestation as described
16 in this paragraph is guilty of a simple misdemeanor.
17 In addition, the person's hunting license shall be
18 revoked and the person shall not be issued a hunting

19 license for a period of one year."
 20 2. By renumbering as necessary.

Amendment [H-1255](#) was adopted.

Roberts of Carroll in the chair at 6:20 p.m.

Rayhons of Hancock moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 206](#))

The ayes were, 100:

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

HOUSE FILES 304, 750 and 822 WITHDRAWN

Rayhons of Hancock asked and received unanimous consent to withdraw House Files 304, 750 and 822 from further consideration by the House.

SENATE MESSAGES CONSIDERED

[Senate File 382](#), by committee on judiciary, a bill for an act limiting the preference to purchase an unused right-of-way.

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

[Senate File 394](#), by committee on ways and means, a bill for an act relating to veterans by providing for the establishment of a department of veterans affairs, providing for the compensation of members of a county commission of veteran affairs, providing for the issuance of combined hunting and fishing licenses to certain veterans, establishing a hepatitis C awareness program for veterans, concerning funds in an account for a state veterans cemetery, extending veterans' benefits, preferences, eligibility for appointments, and the military service tax credit and exemption to certain members of the reserve forces of the United States and the Iowa national guard, concerning military pay differential, and providing an effective date and a retroactive applicability date.

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

Speaker Rants in the chair at 6:36 p.m.

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [Senate File 206](#) be immediately messaged to the Senate.

Regular Calendar

[House File 720](#), a bill for an act creating a women entrepreneurs and young professionals in business program, was taken up for consideration.

Struyk of Pottawattamie moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 720](#))

The ayes were, 99:

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	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	Zirkelbach	Mr. Speaker	
		Rants	

The nays were, 1:

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

HOUSE FILE 122 WITHDRAWN

Struyk of Pottawattamie asked and received unanimous consent to withdraw [House File 122](#) from further consideration by the House.

HOUSE FILE 759 REREFERRED

The Speaker announced that [House File 759](#), previously placed on the calendar was rereferred to committee on **ways and means**.

HOUSE FILE 785 REREFERRED

The Speaker announced that [House File 785](#), previously placed on the calendar was rereferred to committee on **ways and means**.

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on April 6, 2005, he approved and transmitted to the Secretary of State the following bills:

[House File 227](#), an Act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

[House File 591](#), an Act relating to state department of transportation duties concerning its budget, distribution of state institutional road funds, vehicle weight and length restrictions, all-terrain vehicle use, evidence of interstate authority and penalties, and providing an effective date.

[House File 642](#), an Act relating to the regulation of agricultural seed, by providing for preemption of local legislation.

[Senate File 205](#), an Act providing for life science enterprises authorized to hold agricultural land, making penalties applicable, and providing an effective date.

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

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

PRESENTATION OF VISITORS

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

The junior class from Underwood High School, Underwood, Iowa. By Wilderdyke of Harrison.

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\1102 Donald and Pauline Rader, Sumner – For celebrating their 50th wedding anniversary.
- 2005\1103 Jed and Joyce Becker, Cresco – For receiving the April Iowa Good Neighbor Award.
- 2005\1104 Barbara Heuberger, Sheffield – For celebrating her 80th birthday.
- 2005\1105 Otto Dannen, Latimer – For celebrating his 90th birthday
- 2005\1106 Samantha Williams, Crawfordsville – For being chosen to attend the annual session of the Iowa American Legion Auxiliary Girls State.
- 2005\1107 Mamie Olson, Mt. Pleasant – For celebrating her 105th birthday.
- 2005\1108 Elmer and Ruth Huff, Farmington – For celebrating their 60th wedding anniversary.
- 2005\1109 Georgia Yeggy, West Liberty – For celebrating her 85th birthday.
- 2005\1110 Jack and JoAnn Ayers, Dubuque – For celebrating their 50th wedding anniversary.
- 2005\1111 Robert and Joyce McClain, Dubuque – For celebrating their 50th wedding anniversary.
- 2005\1112 Don and Dorothy Augustin, Dubuque – For celebrating their 50th wedding anniversary.
- 2005\1113 Robert and Wilma Wiegman, Dubuque – For celebrating their 50th wedding anniversary.

- 2005\1114 Sylvester and Wilma Ploessl, Dubuque – For celebrating their 50th wedding anniversary.
- 2005\1115 Shawn Swenson, Dubuque – For receiving 2nd place in the Telegraph Herald Scripps Spelling Bee contest.
- 2005\1116 Steve Eastvedt, Dubuque – For receiving the Law Enforcement Award for the Red Cross Hero of the Tri-States.
- 2005\1117 Paul Gorrell, Dubuque – For receiving the Volunteer Award for the Red Cross Hero of the Tri-State.
- 2005\1118 Dan Baker, Dubuque – For receiving the Good Samaritan Award for the Red Cross Hero of the Tri-State.
- 2005\1119 Edna Wemer, Sigourney – For celebrating her 90th birthday.
- 2005\1120 Nellie B. Meacham, Richland – For celebrating her 96th birthday.
- 2005\1121 Charles and Neoma Wonderlich, Ollie – For celebrating their 60th wedding anniversary.
- 2005\1122 Mr. and Mrs. Bert Ross, Deep River – For celebrating their 50th wedding anniversary.
- 2005\1123 Lorraine Carlson, Mason City – For celebrating her 80th birthday.
- 2005\1124 Lucille Killpack, Mason City – For celebrating her 80th birthday.
- 2005\1125 Martin Boomgarden, Mason City – For celebrating his 90th birthday.
- 2005\1126 Wilma Lukes, Mason City – For celebrating her 80th birthday.
- 2005\1127 Leland Stephenson, Mason City – For celebrating his 80th birthday.
- 2005\1128 Harold Lane, Mason City – For celebrating his 80th birthday.
- 2005\1129 Mildred Cole, Mason City – For celebrating her 90th birthday.
- 2005\1130 Roger Squier, Mason City – For celebrating his 90th birthday.
- 2005\1131 Gladys Serdahl, Mason City – For celebrating her 95th birthday.
- 2005\1132 Michael and Virginia Servantez, Mason City – For celebrating their 50th wedding anniversary.
- 2005\1133 Millie Evans, Mason City – For celebrating her 80th birthday.
- 2005\1134 Frieda Udelhofen, Mason City – For celebrating her 90th birthday.
- 2005\1135 Venette Broderson, Waterloo – For celebrating her 90th birthday.

2005\1136 Norma Skinner, Mitchellville – For celebrating her 80th birthday.

2005\1137 Rose Knudtson, Spencer – For celebrating her 100th birthday.

SUBCOMMITTEE ASSIGNMENTS

[House File 759](#)

Ways and Means: Drake, Chair; Huser and Kaufmann.

[House File 833](#)

Judiciary: Anderson, Chair; R. Olson and Paulsen.

[House File 841](#)

Human Resources: Carroll, Chair; Foege, Heaton, Smith and Upmeyer.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 293](#) Ways and Means

Relating to taxation by making changes relating to property tax, income tax, city and county budgets, and providing effective dates and for the Act's applicability.

[H.S.B. 294](#) Ways and Means

Relating to the imposition of a tax on municipal utility property for the school foundation aid purposes, including criminal and civil penalties, and including effective and retroactive applicability date provisions.

[H.S.B. 295](#) Ways and Means

Providing for a tax on earned income of an individual in lieu of the regular income tax, alternative income tax, and the tax on lump sum distributions, and including effective and retroactive applicability date provisions.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk.

MARGARET A. THOMSON
Chief Clerk of the House

COMMITTEE ON ADMINISTRATION AND RULES

[Senate Joint Resolution 6](#), a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 2005.

[Senate Joint Resolution 7](#), a joint resolution authorizing the temporary use and consumption of wine and beer in the State Capitol in conjunction with the 2005 National Governors Association Annual Meeting.

Fiscal Note is not required.

Recommended **Do Pass** April 6, 2005.

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly **[House File 56](#)**), relating to the exemption of sales and use taxes on the purchase of precious metals and rare coins by dealers.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 5, 2005.

Committee Bill (Formerly **[House File 288](#)**), relating to the state school foundation program by increasing the regular program foundation base, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 5, 2005.

Committee Bill (Formerly [House File 794](#)), relating to economic development, business, workforce, and regulatory assistance and tax credits, and to state developmental, research, and regulatory oversight, making appropriations, and including effective date and applicability provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 6, 2005.

Committee Bill (Formerly [House Study Bill 182](#)), relating to the financing by cities of telecommunications projects and facilities, including requirements regarding feasibility studies and reports, requiring sealed bids and city voter approval, prohibiting financing for an amount above projected costs, and increasing the minimum voter approval rate for such projects, and providing effective and retroactive applicability dates.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 5, 2005.

Committee Bill (Formerly [House Study Bill 205](#)), providing for the property taxation of the facilities of city-operated cable communications systems and including effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 5, 2005.

Committee Bill (Formerly [House Study Bill 289](#)), relating to property taxation by requiring funding of essential services by cities and counties, modifying property assessment guidelines, creating a property assessment appeal board to hear appeals of the actions of local boards of review, tying together the assessment limitations of certain classes of property, and including a retroactive applicability date provision.

Fiscal Note is not required.

Recommended **Amend and Do Pass** April 6, 2005.

AMENDMENT FILED

H-1334	H.F. 118	Granzow of Harden
H-1339	H.F. 623	Drake of Pottawattamie

On motion by Gipp of Winneshiek the House adjourned at 6:44 p.m., until 8:45 a.m., Thursday, April 7, 2005.