

PROOF

STATE OF IOWA

House Journal

MONDAY, MAY 9, 2005

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JOURNAL OF THE HOUSE

One Hundred Twentieth Calendar Day - Seventy-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, May 9, 2005

The House met pursuant to adjournment at 10:06 a.m., Speaker Rants in the chair.

Prayer was offered by the Honorable Dwayne Alons, state representative from Sioux County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Thursday, May 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 May 5, 2005, amended and passed the following bill in which the concurrence of the Senate was asked:

[House File 761](#), a bill for an act relating to early childhood programs available through the community empowerment initiative.

Also: That the Senate has on May 6, 2005, amended and passed the following bill in which the concurrence of the Senate was asked:

[House File 816](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of cultural affairs, the department of education, and the state board of regents.

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

[House File 841](#), 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.

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

[House File 868](#), a bill for an act relating to economic development, business, workforce, and regulatory assistance and tax credits, and to state developmental, research, and regulatory oversight, and including effective date and retroactive applicability provisions.

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

[Senate File 414](#), a bill for an act providing for income tax credits for the cost of purchasing life insurance coverage by certain members of the national guard and the reserves, providing for death benefits for certain deceased members of the national guard and the reserves, making appropriations, and providing for effective and retroactive applicability dates.

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

[Senate File 416](#), a bill for an act relating to additional educational funding by increasing the state regular program foundation base per pupil, by modifying the community college operations levy, creating local workforce and economic development funds for community colleges, increasing the state cigarette tax, modifying an appropriation, and including effective and applicability date provisions.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGE CONSIDERED

[Senate File 414](#), by committee on ways and means, a bill for an act providing for income tax credits for the cost of purchasing life insurance coverage by certain members of the national guard and the reserves, providing for death benefits for certain deceased members of the national guard and the reserves, providing for the payment of certain death benefits for members of the peace officers' retirement, accident, and disability system and for members of the retirement system for police officers and fire fighters, making appropriations, and providing for effective and retroactive applicability dates.

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

RULE 57 SUSPENDED

Gipp of Winneshiek asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on appropriations at 1:00 p.m.

On motion by Gipp of Winneshiek, the House was recessed at 10:09 a.m., until the conclusion of the meeting of the committee on appropriations.

AFTERNOON SESSION

The House reconvened at 2:12 p.m., Roberts of Carroll in the chair.

SENATE MESSAGE CONSIDERED

[Senate File 416](#), by committee on ways and means, a bill for an act relating to additional educational funding by increasing the state regular program foundation base per pupil, by modifying the community college operations levy, creating local workforce and economic development funds for community colleges, increasing the state cigarette tax, modifying an appropriation, and including effective and applicability date provisions.

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

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed eighty-three members present, seventeen absent.

SENATE AMENDMENT CONSIDERED

Carroll of Poweshiek called up for consideration [House File 841](#), 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, amended by the Senate, and moved that the House concur in the following Senate amendment [H-1636](#):

[H-1636](#)

- 1 Amend [House File 841](#), as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 3, line 8, by inserting after the word
- 4 "on" the following: "or after".
- 5 2. Page 5, line 31, by inserting after the word
- 6 "the" the following: "health risk assessment, the".

7 3. Page 6, line 20, by inserting after the word
8 "clinic" the following: "or rural health clinic".
9 4. Page 6, lines 21 and 22, by striking the words
10 "or rural health clinics".
11 5. Page 7, line 33, by striking the word "ten"
12 and inserting the following: "twenty".
13 6. Page 8, by striking lines 17 through 20, and
14 inserting the following:
15 "1. Beginning July 1, 2005, each expansion
16 population member whose family income equals or
17 exceeds one hundred percent of the federal poverty
18 level as defined by the most recently revised poverty
19 income guidelines published by the United States
20 department of health and human services shall pay a
21 monthly premium not to exceed one-twelfth of five
22 percent of the member's annual family income, and each
23 expansion population member whose family income is
24 less than one 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 shall pay a
28 monthly premium not to exceed one-twelfth of two
29 percent of the member's annual family income. All
30 premiums shall be paid on the last day of the month of
31 coverage. The department".
32 7. Page 9, line 6, by inserting after the word
33 "member." the following: "The department shall also
34 waive the required out-of-pocket expenditures for an
35 individual expansion population member based upon a
36 hardship that would accrue from imposing such required
37 expenditures."
38 8. Page 9, by inserting after line 26, the
39 following:
40 "4. The department shall track the impact of the
41 out-of-pocket expenditures on patient enrollment and
42 shall report the findings on at least a quarterly
43 basis to the medical assistance projections and
44 assessment council established pursuant to section
45 249J.19. The findings shall include estimates of the
46 number of expansion population members complying with
47 payment of required out-of-pocket expenditures, the
48 number of expansion population members not complying
49 with payment of required out-of-pocket expenditures
50 and the reasons for noncompliance, any impact as a

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1 result of the out-of-pocket requirements on the
2 provision of services to the populations previously
3 served, the administrative time and cost associated
4 with administering the out-of-pocket requirements, and
5 the benefit to the state resulting from the out-of-

6 pocket expenditures. To the extent possible, the
7 department shall track the income level of the member,
8 the health condition of the member, and the family
9 status of the member relative to the out-of-pocket
10 information."

11 9. By striking page 13, line 32, through page 14,
12 line 6, and inserting the following: "pursuant to
13 section 249A.3, and also meet the criteria specified
14 in section 234.7, subsection 2, if enacted in the 2005
15 legislative session."

16 10. By striking page 14, line 8, through page 15,
17 line 7, and inserting the following:

18 "1. The department of human services shall submit
19 an amendment to the home and community-based services
20 waiver for the elderly to the centers for Medicare and
21 Medicaid services of the United States department of
22 health and human services to provide for inclusion of
23 case management as a medical assistance covered
24 service. The department of human services shall
25 develop the amendment in collaboration with the
26 department of elder affairs.

27 2. If the request for an amendment to the waiver
28 is approved, the department of elder affairs shall use
29 existing funding for case management as nonfederal
30 matching funds. The department of elder affairs, in
31 collaboration with the department of human services,
32 shall determine the amount of existing funding that
33 would be eligible for use as nonfederal matching funds
34 so that sufficient funding is retained to also provide
35 case management services for frail elders who are not
36 eligible for the medical assistance program.

37 3. The department of human services, in
38 collaboration with the department of elder affairs,
39 shall establish a reimbursement rate for case
40 management for the frail elderly such that the amount
41 of state funding necessary to pay for such case
42 management does not exceed the amount appropriated to
43 the department of elder affairs for case management
44 for the frail elderly in the fiscal year beginning
45 July 1, 2005. Any state savings realized from
46 including case management under the home and
47 community-based services waiver for the elderly shall
48 be used for services for the frail elderly and for
49 substitute decision-making services to eligible
50 individuals pursuant to chapter 231E, if enacted by

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1 the Eighty-first General Assembly.

2 4. The department of human services, in
3 collaboration with the department of elder affairs,
4 shall determine whether case management for the frail

5 elderly should continue to be provided through a sole
6 source contract or if a request for proposals process
7 should be initiated to provide the services. The
8 departments shall submit their recommendations to the
9 general assembly by January 1, 2006."

10 11. Page 16, line 17, by inserting after the word
11 "department" the following: ", in collaboration with
12 Iowa department of public health programs relating to
13 tobacco use prevention and cessation,".

14 12. Page 16, line 35, by striking the word "date"
15 and inserting the following: "data".

16 13. Page 19, line 12, by striking the word
17 "Costs" and inserting the following: "The department
18 shall inform the members of the task force that
19 costs".

20 14. Page 19, line 13, by striking the word
21 "shall" and inserting the following: "may".

22 15. Page 26, line 7, by inserting after the
23 figure "262.28" the following: "or any provision of
24 this chapter to the contrary".

25 16. Page 26, line 10, by inserting after the word
26 "installments" the following: "based upon the amount
27 appropriated or allocated, as applicable to a specific
28 public hospital, in a specific fiscal year".

29 17. Page 26, line 32, by inserting after the word
30 "account." the following: "The agreement shall
31 include provisions relating to exceptions to the
32 deadline for submission of clean claims as required
33 pursuant to section 249J.7 and provisions relating to
34 data reporting requirements regarding the expansion
35 population."

36 18. Page 27, line 3, by inserting after the
37 figure "4." the following: "Notwithstanding the
38 specified amount of proceeds to be transferred under
39 this subsection, if the amount allocated that does not
40 require federal matching funds under an appropriation
41 in a subsequent fiscal year to such hospital for
42 medical and surgical treatment of indigent patients,
43 for provision of services to expansion population
44 members, and for medical education, is reduced from
45 the amount allocated that does not require federal
46 matching funds under the appropriation for the fiscal
47 year beginning July 1, 2005, the amount of proceeds
48 required to be transferred under this subsection in
49 that subsequent fiscal year shall be reduced in the
50 same amount as the amount allocated that does not

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1 require federal matching funds under that
2 appropriation."

3 19. Page 27, line 9, by inserting after the word

4 "account." the following: "The agreement shall
 5 include provisions relating to exceptions to the
 6 deadline for submission of clean claims as required
 7 pursuant to section 249J.7 and provisions relating to
 8 data reporting requirements regarding the expansion
 9 population."
 10 20. Page 46, by striking line 33, and inserting
 11 the following: "services to members of the".
 12 21. Page 47, by striking lines 10 and 11 and
 13 inserting the following: "indigent patients, for
 14 provision of services to members of the expansion
 15 population".
 16 22. Page 47, line 16, by striking the figure
 17 "36,000,000" and inserting the following:
 18 "37,000,000".
 19 23. Page 47, line 20, by striking the figure
 20 "36,000,000" and inserting the following:
 21 "37,000,000".
 22 24. Page 47, by striking line 31, and inserting
 23 the following: "members of the expansion".
 24 25. Page 48, by striking line 2, and inserting
 25 the following: "members of the expansion".
 26 26. Page 48, by striking line 8, and inserting
 27 the following: "members of the expansion".
 28 27. Page 48, by striking line 14, and inserting
 29 the following: "services to members of the".
 30 28. By renumbering, relettering, or redesignating
 31 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-1636](#).

Carroll of Poweshiek moved that the bill, as amended by the Senate and concurred in by the House, 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. 841](#))

The ayes were, 93:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Freeman	Gaskill	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser

Hutter	Jacobs	Jacoby	Jenkins
Jochum	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	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, 1:

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Absent or not voting, 6:

Fallon	Ford	Gipp	Jones
Rants, Spkr.	Sands		

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

SENATE AMENDMENT CONSIDERED

Heaton of Henry called up for consideration [House File 862](#), a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund, amended by the Senate, and moved that the House concur in the following Senate amendment [H-1625](#):

[H-1625](#)

- 1 Amend [House File 862](#), as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 5, by inserting after line 21, the
- 4 following:
- 5 "The Iowa department of public health shall procure
- 6 a sole source contract to implement this paragraph
- 7 "h".
- 8 A program approved for a grant shall participate in
- 9 a program evaluation as a requirement for receiving

10 grant funds."
 11 2. Page 6, by striking lines 18 and 19.
 12 3. Page 6, by inserting before line 20, the
 13 following:
 14 "j. For a grant program to provide substance abuse
 15 prevention programming, including tobacco use
 16 prevention programming, for children:
 17 \$ 800,000
 18 The Iowa department of public health shall utilize
 19 a request for proposals process to implement this
 20 paragraph "j". A program approved for a grant under
 21 paragraph "h" or paragraph "i" shall not be eligible
 22 for a grant under this paragraph "j".
 23 All grant recipients shall participate in a program
 24 evaluation as a requirement for receiving grant
 25 funds."
 26 4. Page 6, line 22, by striking the figure
 27 "286,217" and inserting the following: "296,217".
 28 5. Page 6, line 29, by striking the figure
 29 "110,359" and inserting the following: "100,359".
 30 6. Page 6, by striking lines 32 through 34, and
 31 inserting the following: "the drug court program."
 32 7. Page 8, line 19, by striking the figure
 33 "6,800,000" and inserting the following: "7,600,000".

The motion prevailed and the House concurred in the Senate amendment [H-1625](#).

Heaton of Henry moved that the bill, as amended by the Senate and concurred in by the House, 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. 862](#))

The ayes were, 96:

Alons	Arnold	Baudler	Bell
Berry	Boal	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foegen
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	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
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, 4:

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

SENATE AMENDMENT CONSIDERED

J.K. Van Fossen of Scott called up for consideration [Senate File 413](#), a bill for an act relating to sales and use tax changes, excise taxes on rental of rooms and sleeping quarters, and the sale and use of construction equipment, and including an effective and retroactive applicability date provision, amended by the House, further amended by the Senate and moved that the House concur in the following Senate amendment [H-1631](#) to the House amendment:

[H-1631](#)

- 1 Amend the House amendment, [S-3218](#), to Senate File
- 2 413, as passed by the Senate, as follows:
- 3 1. By striking page 1, line 7, through page 2,
- 4 line 10.
- 5 2. By striking page 10, line 36, through page 11,
- 6 line 7.

The motion prevailed and the House concurred in the Senate amendment [H-1631](#), to the House amendment.

J.K. Van Fossen of Scott moved that the bill, as amended by the House, further amended by the Senate and concurred in by the

House, 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. 413](#))

The ayes were, 87:

Alons	Arnold	Baudler	Bell
Berry	Boal	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Freeman
Frevert	Gaskill	Gipp	Granzow
Greiner	Heaton	Heddens	Hoffman
Hogg	Horbach	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
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	Schickel	Schueller	Shomshor
Smith	Soderberg	Struyk	Swaim
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wessel-Kroeschell	Wilderdyke	Winckler
Wise	Zirkelbach	Roberts, Presiding	

The nays were, 9:

Fallon	Hunter	Jochum	Shultz
Taylor, D.	Taylor, T.	Wendt	Whitaker
Whitead			

Absent or not voting, 4:

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

The House stood at ease at 2:40 p.m., until the fall of the gavel.

The House resumed session at 3:55 p.m., Speaker Rants in the chair.

SENATE AMENDMENT CONSIDERED

Horbach of Tama called up for consideration [House File 807](#), a bill for an act relating to and making appropriations to the judicial branch, and providing an effective date, amended by the Senate amendment [H-1629](#) as follows:

[H-1629](#)

1 Amend [House File 807](#), as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 5, by striking the word "amount"
4 and inserting the following: "amounts".
5 2. Page 1, line 8, by inserting before the word
6 "For" the following: "a."
7 3. Page 1, line 20, by striking the figure
8 "118,084,282" and inserting the following:
9 "118,404,282".
10 4. Page 1, by inserting after line 20 the
11 following:
12 "b. For an initial grant to be determined by the
13 state court administrator, for the establishment of a
14 youth enrichment pilot project located in a county
15 with a population greater than three hundred thousand
16 that is involved in a public and private partnership
17 pursuing life skills, education, and mentoring
18 programs for offenders between the ages of sixteen and
19 twenty-two who have been charged with a felony:
20\$ 100,000"
21 5. By striking page 1, line 21, through page 2,
22 line 2.
23 6. Page 4, by inserting after line 4 the
24 following:
25 "Sec. __. Section 602.6401, subsection 1, Code
26 2005, is amended to read as follows:
27 1. ~~One Two~~ hundred ~~ninety one~~ six magistrates
28 shall be apportioned among the counties as provided in
29 this section. Magistrates appointed pursuant to
30 section 602.6402 shall not be counted for purposes of
31 this section.
32 Sec. __. NEW SECTION. 602.8102A NOTICES
33 RETURNED FOR UNKNOWN ADDRESS - RESENDING.
34 Notwithstanding any other provision of the Code to
35 the contrary, and subject to rules prescribed by the
36 supreme court, if the clerk of the district court
37 sends a mailing or notice to a person or party and the
38 mailing or notice is returned by the postal service to
39 the clerk of the district court as undeliverable, the
40 clerk is not required to send a repeat or subsequent
41 mailing or notice unless the clerk receives an updated

42 mailing address.
 43 Sec. __. Section 602.8105, subsection 2, Code
 44 2005, is amended to read as follows:
 45 2. The clerk of the district court shall collect
 46 the following fees for miscellaneous services:
 47 a. For filing, entering, and endorsing a
 48 mechanic's lien, twenty dollars, and if a suit is
 49 brought, the fee is taxable as other costs in the
 50 action.

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1 b. For filing and entering an agricultural supply
 2 dealer's lien and any other statutory lien, twenty
 3 dollars.
 4 c. For a certificate and seal, ten dollars.
 5 However, there shall be no charge for a certificate
 6 and seal to an application to procure a pension,
 7 bounty, or back pay for a member of the armed services
 8 or other person.
 9 d. For certifying a change in title of real
 10 estate, twenty dollars.
 11 e. For filing a praecipe to issue execution under
 12 chapter 626, twenty-five dollars.
 13 f. For filing a praecipe to issue execution under
 14 chapter 654, fifty dollars.
 15 g. For filing a confession of judgment under
 16 chapter 676, fifty dollars if the judgment is five
 17 thousand dollars or less, and one hundred dollars if
 18 the judgment exceeds five thousand dollars.
 19 ~~e.~~ h. Other fees provided by law.
 20 Sec. __. Section 901.4, Code 2005, is amended to
 21 read as follows:
 22 901.4 PRESENTENCE INVESTIGATION REPORT
 23 CONFIDENTIAL – DISTRIBUTION.
 24 The presentence investigation report is
 25 confidential and the court shall provide safeguards to
 26 ensure its confidentiality, including but not limited
 27 to sealing the report, which may be opened only by
 28 further court order. At least three days prior to the
 29 date set for sentencing, the court shall ~~serve~~ send a
 30 copy of all of the presentence investigation report
 31 ~~upon by ordinary or electronic mail, to the~~
 32 defendant's attorney and the attorney for the state,
 33 and the report shall remain confidential except upon
 34 court order. However, the court may conceal the
 35 identity of the person who provided confidential
 36 information. The report of a medical examination or
 37 psychological or psychiatric evaluation shall be made
 38 available to the attorney for the state and to the
 39 defendant upon request. The reports are part of the
 40 record but shall be sealed and opened only on order of

41 the court. If the defendant is committed to the
42 custody of the Iowa department of corrections and is
43 not a class "A" felon, a copy of the presentence
44 investigation report shall be forwarded by ordinary or
45 electronic mail to the director with the order of
46 commitment by the clerk of the district court and to
47 the board of parole at the time of commitment.
48 Pursuant to section 904.602, the presentence
49 investigation report may also be released by ordinary
50 or electronic mail by the department of corrections or

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1 a judicial district department of correctional
2 services to another jurisdiction for the purpose of
3 providing interstate probation and parole compact or
4 interstate compact for adult offender supervision
5 services or evaluations, or to a substance abuse or
6 mental health services provider when referring a
7 defendant for services. The defendant or the
8 defendant's attorney may file with the presentence
9 investigation report, a denial or refutation of the
10 allegations, or both, contained in the report. The
11 denial or refutation shall be included in the report.
12 If the person is sentenced for an offense which
13 requires registration under chapter 692A, the court
14 shall release the report by ordinary or electronic
15 mail to the department.
16 Sec. ___. STUDY OF COURT RULES RELATING TO TRIBAL
17 COURTS. The general assembly acknowledges that
18 contact and interaction between the Iowa court system
19 and federally recognized tribal courts are ever
20 increasing and the general assembly urges the Iowa
21 supreme court to study this interaction and consider
22 developing and prescribing rules that relate to the
23 tribal court system, tribal court orders, judgments,
24 and decrees."
25 7. Page 4, by inserting after line 4 the
26 following:
27 "Sec. ___. Section 607A.8, Code 2005, is amended
28 to read as follows:
29 607A.8 FEES AND EXPENSES FOR JURORS.
30 Grand jurors and petit jurors in all courts shall
31 receive ten dollars as compensation for each day's
32 service or attendance, including attendance required
33 for the purpose of being considered for service,
34 reimbursement for mileage expenses at the rate
35 specified in section 602.1509 for each mile traveled
36 each day to and from their residences to the place of
37 service or attendance, and reimbursement for actual
38 expenses of parking, as determined by the clerk. The
39 supreme court may adopt rules that allow additional

40 compensation for jurors whose attendance and service
 41 exceeds seven days. A juror who is a person with a
 42 disability may receive reimbursement for the costs of
 43 alternate transportation from the juror's residence to
 44 the place of service or attendance. A juror shall not
 45 receive reimbursement for mileage expenses or actual
 46 expenses of parking when the juror travels in a
 47 vehicle for which another juror is receiving
 48 reimbursement for mileage and parking expenses."
 49 8. By renumbering, relettering, or redesignating
 50 and correcting internal references as necessary.

Horbach of Tama offered the following amendment [H-1637](#), to the Senate amendment [H-1629](#), filed by him from the floor and moved its adoption:

[H-1637](#)

1 Amend the Senate amendment, [H-1629](#), to House File
 2 807, as amended, passed, and reprinted by the House,
 3 as follows:
 4 1. Page 1, by inserting after line 2 the
 5 following:
 6 "___, Page 1, by striking line 1."
 7 2. Page 1, by striking lines 5 and 6.
 8 3. Page 1, by striking lines 10 through 22.
 9 4. By renumbering as necessary.

Amendment [H-1637](#) was adopted.

On motion by Horbach of Tama the House concurred in the Senate amendment [H-1629](#), as amended.

Horbach of Tama moved that the bill, as amended by the Senate, further amended and concurred in by the House, 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, 96:

Alons	Arnold	Baudler	Bell
Berry	Boal	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Ford

Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	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
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Zirkelbach	Mr. Speaker Rants

The nays were, 1:

Fallon

Absent or not voting, 3:

Anderson Jones Sands

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

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 4, 2005, he approved and transmitted to the Secretary of State the following bill:

[House File 840](#), an Act authorizing the rebate of state sales tax to the owner or operator of a sanctioned automobile racetrack facility.

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF NATURAL RESOURCES

Report from the Waste Management Bureau on the Household Hazardous Materials program, pursuant to Chapter 455F.8, Code of Iowa.

DEPARTMENT OF TRANSPORTATION

Final report of the Secondary Road Fund Distribution Advisory Committee, pursuant to Chapter 312.3C, Code of Iowa.

Secondary Road Fund Distribution Committee

2002 to 2005 report, pursuant to Chapter 312.3C, Code of Iowa.

CERTIFICATES OF RECOGNITION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that certificates of recognition have been issued as follows.

MARGARET A. THOMSON
Chief Clerk of the House

- 2005\1411 Dorothea Van Vleet, Fontanelle – For celebrating her 90th birthday.
- 2005\1412 Howard A. White, Greenfield – For celebrating his 95th birthday.
- 2005\1413 Lois Sulgrove Roberts, Greenfield – For celebrating her 80th birthday.
- 2005\1414 Jim and Mary Jean Johannsen, La Porte City – For celebrating their 50th wedding anniversary.
- 2005\1415 Mary Nelson, La Porte City – For celebrating her 80th birthday.
- 2005\1416 Madeline Kerns, Fairbank – For celebrating her 80th birthday.
- 2005\1417 Rita Nuebel, Dunkerton – For celebrating her 80th birthday.
- 2005\1418 Doyle and Janice Marker, Melrose – For celebrating their 50th wedding anniversary.
- 2005\1419 Mary Scieszinski, Melrose – For celebrating her 90th birthday.
- 2005\1420 Virgil and Dorothy Storm, Lucas – For celebrating their 60th wedding anniversary.
- 2005\1421 Rosemary Rieber, Iowa Falls – For celebrating her 80th birthday.
- 2005\1422 Stan and Ione Riskedahl, Hubbard – For celebrating their 60th wedding anniversary.
- 2005\1423 Mary Lawler, Eldora – For celebrating her 90th birthday.
- 2005\1424 Ruth Balvanz, Wellsburg – For celebrating her 80th birthday.

- 2005\1425 Doris Rewerts, Iowa Falls – For celebrating her 80th birthday.
- 2005\1426 Ada Warford, Iowa Falls – For celebrating her 90th birthday.
- 2005\1427 Bert Hemmes, Iowa Falls – For celebrating his 101st birthday.
- 2005\1428 Lester Mill, Ackley – For celebrating his 80th birthday.
- 2005\1429 Genevieve Kosanke, Iowa Falls – For celebrating her 90th birthday.
- 2005\1430 Bill and Peggy Ham, Waterloo – For celebrating their 60th wedding anniversary.
- 2005\1431 Robert and Mary Flynn, Waterloo – For celebrating their 50th wedding anniversary.
- 2005\1432 Pat Kennedy, Waterloo – For celebrating her 80th birthday.
- 2005\1433 Dale Kirschman, Waterloo – For celebrating his 80th birthday.
- 2005\1434 Kimberly Bahe, Sumner – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2005\1435 Alex, Stepan, West Union – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2005\1436 Gene and Margaret Kleve, Waucoma – For celebrating their 50th wedding anniversary.
- 2005\1437 Marvin and Verlaine Knoploh, Sumner – For celebrating their 50th wedding anniversary.
- 2005\1438 Leonard and Martha Schnadt, Sumner – For celebrating their 65th wedding anniversary.
- 2005\1439 John and Arlitha Pries, Sumner – For celebrating their 65th wedding anniversary.
- 2005\1440 Luella Heideman, Tripoli – For celebrating her 80th birthday.
- 2005\1441 Charles Zanatta, Oelwein – For celebrating his 80th birthday.
- 2005\1442 Floyd Alber, Maynard – For celebrating his 90th birthday.
- 2005\1443 Roy Lincoln, Oelwein – For celebrating his 90th birthday.
- 2005\1444 Mary Looney, Oelwein – For celebrating her 90th birthday.
- 2005\1445 Floyd Manson, Maynard – For celebrating his 95th birthday.
- 2005\1446 Mickey Hart, Sioux City – For celebrating her 99th birthday.

- 2005\1447 Eva Hansen, Sioux City – For celebrating her 80th birthday.
- 2005\1448 Merton White, Sioux City – For celebrating his 80th birthday.
- 2005\1449 Harold and Fran Rodman, Sioux City – For celebrating their 50th wedding anniversary.
- 2005\1450 Lenora Floy, Rockwell – For celebrating her 92nd birthday.
- 2005\1451 Ardis Fredericks, Hampton – For celebrating her 100th birthday.
- 2005\1452 Garland Van Kleeck, Hampton – For celebrating his 80th birthday.
- 2005\1453 Maxine Kite, Hampton – For celebrating her 90th birthday.
- 2005\1454 Anna Mae Meyer, Sheffield – For celebrating her 80th birthday.
- 2005\1455 Charity Marie Ward, Rockwell – For celebrating her 82nd birthday.
- 2005\1456 Jerry and Veronica Johnson, Kanawha – For celebrating their 50th wedding anniversary.
- 2005\1457 Thelma Bartlett, Burchinal – For celebrating her 95th birthday.
- 2005\1458 Robert and Betty Underwood, Clear Lake – For celebrating their 60th wedding anniversary.
- 2005\1459 Darcy Kohlmeyer, Garner – For attaining the Girl Scout Gold Award, the highest award in Girl Scouting.
- 2005\1460 Darwin and Darlene Kottenbrink, Hampton – For celebrating their 50th wedding anniversary.
- 2005\1461 Bernice Ingham, Swaledale – For celebrating her 90th birthday.
- 2005\1462 Allen N. Neely, Jr., Riverdale – For celebrating his 80th birthday.
- 2005\1463 Mary Jane Shields, Bettendorf – For celebrating her 80th birthday.
- 2005\1464 Lester Shields, Bettendorf – For celebrating his 80th birthday.
- 2005\1465 Robert Waack, DeWitt – For celebrating his 90th birthday.
- 2005\1466 Jerry Petersen, Donahue – For celebrating 50 years of membership with the Larry M. Gronewald American Legion Post #532.
- 2005\1467 Alyssa Maher, DeWitt – For winning the 4X100-meter relay at the 2005 Drake Relays.
- 2005\1468 Kelsey Steffens, DeWitt – For winning the 4X100-meter relay at the 2005 Drake Relays.

- 2005\1469 Ali Niemann, DeWitt – For winning the 4X100-meter relay at the 2005 Drake Relays.
- 2005\1470 Megan Machovec, DeWitt – For winning the 4X100-meter relay at the 2005 Drake Relays.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARGARET A. THOMSON
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

Senate File 342, a bill for an act relating to appropriation matters by making and increasing appropriations for the fiscal year beginning July 1, 2004, and providing effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass with amendment [H-1638](#)** May 9, 2005.

AMENDMENTS FILED

H-1633	H.F.	868	Senate Amendment
H-1634	H.F.	761	Senate Amendment
H-1635	H.F.	816	Senate Amendment
H-1638	S.F.	342	Committee on Appropriations

On motion by Gipp of Winneshiek the House adjourned at 4:06 p.m., until 8:45 a.m., Tuesday, May 10, 2005.