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**STATE OF IOWA**

**House Journal**

**TUESDAY, JANUARY 24, 2006**

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(The official bound copy will be available after a reasonable time upon adjournment.)

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## JOURNAL OF THE HOUSE

Sixteenth Calendar Day - Eleventh Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, January 24, 2006

The House met pursuant to adjournment at 8:55 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Terry Amann, pastor of Windsor Presbyterian Church, Des Moines. He was the guest of Representative Gene Maddox of Polk County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, January 23, 2006 was approved.

### INTRODUCTION OF BILLS

[House File 2101](#), by Petersen, Heddens, Wise, Smith, Swaim, Thomas, Whitaker, Foege, Reasoner, D. Olson, Kuhn, Reichert, Frevert, Gaskill and Pettengill, a bill for an act creating a twenty-first century Iowa scholars program and fund to be administered by the college student aid commission, and requiring the commission to conduct a twenty-first century Iowa scholars program promotion and support study.

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

[House File 2102](#), by Hogg, a bill for an act relating to the legal name change of a person required to register as a sex offender.

Read first time and referred to committee on **public safety**.

[House File 2103](#), by Whitaker, Kressig, Thomas, Heddens, Frevert, D. Olson, Cohoon, Rayhons, Swaim, Foege, Gaskill, Shoultz, D. Taylor, Kuhn, Reichert and Whitead, a bill for an act to require a

hydrogen production study and pilot project by the Iowa energy center.

Read first time and referred to committee on **commerce, regulation and labor**.

**House File 2104**, by Petersen, Wendt, Whitead, Hunter, Gaskill, Whitaker, Cohoon, Hogg, Shomshor, Jacoby, Ford, Wise, Bukta, Foege, Schueller, Winckler, Lensing, Pettengill, Wessel-Kroeschell, Oldson, Kressig, Quirk, D. Olson, Smith, Mascher, Jochum, Kuhn, Swaim, Dandekar, Berry, Reichert, Davitt, Mertz and Murphy, a bill for an act prohibiting the sale or rental of violent or sexually explicit video games to minors and providing for civil and criminal penalties.

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

**House File 2105**, by Hogg, a bill for an act relating to restricting the presence of a registered sex offender at a child care facility or child care home, and providing a penalty.

Read first time and referred to committee on **public safety**.

**House File 2106**, by Carroll, a bill for an act relating to the allowed growth factor adjustment funding for county mental health, mental retardation, and developmental disabilities services funds and including effective date and retroactive applicability provisions.

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

**House File 2107**, by Wise, a bill for an act to require notification of a breach of the security of a system of computerized data containing personal information and providing for civil remedies.

Read first time and referred to committee on **commerce, regulation and labor**.

**House File 2108**, by Heaton, a bill for an act relating to placement of a juvenile in the state training school or other facility.

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

**House File 2109**, by Wise, Carroll and Tymeson, a bill for an act authorizing community colleges and state universities to seek approval to establish charter magnet schools and increasing the number of charter schools that may be approved.

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

**House File 2110**, by Petersen and Jochum, a bill for an act relating to establishing smokefree public places and workplaces, and providing penalties.

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

### CONSIDERATION OF BILLS Regular Calendar

**House File 2051**, a bill for an act relating to maintenance of a voter registration system separate from the state voter registration system and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 2051](#))

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	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	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	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 5:

Dix	Greiner	Jones	Mertz
Zirkelbach			

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

**House File 2050**, a bill for an act relating to elections by making changes concerning requirements for entrances to certain polling places, arrangement of names on the ballot for nonpartisan offices, and election registers, and including effective and applicability date provisions, was taken up for consideration.

Jacobs of Polk offered the following amendment **H-8002** filed by her and Gaskill of Wapello and moved its adoption:

**H-8002**

- 1 Amend **House File 2050** as follows:
- 2 1. Page 1, line 32, by inserting after the word
- 3 and figure "**section 44.4**," the following: "**If a**
- 4 **candidate withdraws, dies, or is removed from the**
- 5 **ballot after the ballot position of names has been**
- 6 **determined, such candidate's name shall be removed**
- 7 **from the ballot, and the order of the remaining names**
- 8 **shall not be changed.**"

Amendment **H-8002** was adopted.

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

On the question "Shall the bill pass?" (**H.F. 2050**)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	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
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	Mr. Speaker
			Rants

The nays were, none.

Absent or not voting, 4:

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

#### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2050 and 2051.**

#### [HOUSE FILE 2096](#) REREFERRED

The Speaker announced that [House File 2096](#), previously referred to committee on **public safety** was rereferred to committee on **judiciary.**

[HOUSE FILE 2104](#) REREFERRED

The Speaker announced that [House File 2104](#), previously referred to committee on **state government** was rereferred to committee on **judiciary**.

BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on January 23, 2006, he approved and transmitted to the Secretary of State the following bill:

[House File 2080](#), an Act revisiting and making appropriations involving veterans programs for the fiscal year beginning July 1, 2005, and providing an effective date.

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

- |          |  |
|----------|--|
| 2006\305 | Dennis and Terese Horras, Fairfield – For celebrating their 50 <sup>th</sup> wedding anniversary.                                |
| 2006\306 | Roy and Joy Roberts, Mt. Sterling – For celebrating their 50 <sup>th</sup> wedding anniversary.                                  |
| 2006\307 | Brace and Rose Oliver, Douds – For celebrating their 50 <sup>th</sup> wedding anniversary.                                       |
| 2006\308 | Sam and Evelyn Dovico, Batavia – For celebrating their 60 <sup>th</sup> wedding anniversary.                                     |
| 2006\309 | Dennis Heiman, Mediapolis – For being named Secondary Principal of the Year in District 16 by the School Administrators of Iowa. |
| 2006\310 | Charles Sells, Burlington – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.                |
| 2006\311 | Robert Sells, Burlington – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.                 |
| 2006\312 | Fred Shettler, Columbus Junction – For receiving the Iowa Lions Foundation Warren Coleman Honorary Award.                        |

- 2006\313 Cecil Rasmussen, Traer – For celebrating his 85<sup>th</sup> birthday.
- 2006\314 Alice Andreae, Elkader – For celebrating her 102<sup>nd</sup> birthday.
- 2006\315 Helen Diers, Elkader – For celebrating her 85<sup>th</sup> birthday.
- 2006\316 Addie Hammel, McGregor – For celebrating her 80<sup>th</sup> birthday.
- 2006\317 Francis and Estella Birkenholtz, Newton – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\318 Harlan and Jan Millang, Sully – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\319 Carroll Louks, Nevada – For celebrating his 91<sup>st</sup> birthday.
- 2006\320 Ray Murray, Nevada – For being named Administrator of the Year by the Iowa High School Athletic Association.
- 2006\321 Erwin and Dorothy Doermann, Tipton – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\322 Clella Walton, Wilton – For celebrating her 90<sup>th</sup> birthday.
- 2006\323 Elmer and Cuba Flory, Tipton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\324 Ralph Vargason, Tipton – For celebrating his 80<sup>th</sup> birthday.
- 2006\325 Helen Werling, West Liberty – For celebrating her 90<sup>th</sup> birthday.
- 2006\326 Tony and Sophia Slothouber, Sheldon – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\327 Frank and Tena Vogel, Ocheyedan – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\328 Denise Rehmke, Iowa City – For receiving the Glass Apple Individual Award.
- 2006\329 Julie Larson, Iowa City – For receiving the Glass Apple School System Award.
- 2006\330 Margaret McReynolds, Des Moines – For celebrating her 85<sup>th</sup> birthday.
- 2006\331 LaVerne Wegmann, Riverdale – For celebrating his 80<sup>th</sup> birthday.
- 2006\332 Bessie Sierk, Bettendorf – For celebrating her 95<sup>th</sup> birthday.
- 2006\333 Jean Moeller-Ralfs, Davenport – For celebrating her 80<sup>th</sup> birthday.



- 2006\334 Ed and Ruth Kuhlmann, Charter Oak – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\335 Norma Rehan, Denison – For celebrating her 80<sup>th</sup> birthday.
- 2006\336 Marie Hilmer, La Porte City – For celebrating her 80<sup>th</sup> birthday.
- 2006\337 Keith and Mildred Kullmer, La Porte City – For celebrating their 75<sup>th</sup> wedding anniversary.
- 2006\338 Emma Knickerbocker, Jewell – For celebrating her 90<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENTS

##### House File 2003

Commerce, Regulation and Labor: Tomenga, Chair; Freeman, Jacobs, Kressig, Petersen, Sands and Wise.

##### House File 2046

Commerce, Regulation and Labor: Tomenga, Chair; Freeman, Jacobs, Kressig, Petersen, Sands and Wise.

##### House File 2082

Human Resources: Heaton, Chair; Foege and Kurtenbach.

##### House File 2087

Human Resources: Tomenga, Chair; Jacoby and Wilderdyke.

##### House File 2088

Veterans Affairs: Kaufmann, Chair; Paulsen and D. Taylor.

##### House File 2089

Human Resources: Heaton, Chair; Roberts and Smith.

##### House File 2092

Veterans Affairs: May, Chair; Thomas and Tymeson.

##### House File 2094

State Government: Elgin, Chair; Greiner, Jacobs, Quirk, Roberts, T. Taylor and Whitead.

**House File 2098**

Veterans Affairs: Paulsen, Chair; Watts and Whitead.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

**House Study Bill 550**

Public Safety: Eichhorn, Chair; Baudler and McCarthy.

**House Study Bill 551**

Public Safety: J.R. Van Fossen, Chair; Chambers and Hunter.

**House Study Bill 552**

Public Safety: Dolecheck, Chair; Shultz and Tjepkes.

**House Study Bill 553**

Local Government: Tjepkes, Chair; Arnold and Gaskill.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

**H.S.B. 558 Commerce, Regulation and Labor**

Relating to the provision of consumer loans including requiring certain disclosures for delayed deposit services and title loans, providing for the licensing of credit union service organizations to provide delayed deposit services, and providing for interest rates by supervised financial organizations when engaging in delayed deposit services.

**H.S.B. 559 Human Resources**

Relating to dependent adult abuse including the confidentiality of the access to dependent adult abuse information.

**H.S.B. 560 Human Resources**

Relating to the community empowerment initiative and making an appropriation.

**H.S.B. 561 Human Resources**

Revising the membership requirements for the child advocacy board.

**H.S.B. 562 Human Resources**

Relating to department of human services' technical requirements involving individual development accounts, family investment program limited benefit plans, paternity establishment definitions, and the state child care assistance program, and including effective date and retroactive applicability provisions.

**H.S.B. 563 Appropriations**

Appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

**H.S.B. 564 Education**

Relating to school district transportation, including the approval of public school bus routes by area education agencies and to the transportation of students participating in open enrollment.

**H.S.B. 565 Education**

Permitting the board of educational examiners to retain and carry over a percentage of the licensing fees it collects.

**H.S.B. 566 Education**

Relating to the time for investigation and resolution of complaints accepted by the board of educational examiners.

**H.S.B. 567 Economic Growth**

Relating to the amount of historic preservation and cultural and entertainment district tax credits approved in a fiscal year.

**H.S.B. 568 Public Safety**

Relating to an assault upon an employee of a jail or correctional institution, and providing a penalty.

**H.S.B. 569 State Government**

Relating to the regulation of business organizations including administrative dissolution, registration of agents, authorization of names, the filing, delivery, and service of documents by the secretary of state, and the elimination of certain filing fees.

**H.S.B. 570 Public Safety**

Requiring health professionals to provide peace officers access to certain injured persons involved in motor vehicle accidents.

**H.S.B. 571 Public Safety**

Relating to the use of a peace officer of the department of public safety in an industrial dispute and providing an effective date.

**H.S.B. 572 Veterans Affairs**

Relating to hunting and fishing licenses for certain veterans.

**H.S.B. 573 Veterans Affairs**

Making an annual appropriation to the department of veterans affairs for the state veterans cemetery.

**H.S.B. 574 Veterans Affairs**

Relating to the process utilized in assessing residents of health care facilities for veterans program benefits.

**H.S.B. 575 Judiciary**

Relating to compensation for interpreters in juvenile court proceedings.

**H.S.B. 576 Judiciary**

Relating to involuntary hospitalization proceedings for chronic substance abusers and persons with mental illness.

**H.S.B. 577 Judiciary**

Relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa.

**H.S.B. 578 Commerce, Regulation and Labor**

Relating to the prepayment of agricultural loans secured by a real estate mortgage.

**H.S.B. 579 Judiciary**

Relating to county attorney salaries and providing an applicability date.

**COMMITTEE RECOMMENDATION**

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

MARGARET A. THOMSON  
Chief Clerk of the House

**COMMITTEE ON AGRICULTURE**

**House File 701**, a bill for an act relating to animal feeding operations, by providing for chronic complaints.

Fiscal Note is not required.

Recommended **Do Pass** January 18, 2006.

Pursuant to Rule 31.7, **House File 701** was referred to the committee on judiciary.

## AMENDMENT FILED

<u>H-8003</u>	<u>H.F.</u>	<u>2095</u>	Wendt of Woodbury
Berry of Black Hawk			Bukta of Clinton
Cohoon of Des Moines			Davitt of Warren
Foege of Linn			Ford of Polk
Frevert of Palo Alto			Gaskill of Wapello
Heddens of Story			Hogg of Linn
Hunter of Polk			Jacoby of Johnson
Jochum of Dubuque			Kressig of Black Hawk
Kuhn of Floyd			Lensing of Johnson
Lykam of Scott			McCarthy of Polk
Miller of Webster			Murphy of Dubuque
Oldson of Polk			D. Olson of Boone
R. Olson of Polk			Petersen of Polk
Pettengill of Benton			Quirk of Chickasaw
Reasoner of Union			Reichert of Muscatine
Schueller of Jackson			Shomshor of Pottawattamie
Smith of Marshall			Swaim of Davis
D. Taylor of Linn			T. Taylor of Linn
Thomas of Clayton			Wessel-Kroeschell of Story
Whitaker of Van Buren			Whitead of Woodbury
Winckler of Scott			Wise of Lee

On motion by Gipp of Winneshiek the House adjourned at 9:20 a.m., until 8:45 a.m., Wednesday, January 25, 2006.