

PROOF

STATE OF IOWA

House Journal

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JOURNAL OF THE HOUSE

Seventeenth Calendar Day - Twelfth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, January 25, 2006

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

Prayer was offered by Reverend Ann Rouse, pastor of the First Presbyterian Church, Monroe. She was the guest of Representative Jim Van Engelenhoven of Marion County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, January 24, 2006 was approved.

INTRODUCTION OF BILLS

[House File 2111](#), by Bell, a bill for an act relating to dependent adult abuse investigations, findings, and appeals.

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

[House File 2112](#), by Hutter, a bill for an act relating to electronically recording an interrogation of a person accused of murder.

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

[House File 2113](#), by Swaim and Gaskill, a bill for an act relating to performance and disclosure standards for long-term care insurance.

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

[House File 2114](#), by Alons, a bill for an act relating to the confidentiality of the juvenile records of a juvenile sex offender.

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

[House File 2115](#), by Lensing, a bill for an act providing for the establishment of an office of suicide prevention within the Iowa department of public health, and making an appropriation.

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

[House File 2116](#), by Struyk, a bill for an act providing for termination of the parental rights of a child's parent who has been convicted of certain offenses against a minor.

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

[House File 2117](#), by Kaufmann, May, Alons, Quirk, Whitead, Thomas, Lukan and Ford, a bill for an act creating a Vietnam Conflict veterans bonus for a certain period of active duty military service, making an appropriation, and providing a tax exemption and a penalty.

Read first time and referred to committee on **veterans affairs**.

[House File 2118](#), by Lensing, Jacoby and Mascher, a bill for an act allowing state employees to utilize at least one week of accrued sick leave for the birth or adoption of a child.

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

[House File 2119](#), by Kaufmann, Dix, Tymeson, Struyk, Soderberg, Schueller, Hutter, Carroll, Schickel, Lukan, Wise, Shomshor, Oldson and Quirk, a bill for an act relating to small employer health insurance income tax credits and providing effective and retroactive applicability dates.

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

SPECIAL PRESENTATION

Carroll of Poweshiek introduced to the House NASCAR driver and champion, Rusty Wallace who is involved in creating the Iowa Motor Speedway in Newton. He addressed the House briefly regarding the progress of the new race track and thanked the House for its support.

The House rose and expressed its welcome.

On motion by Gipp of Winneshiek, the House was recessed at 8:59 a.m., until 4:15 p.m.

AFTERNOON SESSION

The House reconvened at 4:13 p.m., Speaker Rants in the chair.

INTRODUCTION OF BILLS

House File 2120, by Dix, Paulsen, Struyk, Tymeson, Kurtenbach, S. Olson, Rasmussen, Rayhons, Sands, Huseman, Kaufmann, Drake, Upmeyer, Greiner, Boal, Van Engelenhoven, De Boef, Dolecheck, Lukan, Baudler, Watts, Granzow, May, Lalk, Chambers, J.R. Van Fossen, Heaton, Carroll, Wilderdyke, Horbach, J.K. Van Fossen, Tjepkes, Freeman, Alons, Elgin, Jones, Maddox, Roberts, Hutter, Soderberg, Eichhorn, Quirk, Thomas, Fallon, Huser, Mertz, Foege, Whitaker, D. Taylor, Pettengill and T. Taylor, a bill for an act relating to eminent domain authority and condemnation procedures and including effective and applicability provisions.

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

House File 2121, by Boal, a bill for an act relating to a home schooling tax credit under the individual income tax for expenses related to competent private instruction for children in grades kindergarten through twelve and including effective and retroactive applicability date provisions.

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

House File 2122, by Maddox, Petersen and Kressig, a bill for an act requiring every insurer offering certain individual or group health

insurance policies to provide coverage for treatment of certain inborn errors of metabolism with a dietary restriction.

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

[House File 2123](#), by Paulsen, a bill for an act relating to tool and die recovery enterprise zones.

Read first time and referred to committee on **economic growth**.

[House File 2124](#), by Kaufmann, Dolecheck and Hoffman, a bill for an act relating to an appropriation of moneys for distribution to community colleges for English as a second language programs for adults and new Iowans programs for families.

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

[House File 2125](#), by Struyk, a bill for an act making changes to the law relating to eminent domain authority and condemnation procedures, urban renewal, and including effective and applicability date provisions.

Read first time and referred to committee on **economic growth**.

[House File 2126](#), by Foegen, a bill for an act requiring certain health insurance policies to provide coverage for colorectal and prostate cancer screening under some circumstances and providing an applicability date.

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

[House File 2127](#), by Hunter, a bill for an act repealing the Iowa English language reaffirmation Act.

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

[House File 2128](#), by Gaskill, Frevert, Berry, Davitt, Jochum, Kuhn, Kressig, Lensing, Winckler, Thomas, Wessel-Kroeschell, Mascher, McCarthy, Oldson, Reasoner, Wendt, Schueller, Hunter,

R. Olson, Swaim, Foege, D. Taylor, Quirk, Shomshor, D. Olson, Mertz, Whitaker, Murphy, Pettengill and Heddens, a bill for an act relating to the privacy of social security numbers in public records and creating the Iowa public records privacy commission.

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

[House File 2129](#), by Kaufmann, Dolecheck, Sands, Schickel, Hoffman, Hutter and Freeman, a bill for an act providing for an increase in the number of years for which supplementary weighting for limited English proficient students may be obtained, and providing effective and applicability dates.

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

[House File 2130](#), by Hutter, a bill for an act relating to the destruction of state agency records and providing for a penalty.

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

[House File 2131](#), by Dandekar, Struyk, Huser and J.K. Van Fossen, a bill for an act relating to historic preservation and cultural and entertainment district tax credits.

Read first time and referred to committee on **economic growth**.

[House File 2132](#), by Tjepkes, Watts, De Boef, Huseman, Hutter, Baudler, Tymeson, Chambers, Wilderdyke, Alons, Rayhons, Struyk, Drake, J. K. Van Fossen, Jacobs, Soderberg, Kaufmann, May, Boal, Granzow, Freeman, Sands, S. Olson, Greiner, Roberts, Elgin, Anderson, J. R. Van Fossen, Kurtenbach, Dolecheck, Horbach, Van Engelenhoven, Arnold, Paulsen, Dix, Carroll, Upmeyer, Eichhorn, Hoffman and Huser, a bill for an act relating to committing disorderly conduct near a military funeral, memorial service, funeral procession, or burial, and providing penalties.

Read first time and referred to committee on **veterans affairs**.

[House File 2133](#), by Hutter, a bill for an act relating to the filing of a certificate of merit in a medical malpractice action.

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

CONSIDERATION OF BILLS
Regular Calendar

House File 2095, a bill for an act providing for the establishment of the state percent of growth for purposes of the state school foundation program and providing an applicability date, was taken up for consideration.

The House stood at ease at 4:17 p.m., until the fall of the gavel.

The House resumed session at 5:21 p.m., Speaker Rants in the chair.

Wendt of Woodbury offered the following amendment **H-8003** filed by Wendt, et al., and moved its adoption:

H-8003

- 1 Amend **House File 2095** as follows:
- 2 1. Page 1, line 7, by striking the word "**four**"
- 3 and inserting the following: "**six**".

Roll call was requested by Wendt of Woodbury and Reasoner of Union.

On the question "Shall amendment **H-8003** be adopted?" (**H.F. 2095**)

The ayes were, 48:

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

The nays were, 51:

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

Absent or not voting, 1:

Zirkelbach

Amendment [H-8003](#) lost.

Tymeson of Madison 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. 2095](#))

The ayes were, 99:

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	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	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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 2095](#) be immediately messaged to the Senate.

[HOUSE FILE 2096](#) REREFERRED

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

COMMUNICATIONS RECEIVED

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

DEPARTMENT OF NATURAL RESOURCES

Report of land application and treatment of septic tank waste, pursuant to Chapter 455B.172, Code of Iowa.

IOWA COLLEGE STUDENT AID COMMISSION

Policy recommendations for the protection of educational consumers at institutions that provide Iowa tuition grants, pursuant to Chapter 261.2(2), Code of Iowa.

IOWA ENERGY CENTER ADVISORY COUNCIL

Annual report, pursuant to Chapter 266.39C, Code of Iowa.

LEGISLATIVE OVERSIGHT COMMITTEE

Report of activities during the 2005 Legislative Interim, pursuant to Chapter 1162 Iowa Acts.

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\339 Spenser Burden, Mt. Pleasant – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\340 Ed Landuyt, Belle Plaine – For celebrating his 80th birthday.
- 2006\341 Iola McAteer, Toledo – For celebrating her 90th birthday.
- 2006\342 Jim Vawter, Oelwein – For celebrating his 90th birthday.
- 2006\343 Clarence and Judy Radtke, Spirit Lake – For celebrating their 50th wedding anniversary.
- 2006\344 Mable Wilson, Spirit Lake – For celebrating her 100th birthday.

SUBCOMMITTEE ASSIGNMENTS

[House File 135](#)

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

[House File 422](#)

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

[House File 643](#)

Environmental Protection: Kurtenbach, Chair; Anderson and Kuhn.

[House File 669](#)

Environmental Protection: Anderson, Chair; Pettengill and Watts.

[House File 2011](#)

Transportation: Schickel, Chair; Lykam and Rasmussen.

House File 2054

Natural Resources: Arnold, Chair; Lukan and Whitaker.

House File 2056

Natural Resources: J.R. Van Fossen, Chair; Lykam and May.

House File 2083

State Government: Hutter, Chair; T. Taylor and Upmeyer.

House File 2109

Education: Wise, Chair; Carroll, Dolecheck, Mascher and Tymeson.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS**House Study Bill 558**

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

House Study Bill 559

Human Resources: Wilderdyke, Chair; Berry, Hutter, Smith and Upmeyer.

House Study Bill 560

Human Resources: Tymeson, Chair; Foegen and Heaton.

House Study Bill 561

Human Resources: Hutter, Chair; Granzow and Heddens.

House Study Bill 562

Human Resources: Wilderdyke, Chair; Hunter and Kurtenbach.

House Study Bill 563

Appropriations: May, Chair; Jacobs and Jacoby.

House Study Bill 564

Education: Tymeson, Chair; Boal and Cohoon.

House Study Bill 565

Education: Chambers, Chair; Dolecheck and Mascher.

[House Study Bill 566](#)

Education: Tymeson, Chair; Bukta and Chambers.

[House Study Bill 567](#)

Economic Growth: Wilderdyke, Chair; Reichert and Schickel.

[House Study Bill 568](#)

Public Safety: Dolecheck, Chair; Reasoner and Tjepkes.

[House Study Bill 569](#)

State Government: Roberts, Chair; Bukta, Paulsen, T. Taylor and Tomenga.

[House Study Bill 570](#)

Public Safety: Tjepkes, Chair; Eichhorn and R. Olson.

[House Study Bill 571](#)

Public Safety: Tjepkes, Chair; Baudler and Bell.

[House Study Bill 572](#)

Veterans Affairs: Hutter, Chair; Alons and Quirk.

[House Study Bill 573](#)

Veterans Affairs: Hutter, Chair; Quirk and Watts.

[House Study Bill 574](#)

Veterans Affairs: Alons, Chair; Freeman and Whitead.

[House Study Bill 578](#)

Commerce, Regulation and Labor: Sands, Chair; Dix and Shomshor.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 580](#) Education

Relating to education funding by providing for the establishment of the state percent of growth for purposes of the state school foundation program and providing an applicability date.

H.S.B. 581 Veterans Affairs

Concerning the minimum balance necessary in order to expend funds from the veterans trust fund.

H.S.B. 582 Transportation

Relating to scheduled fines for violations of motor carrier safety rules.

H.S.B. 583 Human Resources

Providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date.

H.S.B. 584 Human Resources

Relating to the medical assistance program, including eligibility requirements for adults and provider overpayment rate adjustments.

H.S.B. 585 Human Resources

Relating to income withholding under the child support recovery program.

H.S.B. 586 Environmental Protection

Eliminating certain duties of the department of natural resources.

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 ADMINISTRATION AND RULES

Committee Bill (Formerly [House Study Bill 511](#)), to approve and confirm the appointment of the Citizens' Aide.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2006.

COMMITTEE ON EDUCATION

Committee Bill (Formerly [House File 2085](#)), relating to the state of Iowa scholarship program administered by the college student aid commission and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** January 25, 2006.

RESOLUTIONS FILED

[HCR 103](#), by Committee on Administration and Rules, a concurrent resolution to approve and confirm the appointment of the Citizens' Aide.

Placed on the **Calendar**.

[HR 105](#), by Gipp and Murphy, a resolution honoring James L. Brimeyer, the 2005 Iowa Professor of the Year.

Laid over under **Rule 25**.

[HR 106](#), by Tymeson, Drake, Gaskill, Wilderdyke, Jacoby, Alons, S. Olson, Kurtenbach, Paulsen, Dandekar, Shomshor, Dix, Upmeyer, De Boef, Heaton, Baudler, Miller, Huser, Hutter, D. Taylor, Watts, Reasoner, Tjepkes, Boal, Hoffman, Jacobs, Granzow, Chambers, Struyk, Dolecheck, Eichhorn, Huseman, Pettengill, Whitaker, Berry, Tomenga, Greiner, Gipp, Rants and Kaufmann, a resolution to recognize and honor Iowa's military veterans band.

Laid over under **Rule 25**.

[HR 107](#), by Kaufmann, Gipp, Upmeyer, Frevert, Thomas and Jacoby, a resolution congratulating Iowa's community colleges in their 40th anniversary year.

Laid over under **Rule 25**.

[HR 108](#), by Wilderdyke, a resolution commending Iowa sheriffs, sheriff's deputies and peace officers for their efforts in the enactment of legislation reducing the number of methamphetamine laboratories in Iowa.

Laid over under **Rule 25**.

AMENDMENT FILED

[H-8004](#) [H.F. 2045](#) Mascher of Johnson

On motion by Gipp of Winneshiek the House adjourned at 5:54 p.m., until 8:45 a.m., Wednesday, January 26, 2006.