

PROOF

STATE OF IOWA

House Journal

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JOURNAL OF THE HOUSE

Thirtieth-first Calendar Day - Twenty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 8, 2006

The House met pursuant to adjournment at 8:45 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Householder, pastor of the Lutheran Church of Hope, West Des Moines. He was the guest of Representative Scott Raecker of Polk County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, February 7, 2006 was approved.

INTRODUCTION OF BILLS

[House File 2295](#), by Paulsen, a bill for an act relating to sales and use tax exemptions for commercial breeders of canines.

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

[House File 2296](#), by Roberts, a bill for an act relating to the tagging and possession of deer taken during certain deer hunting seasons.

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

[House File 2297](#), by Mascher, a bill for an act relating to the requirements for approved practitioner and administrator preparation programs and coaching authorization courses.

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

[House File 2298](#), by T. Taylor, a bill for an act prohibiting an inmate committed to the custody of the department of corrections

from being housed in a facility under the control of a private sector, nongovernmental entity.

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

[House File 2299](#), by Ford, a bill for an act making an appropriation for legal services for persons in poverty grants.

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

[House File 2300](#), by Mascher, a bill for an act relating to dental health, by establishing a dentist recruitment program, establishing a revolving fund, and making an appropriation.

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

[House File 2301](#), by Petersen, a bill for an act relating to the training of mandatory reporters of abuse by requiring the training to address identification of domestic abuse.

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

[House File 2302](#), by Mascher, a bill for an act providing that the department of administrative services adopt rules promoting state employment job sharing and flex- time policies.

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

[House File 2303](#), by Whitaker, a bill for an act relating to providing tax information to persons in the national guard and armed forces military reserve for serving on federal active duty and including an effective date.

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

[House File 2304](#), by Mascher, a bill for an act restricting commitments at the Iowa juvenile home to female children.

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

[House File 2305](#), by Mascher, a bill for an act relating to the creation of a pharmaceutical purchasing pool for small businesses and governmental entities.

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

[House File 2306](#), by Ford, a bill for an act making an appropriation for drug courts.

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

On motion by Gipp of Winneshiek, the House was recessed at 8:51 a.m., until 4:15 p.m.

AFTERNOON SESSION

The House reconvened at 4:53 p.m., Speaker Rants in the chair.

INTRODUCTION OF BILLS

[House File 2307](#), by D. Olson, a bill for an act establishing a regional learning academy construction grant program and making an appropriation.

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

[House File 2308](#), by Carroll, a bill for an act exempting military duty and retirement pay received from the federal government by members of the armed forces from the individual income tax and including a retroactive applicability date provision.

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

[House File 2309](#), by Tjepkes, a bill for an act creating the community foundation fund, providing an Iowa individual income tax checkoff for the community foundation fund, making an appropriation, and providing for the Act's implementation.

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

[House File 2310](#), by D. Olson, a bill for an act relating to an economic development informational internet website.

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

[House File 2311](#), by Whitaker, a bill for an act relating to the confinement of a prisoner in a county jail or municipal holding facility.

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

[House File 2312](#), by Carroll, a bill for an act relating to electronic health records.

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

[House File 2313](#), by D. Olson, a bill for an act establishing an efficiency in higher education Act.

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

[House File 2314](#), by Tymeson, a bill for an act relating to public land included in territory subject to voluntary annexation.

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

[House File 2315](#), by Whitaker, a bill for an act concerning direct deposit of employee pay by employers.

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

[House File 2316](#), by Horbach, a bill for an act to make electronic mail and telephone billing records of law enforcement agencies confidential if that information is part of an active investigation.

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

[House File 2317](#), by Miller, a bill for an act providing for the creation of an educational, interactive internet website relating to Iowa's African-American heritage and making an appropriation.

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

House File 2318, by Reasoner, a bill for an act relating to hunting on hunting preserves.

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

House File 2319, by committee on human resources, a bill for an act relating to the personal needs allowance amount for residents of nursing facilities under the medical assistance program.

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

House File 2320, by committee on human resources, a bill for an act relating to the community empowerment initiative and making an appropriation.

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

House File 2321, by committee on human resources, a bill for an act providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date.

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

House File 2322, by committee on natural resources, a bill for an act establishing the public hunting, parks, and trails program, and making appropriations to the program and to the conservation practices revolving loan fund, and providing an effective date.

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

House File 2323, by committee on state government, a bill for an act 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, and providing an effective date.

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

CONSIDERATION OF BILLS
Appropriations Calendar

House File 2238, a bill for an act 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, was taken up for consideration.

Watts of Dallas asked and received unanimous consent to withdraw amendment [H-8013](#) filed by him on February 7, 2006, placing out of order the following amendments to amendment [H-8013](#):

Amendment [H-8015](#) filed by Watts of Dallas from the floor
Amendment [H-8017](#) filed by Hogg of Linn from the floor.

May of Dickinson 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. 2238](#))

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	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, 1:

Zirkelbach

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

Regular Calendar

House File 2245, a bill for an act concerning the Iowa public employees' retirement system and the statewide fire and police retirement system, and providing an effective and retroactive applicability date, was taken up for consideration.

Drake 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. 2245**)

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	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 MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2238** and **2245**.

[HOUSE FILE 2104](#) REREFERRED

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

[HOUSE FILE 2217](#) REREFERRED

The Speaker announced that [House File 2217](#), previously referred to committee on **economic growth** was rereferred to committee on **state government**.

SPONSOR WITHDRAWN

[\(House File 2230\)](#)

Reichert of Muscatine requested to be withdrawn as a sponsor of [House File 2230](#).

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\495 Herbert and Arlene Dierksen Schnoor, De Witt – For celebrating their 60th wedding anniversary.
- 2006\496 Grace Kinney, Grand Mound – For celebrating her 80th birthday.
- 2006\497 Gary and Matilda Vermeer, Pella – For celebrating their 65th wedding anniversary.
- 2006\498 Cornie and Gladys Vos, Pella – For celebrating their 65th wedding anniversary.
- 2006\499 Marvin and Joann Blom, Pella – For celebrating their 50th wedding anniversary.
- 2006\500 Nelson and Margaret Roozeboom, Pella – For celebrating their 50th wedding anniversary.
- 2006\501 Maynard and Dorothy DeVries, Pella – For celebrating their 50th wedding anniversary.
- 2006\502 Ernest and Donna Parmer, Derby – For celebrating their 50th wedding anniversary.
- 2006\503 Ernest and Nadine Church, Chariton – For celebrating their 50th wedding anniversary.
- 2006\504 Glen and Jeannine Visser, Harvey – For celebrating their 50th wedding anniversary.
- 2006\505 Beatrice Kaska, Fairfield – For celebrating her 98th birthday.
- 2006\506 Mae Ensminger, Fairfield – For celebrating her 103rd birthday.
- 2006\507 Myrtle Carmichael, Fairfield – For celebrating her 103rd birthday.
- 2006\508 Ken and Peg Newell, Fairfield – For celebrating their 70th wedding anniversary.
- 2006\509 Andrew Benson, Long Grove – For being chosen to serve on the State of Iowa Youth Action Committee (SIYAC).

SUBCOMMITTEE ASSIGNMENTS

[House File 2075](#)

Commerce, Regulation and Labor: May, Chair; Jacoby and Jenkins.

[House File 2084](#)

Commerce, Regulation and Labor: Jacobs, Chair; Jacoby and Sands.

[House File 2154](#)

Economic Growth: Lukan, Chair; May and Reichert.

[House File 2155](#)

Economic Growth: Wise, Chair; May and D. Olson.

[House File 2226](#)

Economic Growth: Jenkins, Chair; Schickel, Soderberg, Thomas and Wise.

[House File 2237](#)

Human Resources: Tymeson, Chair; Lukan and Smith.

[House File 2247](#)

Commerce, Regulation and Labor: Sands, Chair; Jacobs and Pettengill.

[House File 2255](#)

Human Resources: Granzow, Chair; Berry and Tymeson.

[House File 2260](#)

Transportation: Lukan, Chair; Mertz and S. Olson.

[House File 2275](#)

Economic Growth: Lukan, Chair; Granzow and Miller.

[House File 2278](#)

Economic Growth: Jenkins, Chair; Dandekar, Reichert, Schickel and Soderberg.

[House File 2279](#)

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

House File 2291

Local Government: Fallon, Chair; Rasmussen and Schickel.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

House Study Bill 623

State Government: Jacobs, Chair; Boal, Gaskill, Greiner, T. Taylor, Upmeyer and Wendt.

House Study Bill 624

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

House Study Bill 625

State Government: Drake, Chair; Hutter, Lensing, Quirk and Tomenga.

House Study Bill 626

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

House Study Bill 627

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

House Study Bill 629

Economic Growth: Jenkins, Chair; Schickel, Soderberg, Thomas and Wise.

House Study Bill 630

Economic Growth: Jenkins, Chair; Schickel, Soderberg, Thomas and Wise.

House Study Bill 631

Public Safety: Tjepkes, Chair; De Boef and Reasoner.

House Study Bill 632

Public Safety: Horbach, Chair; Lykam and Rayhons.

House Study Bill 633

Transportation: Tjepkes, Chair; Arnold, Bukta, Cohoon, Huseman, Rasmussen and Whitaker.

House Study Bill 640

Economic Growth: Thomas, Chair; Lalk and Wilderdyke.

House Study Bill 641

Economic Growth: Lukan, Chair; Lalk and Miller.

House Study Bill 642

Economic Growth: Struyk, Chair; Anderson, D. Olson, Schueller and Soderberg.

House Study Bill 643

Human Resources: Granzow, Chair; Hunter and Hutter.

House Study Bill 644

Human Resources: Carroll, Chair; Heddens, Roberts, Upmeyer and Wendt.

House Study Bill 645

Human Resources: Wilderdyke, Chair; Roberts and Smith.

House Study Bill 646

Human Resources: Tomenga, Chair; Hutter and Smith.

House Study Bill 647

Human Resources: Roberts, Chair; Foege and Wilderdyke.

House Study Bill 648

Human Resources: Upmeyer, Chair; Berry and Carroll.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

H.S.B. 650 Government Oversight

Prohibit the use of state property for certain fundraising purposes.

H.S.B. 651 Ways and Means

Relating to a capital gains deduction in computing the personal income tax and including an effective and retroactive applicability date provision.

H.S.B. 652 Ways and Means

Exempting certain capital gains from taxation under the individual income tax and including an effective and retroactive applicability date provision.

H.S.B. 653 Ways and Means

Relating to a deduction for capital gains in computing individual income tax and including an effective and retroactive applicability date provision.

H.S.B. 654 Ways and Means

Relating to the determination of the holding period for purposes of certain capital gains under the individual income tax and including effective and retroactive applicability date provisions.

H.S.B. 655 Ways and Means

Exempting from sales and use taxes certain equipment used in transmitting telecommunications services.

H.S.B. 656 Human Resources

Authorizing an approved nursing education program to initiate criminal and child and dependent adult abuse record checks of students and prospective students regarding the students' involvement with the clinical education component of the program.

H.S.B. 657 Human Resources

Relating to certain human services programs directed to families with a child with a disability and to persons with a disability and providing an effective date.

H.S.B. 658 Government Oversight

Relating to the regulation of area education agencies and local education agencies wishing to participate in the medical assistance program.

H.S.B. 659 Agriculture

Relating to suppliers and dealers of agricultural and industrial, construction, or utility equipment, and providing an effective date.

H.S.B. 660 Commerce, Regulation and Labor

Relating to the collection of liquidated debts owed to and various authorizations issued by the labor commissioner.

H.S.B. 661 Agriculture

Relating to establishments having custody of companion animals, by providing for their regulation, and providing for fees and penalties.

H.S.B. 662 Agriculture

Relating to devices used for weighing and measuring, by providing for the regulation of the devices, motor vehicle fuel, and persons who service the devices, and providing for fees and penalties.

H.S.B. 663 Human Resources

Relating to requirements of the department of human services involving electronic benefits transfer and authorization for certain employee positions and providing an effective date.

H.S.B. 664 State Government

Relating to the filing of reports and statements with the ethics and campaign disclosure board and the use of certain resources for political campaign purposes.

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 EDUCATION

Committee Bill (Formerly [House Study Bill 522](#)), relating to public access to school district financial information, providing for the establishment and distribution of a financial report card by school districts, and providing for the posting of information relating to outstanding school district levies.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2006.

COMMITTEE ON HUMAN RESOURCES

Committee Bill (Formerly [House File 2042](#)), relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 7, 2006.

Committee Bill (Formerly [House File 2057](#)), relating to the personal needs allowance amount for residents of nursing facilities under the medical assistance program.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2006.

Committee Bill (Formerly [House File 2106](#)), 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.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 7, 2006.

Committee Bill (Formerly [House Study Bill 167](#)), eliminate certain restrictions on the authority of a physician assistant to prescribe certain schedule II controlled substances.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2006.

Committee Bill (Formerly [House Study Bill 560](#)), relating to the community empowerment initiative and making an appropriation.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2006.

Committee Bill (Formerly [House Study Bill 583](#)), providing for the establishment of a nutrition and physical activity community obesity prevention grant program, and providing a contingent effective date.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2006.

Committee Bill (Formerly [House Study Bill 585](#)), relating to income withholdings under the child support recovery program.

Fiscal Note is not required.

Recommended **Do Pass** February 7, 2006.

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly [House File 2083](#)), prohibiting a person or club holding a liquor control license or retail wine or beer permit from distributing alcohol in a vaporized form and making penalties applicable.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 7, 2006.

Committee Bill (Formerly [House Study Bill 569](#)), 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.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 7, 2006.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly [House File 2132](#)), relating to committing disorderly conduct near a military funeral, memorial service, funeral procession, or burial, and providing penalties.

Fiscal Note is not required.

Recommended **Do Pass** February 8, 2006.

Committee Bill (Formerly [House File 2117](#)), 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.

Fiscal Note is required.

Recommended **Do Pass** February 8, 2006.

Committee Bill (Formerly [House File 2088](#)), exempting active duty pay of members of the armed forces, armed forces military reserve, and national guard and including a retroactive applicability date provision.

Fiscal Note is required.

Recommended **Do Pass** February 8, 2006.

Committee Bill (Formerly [House File 2081](#)), relating to eligibility for the military service property tax credit and exemption and including effective and applicability date provisions.

Fiscal Note is required.

Recommended **Do Pass** February 8, 2006.

Committee Bill (Formerly [House Study Bill 574](#)), relating to the process utilized in assessing residents of health care facilities for veterans program benefits.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 8, 2006.

RESOLUTION FILED

[HR 114](#), by D. Olson, a resolution relating to expediting the process for identifying a deceased person.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8014	H.F. 2244	Hutter of Scott
H-8016	H.F. 2171	Heddens of Story
		Lukan of Dubuque

On motion by Gipp of Winneshiek the House adjourned at 5:15 p.m., until 8:45 a.m., Thursday, February 9, 2006.