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**STATE OF IOWA**

**House Journal**

**MONDAY, FEBRUARY 20, 2006**

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Printed daily by the State of Iowa during the sessions of the General Assembly.  
An official corrected copy is available for reference in the office of the Chief Clerk.  
(The official bound copy will be available after a reasonable time upon adjournment.)

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## JOURNAL OF THE HOUSE

Forty-third Calendar Day - Twenty-ninth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Monday, February 20, 2006

The House met pursuant to adjournment at 1:12 p.m., Speaker Rants in the chair.

Prior to convening Madison DeWitt, six year old Granddaughter of Representative Mike May of Dickinson, sang "You're A Grand Ol' Flag" and "Yankee Doodle Dandy". She was accompanied by her parents, Lisa and Lucas DeWitt from Spencer.

Prayer was offered by Reverend Jim Howland, pastor of the First United Presbyterian Church, Winterset. He was the guest of Representative Jodi Tymeson from Madison County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the SODA (Students Opposed to Drugs and Alcohol) from Linn-Mar Community Schools in Marion. They were the guests of Representative Swati Dandekar and Representative Jeff Elgin of Linn County.

The Journal of Thursday, February 16, 2006 was approved.

### INTRODUCTION OF BILLS

[House File 2434](#), by Hogg, a bill for an act relating to insurance coverage for certain child care providers and providing an applicability date.

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

[House File 2435](#), by Huser, a bill for an act modifying water service requirements for rural water providers.

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

[House File 2436](#), by Whitaker, Murphy, Bukta, D. Taylor, Mertz, Whitead, Lykam, Shomshor, Reichert, Pettengill, Jacoby, Swaim, Wise, Petersen, Kressig, R. Olson, Bell, Dandekar, Schueller, Wendt, Oldson, T. Taylor, Reasoner and Gaskill, a bill for an act requiring certain employees or operators of a licensed substance abuse program or facility to be mandatory reporters of dependent adult abuse and making a penalty applicable.

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

[House File 2437](#), by Murphy, a bill for an act relating to the development, maintenance, and promotion of a credit transfer and articulation internet website by the state board of regents and making an appropriation.

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

[House File 2438](#), by Hogg, a bill for an act requiring the department of human services to perform abuse registry and criminal record checks for certain unregistered providers of child care.

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

[House File 2439](#), by Whitaker, Frevert and Kuhn, a bill for an act relating to organic food by providing for the establishment of a center, a council, and a fund.

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

[House File 2440](#), by Hogg, a bill for an act relating to the state child care assistance program by providing for implementation of transitional eligibility period provisions.

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

[House File 2441](#), by Carroll and Huser, a bill for an act relating to the assessment for property taxation purposes of machinery, equipment, and fixtures used at concrete mixing facilities and including effective date and retroactive applicability date provisions.

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

[House File 2442](#), by Petersen, Wise, Fallon, T. Taylor, Smith, D. Olson, Heddens, Frevert, Gaskill, R. Olson, Pettengill, Mascher, Bukta, Murphy, Schueller, Berry, Jacoby, Oldson, Dandekar, Mertz and Whitaker, a bill for an act providing for a public hearing procedure prior to the selection of a location for services accessed by the public, and containing an applicability provision.

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

[House File 2443](#), by Ford, a bill for an act relating to the consideration of a previous conviction for, deferred judgment for, or plea of guilty to a domestic abuse assault in determining whether a domestic abuse assault is a second or subsequent offense.

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

[House File 2444](#), by Alons, Baudler, Struyk, Kurtenbach, Carroll, De Boef, Watts, Boal and Chambers, a bill for an act relating to minors taken into custody or arrested for public intoxication or possession of alcohol and parental notification.

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

[House File 2445](#), by committee on education, 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 and providing an effective date.

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

[House File 2446](#), by Dix, Kurtenbach, S. Olson and Watts, a bill for an act relating to noncitizens of the United States including restricting the allocation of housing trust fund moneys, prohibiting the servicing of first mortgages, relating to employment, and providing for penalties.

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

[House File 2447](#), by committee on government oversight, a bill for an act modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation.

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

#### BILL SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on February 17, 2006, he approved and transmitted to the Secretary of State the following bill:

[House File 864](#), an Act providing an exemption from and a refund of sales and use taxes on materials and services used in the construction of a building or addition to a building to be used as a collaborative educational facility and including effective and applicability date provisions.

#### 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\628 | Mary Horine, Nevada – For celebrating her 90 <sup>th</sup> birthday.   |
| 2006\629 | Bernard and Joan Barry, Dubuque – For celebrating their 50 <sup>th</sup> wedding anniversary.                    |
| 2006\630 | Larkin Accinelli, Dubuque – For winning 1 <sup>st</sup> place in the High School Mathematical Modeling Contest.  |
| 2006\631 | Nick Ruther, Dubuque – For winning 1 <sup>st</sup> place in the High School Mathematical Modeling Contest.       |
| 2006\632 | Jamin Hitchcock, Dubuque – For winning 1 <sup>st</sup> place in the High School Mathematical Modeling Contest.   |
| 2006\633 | Stephen Longfield, Dubuque – For winning 1 <sup>st</sup> place in the High School Mathematical Modeling Contest. |
| 2006\634 | Hessel De Jong, Rock Rapids – For celebrating his 90 <sup>th</sup> birthday.                                     |

- 2006\635 Mr. and Mrs. Harry Masterson, Davenport – For celebrating their 90<sup>th</sup> birthdays.
- 2006\636 Mr. and Mrs. James Hendren, Davenport – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\637 Dan DeBettignies, Grinnell – For being named Master Editor – Publisher by the Iowa Newspaper Association.
- 2006\638 Harlan and Joan Heitman, Williamsburg – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\639 Luanna Heitshusen, South Amana – For celebrating her 80<sup>th</sup> birthday.
- 2006\640 Valburga Streigle, Delta – For celebrating her 95<sup>th</sup> birthday.
- 2006\641 Minnie Pearl Burdock, What Cheer – For celebrating her 101<sup>st</sup> birthday.

SUBCOMMITTEE ASSIGNMENTS

**[House File 2104](#) Reassigned**

Public Safety: Sands, Chair; Chambers and Reasoner.

**[House File 2335](#)**

Judiciary: Tymeson, Chair; Anderson and Swaim.

**[House File 2341](#)**

Environmental Protection: Kurtenbach, Chair; Horbach and Kressig.

**[House File 2371](#)**

Education: Paulsen, Chair; Bukta and Tomenga.

**[House File 2391](#)**

Education: Paulsen, Chair; Chambers and Cohoon.

**[House File 2399](#)**

Natural Resources: Frevert, Chair; Lukan and J.R. Van Fossen.

**[House File 2401](#)**

Education: Chambers, Chair; Tymeson and Wendt.

[House File 2406](#)

Natural Resources: May, Chair; Davitt, Rayhons, D. Taylor and Upmeyer.

[House File 2416](#)

Education: Roberts, Chair; Boal and Wendt.

[House File 2417](#)

Education: Chambers, Chair; Boal and Oldson.

[House File 2419](#)

Education: Dolecheck, Chair; Soderberg and Winckler.

[House File 2421](#)

Education: Dolecheck, Chair; Boal and Ford.

[House File 2428](#)

Education: Schickel, Chair; Cohoon and Dolecheck.

[House File 2431](#)

Education: Chambers, Chair; Mascher and Tymeson.

[House File 2433](#)

Education: Tymeson, Chair; Chambers and Mascher.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 144](#) Reassigned

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

[House Study Bill 208](#) Reassigned

Judiciary: Tymeson, Chair; Anderson and Swaim.

[House Study Bill 696](#)

Education: Tymeson, Chair; Chambers and Wendt.

[House Study Bill 699](#)

Agriculture: Drake, Chair; Lalk and Mertz.

[House Study Bill 700](#)

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

[House Study Bill 704](#)

Education: Tymeson, Chair; Chambers and Oldson.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 705 Appropriations](#)

Relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources and providing fees.

[H.S.B. 706 Appropriations](#)

Relating to and making appropriations to the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters, and providing effective and retroactive applicability dates.

[H.S.B. 707 Appropriations](#)

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 and including effective and retroactive applicability dates.

[H.S.B. 708 Appropriations](#)

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

[H.S.B. 709 Ways and Means](#)

Relating to the percentage of assessed value for property tax purposes at which apartments, mobile home parks, manufactured home



communities, land-leased communities, and assisted living facilities are taxed and including a retroactive applicability date provision.

### **H.S.B. 710 Local Government**

Relating to the powers and duties of the county treasurer and including effective and applicability date provisions.

#### COMMITTEE RECOMMENDATIONS

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

MARGARET A. THOMSON  
Chief Clerk of the House

#### COMMITTEE ON COMMERCE, REGULATION AND LABOR

**Committee Bill** (Formerly [House Study Bill 578](#)), relating to the prepayment of agricultural loans secured by a real estate mortgage.

Fiscal Note is not required.

Recommended **Do Pass** February 16, 2006.

#### COMMITTEE ON ECONOMIC GROWTH

**Committee Bill** (Formerly [House Study Bill 530](#)), relating to a targeted jobs withholding tax credit to be used for funding improvements in certain urban renewal areas.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2006.

**Committee Bill** (Formerly [House Study Bill 629](#)), allowing cities to create enterprise zones near modes of transportation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 16, 2006.

#### COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly [House File 2293](#)), relating to adoption and termination of jurisdiction of a court involving prior child support and custody proceedings.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2006.

**Committee Bill** (Formerly [House Study Bill 656](#)), 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.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2006.

#### COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly [House Study Bill 593](#)), updating the Code references to the Internal Revenue Code and including retroactive applicability and effective date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 20, 2006.

**Committee Bill** (Formerly [House Study Bill 654](#)), 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.

Fiscal Note is not required.

Recommended **Do Pass** February 20, 2006.

#### RESOLUTIONS FILED

[HR 125](#), by Alons, Kurtenbach, Carroll and Watts, a resolution urging the United States Congress to repeal legislation which preempts state laws relating to the mercury content of vaccines.

Laid over under **Rule 25**.

[HR 126](#), by Alons, Hutter, Frevert, Freeman, Pettengill, Wendt, Arnold, De Boef, Jacoby, Kurtenbach, Carroll, Watts, Chambers, D. Olson, Lukan, Hoffman, Eichhorn, Huseman, Sands, Soderberg, Wilderdyke, Tjepkes and Heaton, a resolution to honor the service of the 185<sup>th</sup> Air Refueling Wing, Iowa Air National Guard.

Laid over under **Rule 25**.

[HR 127](#), by Jochum, Wessel-Kroeschell, Mascher, Winckler and Lensing, a resolution requesting the legislative council to create a task force to develop a plan for the state to assume responsibility for administering adult mental health, mental retardation, developmental disabilities, and brain injury (MH/MR/DD/BI) services.

Laid over under **Rule 25**.

On motion by Gipp of Winneshiek the House adjourned at 1:24 p.m., until 8:45 a.m., Tuesday, February 21, 2006.