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**STATE OF IOWA**

**House Journal**

**THURSDAY, FEBRUARY 23, 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

Forty-sixth Calendar Day - Thirty-second Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, February 23, 2006

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

Prayer was offered by Reverend Tom Clegg, pastor of Point of Grace Church, Waukee. He was the guest of Representative Ralph Watts of Dallas County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, February 22, 2006 was approved.

### INTRODUCTION OF BILLS

[House File 2495](#), by Alons, Rayhons, Drake, Jacobs, Soderberg, May, Heaton, Roberts, Dolecheck, Jones and Kurtenbach, a bill for an act relating to the definition of recycling property for purposes of the property tax exemption for pollution-control or recycling property and providing an applicability date.

Read first time and referred to committee on **environmental protection**.

[House File 2496](#), by Hogg, Foege and Mascher, a bill for an act relating to education funding by increasing the regular program foundation base per pupil, and providing an applicability date.

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

[House File 2497](#), by Struyk, Huser, Wise, Upmeyer and Heaton, a bill for an act relating to economic development by creating a bioscience funding board and bioscience fund, providing tax incentives under the high quality job creation Act, and providing an

exempt activity for foreign corporations, and including effective and retroactive applicability date provisions.

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

[House File 2498](#), by Mascher, a bill for an act making discrimination between insureds on the basis of sex or marital status an unfair insurance practice.

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

[House File 2499](#), by Mascher, a bill for an act relating to temporary county confinement of persons committed to the custody of the department of corrections.

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

[House File 2500](#), by Fallon, a bill for an act relating to setback distance requirements that apply to residences which are constructed in proximity to animal feeding operation structures and making penalties applicable.

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

[House File 2501](#), by Struyk, Huser and McCarthy, a bill for an act relating to classification of apartment buildings for purposes of property taxation and including effective date and retroactive applicability date provisions.

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

[House File 2502](#), by McCarthy, a bill for an act relating to the public exposure of certain body parts of a person, and providing a penalty.

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

[House File 2503](#), by committee on agriculture, a bill for an act relating to confinement feeding operations by requiring the

submission of updated manure management plans on a multiyear basis, providing for fees, and making penalties applicable.

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

[House File 2504](#), by committee on agriculture, a bill for an act relating to suppliers and dealers of agricultural and industrial, construction, or utility equipment, and providing an effective date.

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

[House File 2505](#), by committee on commerce, regulation and labor, a bill for an act authorizing the labor commissioner to represent laborers or employees seeking wage claims in pending receivership or seizure actions and providing an applicability date.

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

[House File 2506](#), by committee on commerce, regulation and labor, a bill for an act relating to the issuance of identity theft passports by the attorney general.

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

[House File 2507](#), by committee on commerce, regulation and labor, a bill for an act relating to priority of labor or wage claims over other debts when an employer's property is placed in receivership or otherwise seized by creditors.

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

[House File 2508](#), by committee on commerce, regulation and labor, a bill for an act relating to direct deposit of wages and creating an exception to the payday information employers are required to provide each employee under the Iowa wage payment collection law and providing for retroactive applicability.

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

[House File 2509](#), by committee on human resources, a bill for an act relating to financial education for applicants for and participants in the family investment program.

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

[House File 2510](#), by committee on judiciary, a bill for an act relating to involuntary hospitalization proceedings for chronic substance abusers and persons with mental illness.

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

[House File 2511](#), by committee on local government, a bill for an act relating to county, city, and school board publication of allowed claims.

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

[House File 2512](#), by committee on state government, a bill for an act relating to the jurisdiction of the ethics and campaign disclosure board and including effective date and retroactive applicability provisions and subjecting violators to remedies and penalties.

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

[House File 2513](#), by committee on state government, a bill for an act relating to campaign funding and reporting.

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

[House File 2514](#), by committee on state government, a bill for an act relating to the real estate education fund.

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

[House File 2515](#), by committee on transportation, a bill for an act relating to obstructions in highways and providing penalties.

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

[House File 2516](#), by R. Olson, a bill for an act relating to the reconsideration of the sentence of a person convicted of a felony.

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

[House File 2517](#), by R. Olson, Schueller, Quirk, Shomshor, Tjepkes, Granzow, Jones, Upmeyer, S. Olson, Lalk, De Boef, Chambers, Alons, Arnold, Van Engelenhoven, Tomenga, Sands, Wilderdyke, Drake, Roberts, Lykam, Kurtenbach, J.R. Van Fossen, Reasoner, Bell, Baudler and Kaufmann, a bill for an act concerning horse racing by providing for minimum racing days and arbitration for resolving disputes on horse racing agreements among representatives of horse breeds.

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

[House File 2518](#), by R. Olson, a bill for an act relating to a peace officer's statements to a person operating a noncommercial motor vehicle and holding a commercial driver's license who has been requested to submit to a chemical test in an operating-while-intoxicated case.

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

[House File 2519](#), by R. Olson, a bill for an act relating to assessing a civil penalty when a person receives a deferred judgment.

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

[House File 2520](#), by R. Olson, a bill for an act relating to grounds for disqualification from operating a commercial motor vehicle.

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

#### [HOUSE FILE 2024](#) WITHDRAWN

Wilderdyke of Harrison asked and received unanimous consent to withdraw [House File 2024](#) from further consideration by the House.

## 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\698 Philomena Cibula, Tama – For celebrating her 80<sup>th</sup> birthday.
- 2006\699 Mary Prosser, Conrad – For celebrating her 90<sup>th</sup> birthday.
- 2006\700 Ben Jacobson, Sioux City – For his outstanding career with the UNI Panthers Men's Basketball Team, becoming the first player in UNI history to reach 1000 career points, for being voted to the National Association of Basketball Coaches All-District 12 First Team, and serving as a great role model for all young, aspiring student athletes, especially those from Sioux City.
- 2006\701 Harry Gardner, Toledo – For celebrating his 80<sup>th</sup> birthday.
- 2006\702 Murel and Ellen McCreary, Toledo – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\703 Fay and Margaret Repp, Newton – For celebrating their 60<sup>th</sup> wedding anniversary.

## SUBCOMMITTEE ASSIGNMENTS

[House File 2264](#)

Local Government: Rasmussen, Chair; D. Olson and Van Engelenhoven.

[House File 2389](#)

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

[House File 2436](#)

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

[House File 2441](#)

Ways and Means: Carroll, Chair; Huser and Struyk.

[House File 2446](#)

Commerce, Regulation and Labor: Dix, Chair; Petersen, Sands, D. Taylor and Watts.

[House File 2452](#)

Human Resources: Roberts, Chair; Carroll and Hunter.

[House File 2455](#)

Ways and Means: Struyk, Chair; Schueller and Soderberg.

[House File 2458](#)

Local Government: Rasmussen, Chair; Arnold and Huser.

[House File 2460](#)

Ways and Means: Soderberg, Chair; Jochum and Struyk.

[House File 2473](#)

Judiciary: Anderson, Chair; Swaim and J.R. Van Fossen.

[House File 2488](#)

Education: Soderberg, Chair; Bukta and Kaufmann.

[House File 2489](#)

Commerce, Regulation and Labor: May, Chair; Jacoby, Pettengill, Soderberg and Watts.

[House File 2495](#)

Environmental Protection: Kurtenbach, Chair; De Boef and Pettengill.

[House File 2497](#)

Economic Growth: Struyk, Chair; Hoffman and Thomas.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 727](#)

Ways and Means: Paulsen, Chair; Carroll, Kurtenbach, Shultz and Winckler.

[House Study Bill 731](#)

Education: Tymeson, Chair; Raecker and Wise.

[House Study Bill 732](#)

Economic Growth: Jenkins, Chair; Schickel and Wise.

[House Study Bill 733](#)

Economic Growth: Wise, Chair; Jenkins and Soderberg.

[House Study Bill 734](#)

Education: Paulsen, Chair; Chambers and Wendt.

[House Study Bill 735](#)

Education: Chambers, Chair; Cohoon and Tymeson.

[House Study Bill 736](#)

Agriculture: Greiner, Chair; Huseman and Reasoner.

[House Study Bill 737](#)

Public Safety: Alons, Chair; Chambers and Lykam.

[House Study Bill 738](#)

Public Safety: McCarthy, Chair; Eichhorn and Tjepkes.

[House Study Bill 739](#)

Education: Boal, Chair; Chambers and Wise.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 740](#) **Commerce, Regulation and Labor**

Relating to licensing requirements to offer viatical settlement contracts.

[H.S.B. 741](#) **Commerce, Regulation and Labor**

Relating to deficiencies in the construction or design of residential real property.

[H.S.B. 742](#) **Commerce, Regulation and Labor**

Relating to laws administered by the labor commissioner regarding the state elevator code and boiler and pressure vessel safety.

**H.S.B. 743 Commerce, Regulation and Labor**

Relating to long-distance and shared learning efficiencies and operation, providing for technical and substantive changes relating to the Iowa communication network, and providing for supplementary weighting for shared classes taught via the network.

**H.S.B. 744 Human Resources**

Identifying and prioritizing persons authorized to provide instructions and approval regarding final funeral arrangements.

**H.S.B. 745 Economic Growth**

Relating to bioscience financial assistance and making an appropriation.

**H.S.B. 746 State Government**

Concerning alcoholic beverage control relating to manufacturers providing free cleaning services to retailers and prohibiting wholesalers from providing certain coupons to retailers and making penalties applicable.

**H.S.B. 747 Judiciary**

Relating to medical malpractice insurance closed claim reporting by an insurer providing medical malpractice insurance coverage in Iowa.

**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 APPROPRIATIONS

[House File 2347](#), a bill for an act 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 **Do Pass** February 23, 2006.

**Committee Bill** (Formerly [House Study Bill 729](#)), relating to and making appropriations to the judicial branch.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly [House Study Bill 730](#)), relating to and making appropriations to the justice system and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

## COMMITTEE ON EDUCATION

**Committee Bill** (Formerly [House File 2229](#)), authorizing a school district to share its portion of incremental property taxes with a contiguous school district.

Fiscal Note is not required.

Recommended **Do Pass** February 22, 2006.

**Committee Bill** (Formerly [House Study Bill 620](#)), relating to the state board of education's rules regarding educational technology and telecommunications.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2006.

## COMMITTEE ON ENVIRONMENTAL PROTECTION

**Committee Bill** (Formerly [House Study Bill 586](#)), eliminating certain duties of the department of natural resources.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2006.

**Committee Bill** (Formerly [House Study Bill 722](#)), require manufacturers' systems for the removal, collection, and recovery of mercury-added vehicle switches.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 22, 2006.

COMMITTEE ON HUMAN RESOURCES

**Committee Bill** (Formerly [House File 2108](#)), relating to placement of a juvenile in the state training school or other facility.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

**Committee Bill** (Formerly [House File 2157](#)), requiring the department of human services to implement an electronic payment system for the state child care assistance program.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly [House File 2204](#)), creating a multidimensional treatment level foster care program.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly [House File 2255](#)), relating to notification of parents, guardians, or custodians of children receiving child care from an unregistered child care home when it is determined that child abuse involving the home has occurred.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly [House File 2289](#)), providing for the retention of fees by licensing boards, and the bureau of radiological health, under the purview of the Iowa department of public health, and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

**Committee Bill** (Formerly [House File 2325](#)), creating a county-based brain injury services program and providing for allocation of a previously enacted appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

**Committee Bill** (Formerly [House Study Bill 645](#)), providing for various technical and substantive changes related to health licensing and related public health matters.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 23, 2006.

**Committee Bill** (Formerly [House Study Bill 677](#)), relating to the criminal and abuse registry checks required of a person employed by a licensed health care facility.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

**Committee Bill** (Formerly [House Study Bill 712](#)), providing for the release of certain morbidity and mortality study information to the Iowa healthcare collaborative.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

#### COMMITTEE ON TRANSPORTATION

**Committee Bill** (Formerly [House File 2292](#)), relating to the operation of all-terrain vehicles on the highways for limited purposes.

Fiscal Note is not required.

Recommended **Do Pass** February 23, 2006.

#### RESOLUTIONS FILED

[HCR 106](#), by Huser, Lukan, Kaufmann, Reichert, Dandekar, Struyk, Fallon, Boal, Bukta, Heddens and Thomas, a concurrent resolution establishing a joint ad hoc committee of members of the Senate and House of Representatives to study emergency services in the state.

Laid over under **Rule 25**.

[HCR 107](#), by Roberts, a concurrent resolution relating to the board of correction's evaluation of the Iowa state penitentiary in Fort Madison.

Laid over under **Rule 25**.

On motion by Gipp of Winneshiek the House adjourned at 9:00 a.m., until 9:00 a.m., Friday, February 24, 2006.