

**PROOF**

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**STATE OF IOWA**

**House Journal**

**TUESDAY, FEBRUARY 28, 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

Fifty-first Calendar Day - Thirty-fifth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Tuesday, February 28, 2006

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

Prayer was offered by Tony Kruse, seminary student for the Archdiocese of Dubuque and former clerk to Representative Steve Lukan of Dubuque County.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, February 27, 2006 was approved.

## INTRODUCTION OF BILLS

[House File 2553](#), by May, a bill for an act relating to a property assessment adjustment for persons age sixty-five and older and including retroactive applicability date provisions.

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

[House File 2554](#), by Baudler, a bill for an act relating to the use of aircraft or motor-driven land conveyances while carrying firearms or hunting animals.

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

[House File 2555](#), by Bukta, a bill for an act providing for intact dogs running at large, and providing a penalty.

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

[House File 2556](#), by Kuhn, Hutter, Jacoby, Wessel-Kroeschell, Heddens, Winckler, Hunter, Bukta, R. Olson, Maddox, Schueller, Fallon, D. Taylor, Reasoner, Bell, T. Taylor, Jochum, Swaim and

Oldson, a bill for an act providing an appropriation to review state buildings for compliance with the Americans With Disabilities Act.

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

[House File 2557](#), by committee on appropriations, a bill for an act relating to and making appropriations to the judicial branch.

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

[House File 2558](#), by committee on appropriations, a bill for an act relating to and making appropriations to the justice system and providing an effective date.

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

[House File 2559](#), by committee on agriculture, a bill for an act relating to the delivery of E-85 gasoline to franchisees of motor fuel, and providing an effective date.

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

[House File 2560](#), by committee on agriculture, a bill for an act relating to farm tenancies.

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

[House File 2561](#), by committee on human resources, a bill for an act creating a brain injury services program and providing for allocation of a previously enacted appropriation.

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

[House File 2562](#), by committee on public safety, 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 investigation.

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

[\*\*House File 2563\*\*](#), by committee on agriculture, a bill for an act relating to wine, including the allowable alcohol content of wine and inspection of certain wine permittees.

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

[\*\*House File 2564\*\*](#), by committee on human resources, a bill for an act 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.

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

[\*\*House File 2565\*\*](#), by committee on human resources, a bill for an act requiring the department of human services to implement an electronic payment system for the state child care assistance program.

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

[\*\*House File 2566\*\*](#), by committee on human resources, a bill for an act relating to placement of a juvenile in the state training school or other facility.

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

[\*\*House File 2567\*\*](#), by committee on human resources, a bill for an act creating a multidimensional treatment level foster care program.

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

[\*\*House File 2568\*\*](#), by committee on human resources, a bill for an act 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, providing for the nontransferability of specified fees, and providing effective dates.

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

[House File 2569](#), by committee on transportation, a bill for an act relating to the operation of all-terrain vehicles on the highway for limited purposes.

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

[House File 2570](#), by committee on public safety, a bill for an act relating to powers of the governor to grant reprieves, commutations, and pardons including restoration of rights of citizenship, and to remit fines and forfeitures and including effective and retroactive applicability date provisions.

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

[House File 2571](#), by committee on public safety, a bill for an act relating to the confidentiality and release of an intelligence assessment or intelligence data.

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

[House File 2572](#), by committee on economic growth, a bill for an act establishing a lean manufacturing institute and making an appropriation.

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

[House File 2573](#), by committee on judiciary, a bill for an act creating the penalty of death for the commission of murder in the first degree, kidnapping, and sexual abuse against the same minor, using DNA or fingerprint evidence to identify the perpetrator, providing a penalty, and providing an effective date.

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

[House File 2574](#), by Jenkins, a bill for an act granting responsibility for energy policy in the state to the department of economic development.

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

[House File 2575](#), by De Boef, a bill for an act requiring removal and disposal of deer carcasses located on roads and rights-of-way.

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

[House File 2577](#), by Whitaker, Frevert, Kuhn, Whitead and Gaskill, a bill for an act providing for the regulation of packers and the purchase of swine from producers, and providing for penalties.

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

[House File 2578](#), by R. Olson, a bill for an act relating to the revocation of a person's driver's license or nonresident operating privilege for a defendant who has had a previous conviction or revocation.

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

[House File 2579](#), by Swaim, a bill for an act limiting the number of acres that may be placed in forest and fruit-tree reservations in a county and including effective date and applicability date provisions.

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

[House File 2580](#), by Whitaker, a bill for an act relating to distribution of mental health, mental retardation, and developmental disabilities allowed growth funding to counties.

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

**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\745 Daniel Schmelzer, Elkader – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\746 Harold and Marie Wulfekuhle, Edgewood – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\747 John and Jeannette Bernhard, Monona – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\748 Jim Dougan, Hubbard – For celebrating his 85<sup>th</sup> birthday.
- 2006\749 Florence Rigbers, Ackley – For celebrating her 80<sup>th</sup> birthday.
- 2006\750 Lawrence and Maxine Vercande, Brooklyn – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\751 Shari Showalter, Sheffield – For receiving the 2006 American Cancer Society Lane Adams Quality of Life Award.

**SUBCOMMITTEE ASSIGNMENTS****[House File 2236](#)**

Local Government: Rasmussen, Chair; Hoffman and D. Olson.

**[House File 2435](#)**

Local Government: Arnold, Chair; Huser and J.K. Van Fossen.

**[House File 2472](#)**

Human Resources: Carroll, Chair; Smith and Tymeson.

**[House File 2499](#)**

Public Safety: Horbach, Chair; Lykam and Tjepkes.

**[House File 2500](#)**

Agriculture: Struyk, Chair; Greiner and Swaim.

[House File 2502](#)

Public Safety: McCarthy, Chair; Baudler and Sands.

[House File 2516](#)

Judiciary: Tymeson, Chair; R. Olson and J.R. Van Fossen.

[House File 2518](#)

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

[House File 2519](#)

Judiciary: Tymeson, Chair; R. Olson and J.R. Van Fossen.

[House File 2531](#)

Public Safety: Chambers, Chair; Alons and Heddens.

[House File 2539](#)

Public Safety: Horbach, Chair; Baudler and McCarthy.

[House File 2547](#)

Public Safety: Horbach, Chair; Baudler and McCarthy.

[House File 2552](#)

Economic Growth: Jenkins, Chair; Schueller and Struyk.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 744](#)

Human Resources: Tomenga, Chair; Smith and Wilderdyke.

[House Study Bill 749](#)

Appropriations: Horbach, Chair; Miller and Roberts.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 750](#) **Commerce, Regulation and Labor**

Relating to various matters under the purview of the insurance division of the department of commerce including the securities and regulated industries bureau, insurance premium taxes, the uniform securities Act, insurance division procedures, regulation of insurance



companies and other entities including administrative penalties, motor vehicle service contracts, county and state mutual insurance associations, reciprocal or interinsurance insurers, consolidation, merger and reinsurance contracts, insurance holding company systems, and cemeteries.

**H.S.B. 751 Economic Growth**

Relating to software and technology-related incentives and tax credits and including effective and retroactive applicability date provisions.

**H.S.B. 752 Judiciary**

Containing various provisions relating to business entities, including limited partnerships, corporations, limited liability companies, cooperatives, and nonprofit corporations.

**H.S.B. 753 Human Resources**

Relating to a single point of entry long-term living resources system.

**H.S.B. 754 Public Safety**

Relating to the confinement of a prisoner in a municipal holding facility or county jail.

**H.S.B. 755 Public Safety**

Relating to the rights of peace officers and public safety and emergency personnel.

**H.S.B. 756 Judiciary**

Relating to the voting requirements for actions by the administrative rules review committee.

**H.S.B. 757 Judiciary**

Relating to the assessment of a civil penalty when a person receives a deferred judgment in a criminal proceeding.

## 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 ECONOMIC GROWTH

**Committee Bill** (Formerly [House File 2131](#)), relating to historic preservation and cultural and entertainment district tax credits.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly [House File 2377](#)), creating a regents accelerated career education program and providing job program tax credits.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly [House Study Bill 531](#)), relating to a rural economic development program and fund and making appropriations.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

**Committee Bill** (Formerly [House Study Bill 611](#)), creating an insurance industry new jobs tax credit.

Fiscal Note is required.

Recommended **Do Pass** February 28, 2006.

**Committee Bill** (Formerly [House Study Bill 641](#)), relating to the linked investments for tomorrow Act.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

**Committee Bill** (Formerly [House Study Bill 688](#)), concerning programs and reports related to economic development.

Fiscal Note is not required.

Recommended **Do Pass** February 28, 2006.

## COMMITTEE ON EDUCATION

**Committee Bill** (Formerly [House Study Bill 524](#)), relating to high school graduation, dropout, and equivalency reporting requirements.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

**Committee Bill** (Formerly [House Study Bill 537](#)), providing an exception to the age of admission to kindergarten.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

**Committee Bill** (Formerly [House Study Bill 539](#)), requiring school districts to report proficiency and grade equivalency levels to parents or guardians of students administered nationally recognized standardized achievement evaluations.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

**Committee Bill** (Formerly [House Study Bill 591](#)), establishing statewide proficiency levels and definitions for students in reading, mathematics, and science in grades four, eight, and eleven.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

**Committee Bill** (Formerly [House Study Bill 600](#)), creating the Iowa proprietary tuition grant program and providing an appropriation.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

## COMMITTEE ON ETHICS

**Committee Bill** (Formerly [House Study Bill 698](#)), relating to ethical principles of public service for public officials.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

## COMMITTEE ON NATURAL RESOURCES

**Committee Bill** (Formerly [House File 2249](#)), providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty.

Fiscal Note is not required.

Recommended **Do Pass** February 27, 2006.

**Committee Bill** (Formerly [House File 2399](#)), establishing a fish Iowa! program for middle and high school students.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

**Committee Bill** (Formerly [House Study Bill 554](#)), relating to civil damages payable for unlawful taking of certain animals and fish.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 27, 2006.

## COMMITTEE ON STATE GOVERNMENT

**Committee Bill** (Formerly [House Study Bill 610](#)), establishing a moratorium on the number of monitor vending machines authorized by the Iowa lottery authority and providing an effective date.

Fiscal Note is not required.

Recommended **Amend and Do Pass** February 28, 2006.

## RESOLUTIONS FILED

[HCR 108](#), by Winckler and Maddox, a concurrent resolution designating March 2006 as Iowa Women's History Month.

Laid over under **Rule 25**.

[HR 132](#), by Kressig, a resolution honoring Tom Griffiths for over three decades of service to Iowa's credit unions.

Laid over under **Rule 25**.

[HR 133](#), by Reasoner, a resolution congratulating the Creston, Iowa, radio station KSIB for 60 years of broadcasting excellence.

Laid over under **Rule 25**.

[HR 134](#), by Lensing, Mascher, Jacoby and Foege, a resolution honoring David J. Skorton for his service to Iowa as an educator and administrator and as President of the University of Iowa.

Laid over under **Rule 25**.

[HR 135](#), by Raecker, a resolution recognizing the Iowa premiere of Disney's The Lion King at the Civic Center of Greater Des Moines.

Laid over under **Rule 25**.

AMENDMENT FILED

[H-8060](#)      [H.F. 2347](#)      Carroll of Poweshiek

On motion by Gipp of Winneshiek the House adjourned at 8:56 a.m., until 8:45 a.m., Wednesday, March 1, 2006.