

PROOF

STATE OF IOWA

House Journal

TUESDAY, MARCH 7, 2006

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JOURNAL OF THE HOUSE

Fifty-eighth Calendar Day - Fortieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 7, 2006

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

Prayer was offered by Reverend Dennis St. Lawrence, pastor of Grace Baptist Church, Chariton. He was the guest of Representative Rich Arnold of Lucas County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, March 6, 2006 was approved.

INTRODUCTION OF BILLS

House Joint Resolution 2006, by Eichhorn, a joint resolution nullifying administrative rules relating to the mandatory reporting of certain acts or omissions by persons licensed by the Iowa board of dental examiners and providing an effective date.

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

House File 2663, by committee on natural resources, a bill for an act relating to jurisdiction of the natural resource commission over certain lakebeds and riverbeds.

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

House File 2664, by committee on natural resources, a bill for an act relating to the regulation of all-terrain vehicles, and providing penalties.

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

[House File 2665](#), by committee on state government, a bill for an act concerning the line of duty death benefit payable to public safety providers.

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

[House File 2666](#), by committee on economic growth, a bill for an act establishing an economic enterprise area infrastructure fund and making appropriations.

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

[House File 2667](#), by committee on economic growth, a bill for an act relating to the establishment of small business development centers and making appropriations.

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

[House File 2668](#), by committee on public safety, a bill for an act providing for the licensure of operators authorized to use and explode fireworks and making penalties applicable.

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

[House File 2669](#), by committee on veterans affairs, 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 **ways and means**.

[House File 2670](#), by committee on state government, a bill for an act concerning community foundations and economic development relating to the endow Iowa tax credit, the allocation of gambling tax revenues, making an appropriation, and providing an effective date.

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

[House File 2671](#), by committee on commerce, regulation and labor, a bill for an act relating to illegal aliens 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 placed on the **calendar**.

House File 2672, by committee on human resources, a bill for an act relating to payment of attorney fees in termination of parental rights proceedings, providing an effective date, and providing for retroactive applicability.

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

House File 2673, by committee on human resources, a bill for an act relating to the establishment of a family success counseling demonstration program.

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

House File 2674, by committee on judiciary, a bill for an act relating to indecent exposure and providing penalties.

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

House File 2675, by committee on judiciary, a bill for an act relating to the reconsideration of the sentence of a person convicted of a felony.

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

House File 2676, by committee on judiciary, a bill for an act relating to sealing and confidentiality of juvenile court records.

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

House File 2677, by committee on public safety, a bill for an act relating to accidental disability retirement benefits for a peace officer who is exposed to noxious substances.

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

House File 2678, by committee on public safety, a bill for an act relating to citations issued to persons under the age of eighteen for alcohol-related offenses and parental and school notification.

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

The House stood at ease at 8:51 a.m., until the fall of the gavel.

The House resumed session at 9:59 a.m., Speaker pro tempore Carroll in the chair.

CONSIDERATION OF BILLS
Appropriations Calendar

House File 2558, a bill for an act relating to and making appropriations to the justice system and providing an effective date, was taken up for consideration.

Mascher of Johnson offered the following amendment **H-8095** filed by her and moved its adoption:

H-8095

- 1 Amend **House File 2558** as follows:
- 2 1. Page 1, by striking line 22 and inserting the
- 3 following:
- 4 "..... § 205,000"

Roll call was requested by Mascher of Johnson and T. Taylor of Linn.

On the question "Shall amendment **H-8095** be adopted?" (**H.F. 2558**)

The ayes were, 48:

Bell	Berry	Bukta	Cphoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Maddox	Mascher	McCarthy
Mertz	Miller	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, 49:

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

Absent or not voting, 3:

Baudler	Murphy	Zirkelbach
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Amendment [H-8095](#) lost.

T. Taylor of Linn offered the following amendment [H-8100](#) filed by him and moved its adoption:

[H-8100](#)

- 1 Amend [House File 2558](#) as follows:
- 2 1. Page 5, by striking line 28 and inserting the
- 3 following:
- 4 "\$ 28,997,360"
- 5 2. Page 5, by striking line 32 and inserting the
- 6 following:
- 7 "..... "\$ 26,150,267"
- 8 3. Page 6, by striking line 5 and inserting the
- 9 following:
- 10 "..... "\$ 8,604,680"
- 11 4. Page 6, by striking line 18 and inserting the
- 12 following:
- 13 " \$ 14,974,976"
- 14 5. Page 7, by striking line 9 and inserting the
- 15 following:
- 16 " \$ 3,935,025"
- 17 6. Page 10, by striking line 30 and inserting the
- 18 following:
- 19 "\$ 11,248,779"

20 7. Page 11, by striking line 1 and inserting the
 21 following:
 22 "\$ 8,931,030"
 23 8. Page 11, by striking line 7 and inserting the
 24 following:
 25 "\$ 5,292,569"
 26 9. Page 11, by striking line 13 and inserting the
 27 following:
 28..... "\$ 4,817,061"
 29 10. Page 11, by striking line 21 and inserting
 30 the following:
 31 "\$ 16,352,504"
 32 11. Page 11, by striking line 27 and inserting
 33 the following:
 34 "\$ 11,160,686"
 35 12. Page 11, by striking line 33 and inserting
 36 the following:
 37 " \$ 6,354,678"
 38 13. Page 12, by striking line 4 and inserting the
 39 following:
 40 " \$ 6,408,344"

Speaker Rants in the chair at 10:22 a.m.

Roll call was requested by T. Taylor of Linn and Heddens of Story.

On the question "Shall amendment [H-8100](#) be adopted?" ([H.F. 2558](#))

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, 50:

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
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wildurdyke	Mr. Speaker		
	Rants		

Absent or not voting, 2:

Struyk Zirkelbach

Amendment [H-8100](#) lost.

T. Taylor of Linn offered the following amendment [H-8101](#) filed by him and moved its adoption:

[H-8101](#)

1 Amend [House File 2558](#) as follows:
 2 1. Page 5, by striking line 28 and inserting the
 3 following:
 4 "§ 31,562,062"

Amendment [H-8101](#) lost.

Hogg of Linn offered the following amendment [H-8096](#) filed by him and moved its adoption:

[H-8096](#)

1 Amend [House File 2558](#) as follows:
 2 1. Page 19, line 13, by inserting after the word
 3 "support," the following: "overtime pay,".
 4 2. Page 19, by striking line 19 and inserting the
 5 following:
 6 " § 45,885,618"

Roll call was requested by Hogg of Linn and T. Taylor of Linn.

On the question "Shall amendment [H-8096](#) be adopted?" ([H.F. 2558](#))

The ayes were, 49:

Bell	Berry	Bukta	Cohoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Maddox	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, 50:

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	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
Wildurdyke	Mr. Speaker		
	Rants		

Absent or not voting, 1:

Zirkelbach

Amendment [H-8096](#) lost.

Reichert of Muscatine offered the following amendment [H-8108](#) filed by him and moved its adoption:

[H-8108](#)

- 1 Amend [House File 2558](#) as follows:
- 2 1. Page 20, by inserting after line 16 the
- 3 following:
- 4 "____. For a sex offender compliance grant program:
- 5 \$ 2,000,000
- 6 The moneys appropriated in this subsection shall be

7 used by local authorities to determine whether sex
 8 offenders are complying with the registration
 9 requirements and residency restrictions imposed under
 10 Code chapter 692A. A local authority may apply to the
 11 department for a grant to cover additional law
 12 enforcement measures undertaken to determine sex
 13 offender compliance with Code chapter 692A in the
 14 authority's community."
 15 2. By renumbering as necessary.

SPECIAL PRESENTATION

Speaker pro tempore Carroll introduced to the House the Honorable Phil Tyrrell former state representative from Iowa County.

The House rose and expressed its welcome.

Roll call was requested by Reichert of Muscatine and T. Taylor of Linn.

On the question "Shall amendment [H-8108](#) be adopted?" ([H.F. 2558](#))

The ayes were, 48:

Bell	Berry	Bukta	Cohoon
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	Wilderdike	Mr. Speaker	
		Rants	

Absent or not voting, 1:

Zirkelbach

Amendment [H-8108](#) lost.

Kuhn of Floyd offered the following amendment [H-8124](#) filed by him and moved its adoption:

[H-8124](#)

1 Amend [House File 2558](#) as follows:
 2 1. Page 21, by striking lines 3 and 4 and
 3 inserting the following:
 4 " § 1,076,452
 5 FTEs 27.90"

Amendment [H-8124](#) lost.

Kuhn of Floyd offered the following amendment [H-8089](#) filed by him and moved its adoption:

[H-8089](#)

1 Amend [House File 2558](#) as follows:
 2 1. Page 21, by inserting after line 7 the
 3 following:
 4 "Sec. __. HOMELAND SECURITY-EMERGENCY PLANNER.
 5 There is appropriated from the general fund of the
 6 state to the administrator of the homeland security
 7 and emergency management division of the department of
 8 public defense for the fiscal year beginning July 1,
 9 2006, and ending June 30, 2007, the following amount,
 10 or so much thereof as is necessary, to be used for the
 11 purposes designated:
 12 For the employment of an emergency planner for the
 13 capitol complex, including salaries, support,
 14 maintenance, miscellaneous purposes, and for not more
 15 than the following full-time equivalent positions:
 16 \$ 82,300
 17 FTEs 1.00"

Roberts of Carroll in the chair at 11:11 a.m.

A non-record roll call was requested.

The ayes were 45, nays 48.

Amendment [H-8089](#) lost.

T. Taylor of Linn asked and received unanimous consent to withdraw amendment [H-8117](#) filed by him on March 6, 2006.

T. Taylor of Linn offered the following amendment [H-8123](#) filed by him and moved its adoption:

[H-8123](#)

- 1 Amend [House File 2558](#) as follows:
- 2 1. Page 22, line 3, by inserting after the word
- 3 "companies." the following: "The employee mileage
- 4 reimbursement under section 8A.363 for the use of a
- 5 personal vehicle for the fiscal year shall be at least
- 6 the maximum allowable under the federal internal
- 7 revenue service rules per mile, and the reimbursement
- 8 rates for per diem allowances shall also provide the
- 9 maximum allowable during the fiscal year under the
- 10 federal travel regulations for government travel
- 11 applicable to the appropriate type of expense."

Amendment [H-8123](#) lost.

Horbach of Tama 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. 2558](#))

The ayes were, 54:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Carroll	Chambers
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Freeman	Gipp
Granzow	Greiner	Heaton	Hoffman
Horbach	Huseman	Huser	Hutter
Jacobs	Jenkins	Jones	Kaufmann
Kurtenbach	Lalk	Lukan	Maddox

May	McCarthy	Olson, S.	Paulsen
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wildurdyke	Roberts, Presiding		

The nays were, 45:

Berry	Bukta	Cohoon	Dandekar
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Jacoby	Jochum	Kressig
Kuhn	Lensing	Lykam	Mascher
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			

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 2558](#) be immediately messaged to the Senate.

[House File 2521](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and providing an effective date, was taken up for consideration.

Gipp of Winneshiek asked and received unanimous consent that [House File 2521](#) be deferred and that the bill retain its place on the calendar.

On motion by Gipp of Winneshiek, the House was recessed at 11:49 a.m., until 12:45 p.m.

AFTERNOON SESSION

The House reconvened at 12:46 p.m., Dix of Butler in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed fifty-two members present, forty-eight absent.

INTRODUCTION OF BILLS

[House File 2679](#), by committee on agriculture, a bill for an act relating to agricultural drainage wells by providing for the implementation of water quality practices as an alternative to constructing alternative drainage systems.

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

[House File 2680](#), by committee on economic growth, a bill for an act relating to criteria and funding for certain economic development regions.

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

[House File 2681](#), by committee on commerce, regulation and labor, a bill for an act relating to workers' compensation liability for injuries sustained in the course of employment.

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

[House File 2682](#), by committee on commerce, regulation and labor, a bill for an act relating to the renewable energy tax credit program including providing for the extension of certain eligibility deadlines and operational requirements for eligible facilities.

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

[House File 2683](#), by committee on economic growth, a bill for an act relating to certain Iowa individual income tax checkoffs involving

community development and fire fighter preparedness, making appropriations, and providing for the Act's retroactive applicability.

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

[House File 2684](#), by committee on economic growth, a bill for an act relating to investment tax credits for investments in targeted small businesses.

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

[House File 2685](#), by committee on agriculture, a bill for an act relating to state tax benefits for use of soy-based transformer fluid by electric utilities and including effective and applicability date provisions.

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

[House File 2686](#), by committee on commerce, regulation and labor, a bill for an act providing for technical and substantive changes relating to the Iowa communications network.

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

[House File 2687](#), by committee on judiciary, a bill for an act relating to the prosecution of certain criminal offenses and the gathering of evidence for prosecution.

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

[House File 2688](#), by committee on public safety, a bill for an act relating to the issuance of permits to carry weapons.

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

[House File 2689](#), by committee on appropriations, a bill for an act relating to assessing court costs, providing for indigent defense, and making appropriations to the judicial branch and department of inspections and appeals.

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

The House resumed consideration of [House File 2521](#), previously deferred.

Pettengill of Benton offered the following amendment [H-8113](#) filed by Hunter of Polk and moved its adoption:

[H-8113](#)

- 1 Amend [House File 2521](#) as follows:
- 2 1. Page 1, by striking lines 12 and 13, and
- 3 inserting the following:
- 4 "\$ 5,968,840
- 5 FTEs 451.68"

Amendment [H-8113](#) lost.

Hogg of Linn offered amendment [H-8063](#) filed by him as follows:

[H-8063](#)

- 1 Amend [House File 2521](#) as follows:
- 2 1. Page 1, by striking lines 17 through 21 and
- 3 inserting the following: "It is the intent of the
- 4 general assembly that the department shall reduce
- 5 utility costs through energy conservation practices.
- 6 The goal of the general assembly is to reduce energy
- 7 use by ten percent to save money, conserve energy
- 8 resources, and reduce pollution. Notwithstanding
- 9 section 8.33, any appropriated funds not expended for
- 10 utility costs shall not revert to the general fund of
- 11 the state at the end of the fiscal year but shall be
- 12 appropriated to the utilities division of the
- 13 department of commerce for public education, training,
- 14 volunteer recruitment, and specific energy
- 15 conservation improvements in support of the goals of
- 16 the Iowa weatherization challenge of the Iowa
- 17 utilities board."

Sands of Louisa offered the following amendment [H-8132](#), to amendment [H-8063](#), filed by him and Hogg of Linn from the floor and moved its adoption:

[H-8132](#)

- 1 Amend the amendment, [H-8063](#), to [House File 2521](#) as
- 2 follows:
- 3 1. Page 1, line 8, by striking the word
- 4 "Notwithstanding".
- 5 2. Page 1, by striking lines 9 through 17.

Amendment [H-8132](#) was adopted.

On motion by Hogg of Linn amendment [H-8063](#), as amended, was adopted.

Hunter of Polk asked and received unanimous consent that amendment [H-8112](#) be deferred.

Reichert of Muscatine offered the following amendment [H-8107](#) filed by him and moved its adoption:

[H-8107](#)

- 1 Amend [House File 2521](#) as follows:
- 2 1. Page 8, line 8, by striking the word "amount"
- 3 and inserting the following: "amounts".
- 4 2. Page 8, line 10, by inserting before the word
- 5 "For" the following: "a."
- 6 3. Page 8, by inserting after line 16 the
- 7 following:
- 8 "b. To supplement the amount appropriated for the
- 9 federal Edward Byrne memorial justice assistance grant
- 10 program in 2006 Iowa Acts, [House File 2238](#), section 7,
- 11 if enacted, in order to restore a reduction in federal
- 12 funding:
- 13 \$ 1,121,266
- 14 If funds received from the federal government that
- 15 may be used for the purposes of the grant program
- 16 exceed \$2 million, then the amount appropriated in
- 17 this lettered paragraph is reduced by the amount of
- 18 the excess federal funds received."
- 19 4. By renumbering as necessary.

Roll call was requested by Reichert of Muscatine and Whitead of Woodbury.

On the question "Shall amendment [H-8107](#) be adopted?" ([H.F. 2521](#))

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, 50:

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

Absent or not voting, 2:

Hoffman	Zirkelbach
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Amendment [H-8107](#) lost.

Ford of Polk offered the following amendment [H-8109](#) filed by him and moved its adoption:

[H-8109](#)

- 1 Amend [House File 2521](#) as follows:
- 2 1. Page 8, by striking line 15 and inserting the
- 3 following:
- 4 " § 453,283"

Roll call was requested by Ford of Polk and Hunter of Polk.

On the question "Shall amendment [H-8109](#) be adopted?" ([H.F. 2521](#))

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
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	Rants, Spkr.	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Dix, Presiding	

Absent or not voting, 1:

Zirkelbach

Amendment [H-8109](#) lost.

Ford of Polk offered the following amendment [H-8077](#) filed by him and moved its adoption:

[H-8077](#)

1 Amend [House File 2521](#) as follows:
2 1. Page 9, by striking lines 12 and 13, and
3 inserting the following:
4 "For salaries, support, maintenance, and
5 miscellaneous purposes, and for not more than the
6 following full-time equivalent position:
7 \$ 485,000
8 FTEs 1.00"
9 2. Page 9, by striking line 24 and inserting the
10 following:
11 " \$ 485,000"
12 3. Page 10, by striking line 2 and inserting the

13 following:

14 ".....\$ 485,000"

Roll call was requested by Ford of Polk and Hunter of Polk.

On the question "Shall amendment [H-8077](#) be adopted?" ([H.F. 2521](#))

The ayes were, 49:

Bell	Berry	Bukta	Cphoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
Jochum	Kressig	Kuhn	Lensing
Lykam	Maddox	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, 50:

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

Absent or not voting, 1:

Zirkelbach

Amendment [H-8077](#) lost.

Hunter of Polk offered the following amendment [H-8116](#) filed by him and moved its adoption:

H-8116

1 Amend [House File 2521](#) as follows:
 2 1. Page 9, by striking lines 12 and 13, and
 3 inserting the following:
 4 "For salaries, support, maintenance, and
 5 miscellaneous purposes, and for not more than the
 6 following full-time equivalent position:
 7 \$ 86,000
 8FTEs 1.00"

Amendment [H-8116](#) lost.

Kuhn of Floyd offered the following amendment [H-8126](#) filed by him and Heddens of Story and moved its adoption:

H-8126

1 Amend [House File 2521](#) as follows:
 2 1. Page 9, line 15, by inserting before the word
 3 "For" the following: "a."
 4 2. Page 9, by inserting after line 19 the
 5 following:
 6 "b. To provide for the review and assessment of
 7 all buildings and structures owned by the state, or an
 8 agency of the state, to ensure that such buildings and
 9 structures are in compliance with the federal
 10 Americans With Disabilities Act:
 11 \$ 50,000
 12 The division of persons with disabilities shall
 13 gather information and review plans on all buildings
 14 and structures owned by the state, or an agency of the
 15 state concerning compliance. The division of persons
 16 with disabilities shall make on-site inspections of
 17 capitol-complex buildings. The division of persons
 18 with disabilities shall assess the progress made
 19 toward compliance, make recommendations for
 20 alterations or improvements needed to bring state
 21 buildings and structures into compliance, and a
 22 timeline therefore.
 23 The division of persons with disabilities shall
 24 consult with the state building code commissioner and
 25 the director of the department of administrative
 26 services in conducting such review and assessment.
 27 The division of persons with disabilities shall
 28 report the results of such review and assessment,
 29 including a plan, recommendations, and a timeline for
 30 bringing all state buildings and structures into
 31 compliance and, in consultation with the state
 32 building code commissioner and the department of
 33 administrative services, the division of persons with
 34 disabilities shall report to the joint appropriations

35 subcommittee on transportation, infrastructure, and
 36 capitals and the legislative services agency on or
 37 before January 1, 2007, an estimate of the cost to
 38 bring the state's buildings and structures into
 39 compliance."
 40 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 45, nays 48.

Amendment [H-8126](#) lost.

Gaskill of Wapello offered the following amendment [H-8115](#) filed
 by Hunter of Polk and moved its adoption:

[H-8115](#)

1 Amend [House File 2521](#) as follows:
 2 1. Page 9, by striking line 31 and inserting the
 3 following:
 4 " § 452,501"
 5 2. Page 9, by inserting after line 32 the
 6 following:
 7 "a. Of the moneys appropriated in this subsection,
 8 \$93,000 shall be used for preemployment services for
 9 the lowans in transition program.
 10 b. Of the moneys appropriated in this subsection,
 11 \$24,000 shall be used for training on issues of
 12 violence against women."
 13 3. By renumbering as necessary.

Paulsen of Linn in the chair at 2:09 p.m.

Roll call was requested by Hunter of Polk and Gaskill of Wapello.

On the question "Shall amendment [H-8115](#) be adopted?" ([H.F.](#)
[2521](#))

The ayes were, 48:

Bell	Berry	Bukta	Cphoon
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
Shultz	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.
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Paulsen, Presiding	

Absent or not voting, 1:

Zirkelbach

Amendment [H-8115](#) lost.

Hunter of Polk offered the following amendment [H-8114](#) filed by him and moved its adoption:

[H-8114](#)

1 Amend [House File 2521](#) as follows:
 2 1. Page 10, by striking lines 2 and 3, and
 3 inserting the following:
 4 "\$ 171.655
 5 FTEs 3.00"

Amendment [H-8114](#) lost.

Berry of Black Hawk offered the following amendment [H-8091](#) filed by her and Hogg of Linn and moved its adoption:

H-8091

1 Amend [House File 2521](#) as follows:
2 1. Page 10, by striking line 8 and inserting the
3 following:
4 ".....\$ 1,598,026"
5 2. Page 10, by inserting after line 9 the
6 following:
7 "Of the moneys appropriated in this subsection, at
8 least \$500,000 shall be used by the criminal and
9 juvenile justice planning division to establish a
10 competitive grant program to expand the availability
11 of before and after school programs. All school
12 districts shall be eligible to apply for a grant from
13 the program. Grant applications for expanding the
14 availability of a before and after school program
15 shall be assessed by the division on whether the
16 program targets at-risk children; demonstrates
17 partnerships and collaboration with not-for-profit
18 community organizations; indicates that the school
19 district and organizations have qualified staff and
20 training for the program; provides for a safe and
21 engaging environment; combines academic, enrichment,
22 cultural, and recreational activities in year-round,
23 age-appropriate activities; provides for no less than
24 a twenty percent local match; and demonstrates that
25 the school district can sustain the program after the
26 grant is exhausted."

Roll call was requested by Berry of Black Hawk and T. Taylor of Linn.

On the question "Shall amendment [H-8091](#) be adopted?" ([H.F. 2521](#))

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.
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Paulsen, Presiding	

Absent or not voting, 1:

Zirkelbach

Amendment [H-8091](#) lost.

Hunter of Polk offered the following amendment [H-8088](#) filed by him and moved its adoption:

[H-8088](#)

1 Amend [House File 2521](#) as follows:
 2 1. Page 11, by striking lines 10 and 11 and
 3 inserting the following:
 4 "..... § 2,508,609
 5 FTEs 127.25"

Roll call was requested by Hunter of Polk and T. Taylor of Linn.

On the question "Shall amendment [H-8088](#) be adopted?" ([H.F. 2521](#))

The ayes were, 47:

Bell	Berry	Bukta	Cohon
Dandekar	Davitt	Fallon	Foege
Ford	Frevert	Gaskill	Heddens
Hogg	Hunter	Huser	Jacoby
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 Whitead	Wendt Winckler	Wessel-Kroeschell Wise	Whitaker
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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.
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Paulsen, Presiding	

Absent or not voting, 2:

Jochum	Zirkelbach
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Amendment [H-8088](#) lost.

T. Taylor of Linn offered the following amendment [H-8122](#) filed by him and moved its adoption:

[H-8122](#)

- 1 Amend [House File 2521](#) as follows:
- 2 1. Page 18, line 7, by inserting after the word
- 3 "companies." the following: "The employee mileage
- 4 reimbursement under section 8A.363 for the use of a
- 5 personal vehicle for the fiscal year shall be at least
- 6 the maximum allowable under the federal internal
- 7 revenue service rules per mile, and the reimbursement
- 8 rates for per diem allowances shall also provide the
- 9 maximum allowable during the fiscal year under the
- 10 federal travel regulations for government travel
- 11 applicable to the appropriate type of expense."

Amendment [H-8122](#) lost.

Hunter of Polk offered the following amendment [H-8103](#) filed by him and moved its adoption:

[H-8103](#)

- 1 Amend [House File 2521](#) as follows:
- 2 1. Page 21, by inserting after line 33 the
- 3 following:
- 4 "Sec. _____. Section 11.5B, Code 2005, is repealed."
- 5 2. By renumbering as necessary.

Amendment [H-8103](#) lost.

Hunter of Polk offered the following amendment [H-8112](#), previously deferred, filed by him and moved its adoption:

[H-8112](#)

- 1 Amend [House File 2521](#) as follows:
- 2 1. Page 3, by inserting after line 27 the
- 3 following:
- 4 "As a condition of receiving this appropriation,
- 5 the auditor of state shall submit a report by January
- 6 15, 2007, to the joint legislative government
- 7 oversight committee and the co-chairpersons and
- 8 ranking members of the legislative joint
- 9 appropriations subcommittee on administration and
- 10 regulation concerning audits conducted by the auditor
- 11 for the fiscal period commencing July 1, 2003, and
- 12 ending June 30, 2006. The report shall include a
- 13 detailed accounting of the time spent on conducting
- 14 audits for state and local government entities to
- 15 include the billable hours charged to each
- 16 governmental entity and the rates charged to each
- 17 governmental entity, if applicable, for the billable
- 18 hours. The report shall include information as to how
- 19 the rates for governmental entities are determined."

Amendment [H-8112](#) lost.

Dix of Butler in the chair at 3:06 p.m.

Paulsen of Linn in the chair at 3:08 p.m.

Sands of Louisa 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. 2521](#))

The ayes were, 53:

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

The nays were, 45:

Bell	Berry	Bukta	Cphoon
Dandekar	Davitt	Fallon	Foege
Ford	Frevvert	Gaskill	Heddens
Hunter	Huser	Jacoby	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Shultz	Smith
Swaim	Taylor, D.	Thomas	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise			

Absent or not voting, 2:

Taylor, T. Zirkelbach

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

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 7, 2006, amended and passed the following bill in which the concurrence of the Senate was asked:

[House File 2365](#), a bill for an act relating to committing disorderly conduct near a military funeral, memorial service, funeral procession, or burial, and providing penalties.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2207](#), a bill for an act relating to the publication of official notices in English language newspapers.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2249](#), a bill for an act relating to the rights and responsibilities of a person providing family foster care.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2288](#), a bill for an act providing for postsecondary education subsidy upon a finding of paternity.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2289](#), a bill for an act relating to identification of publicly owned motor vehicles used by persons who provide off-site or in-home medical or mental health services.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2290](#), a bill for an act relating to the payment of costs of reasonable attorney fees and other expenses related to certain paternity and adoption proceedings.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2296](#), a bill for an act relating to dogs, including the right to kill a tagged dog and the liability of a dog's owner for damages caused by the dog.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2299](#), a bill for an act relating to credit unions and other financial organizations by providing for public funds requirements, membership qualifications, and preservation of records.

Also: That the Senate has on March 7, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2304](#), a bill for an act relating to indigent defense claims and the reimbursement of costs in juvenile cases paid by a county.

MICHAEL E. MARSHALL, Secretary

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2521](#) be immediately messaged to the Senate.

Unfinished Business Calendar

[Senate File 2232](#), a bill for an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, with report of committee recommending passage, was taken up for consideration.

Ford of Polk asked and received unanimous consent to withdraw amendment [H-8075](#) filed by him on March 3, 2006.

Ford of Polk asked and received unanimous consent to withdraw amendment [H-8076](#) filed by him on March 3, 2006, placing out of order amendment [H-8133](#) filed by Baudler of Adair from the floor.

Huseman of Cherokee 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?" ([S.F. 2232](#))

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	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.	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.

Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Thomas
Tjepkes	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Paulsen, Presiding	

The nays were, 2:

Fallon Hogg

Absent or not voting, 3:

Taylor, T. Tomenga 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 [Senate File 2232](#) be immediately messaged to the Senate.

The House stood at ease at 3:24 p.m., until the fall of the gavel.

The House resumed session at 4:21 p.m., Speaker Rants in the chair.

QUORUM CALL

A non-record roll call was requested to determine that a quorum was present. The vote revealed fifty-three members present, forty-seven absent.

INTRODUCTION OF BILLS

[House File 2690](#), by committee on education, a bill for an act relating to teacher salaries by increasing beginning and career teacher minimum salary levels and creating a teacher shortage salary supplement and making appropriations.

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

[House File 2691](#), by committee on public safety, a bill for an act concerning the department of public defense, including the military, civil air patrol, and homeland security and emergency management, and making an appropriation and providing penalties.

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

[House File 2692](#), by committee on judiciary, a bill for an act relating to the assessment of a civil penalty when a person receives a deferred judgment in a criminal proceeding.

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

[House File 2693](#), by committee on judiciary, a bill for an act relating to the voting requirements for actions by the administrative rules review committee.

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

[House File 2694](#), by committee on judiciary, a bill for an act relating to an award of attorney fees in an action to enforce a mechanic's lien.

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

[House File 2695](#), by committee on judiciary, a bill for an act relating to landlords and tenants including notice requirements to terminate a periodic tenancy, representation of an owner of residential rental property in small claims court, and service of a petition for forcible entry and detainer by publication.

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

[House File 2696](#), by committee on public safety, a bill for an act relating to the disposal of a controlled substance.

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

[House File 2697](#), by committee on public safety, a bill for an act relating to the confinement of a prisoner in a municipal holding facility or county jail.

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

House File 2698, by committee on state government, a bill for an act concerning the authority of customer councils regarding the funding and providing of services by the department of administrative services and providing an effective date.

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

Regular Calendar

House File 2361, a bill for an act relating to energy conservation standards included in the state building code for new single-family or two-family residential construction, was taken up for consideration.

Wilderdyke of Harrison 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. 2361**)

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	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	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, 4:

Dix Tjepkes Tomenga Zirkelbach

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

HOUSE FILE 2079 WITHDRAWN

Huser of Polk asked and received unanimous consent to withdraw **House File 2079** from further consideration by the House.

House File 2397, a bill for an act relating to an assault upon an employee of a jail or correctional institution, and providing a penalty, was taken up for consideration.

Dolecheck of Ringgold 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. 2397**)

The ayes were, 90

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lukan	Lykam	Maddox
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts

Wendt	Whitaker	Whitead	Wilderdyke
Wise	Mr. Speaker Rants		

The nays were, 7:

Hunter	Lensing	Mascher	Olson, R.
Shoultz	Wessel-Kroeschell	Winckler	

Absent or not voting, 3:

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

[House File 2398](#), a bill for an act relating to criminal penalties for a driver convicted of failure to stop and render aid at the scene of a motor vehicle accident, was taken up for consideration.

Heddens of Story 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. 2398](#)**)

The ayes were, 94:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Elgin	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, 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	Tymeson	Upmeyer	Van Engelenhoven

Van Fossen, J.K.	Van Fossen, J.R.	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdike	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, 2:

Fallon	Olson, R.
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Absent or not voting, 4:

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

Ways and Means Calendar

[House File 2461](#), a bill for an act updating the Code references to the Internal Revenue Code and including retroactive applicability and effective date provisions, was taken up for consideration.

Eichhorn of Hamilton 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. 2461](#))

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohon	Dandekar
Davitt	De Boef	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	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, 3:

Dix	Tomenga	Zirkelbach
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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 2361, 2397, 2398 and 2461.**

Regular Calendar

House File 2541, a bill for an act eliminating certain duties of the department of natural resources, was taken up for consideration.

S. Olson of Clinton 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. 2541](#))

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	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	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, 3:

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

[House File 2465](#), a bill for an act 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, was taken up for consideration.

Eichhorn of Hamilton 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. 2465](#))

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohon	Dandekar
Davitt	De Boef	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	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, 3:

Dix	Tomenga	Zirkelbach
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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 2465 and 2541.**

[SENATE FILE 2253](#) REREFERRED

The Speaker announced that [Senate File 2253](#), previously referred to committee on **judiciary** was **passed on file.**

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 7th day of March, 2006: [House File 2238](#) and 2347.

MARGARET A. THOMSON

Chief Clerk of the House**Report adopted.****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\813 Florene Elgin Marlin, Davenport – For celebrating her 90th birthday.
- 2006\814 Mr. and Mrs. John Solbrig, Davenport – For celebrating their 70th wedding anniversary.
- 2006\815 Mr. and Mrs. Allyn Adams, Davenport – For celebrating their 60th wedding anniversary.
- 2006\816 Mr. and Mrs. Kenneth Jager, Davenport – For celebrating their 60th wedding anniversary.
- 2006\817 Arlynn O'Connor, Sioux City – For celebrating her 85th birthday.
- 2006\818 Lois Conway, Tipton – For celebrating her 80th birthday.
- 2006\819 Bob and Hazel Von Muenster, Clarence – For celebrating their 60th wedding anniversary.
- 2006\820 Dwaine and Ruby Brewington, Aurora – For celebrating their 55th wedding anniversary.
- 2006\821 Frances Pint, Independence – For celebrating her 100th birthday.
- 2006\822 Helen Fischels, Gilbertville – For celebrating her 80th birthday.
- 2006\823 Ralph Pauley, Sr., Woodbine – For celebrating his 80th birthday.
- 2006\824 Evelyn Peterson, Logan – For celebrating her 90th birthday.
- 2006\825 Wayne and Regina Jones, Logan – For celebrating their 60th wedding anniversary.
- 2006\826 Milton and Mary Niedermyer, Pisgah – For celebrating their 60th wedding anniversary.

- 2006\827 Ralph and Veronica Pauley, Woodbine – For celebrating their 60th wedding anniversary.
- 2006\828 Harley and Janet Mether, Woodbine – For celebrating their 50th wedding anniversary.
- 2006\829 Dale and Edith McHugh, Woodbine – For celebrating their 65th wedding anniversary.
- 2006\830 Burnell and Charlotte Opperman, Oelwein – For celebrating their 60th wedding anniversary.
- 2006\831 Gertrude McIntyre, Hawkeye – For celebrating her 90th birthday.
- 2006\832 Andrew Apodaca, Earlham – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\833 Mary Kramer Honrath, Larchwood – For celebrating her 90th birthday.
- 2006\834 Jennie Jansma, Rock Rapids – For celebrating her 95th birthday.
- 2006\835 Clarence and Jean Heidebrink, Hull – For celebrating their 65th wedding anniversary.
- 2006\836 Marie Pool, Orient – For celebrating her 91st birthday.
- 2006\837 Marie Oxley, Creston – For celebrating her 85th birthday.
- 2006\838 Jack and Lorraine Tuel, Bayard – For celebrating their 50th wedding anniversary.
- 2006\839 Marshall Koethe, Akron–Westfield High School – For winning 1st place in the 125 lb. weight class in the Class 1–A Division of the State Wrestling Tournament.
- 2006\840 Bill Hueser, George –For being inducted into the Iowa High School Athletic Association Hall of Fame.
- 2006\841 Ed Bramstedt, Alford –For being named a member of the American Legion Dick DeBoer Post of Alford for 60 years.
- 2006\842 Brandon Vogel, Central Lee High School –For receiving the D.A.R. Good Citizen Award.
- 2006\843 Katie Cochran, Fort Madison High School – For receiving the D.A.R. Good Citizen Award.
- 2006\844 Jennifer Devine, Fort Madison Holy Trinity High School – For receiving the D.A.R. Good Citizen Award.

- 2006\845 Eric Issacs, Keokuk High School – For receiving the D.A.R. Good Citizen Award.
- 2006\846 John and Ruth Glessner, State Center – For celebrating their 70th wedding anniversary.
- 2006\847 Frank Rice, Ackley – For celebrating his 80th birthday.
- 2006\848 Herb Muhlenbruch, Dows – For celebrating his 80th birthday.
- 2006\849 Richard King, Woolstock – For celebrating his 80th birthday.
- 2006\850 Leona Antimuro, Webster City – For celebrating her 90th birthday.
- 2006\851 Jim Dougan, Hubbard – For celebrating his 85th birthday.
- 2006\852 Don and Lois Hanson, Eldora – For celebrating their 50th wedding anniversary.
- 2006\853 Richard and Karen McNickle, Alden – For celebrating their 50th wedding anniversary.
- 2006\854 Jonathon Walling, Hartley – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\855 Genevieve Burger, Gillett Grove – For celebrating her 80th birthday.
- 2006\856 Lela Anderson, Spencer – For celebrating her 85th birthday.
- 2006\857 Stella Rodenberg, Spirit Lake – For celebrating her 85th birthday.
- 2006\858 Jerry Gerard, Mason City – For celebrating his 93rd birthday.
- 2006\859 Gilbert Johnson, Mason City – For celebrating his 90th birthday.
- 2006\860 Katherine Hvattum, Mason City – For celebrating her 90th birthday.
- 2006\861 Clara Hermiston, Davenport – For celebrating her 80th birthday.
- 2006\862 Frances Meade, Davenport – For celebrating her 80th birthday.
- 2006\863 Paul W. Carroll, Davenport – For celebrating his 90th birthday.
- 2006\864 Faye Huibregtse, Sanborn – For celebrating her 98th birthday.
- 2006\865 Morgan Peterman, South Page School District – For being the Overall Page County Spelling Bee winner.
- 2006\866 Bernard and Wealtha Mattes, Sidney – For celebrating their 70th wedding anniversary.

- 2006\867 Shirley and Dorothy Dudgeon, Clear Lake – For celebrating their 60th wedding anniversary.
- 2006\868 Duane T. and Shirley D. Ballhagen, Rockwell – For celebrating their 50th wedding anniversary.
- 2006\869 Dena Pals, Belmond – For celebrating her 95th birthday.
- 2006\870 Dallas W. Shear, Alexander – For celebrating his 80th birthday.
- 2006\871 Eva Norman, Hansell – For celebrating her 95th birthday.
- 2006\872 Seth Pugh, Columbus Junction – For winning 1st place in the 145 lb. weight class in the Class 2-A Division of the State Wrestling Tournament.

SUBCOMMITTEE ASSIGNMENTS

[House File 2529](#)

Ways and Means: Struyk, Chair; Kaufmann, Paulsen, Quirk and Shomshor.

[House File 2568](#)

Ways and Means: Upmeyer, Chair; Kaufmann and Winckler.

[House File 2647](#)

Ways and Means: Kurtenbach, Chair; Quirk and Soderberg.

[House File 2688](#)

Ways and Means: Kurtenbach, Chair; Eichhorn and Quirk.

[Senate File 2147](#)

Ways and Means: Reasoner, Chair; Kaufmann and Soderberg.

[Senate File 2183](#)

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

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 765](#)

Appropriations: Heaton, Chair; Roberts and Smith.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

[H.S.B. 765 Appropriations](#)

Relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund.

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

Committee Bill (Formerly [House Study Bill 764](#)), relating to and making appropriations to the department of human services, the department of elder affairs, the Iowa department of public health, the department of veterans affairs and the Iowa veterans home, and the department of inspections and appeals, providing for fee increases, and including other related provisions and appropriations, and providing effective dates.

Fiscal Note is not required.

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

COMMITTEE ON STATE GOVERNMENT

[House File 2380](#), a bill for an act concerning disclosure of information by state employees to a member or employee of the general assembly.

Fiscal Note is not required.

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

[House File 2394](#), a bill for an act relating to the procedures for filing administrative rules.

Fiscal Note is not required.

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

[House File 2424](#), a bill for an act relating to the approval of emergency rulemaking by the governor.

Fiscal Note is not required.

Recommended **Do Pass** March 1, 2006.

RESOLUTIONS FILED

[HR 137](#), by Hoffman, a resolution designating a Technology and Science Day in Iowa.

Laid over under **Rule 25**.

[HR 138](#), by Mertz and Drake, a resolution supporting the proposal of Iowa State University to pursue the location of the national bio and agro-defense facility at the site of the current National Center for Animal Health in Ames, Iowa.

Laid over under **Rule 25**.

[HR 139](#), by committee on commerce, regulation and labor, a resolution supporting the use of traffic roundabouts on Iowa's streets and highways.

Laid over under **Rule 25**.

[HR 140](#), by D. Olson, Gaskill, Wessel-Kroeschell, Lensing, Jochum, T. Taylor, Mascher, Frevert, Schueller, Wise, Whitaker, Bukta, Murphy and Heddens, a resolution supporting efforts to promote comprehensive immigration reforms that encourage legal immigration, deter unauthorized immigration, promote economic growth, and ensure secure borders.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8130	H.F. 2515	Paulsen of Linn
H-8131	H.F. 2493	Freeman of Buena Vista
H-8134	H.F. 2332	Heaton of Henry
H-8135	H.F. 2332	Heaton of Henry
H-8136	H.F. 2612	Heddens of Story
		May of Dickenson
		Bell of Jasper

<u>H-8137</u>	<u>H.F. 2365</u>	Senate Amendment
<u>H-8138</u>	<u>H.F. 2654</u>	Tjepkes of Webster
<u>H-8139</u>	<u>H.F. 2650</u>	Hutter of Scott
<u>H-8140</u>	<u>H.F. 2509</u>	Ford of Polk

On motion by Gipp of Winneshiek the House adjourned at 4:59 p.m., until 8:45 a.m., Wednesday, March 7, 2006.