

PROOF

STATE OF IOWA

House Journal

TUESDAY, MARCH 14, 2006

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JOURNAL OF THE HOUSE

Sixty-five Calendar Day - Forty-five Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, March 14, 2006

The House met pursuant to adjournment at 8:50 a.m., Speaker Rants in the chair.

Prayer was offered by Reverend Mark Urlaub, pastor of Bethlehem Lutheran Church, Vinton. He was the guest of Representative Dawn Pettengill of Benton County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Monday, March 13, 2006 was approved.

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 13, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2208](#), a bill for an act relating to access to certain burial sites located on private property.

Also: That the Senate has on March 13, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2330](#), a bill for an act prohibiting monitor vending machines and providing an effective date.

Also: That the Senate has on March 13, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2374](#), a bill for an act containing various provisions relating to business entities, including limited partnerships, corporations, limited liability companies, cooperatives, and nonprofit corporations.

MICHAEL E. MARSHALL, Secretary

SENATE MESSAGES CONSIDERED

[Senate File 2208](#), by committee on local government, a bill for an act relating to access to certain burial sites located on private property.

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

[Senate File 2320](#), by committee on education, a bill for an act relating to the development of an Iowa studies professional development plan and the establishment of an Iowa studies committee.

Read first time and **passed on file**.

[Senate File 2330](#), by committee on state government, a bill for an act prohibiting monitor vending machines and providing an excise tax and an effective date.

Read first time and **passed on file**.

[Senate File 2343](#), by committee on human resources, a bill for an act revising the membership requirements for the child advocacy board.

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

[Senate File 2369](#), by committee on agriculture, a bill for an act relating to requirements for open feedlot operations, by providing for nutrient management plans and operating permits, and providing an effective date and retroactive applicability.

Read first time and **passed on file**.

[Senate File 2374](#), by committee on judiciary, a bill for an act containing various provisions relating to business entities, including corporations, limited liability companies, and nonprofit corporations.

Read first time and **passed on file**.

SPECIAL PRESENTATION
CELEBRATION OF ST. PATRICKS DAY

Jenkins of Black Hawk and Frevert of Palo Alto introduced to the House, Michael Finucane, elected to Seanad Eireann (Labor Panel) in July, 2002. He is Fine Gael's Spokesperson on Communications and Natural Resources in the Upper House. He addressed the House briefly regarding immigration and the changes in both Ireland and other parts of the world.

The House rose and expressed its welcome.

The House stood at ease at 9:11 a.m., until the fall of the gavel.

The House resumed session at 11:38 a.m., Jacobs of Polk in the chair.

QUORUM CALL

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

CONSIDERATION OF BILLS
Regular Calendar

[House File 2395](#), a bill for an act directing the state board of regents to conduct a study of the admissions requirements common to the state universities, was taken up for consideration.

Gipp of Winneshiek asked and received unanimous consent that [House File 2395](#) be deferred and that the bill retain its place on the calendar.

[House File 2462](#), a bill for an act relating to the number of eligible electors' signatures necessary in a school district to propose at a regular election the question of providing free textbooks for the use of the school district's pupils, was taken up for consideration.

Schickel of Cerro Gordo 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. 2462](#))

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Lalk
Lensing	Lukan	Lykam	Maddox
Mascher	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Olson, S.	Paulsen	Petersen
Pettengill	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Jacobs, Presiding	

The nays were, none.

Absent or not voting, 5:

Dandekar	Kurtenbach	Quirk	Van Fossen, J.K.
Zirkelbach			

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

[HOUSE FILE 2005](#) WITHDRAWN

Schickel of Cerro Gordo asked and received unanimous consent to withdraw [House File 2005](#) from further consideration by the House.

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2462](#) be immediately messaged to the Senate.

[House File 2395](#), a bill for an act directing the state board of regents to conduct a study of the admissions requirements common to the state universities, previously deferred, was taken up for consideration.

Tomenga of Polk 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. 2395](#))

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
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
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Jacobs, Presiding

The nays were, none.

Absent or not voting, 4:

Dandekar Reichert Taylor, T. 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 2395](#) be immediately messaged to the Senate.

[House File 2505](#), 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, was taken up for consideration.

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. 2505](#))

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
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
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.

Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdike	Winckler
Wise	Jacobs, Presiding		

The nays were, none.

Absent or not voting, 2:

Dandekar	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 2463, a bill for an act relating to adoption and termination of jurisdiction of a court involving prior child support and custody proceedings, was taken up for consideration.

Lukan of Dubuque 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. 2463](#))

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
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
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell

[Senate File 2387](#), a bill for an act relating to the housing trust fund and making appropriations.

MICHAEL E. MARSHALL, Secretary

[HOUSE FILE 2293](#) WITHDRAWN

Lukan of Dubuque asked and received unanimous consent to withdraw [House File 2293](#) from further consideration by the House.

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2463](#) and 2505 be immediately messaged to the Senate.

On motion by Gipp of Winneshiek, the House was recessed at 12:01 p.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:02 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 seventy-six members present, twenty-four absent.

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 14, 2006, adopted the following resolution in which the concurrence of the Senate was asked:

[House Joint Resolution 5](#), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the qualification of electors.

Also: That the Senate has on March 14, 2006, passed the following bill in which the concurrence of the Senate was asked:

[House File 2587](#), a bill for an act relating to financial institutions including the regulation of state banks, bank holding companies, and industrial loan companies, and providing for penalties.

Also: That the Senate has on March 14, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2272](#), a bill for an act relating to the duties and operations of the state board of education, the department of education, and local school boards.

Also: That the Senate has on March 14, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2318](#), a bill for an act relating to an exception from emergency medical care requirements for persons providing care within the scope of their certification.

MICHAEL E. MARSHALL, Secretary

RULES SUSPENDED

Gipp of Winneshiek asked and received unanimous consent to suspend Rule 31.8, related to the timely filing of amendments, for amendments filed for [House File 2627](#) and [Senate File 2330](#).

CONSIDERATION OF BILLS

Regular Calendar

[House File 2627](#), a bill for an act prohibiting monitor vending machines and providing an effective date, was taken up for consideration.

The following amendments were deferred by unanimous consent:

- Amendment [H-8147](#) filed by Elgin of Linn.
- Amendment [H-8150](#) filed by Carroll of Poweshiek.
- Amendment [H-8196](#) filed by Wise of Lee.

Elgin of Linn offered the following amendment [H-8218](#) filed by him from the floor and moved its adoption:

[H-8218](#)

- 1 Amend [House File 2627](#) as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 99G.3, subsection 7, Code

5 2005, is amended to read as follows:

6 7. "Lottery", "lotteries", "lottery game",
7 "lottery games" or "lottery products" means any game
8 of chance approved by the board and operated pursuant
9 to this chapter and games using mechanical or
10 electronic devices, provided that the authority shall
11 not authorize a monitor vending machine or a player-
12 activated gaming machine that utilizes an internal
13 randomizer to determine winning and nonwinning plays
14 and that upon random internal selection of a winning
15 play dispenses coins, currency, or a ticket, credit,
16 or token to the player that is redeemable for cash or
17 a prize, and excluding gambling or gaming conducted
18 pursuant to chapter 99B, 99D, or 99F.

19 Sec. 2. Section 99G.3, Code 2005, is amended by
20 adding the following new subsection:

21 NEW SUBSECTION. 8A. "Monitor vending machine"
22 means a machine or other similar electronic device
23 that includes a video monitor and audio capabilities
24 that dispenses to a purchaser lottery tickets that
25 have been determined to be winning or losing tickets
26 by a predetermined pool drawing machine prior to the
27 dispensing of the tickets.

28 Sec. 3. NEW SECTION. 99G.30A MONITOR VENDING
29 MACHINE – TAX IMPOSED.

30 1. If revenues are generated from monitor vending
31 machines on or after forty-five days following the
32 effective date of this Act, then there shall be a
33 monitor vending machine excise tax imposed on net
34 monitor vending machine revenue receipts at the rate
35 of sixty-five percent.

36 2. a. The director of revenue shall administer
37 the monitor vending machine excise tax as nearly as
38 possible in conjunction with the administration of
39 state sales tax laws. The director shall provide
40 appropriate forms or provide appropriate entries on
41 the regular state tax forms for reporting local sales
42 and services tax liability.

43 b. All powers and requirements of the director to
44 administer the state sales and use tax law are
45 applicable to the administration of the monitor
46 vending machine excise tax, including but not limited
47 to the provisions of section 422.25, subsection 4,
48 sections 422.30, 422.67, and 422.68, section 422.69,
49 subsection 1, sections 422.70 to 422.75, section
50 423.14, subsection 1 and subsection 2, paragraphs "b"

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1 through "e", and sections 423.15, 423.23, 423.24,
2 423.25, 423.31 to 423.35, 423.37 to 423.42, 423.46,
3 and 423.47.

4 c. Frequency of deposits and quarterly reports of
5 the monitor vending machine excise tax with the
6 department of revenue are governed by the tax
7 provisions in section 423.31. Monitor vending machine
8 excise tax collections shall not be included in
9 computation of the total tax to determine frequency of
10 filing under section 423.31.
11 3. For purposes of this section, "net monitor
12 vending machine revenue receipts" means the gross
13 receipts received from monitor vending machines less
14 prizes awarded.
15 Sec. 4. TRANSITION PROVISIONS – MONITOR VENDING
16 MACHINES. Notwithstanding any provision of section
17 99G.3, as amended by this Act, to the contrary, a
18 retailer that has acquired a monitor vending machine
19 prior to the effective date of this Act shall be
20 allowed to offer the machine to the public for only
21 forty-five days following the effective date of this
22 Act. On or after forty-five days following the
23 effective date of this Act, a retailer shall not make
24 a monitor vending machine available to the public.
25 Sec. 5. EFFECTIVE DATE. This Act, being deemed of
26 immediate importance, takes effect upon enactment."
27 2. Title page, line 1, by inserting after the
28 word "providing" the following: "an excise tax and".

Amendment [H-8218](#) was adopted.

With the adoption of amendment [H-8218](#), the following amendments were placed out of order:

Amendment [H-8147](#) filed by Elgin of Linn on March 8, 2006.

Amendment [H-8148](#) filed by Carroll of Poweshiek on March 8, 2006.

Amendment [H-8150](#) filed by Carroll of Poweshiek on March 8, 2006.

Amendment [H-8168](#) filed by Carroll of Poweshiek on March 9, 2006.

Amendment [H-8186](#) filed by Elgin of Linn on March 13, 2006.

Amendment [H-8187](#) filed by Elgin of Linn on March 13, 2006.

Amendment [H-8188](#) filed by Elgin of Linn on March 13, 2006.

Amendment [H-8189](#) filed by Elgin of Linn on March 13, 2006.

Amendment [H-8191](#) filed by Elgin of Linn on March 13, 2006.

Amendment [H-8192](#) filed by Lukan of Dubuque on March 13, 2006.

Amendment [H-8195](#) filed by Wise of Lee and Quirk of Chickasaw on March 13, 2006.

Amendment [H-8196](#) filed by Wise of Lee and Quirk of Chickasaw on March 13, 2006.

Amendment [H-8207](#) filed by Ford of Polk on March 13, 2006.

Amendment [H-8208](#) filed by Ford of Polk and Jochum of Dubuque on March 13, 2006.

Amendment [H-8209](#) filed by Ford of Polk on March 13, 2006.

Amendment [H-8211](#) filed by Ford of Polk on March 13, 2006.

Amendment [H-8223](#) filed by Jenkins of Black Hawk and Kurtenbach of Story from the floor.

Amendment [H-8226](#) filed by D. Taylor of Linn from the floor.

Amendment [H-8237](#) filed by Elgin of Linn from the floor.

Amendment [H-8249](#) filed by Ford of Polk from the floor.

[SENATE FILE 2330](#) SUBSTITUTED FOR [HOUSE FILE 2627](#)

Elgin of Linn asked and received unanimous consent to substitute [Senate File 2330](#) for [House File 2627](#).

[Senate File 2330](#), a bill for an act prohibiting monitor vending machines and providing an excise tax and an effective date, was taken up for consideration.

The House stood at ease at 1:18 p.m., until the fall of the gavel.

The House resumed session at 1:20 p.m., Speaker Rants in the chair.

RULE 32 INVOKED

Murphy of Dubuque rose on a point of order invoking Rule 32, relating to the commitment of appropriation and revenue bills on [Senate File 2330](#).

The Speaker ruled the point well taken and referred [Senate File 2330](#) to the committee on ways and means.

RULE 57 SUSPENDED

Gipp of Winneshiek asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for an immediate meeting of the committee on ways and means to consider [Senate File 2330](#).

The House stood at ease at 1:21 p.m., until the fall of the gavel.

The House resumed session and consideration of [Senate File 2330](#) at 1:57 p.m., Speaker Rants in the chair.

COMMITTEE RECOMMENDATION

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk.

MARGARET A. THOMSON
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

[Senate File 2330](#), a bill for an act prohibiting monitor vending machines and providing an excise tax and an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2006.

Quirk of Chickasaw asked and received unanimous consent that amendment [H-8228](#) be deferred.

D. Taylor of Linn offered the following amendment [H-8232](#) filed by him from the floor and moved its adoption:

[H-8232](#)

1 Amend [Senate File 2330](#), as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting
4 clause and inserting the following:
5 "Section 1. Section 99G.9, Code 2005, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 4A. To establish a process to
8 allow a person to be voluntarily excluded for life
9 from purchasing a lottery ticket or share for lottery
10 games authorized by this chapter. The process
11 established shall require that the authority
12 disseminate information regarding persons voluntarily
13 excluded to all retailers under this chapter and, if
14 applicable, to licensees under chapters 99D and 99F.
15 The state, the authority, retailers under this
16 chapter, and, if applicable, any licensee under
17 chapter 99D or 99F shall not be liable to any person
18 for any claim which may arise from this process. In
19 addition to any other penalty provided by law, any
20 money or thing of value that has been obtained by, or
21 is owed to, a voluntarily excluded person by the
22 authority as a result of playing any lottery game by
23 the person after the person has been voluntarily
24 excluded shall not be paid to the person but shall be
25 deposited into the gambling treatment fund created in

26 section 135.150. The authority shall coordinate with
27 the racing and gaming commission to establish a
28 unified process for allowing persons to be excluded
29 for life under this chapter and chapters 99D and 99F,
30 and to establish a statewide database of persons
31 excluded under this process and those excluded under
32 the process for racetrack enclosures and all other
33 licensed facilities under chapters 99D and 99F.

34 Sec. 2. Section 99G.30, subsection 4, Code 2005,
35 is amended to read as follows:

36 4. Except for the authority, a retailer shall only
37 sell lottery products on the licensed premises and not
38 through the mail or by technological means except as
39 the authority may provide or authorize and subject to
40 the requirements of section 99G.30A.

41 Sec. 3. Section 99G.30, Code 2005, is amended by
42 adding the following new subsection:

43 NEW SUBSECTION. 8. Lottery products or shares
44 shall only be sold by a person at least eighteen years
45 of age.

46 Sec. 4. NEW SECTION. 99G.30A MONITOR VENDING
47 MACHINES – RESTRICTIONS.

48 1. It shall be lawful for a retailer to sell
49 lottery products or tickets by means of a monitor
50 vending machine pursuant to the requirements of the

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1 authority, but only if all of the following conditions
2 are met:

3 a. A monitor vending machine shall only be
4 permitted or offered for use by a retailer that is a
5 fraternal or charitable organization in any single
6 location or premises for which a class "A" or class
7 "C" liquor control license has been issued pursuant to
8 chapter 123.

9 b. A monitor vending machine shall not be located
10 on the premises of a retailer within twenty feet of an
11 automated teller machine.

12 c. A retailer may locate no more than four monitor
13 vending machines at the retailer's premises.

14 d. The authority shall not advertise or promote
15 the availability of monitor vending machines to the
16 public. In addition, a person or retailer shall not
17 advertise or promote the availability of a monitor
18 vending machine to the public as anything other than a
19 monitor vending machine dispensing lottery products or
20 tickets pursuant to rules adopted by the authority.

21 e. A monitor vending machine offered to the public
22 shall be designed so as to be inaudible and with a
23 blank video monitor screen until the machine is
24 activated by a player. To activate a machine, a

25 player shall be required to obtain a code or similar
26 activating device from the retailer each time a player
27 wishes to activate and play a machine. In addition,
28 each machine shall be designed to require each player
29 to affirmatively respond to questions on the machine
30 as determined by the authority prior to playing the
31 machine. The questions shall require responses
32 related to the minimum age required to play the
33 machine, the consequences if a person excluded from
34 purchasing lottery products plays the machine, and the
35 availability of gambling treatment programs.

36 f. The minimum cost for a person to activate and
37 play a game on a monitor vending machine shall be no
38 less than one dollar.

39 g. A retailer with a monitor vending machine shall
40 make brochures concerning available gambling treatment
41 information readily available to players of the
42 machine.

43 h. A retailer offering a monitor vending machine
44 to the public shall require that all employees
45 authorized to provide the code or similar activating
46 device to persons prior to activating and playing a
47 monitor vending machine shall be at least eighteen
48 years of age.

49 i. The number of monitor vending machines
50 authorized by the authority and offered to the public

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1 shall not exceed the number of monitor vending
2 machines that had been authorized and either located
3 on the licensed premises of a retailer or ordered by a
4 retailer from an authorized manufacturer as of January
5 7, 2006.

6 2. For purposes of this section, "monitor vending
7 machine" means a machine or other similar electronic
8 device that includes a video monitor and audio
9 capabilities that dispenses to a purchaser lottery
10 tickets that have been determined to be winning or
11 losing tickets by a predetermined pool drawing machine
12 prior to the dispensing of the tickets.

13 Sec. 5. NEW SECTION. 99G.30B AGE RESTRICTIONS –
14 PENALTIES.

15 1. A person under the age of twenty-one years
16 shall not purchase or attempt to purchase a lottery
17 ticket or share. A person who violates this
18 subsection commits a scheduled violation under section
19 805.8C, subsection 5.

20 2. If any retailer, or employee of a retailer, is
21 convicted or found in violation of section 99G.30,
22 subsection 3, the authority shall, in addition to
23 criminal penalties fixed for violation of that

24 subsection, assess a civil penalty as follows:
25 a. A first violation shall subject the retailer to
26 a civil penalty in the amount of five hundred dollars.
27 b. A second violation within two years shall
28 subject the retailer to a thirty-day suspension of the
29 retailer's license and a civil penalty in the amount
30 of one thousand five hundred dollars.
31 c. A third violation within three years shall
32 subject the retailer to a sixty-day suspension of the
33 retailer's license and a civil penalty in the amount
34 of one thousand five hundred dollars.
35 d. A fourth violation within three years shall
36 result in revocation of the retailer's license.
37 e. For purposes of this subsection:
38 (1) The date of any violation shall be used in
39 determining the period between violations.
40 (2) Suspension shall be limited to the specific
41 license for the premises found in violation.
42 Sec. 6. Section 99G.33, Code 2005, is amended to
43 read as follows:
44 99G.33 LAW ENFORCEMENT INVESTIGATIONS.
45 The department of public safety, division of
46 criminal investigation, shall be the primary state
47 agency responsible for investigating criminal
48 violations under this chapter. The chief executive
49 officer shall contract with the department of public
50 safety for investigative services, including the

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1 employment of special agents and support personnel,
2 and procurement of necessary equipment to carry out
3 the responsibilities of the division of criminal
4 investigation under the terms of the contract and this
5 chapter. The contract shall provide, at a minimum,
6 for random checks of retailers at all hours for
7 compliance with the provisions of this chapter,
8 especially as it relates to the purchase of lottery
9 products or access to monitor vending machines by a
10 person who has not reached the age of twenty-one.
11 Sec. 7. Section 99G.39, subsection 1, paragraph a,
12 Code 2005, is amended to read as follows:
13 a. An amount equal to one-half of one percent of
14 the gross lottery revenue for the year shall be
15 deposited in the gambling treatment fund created in
16 section 135.150. However, an amount equal to one
17 percent of the gross lottery revenue for the year
18 derived from monitor vending machines shall be
19 deposited in the gambling treatment fund created in
20 section 135.150.
21 Sec. 8. Section 805.8C, subsection 5, Code
22 Supplement 2005, is amended to read as follows:

23 5. GAMBLING VIOLATIONS. For violations of legal
 24 age for gambling wagering under section 99D.11,
 25 subsection 7, section 99F.9, subsection 5, section
 26 99G.30B, subsection 1, and section 725.19, subsection
 27 1, the scheduled fine is five hundred dollars.
 28 Failure to pay the fine by a person under the age of
 29 eighteen shall not result in the person being detained
 30 in a secure facility."
 31 2. Title page, by striking lines 1 and 2 and
 32 inserting the following: "An Act concerning the Iowa
 33 lottery, including provisions on authorized lottery
 34 games and machines, and providing penalties."
 35 3. By renumbering as necessary.

Amendment [H-8232](#) lost.

Heaton of Henry asked and received unanimous consent that amendment [H-8234](#) be deferred.

Quirk of Chickasaw offered amendment [H-8228](#), previously deferred, filed by him from the floor as follows:

[H-8228](#)

1 Amend [Senate File 2330](#), as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. By striking everything after the enacting
 4 clause and inserting the following:
 5 "Section 1. Section 99G.3, subsection 7, Code
 6 2005, is amended to read as follows:
 7 7. "Lottery", "lotteries", "lottery game",
 8 "lottery games" or "lottery products" means any game
 9 of chance approved by the board and operated pursuant
 10 to this chapter and games using mechanical or
 11 electronic devices, provided that the authority shall
 12 not authorize a monitor vending machine or a player-
 13 activated gaming machine that utilizes an internal
 14 randomizer to determine winning and nonwinning plays
 15 and that upon random internal selection of a winning
 16 play dispenses coins, currency, or a ticket, credit,
 17 or token to the player that is redeemable for cash or
 18 a prize, and excluding gambling or gaming conducted
 19 pursuant to chapter 99B, 99D, or 99F.
 20 Sec. 2. Section 99G.3, Code 2005, is amended by
 21 adding the following new subsection:
 22 NEW SUBSECTION. 8A. "Monitor vending machine"
 23 means a machine or other similar electronic device
 24 that includes a video monitor and audio capabilities
 25 that dispenses to a purchaser lottery tickets that
 26 have been determined to be winning or losing tickets

27 by a predetermined pool drawing machine prior to the
28 dispensing of the tickets.
29 Sec. 3. TRANSITION PROVISIONS – MONITOR VENDING
30 MACHINES.
31 1. Notwithstanding any provision of section 99G.3,
32 as amended by this Act, to the contrary, a retailer
33 that has acquired a monitor vending machine prior to
34 the effective date of this Act shall be allowed to
35 offer the machine to the public for only forty-five
36 days following the effective date of this Act. On or
37 after forty-five days following the effective date of
38 this Act, a retailer shall not make a monitor vending
39 machine available to the public except as provided in
40 subsection 2.
41 2. However, a retailer that has acquired a monitor
42 vending machine prior to the effective date of this
43 Act may continue to offer the machine to the public
44 until September 15, 2006, if prior to forty-five days
45 following the effective date of this Act a waiver has
46 been filed by the retailer with the Iowa lottery. The
47 waiver shall be signed by the retailer, and the
48 manufacturer and distributor of the machine to be
49 offered to the public pursuant to this subsection by
50 the retailer, and provide that all parties agree to

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1 waive any and all claims any party may have against
2 the Iowa lottery and the state arising out of the
3 operation of this Act.
4 3. Upon filing a waiver as provided by subsection
5 2, lottery revenues derived from monitor vending
6 machines of the retailer and otherwise required to be
7 payable to the Iowa lottery shall not be required to
8 be paid to the Iowa lottery for the period on or after
9 the date the waiver is filed and prior to September
10 15, 2006. Instead, revenues otherwise required to be
11 paid to the Iowa lottery shall be retained by the
12 retailer and allocated to the retailer, manufacturer,
13 and distributor of the machine in the same percentage
14 as revenues are to be allocated between the parties
15 pursuant to the contracts entered into by the parties.
16 Sec. 4. EFFECTIVE DATE. This Act, being deemed of
17 immediate importance, takes effect upon enactment."
18 2. Title page, line 2, by striking the words
19 "excise tax and an".

Quirk of Chickasaw offered the following amendment [H-8233](#), to amendment [H-8228](#), filed by him from the floor and moved its adoption:

H-8233

- 1 Amend the amendment, [H-8228](#), to [Senate File 2330](#),
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 2, by striking lines 4 through 15.
- 5 2. By renumbering as necessary.

Amendment [H-8233](#) was adopted.

The House stood at ease at 2:55 p.m., until the fall of the gavel.

The House resumed session at 3:44 p.m., Speaker Rants in the chair.

Carroll of Poweshiek offered amendment [H-8241](#), to amendment [H-8228](#), filed by him from the floor as follows:

H-8241

- 1 Amend the amendment, [H-8228](#), to [Senate File 2330](#),
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. By striking page 1, line 5, through page 2,
- 5 line 19, and inserting the following:
- 6 "Sec. ___. Section 99G.3, subsection 7, Code 2005,
- 7 is amended to read as follows:
- 8 7. "Lottery", "lotteries", "lottery game",
- 9 "lottery games" or "lottery products" means any game
- 10 of chance approved by the board and operated pursuant
- 11 to this chapter and games using mechanical or
- 12 electronic devices, provided that the authority shall
- 13 not authorize a monitor vending machine or a player-
- 14 activated gaming machine that utilizes an internal
- 15 randomizer to determine winning and nonwinning plays
- 16 and that upon random internal selection of a winning
- 17 play dispenses coins, currency, or a ticket, credit,
- 18 or token to the player that is redeemable for cash or
- 19 a prize, and excluding gambling or gaming conducted
- 20 pursuant to chapter 99B, 99D, or 99F.
- 21 Sec. ___. Section 99G.3, Code 2005, is amended by
- 22 adding the following new subsection:
- 23 NEW SUBSECTION. 8A. "Monitor vending machine"
- 24 means a machine or other similar electronic device
- 25 that includes a video monitor and audio capabilities
- 26 that dispenses to a purchaser lottery tickets that
- 27 have been determined to be winning or losing tickets
- 28 by a predetermined pool drawing machine prior to the
- 29 dispensing of the tickets.

30 Sec. __. NEW SECTION. 99G.30A MONITOR VENDING
31 MACHINE – TAX IMPOSED.

32 1. If revenues are generated from monitor vending
33 machines on or after forty-five days following the
34 effective date of this Act, then there shall be a
35 monitor vending machine excise tax imposed on net
36 monitor vending machine revenue receipts at the rate
37 of sixty-five percent.

38 2. a. The director of revenue shall administer
39 the monitor vending machine excise tax as nearly as
40 possible in conjunction with the administration of
41 state sales tax laws. The director shall provide
42 appropriate forms or provide appropriate entries on
43 the regular state tax forms for reporting local sales
44 and services tax liability.

45 b. All powers and requirements of the director to
46 administer the state sales and use tax law are
47 applicable to the administration of the monitor
48 vending machine excise tax, including but not limited
49 to the provisions of section 422.25, subsection 4,
50 sections 422.30, 422.67, and 422.68, section 422.69,

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1 subsection 1, sections 422.70 to 422.75, section
2 423.14, subsection 1 and subsection 2, paragraphs "b"
3 through "e", and sections 423.15, 423.23, 423.24,
4 423.25, 423.31 to 423.35, 423.37 to 423.42, 423.46,
5 and 423.47.

6 c. Frequency of deposits and quarterly reports of
7 the monitor vending machine excise tax with the
8 department of revenue are governed by the tax
9 provisions in section 423.31. Monitor vending machine
10 excise tax collections shall not be included in
11 computation of the total tax to determine frequency of
12 filing under section 423.31.

13 3. For purposes of this section, "net monitor
14 vending machine revenue receipts" means the gross
15 receipts received from monitor vending machines less
16 prizes awarded.

17 Sec. __. TRANSITION PROVISIONS – MONITOR VENDING
18 MACHINES. Notwithstanding any provision of section
19 99G.3, as amended by this Act, to the contrary, a
20 retailer that has acquired a monitor vending machine
21 prior to the effective date of this Act shall be
22 allowed to offer the machine to the public for only
23 forty-five days following the effective date of this
24 Act. On or after forty-five days following the
25 effective date of this Act, a retailer shall not make
26 a monitor vending machine available to the public.

27 Sec. __. EFFECTIVE DATE. This Act, being deemed
28 of immediate importance, takes effect upon enactment."

Roberts of Carroll in the chair at 4:15 p.m.

Speaker Rants in the Chair at 4:25 p.m.

The House stood at ease at 4:28 p.m., until the fall of the gavel.

The House resumed session at 5:22 p.m., Speaker Rants in the chair.

The House stood at ease at 5:22 p.m., until the fall of the gavel.

The House resumed session at 5:58 p.m., Speaker Rants in the chair.

Carroll of Poweshiek asked and received unanimous consent to withdraw amendment [H-8241](#) to amendment [H-8228](#) filed by him from the floor.

Quirk of Chickasaw asked and received unanimous consent to withdraw amendment [H-8253](#), to amendment [H-8228](#), filed by him from the floor.

Quirk of Chickasaw asked and received unanimous consent to withdraw amendment [H-8252](#), to amendment [H-8228](#), filed by him from the floor.

Quirk of Chickasaw moved the adoption of amendment [H-8228](#), as amended.

Rule 75 was invoked.

Roll call was requested by Quirk of Chickasaw and Hunter of Polk.

On the question "Shall amendment [H-8228](#), as amended, be adopted?" ([S.F. 2330](#))

The ayes were, 41:

Anderson	Baudler	Bell	Berry
Bukta	Cphoon	Davitt	Foege
Ford	Frevert	Gaskill	Heddens
Hunter	Jacoby	Jochum	Kressig
Lensing	Lykam	Maddox	Mertz

Miller	Murphy	Oldson	Olson, D.
Olson, R.	Petersen	Pettengill	Quirk
Reasoner	Schueller	Shultz	Smith
Swaim	Taylor, T.	Thomas	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise			

The nays were, 57:

Alons	Arnold	Boal	Carroll
Chambers	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Freeman	Gipp	Granzow	Greiner
Heaton	Hoffman	Hogg	Horbach
Huseman	Huser	Hutter	Jacobs
Jenkins	Jones	Kaufmann	Kuhn
Kurtenbach	Lalk	Lukan	Mascher
May	McCarthy	Olson, S.	Paulsen
Raecker	Rasmussen	Rayhons	Reichert
Roberts	Sands	Schickel	Shomshor
Soderberg	Struyk	Taylor, D.	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wilderdyke
Mr. Speaker			
Rants			

Absent or not voting, 2:

Dandekar Zirkelbach

Amendment [H-8228](#), as amended, lost, placing out of order amendment [H-8257](#) filed by Fallon of Polk from the floor.

Ford of Polk offered the following amendment [H-8250](#) filed by him from the floor and moved its adoption:

[H-8250](#)

- 1 Amend [Senate File 2330](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. Section 99G.30, subsection 4, Code
- 6 2005, is amended to read as follows:
- 7 4. Except for the authority, a retailer shall only
- 8 sell lottery products on the licensed premises and not
- 9 through the mail or by technological means except as
- 10 the authority may provide or authorize and subject to
- 11 the requirements of section 99G.30A.
- 12 Sec. 2. NEW SECTION. 99G.30A MONITOR VENDING

13 MACHINES – REFERENDUM.

14 1. It shall be lawful for a retailer to sell
 15 lottery products or tickets by means of a monitor
 16 vending machine pursuant to the requirements of the
 17 authority, but only in a county in which the result of
 18 the most recent referendum conducted in that county
 19 pursuant to section 99G.30B was approval of a proposal
 20 to authorize monitor vending machines.

21 2. For purposes of this section, "monitor vending
 22 machine" means a machine or other similar electronic
 23 device that includes a video monitor and audio
 24 capabilities that dispenses to a purchaser lottery
 25 tickets that have been determined to be winning or
 26 losing tickets by a predetermined pool drawing machine
 27 prior to the dispensing of the tickets.

28 Sec. 3. NEW SECTION. 99G.30B MONITOR VENDING
 29 MACHINES – CONDUCT OF REFERENDUM.

30 1. The board of supervisors of each county shall
 31 direct the commissioner of elections to submit a
 32 proposition concerning monitor vending machines to the
 33 county electorate at the general election held in 2006
 34 and at the general election held at each subsequent
 35 ten-year interval.

36 2. The proposition to be submitted to the electors
 37 shall be in the following form:

38 Should monitor vending machines approved by the
 39 Iowa lottery be allowed for (name of applicable
 40 county)?

41 3. If a majority of the county voters voting in
 42 the most recent referendum on the proposition favors
 43 allowing monitor vending machines, then retailers may
 44 offer monitor vending machines to the public in that
 45 county pursuant to the requirements of this chapter.
 46 If a majority of the county voters voting in the most
 47 recent referendum on the proposition does not favor
 48 allowing monitor vending machines, then monitor
 49 vending machines shall not be permitted in the county
 50 and retailers shall not make any monitor vending

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1 machines available to the public within sixty days
 2 after the election."

3 2. Title page, by striking lines 1 and 2 and
 4 inserting the following: "An Act concerning the Iowa
 5 lottery, including provisions on authorized lottery
 6 games and machines."

Amendment [H-8250](#) lost.

Fallon of Polk asked and received unanimous consent to withdraw amendment [H-8236](#) filed by him from the floor.

Ford of Polk offered the following amendment [H-8239](#) filed by him from the floor and moved its adoption:

[H-8239](#)

1 Amend [Senate File 2330](#), as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by inserting after line 26 the
 4 following:
 5 "Sec. ____ . IOWA LOTTERY REIMBURSEMENT GRANTS.
 6 There is appropriated from the general fund of the
 7 state to the Iowa lottery division for the fiscal year
 8 beginning July 1, 2006, and ending June 30, 2007, the
 9 following amount, or so much thereof as is necessary,
 10 to be used for the purpose designated:
 11 For providing monitor vending machine reimbursement
 12 grants as provided by this section:
 13 \$149,000,000
 14 The Iowa lottery shall establish an application
 15 process for retailers that have acquired a monitor
 16 vending machine prior to the effective date of this
 17 Act, as well as manufacturers and distributors of
 18 machines offered to the public prior to the effective
 19 date of this Act, to obtain a monitor vending machine
 20 reimbursement grant from the amount appropriated in
 21 this section. As a condition of a retailer,
 22 manufacturer, or distributor receiving a grant
 23 pursuant to this section, the applicable retailer,
 24 manufacturer, or distributor shall waive any and all
 25 claims any party may have against the Iowa lottery and
 26 the state arising out of the operation of this Act."
 27 2. Title page, line 2, by inserting after the
 28 word "tax" the following: ", an appropriation,".
 29 3. By renumbering as necessary.

Amendment [H-8239](#) lost.

Heaton of Henry asked and received unanimous consent to withdraw amendment [H-8234](#), previously deferred, filed by him, Horbach of Tama and Granzow of Hardin from the floor.

Elgin of Linn 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. 2330)

The ayes were, 80:

Alons	Anderson	Arnold	Bell
Boal	Bukta	Carroll	Chambers
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gipp	Granzow	Greiner	Heaton
Heddens	Hogg	Huseman	Huser
Hutter	Jacobs	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Maddox	Mascher	May	McCarthy
Miller	Murphy	Oldson	Olson, D.
Olson, S.	Paulsen	Petersen	Pettengill
Raecker	Rasmussen	Rayhons	Reichert
Roberts	Sands	Schickel	Shomshor
Shoultz	Smith	Soderberg	Struyk
Taylor, D.	Taylor, T.	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Wise	Mr. Speaker
			Rants

The nays were, 18:

Baudler	Berry	Cphoon	Gaskill
Hoffman	Horbach	Hunter	Jacoby
Lykam	Mertz	Olson, R.	Quirk
Reasoner	Schueller	Swaim	Thomas
Tomenga	Winckler		

Absent or not voting, 2:

Dandekar	Zirkelbach
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 14, 2006, passed the following bill in which the concurrence of the House is asked:

Senate file 2322, a bill for an act relating to notification procedures concerning diseases, health conditions, unusual clusters, or suspicious events which may be the cause of a public health disaster.

MICHAEL E. MARSHALL, Secretary

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [Senate File 2330](#) be immediately messaged to the Senate.

[HOUSE FILE 2627](#) WITHDRAWN

Elgin of Linn asked and received unanimous consent to withdraw [House File 2627](#) from further consideration by the House.

RULE 57 SUSPENDED

Gipp of Winneshiek asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on ways and means to consider [House Study Bill 770](#).

The House stood at ease at 8:06 p.m., until the fall of the gavel.

The House resumed session at 8:27 p.m., Speaker Rants in the chair.

INTRODUCTION OF BILL

[House File 2747](#), by committee on ways and means, a bill for an act relating to prohibiting monitor vending machines and providing an effective date.

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

SENATE MESSAGES CONSIDERED

[Senate File 2272](#), by committee on education, a bill for an act relating to the duties and operations of the state board of education, the department of education, and local school boards and including effective and applicability provisions.

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

[Senate File 2301](#), by committee on judiciary, a bill for an act relating to exemptions for certain personal property from execution by creditors in state court debt collection and federal bankruptcy actions.

Read first time and **passed on file**.

[Senate File 2318](#), by committee on human resources, a bill for an act relating to an exception from emergency medical care requirements for persons providing care within the scope of their certification.

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

[Senate File 2322](#), by committee on human resources, a bill for an act relating to the investigation and control of communicable and infectious diseases and notification procedures concerning diseases, health conditions, unusual clusters, or suspicious events which may be the cause of a public health disaster.

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

[Senate File 2352](#), by committee on natural resources and environment, a bill for an act relating to the regulation of all-terrain vehicles, and providing penalties for violations committed by snowmobile or all-terrain vehicle operators.

Read first time and **passed on file**.

[Senate File 2362](#), 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 **passed on file**.

[Senate File 2368](#), by committee on state government, a bill for an act concerning alcoholic beverage control relating to manufacturers providing free cleaning services to retailers.

Read first time and **passed on file**.

[Senate File 2387](#), by committee on appropriations, a bill for an act relating to the housing trust fund and making appropriations.

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

COMMITTEE RECOMMENDATION

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly [House Study Bill 770](#)), relating to prohibiting monitor vending machines and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** March 14, 2006.

Gipp of Winneshiek asked and received unanimous consent for the immediate consideration of [House File 2747](#).

Ways and Means Calendar

[House File 2747](#), a bill for an act relating to prohibiting monitor vending machines and providing an effective date, was taken up for consideration.

Boal of Polk 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. 2747](#))

The ayes were, 92:

Anderson	Arnold	Baudler	Bell
Berry	Boal	Bukta	Carroll
Cohoon	Davitt	De Boef	Dix
Dolecheck	Drake	Eichhorn	Elgin
Fallon	Foege	Ford	Freeman
Frevert	Gaskill	Gipp	Granzow
Greiner	Heaton	Heddens	Hoffman
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy

Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueler
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Mr. Speaker
			Rants

The nays were, 6:

Alons	Chambers	Hogg	Kuhn
Raecker	Taylor, D.		

Absent or not voting, 2:

Dandekar	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 MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2747](#) be immediately messaged to the Senate.

[HOUSE FILE 2714](#) REREFERRED

The Speaker announced that [House File 2714](#), previously referred to committee on **ways and means** was rereferred to committee on **appropriations**.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 13, 2006. Had I been present, I would have voted "aye" on House Files 2464, 2492, 2493, 2509, 2565, 2567, 2569, 2588, 2644, 2697, 2712 and Senate Files 2124, 2147 and 2273.

DE BOEF of Keokuk

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\935 Helen Mielke, Monona – For celebrating her 90th birthday.
- 2006\936 Richard Opperman, Fayette – For celebrating his 80th birthday.
- 2006\937 Leon and Ruth Jacob, Elgin – For celebrating their 60th wedding anniversary.
- 2006\938 Phil Rausch, Guttenberg – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\939 Kyle Pedretti, MFL MarMac High School – For winning 1st place in the 119lb. weight class in the Class 2–A Division of the 2006 State Wrestling Tournament.
- 2006\940 Guy Lane, Madrid – For celebrating his 95th birthday.
- 2006\941 Gladys Jans, Ames – For celebrating her 95th birthday.
- 2006\942 Chrystal Eckard, Ames – For celebrating her 90th birthday.
- 2006\943 Marjorie Johnson, Ames – For celebrating her 90th birthday.
- 2006\944 Donald Voelker, Ames – For celebrating his 85th birthday.
- 2006\945 Reuben Peterson, Madrid – For celebrating his 85th birthday.
- 2006\946 Mildred Engquist, Madrid – For celebrating her 85th birthday.
- 2006\947 Barbara Kane, Ames – For celebrating her 85th birthday.
- 2006\948 Laura Hellickson, Madrid – For celebrating her 85th birthday.
- 2006\949 Ardis Boyd, Ames – For celebrating her 85th birthday.
- 2006\950 Lester Larson, Ames – For celebrating his 85th birthday.
- 2006\951 Dale Edwards, Ames – For celebrating his 85th birthday.
- 2006\952 Gwendolyn Albright, Ames – For celebrating her 85th birthday.
- 2006\953 Josephine Ugolini, Madrid – For celebrating her 85th birthday.

- 2006\954 Harriet Welshons, Ames – For celebrating her 85th birthday.
- 2006\955 Virgil Lagomarcino, Ames – For celebrating his 85th birthday.
- 2006\956 Mary Pepper, Boone – For celebrating her 85th birthday.
- 2006\957 Elinor Gilbert, Madrid – For celebrating her 85th birthday.
- 2006\958 Virginia Acker, Ames – For celebrating her 80th birthday.
- 2006\959 Iva Nelson, Ames – For celebrating her 80th birthday.
- 2006\960 Martha Russell, Ames – For celebrating her 80th birthday.
- 2006\961 Betty Spicer, Ames – For celebrating her 80th birthday.
- 2006\962 Dorothy Conley, Ames – For celebrating her 80th birthday.
- 2006\963 Annabelle Rickerl, Gilbert – For celebrating her 80th birthday.
- 2006\964 Maridee Hegstrom, Ames – For celebrating her 80th birthday.
- 2006\965 Hugh Ostberg, Madrid – For celebrating his 80th birthday.
- 2006\966 Esther Hollenbach, Ames – For celebrating her 80th birthday.
- 2006\967 Mary Cox, Ames – For celebrating her 80th birthday.
- 2006\968 Dorothy McFarlane, Madrid – For celebrating her 80th birthday.
- 2006\969 Iris Jenney, Ames – For celebrating her 80th birthday.
- 2006\970 Donald Pietz, Ames – For celebrating his 80th birthday.
- 2006\971 Steve Coonrod, Cedar Rapids – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\972 Donald Taylor, Mason City – For celebrating his 80th birthday.
- 2006\973 Laura Patchen, Mason City – For celebrating her 90th birthday.
- 2006\974 Mildred Erbe, Mason City – For celebrating her 94th birthday.
- 2006\975 Laurine Byerly, Mason City – For celebrating her 87th birthday.
- 2006\976 Raymond and Jean Groth, Mason City – For celebrating their 50th wedding anniversary.
- 2006\977 Helen Sheets, Montezuma – For celebrating her 80th birthday.
- 2006\978 Gerald and Margaret Klyn, Oskaloosa – For celebrating their 60th wedding anniversary.

- 2006\979 Walter Gravitt, Oskaloosa – For celebrating his 91st birthday.
- 2006\980 Homer Cameron, Oskaloosa – For celebrating his 90th birthday.
- 2006\981 Woodrow and Zelda Jones, Grinnell – For celebrating their 72nd wedding anniversary.
- 2006\982 Marvin and Darlene Blaess, Grinnell – For celebrating their 70th wedding anniversary.
- 2006\983 Edna Chyma, Grinnell – For celebrating her 95th birthday.
- 2006\984 Hunter Watkins, Johnston – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\985 Mildred Burdette, Clear Lake – For celebrating her 100th birthday.
- 2006\986 LaVon Brown, Garner – For celebrating her 80th birthday.
- 2006\987 Don Rover, Hampton – For celebrating his 80th birthday.
- 2006\988 Lela Siebrands, Dumont – For celebrating her 90th birthday.
- 2006\989 Dallas and Haroldine Schear, Alexander – For celebrating their 62nd wedding anniversary.
- 2006\990 Esther and John Day, Hampton – For celebrating their 70th wedding anniversary.
- 2006\991 Sam and Marilyn Hasapopoulos, Clear Lake – For celebrating their 50th wedding anniversary.
- 2006\992 Cecelia Johannes, Sibley – For celebrating her 90th birthday.
- 2006\993 Marcus Kreykes, Sheldon – For celebrating his 90th birthday.
- 2006\994 Carl and Clara Wassman, Sibley – For celebrating their 74th wedding anniversary.
- 2006\995 Richard and Ann Van Meeteren, Sheldon – For celebrating their 60th wedding anniversary.
- 2006\996 Dr. Ken and Darlene Hansen, Sibley – For celebrating their 60th wedding anniversary.
- 2006\997 Carole Moffett, Toledo – For celebrating her 90th birthday.
- 2006\998 Richard Crawford, Dysart – For celebrating his 80th birthday.

SUBCOMMITTEE ASSIGNMENTS

[House File 2494](#)

Ways and Means: Eichhorn, Chair; Jochum and Kaufmann.

[House File 2514](#)

Appropriations: Jacobs, Chair; Jenkins and Petersen.

[House File 2606](#)

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

[House File 2670](#)

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

[House File 2689](#)

Ways and Means: Paulsen, Chair; Eichhorn and Hogg.

[House File 2701](#)

Ways and Means: Kaufmann, Chair; Davitt and Paulsen.

[House File 2714](#)

Ways and Means: Eichhorn, Chair; Jochum and Paulsen.

[House File 2735](#)

Ways and Means: Drake, Chair; Lalk and Reasoner.

[House File 2736](#)

Ways and Means: Struyk, Chair; Huser, Lalk, Reasoner and Upmeyer.

[House File 2737](#)

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

[Senate File 2291](#)

Judiciary: Tymeson, Chair; Berry and Carroll.

[Senate File 2327](#)

Judiciary: Hutter, Chair; Alons and Smith.

[Senate File 2349](#)

Judiciary: Boal, Chair; Eichhorn and R. Olson.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 767](#)

Appropriations: Sands, Chair; De Boef and Thomas.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 768](#) Ways and Means

Relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions.

[H.S.B. 769](#) Ways and Means

Modifying allocations and apportionments of road use tax funds.

[H.S.B. 770](#) Ways and Means

Relating to prohibiting monitor vending machines and providing an effective date.

RESOLUTION FILED

[HR 142](#), by Raecker, a resolution to congratulate the Urbandale Senior League All-Star Team for winning the 2005 Senior League Baseball World Series Championship.

Laid over under **Rule 25**.

AMENDMENTS FILED

<u>H-8219</u>	<u>H.F. 2506</u>	Sands of Louisa
<u>H-8220</u>	<u>H.F. 2671</u>	Sands of Louisa
<u>H-8221</u>	<u>H.F. 2632</u>	Dix of Butler
<u>H-8222</u>	<u>H.F. 2734</u>	Mascher of Johnson
<u>H-8224</u>	<u>H.F. 2527</u>	Pettengill of Benton
<u>H-8225</u>	<u>H.F. 2713</u>	Paulsen of Linn
<u>H-8227</u>	<u>H.F. 2678</u>	Alons of Sioux
<u>H-8229</u>	<u>H.F. 2414</u>	Anderson of Page
<u>H-8230</u>	<u>H.F. 2664</u>	Baudler of Adair
<u>H-8231</u>	<u>H.F. 2703</u>	Whitaker of Van Buren

<u>H-8235</u>	<u>H.F.</u>	<u>2734</u>	Carroll of Poweshiek
			J.R. Van Fossen of Scott
			Upmeyer of Hancock
			Kurtenbach of Story
			Boal of Polk
			Jenkins of Black Hawk
			Jacobs of Polk
			Paulsen of Linn
			Berry of Black Hawk
			Foege of Linn
			Huser of Polk
			T. Taylor of Linn
			Shoultz of Black Hawk
			Lensing of Johnson
			Lykam of Scott
			R. Olson of Polk
<u>H-8238</u>	<u>H.F.</u>	<u>2674</u>	Anderson of Page
<u>H-8240</u>	<u>H.F.</u>	<u>2734</u>	Heaton of Henry
			Freeman of Buena Vista
			Kaufmann of Cedar
			Tymeson of Madison
			Lalk of Fayette
			Foege of Linn
			Roberts of Carroll
			Heddens of Story
<u>H-8242</u>	<u>H.F.</u>	<u>2738</u>	Wendt of Woodbury
<u>H-8243</u>	<u>H.F.</u>	<u>2734</u>	Jochum of Dubuque
<u>H-8244</u>	<u>H.F.</u>	<u>2738</u>	Ford of Polk
<u>H-8245</u>	<u>H.F.</u>	<u>2730</u>	Carroll of Poweshiek
<u>H-8246</u>	<u>H.F.</u>	<u>2671</u>	Ford of Polk
<u>H-8247</u>	<u>H.F.</u>	<u>2637</u>	
<u>H-8248</u>	<u>H.F.</u>	<u>2566</u>	
<u>H-8251</u>	<u>H.F.</u>	<u>2527</u>	Pettengill of Benton
<u>H-8254</u>	<u>H.F.</u>	<u>2730</u>	Chambers of O'Brien
			Kurtenbach of Story
			T. Taylor of Linn
			Tomenga of Polk
<u>H-8255</u>	<u>H.F.</u>	<u>2621</u>	Kaufmann of Cedar
<u>H-8256</u>	<u>H.F.</u>	<u>2734</u>	Smith of Marshall
<u>H-8258</u>	<u>H.F.</u>	<u>2713</u>	Struyk of Pottawattamie
			Jochum of Dubuque
			Eichhorn of Hamilton

<u>H-8259</u>	<u>H.F. 2648</u>	Struyk of Pottawattamie
<u>H-8260</u>	<u>H.F. 2734</u>	Hogg of Linn
<u>H-8261</u>	<u>H.F. 2648</u>	Horbach of Tama
<u>H-8262</u>	<u>H.F. 2743</u>	Heaton of Henry
<u>H-8263</u>	<u>H.F. 2734</u>	Petersen of Polk
<u>H-8264</u>	<u>H.F. 2613</u>	Ford of Polk
<u>H-8265</u>	<u>H.F. 2743</u>	Foege of Linn
<u>H-8266</u>	<u>H.F. 2734</u>	Upmeyer of Hancock
<u>H-8267</u>	<u>H.F. 2734</u>	Upmeyer of Hancock
<u>H-8268</u>	<u>H.F. 2734</u>	Heaton of Henry

On motion by Gipp of Winneshiek the House adjourned at 8:41 p.m. until 8:45 a.m., Wednesday, March 15, 2006.