

PROOF

STATE OF IOWA

House Journal

THURSDAY, MARCH 16, 2006

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JOURNAL OF THE HOUSE

Sixty-seventh Calendar Day - Forty-seventh Session Day

Hall of the House of Representatives
Des Moines, Iowa, Thursday, March 16, 2006

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

Prayer was sung by Anthony Menendez former House Page from Estherville. He was the guest of Representative Marcella Frevert of Palo Alto County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Wednesday, March 15, 2006 was approved.

SENATE MESSAGE CONSIDERED

[Senate File 2353](#), by committee on commerce, a bill for an act relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties.

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

SPECIAL PRESENTATION

Speaker Rants introduced to the House Ambassador Kenneth M. Quinn, president of the World Food Prize Foundation whom introduced Dr. Norman E. Borlaug, U.S. Medal of Science recipient and Nobel Peace Prize Laureate who addressed the House briefly regarding his work with world hunger.

The House rose and expressed its welcome.

On motion by Gipp of Winneshiek, the House was recessed at 9:13 a.m., until 10:15 a.m.

The House resumed session at 10:20 a.m., Speaker Rants in the chair.

The House stood at ease at 10:20 a.m., until the fall of the gavel.

The House resumed session at 1:05 p.m., Speaker Rants in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Kaufmann of Cedar, until his arrival, on request of Gipp of Winneshiek; R. Olson of Polk, until his arrival, on request of Bukta of Clinton.

QUORUM CALL

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

CONSIDERATION OF BILLS

Regular Calendar

[House File 2506](#), a bill for an act relating to the issuance of identity theft passports by the attorney general, was taken up for consideration.

Sands of Louisa offered the following amendment [H-8219](#) filed by him and moved its adoption:

[H-8219](#)

- 1 Amend [House File 2506](#) as follows:
- 2 1. Page 1, by striking lines 25 through 31 and
- 3 inserting the following:
- 4 "4. A law enforcement agency or creditor may
- 5 accept an identity theft passport issued pursuant to
- 6 this section and presented by a victim at the
- 7 discretion of the law enforcement agency or creditor.
- 8 A law enforcement agency or creditor may consider
- 9 the".

Amendment [H-8219](#) was adopted.

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. 2506](#))

The ayes were, 95:

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
Jacobs	Jacoby	Jenkins	Jochum
Jones	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, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 5:

Dandekar	Kaufmann	Olson, R.	Taylor, D.
Zirkelbach			

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

[HOUSE FILE 2247](#) WITHDRAWN

Sands of Louisa asked and received unanimous consent to withdraw [House File 2247](#) from further consideration by the House.

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

The ayes were, 95:

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
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufman	Kressig	Kuhn
Kurtenbach	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, 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, none.

Absent or not voting, 5:

Dandekar	Lalk	Olson, R.	Taylor, D.
Zirkelbach			

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

House File 2590, a bill for an act providing for the confidentiality of information concerning security procedures or emergency preparedness information developed and maintained by a government body, was taken up for consideration.

Roberts of Carroll 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. 2590](#))

The ayes were, 94:

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
Jacobs	Jacoby	Jenkins	Jochum
Jones	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, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 6:

Dandekar	Kaufmann	Olson, R.	Taylor, D.
Wildedyke	Zirkelbach		

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

IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2506, 2507 and 2590.**

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

The ayes were, 93:

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
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
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	Shultz
Smith	Soderberg	Struyk	Swaim
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Mr. Speaker			
Rants			

The nays were, 1:

Hunter

Absent or not voting, 6:

Dandekar	Kaufmann	Olson, R.	Taylor, D.
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 2623](#), a bill for an act relating to the membership, authority, and duties of the board of educational examiners, was taken up for consideration.

The House stood at ease at 1:31 p.m., until the fall of the gavel.

The House resumed session at 1:40 p.m., Speaker Rants in the chair.

Chambers of O'Brien 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. 2623](#))

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	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
Kaufman	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, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.K.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, 1:

Fallon

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	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 2562](#), a bill for an act to make electronic mail and telephone billing records of law enforcement agencies confidential if that information is part of an investigation, 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. 2562](#))

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Davitt
De Boef	Dix	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
Kaufman	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, 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, 1:

Fallon

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	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 2316](#) WITHDRAWN

Horbach of Tama asked and received unanimous consent to withdraw [House File 2316](#) from further consideration by the House.

[House File 2571](#), a bill for an act relating to the confidentiality and release of an intelligence assessment or intelligence data, was taken up for consideration.

Tjepkes of Webster 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. 2571](#))

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	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, 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, 1:

Fallon

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	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 2586](#), a bill for an act relating to the collection of liquidated debts owed to and various authorizations issued by the labor commissioner, 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. 2586](#)**)

The ayes were, 95:

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

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, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 5:

Dandekar	Olson, R.	Taylor, D.	Wise
Zirkelbach			

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

House File 2619, a bill for an act relating to high school graduation, dropout, and equivalency reporting requirements, 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. 2619](#))

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
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	Shultz	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, none.

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	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 2620](#), a bill for an act providing an exception to the age of admission to kindergarten, was taken up for consideration.

Jacobs of Polk asked and received unanimous consent that [House File 2620](#) be deferred and that the bill retain its place on the calendar.

IMMEDIATE MESSAGES

Jacobs of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2508, 2562, 2571, 2586, 2619 and 2623.**

[House File 2671](#), 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, was taken up for consideration.

Sands of Louisa offered amendment [H-8220](#) filed by him as follows:

H-8220

- 1 Amend [House File 2671](#) as follows:
- 2 1. Page 3, by striking lines 19 through 22 and
- 3 inserting the following:
- 4 "A licensee or other mortgagee shall not knowingly
- 5 originate a first mortgage loan for residential real
- 6 estate located in this state on or after July 1, 2007,
- 7 that is".

Wise of Lee offered the following amendment [H-8297](#), to amendment [H-8220](#), filed by him, Quirk of Chickasaw and Pettengill of Benton from the floor and moved its adoption:

H-8297

- 1 Amend the amendment, [H-8220](#), to [House File 2671](#), as
- 2 follows:
- 3 1. Page 1, line 2, by striking the figures and
- 4 words "19 through 22 and" and inserting the following:
- 5 "17 through 31."
- 6 2. Page 1, by striking lines 3 through 7 and
- 7 inserting the following:
- 8 "___ Title page, by striking line 3 and
- 9 inserting the following: "relating to"."
- 10 3. By renumbering as necessary.

Roll call was requested by Wise of Lee and Murphy of Dubuque.

Rule 75 was invoked.

On the question "Shall amendment [H-8297](#) be adopted?" ([H.F. 2671](#))

The ayes were, 45:

Bell	Berry	Bukta	Cohon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Petersen
Pettengill	Quirk	Reasoner	Reichert
Schueller	Shomshor	Shoultz	Smith
Swaim	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	Wilderdyke	Mr. Speaker	
		Rants	

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	Zirkelbach
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Amendment [H-8297](#) lost.

Ford of Polk offered the following amendment [H-8299](#), to amendment [H-8220](#), filed by him from the floor and moved its adoption:

[H-8299](#)

1 Amend the amendment, [H-8220](#), to [House File 2671](#), as
 2 follows:
 3 1. Page 1, by inserting before line 2 the
 4 following:
 5 "___". Page 3, by inserting after line 16 the
 6 following:
 7 "5. An employer shall not discharge an employee or
 8 take or fail to take action regarding an employee's
 9 appointment or proposed appointment or promotion or
 10 proposed promotion, or regarding any advantage of an
 11 employee, or make a report regarding the status of the
 12 employee as an unauthorized alien to any federal
 13 department or agency as a reprisal against an employee
 14 that made a report to a law enforcement agency that
 15 the employee has been a victim of sexual abuse or
 16 sexual harassment by another employee of the employer.
 17 A law enforcement agency that accepts a report of
 18 sexual abuse or sexual harassment as described in this
 19 subsection shall not make a report regarding the
 20 status of the victim as an unauthorized alien to any
 21 federal department or agency."
 22 2. By renumbering as necessary.

Roll call was requested by Murphy of Dubuque and T. Taylor of Linn.

On the question "Shall amendment [H-8299](#) be adopted?" ([H.F. 2671](#))

The ayes were, 96:

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
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, 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, none.

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	Zirkelbach
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Amendment [H-8299](#) was adopted.

SPECIAL PRESENTATION

Speaker pro tempore Carroll introduced to the House the Honorable Rich Vande Hoef, former state representative from Osceola County.

The House rose and expressed its welcome.

Ford of Polk asked and received unanimous consent to withdraw amendment [H-8301](#), to amendment [H-8220](#), filed by him from the floor.

Wise of Lee asked and received unanimous consent to withdraw amendment [H-8298](#), to amendment [H-8220](#), filed by him from the floor.

Sands of Louisa asked and received unanimous consent that amendment [H-8220](#), as amended, be deferred.

Ford of Polk asked and received unanimous consent to withdraw amendment [H-8246](#) filed by him on March 14, 2006.

Jacobs of Polk asked and received unanimous consent that [House File 2671](#) be deferred and that the bill retain its place on the calendar. (Amendment [H-8220](#), as amended, pending)

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 16, 2006, amended and passed the following bill in which the concurrence of the Senate was asked:

[House File 2612](#), a bill for an act providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty.

Also: That the Senate has on March 16, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2251](#), a bill for an act directing the department of education and the Iowa department of public health to convene a healthy children task force and providing an effective date.

Also: That the Senate has on March 16, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2309](#), a bill for an act relating to technology transfer and commercialization in certain core platform areas.

Also: That the Senate has on March 16, 2006, passed the following bill in which the concurrence of the house is asked:

[Senate File 2332](#), a bill for an act establishing an Iowa food policy council.

Also: That the Senate has on March 16, 2006 passed the following bill in which the concurrence of the House is asked:

[Senate File 2363](#), a bill for an act relating to water quality standards.

Also: That the Senate has on March 16, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2377](#), a bill for an act relating to animal feeding operations, by providing for standards and evaluations by the department of natural resources.

MICHAEL E. MARSHALL, Secretary

[House File 2713](#), a bill for an act changing the bid threshold requirement for certain public improvement contracts and providing for an effective date, was taken up for consideration.

Drake of Pottawattamie offered amendment [H-8217](#) filed by him as follows:

[H-8217](#)

- 1 Amend [House File 2713](#) as follows:
- 2 1. Page 1, line 17, by inserting after the word
- 3 "regents" the following: "and the state department of
- 4 transportation".
- 5 2. Page 1, line 18, by striking the word
- 6 "structure" and inserting the following: "construction
- 7 work".
- 8 3. Page 6, line 19, by inserting after the word
- 9 "entity" the following: "or the state department of
- 10 transportation".
- 11 4. Page 6, line 22, by striking the word "that:"
- 12 and inserting the following: "as provided in this
- 13 section. For purposes of this section, "department"
- 14 means the state department of transportation."
- 15 5. Page 6, line 24, by inserting after the word
- 16 "improvement" the following: "or highway, bridge, or
- 17 culvert project".
- 18 6. Page 6, line 31, by inserting after the word
- 19 "entity" the following: "or the department".
- 20 7. Page 7, line 3, by inserting after the word
- 21 "entity" the following: "or the department".
- 22 8. Page 7, line 12, by inserting after the word
- 23 "entity's" the following: "or the department's".
- 24 9. Page 7, line 15, by inserting after the word
- 25 "entity" the following: "or the department".
- 26 10. Page 7, line 17, by inserting after the word
- 27 "entity's" the following: "or the department's".

- 28 11. Page 7, line 27, by inserting after the word
29 "project" the following: "or the highway, bridge, or
30 culvert project".
- 31 12. Page 7, line 28, by inserting after the word
32 "improvement" the following: "or the highway, bridge,
33 or culvert project".
- 34 13. Page 7, line 33, by inserting after the word
35 "entity" the following: "or the department".
- 36 14. Page 8, line 3, by inserting after the word
37 "project" the following: "or the highway, bridge, or
38 culvert project".
- 39 15. Page 8, line 8, by inserting after the word
40 "entity" the following: "or the department".
- 41 16. Page 8, line 14, by inserting after the word
42 "entity" the following: "or the department".
- 43 17. Page 8, by striking line 16 and inserting the
44 following: "contractor."
- 45 18. Page 8, line 20, by inserting after the word
46 "project" the following: "or the highway, bridge, or
47 culvert project".
- 48 19. Page 8, line 26, by inserting before the word
49 "designated" the following: "or a highway, bridge, or
50 culvert project".

Page 2

- 1 20. Page 8, line 29, by inserting after the word
2 "entity" the following: "or department".
- 3 21. Page 8, line 31, by inserting after the word
4 "entity" the following: "or department".
- 5 22. Page 8, line 33, by inserting after the word
6 "entity" the following: "or department".
- 7 23. Page 16, line 1, by striking the words and
8 figure "in accordance with the provisions of chapter
9 573".
- 10 24. Page 17, line 24, by striking the word "an"
11 and inserting the following: "~~an~~ horizontal and
12 vertical infrastructure".
- 13 25. Page 17, line 25, by striking the word
14 "committee" and inserting the following: "~~committee~~
15 committees".
- 16 26. Page 18, line 1, by inserting after the word
17 "the" the following: "appropriate".
- 18 27. Page 18, line 31, by inserting after the word
19 "the" the following: "appropriate".
- 20 28. Page 19, line 8, by striking the words "and
21 quotation".
- 22 29. Page 19, line 24, by striking the words and
23 figures "Prior to January 1, 2012" and inserting the
24 following: "Beginning July 1, 2006".
- 25 30. Page 22, line 3, by striking the word "~~not~~"
26 and inserting the following: "not".

- 27 31. Page 22, line 4, by striking the word
28 "section" and inserting the following: "section".
29 32. Page 22, line 5, by striking the word
30 "chapter" and inserting the following: "38.2,
31 subsection 3, except for purposes of section 38.12."
32 33. Page 22, by striking lines 6 through 11 and
33 inserting the following: "However, if a lease-
34 purchase contract is funded in advance by means of the
35 lessor depositing moneys to be administered by a city,
36 with the city's obligations to make rent payments
37 commencing with its receipt of moneys, a contract for
38 construction of the property in question awarded by
39 the city is subject to ~~division VI of chapter 384 38.~~"
40 34. Page 22, by striking lines 12 through 26.
41 35. By striking page 23, line 19, through page
42 24, line 1.
43 36. Page 24, line 16, by inserting after the
44 figure "904.315," the following: "unnumbered
45 paragraph 1,".
46 37. Page 24, by striking line 18.
47 38. Page 24, by striking lines 27 through 33.
48 39. By renumbering as necessary.

Paulsen of Linn offered the following amendment [H-8225](#), to amendment [H-8217](#), filed by him and moved its adoption:

[H-8225](#)

- 1 Amend the amendment, [H-8217](#), to [House File 2713](#) as
2 follows:
3 1. Page 2, by inserting after line 24 the
4 following:
5 "__. Page 21, by inserting after line 7 the
6 following:
7 "Sec.__. Section 331.341, subsection 4, Code
8 2005, is amended to read as follows:
9 4. If the contract price for a public improvement
10 is ~~fifteen~~ twenty-five thousand dollars or more, the
11 board shall require a contractor's bond in accordance
12 with chapter 573."
13 2. By renumbering as necessary.

Amendment [H-8225](#) was adopted.

On motion by Drake of Pottawattamie, amendment [H-8217](#), as amended, was adopted.

Struyk of Pottawattamie offered the following amendment [H-8258](#) filed by Struyk, et al., and moved its adoption:

[H-8258](#)

- 1 Amend [House File 2713](#) as follows:
- 2 1. Page 2, line 11, by striking the word
- 3 "Alternatively" and inserting the following:
- 4 "Additionally".

Amendment [H-8258](#) was adopted.

Drake of Pottawattamie 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. 2713](#))

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
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, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdye	Winckler	Wise	Mr. Speaker
			Rants

The nays were, none.

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	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 321 WITHDRAWN

Drake of Pottawattamie asked and received unanimous consent to withdraw House File 321 from further consideration by the House.

House File 2162, a bill for an act relating to the scope of rulemaking authority delegated to an administrative agency, was taken up for consideration.

Roberts of Carroll 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. 2162)

The ayes were, 94:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Ford
Freeman	Gaskill	Gipp	Granzow
Greiner	Heaton	Heddens	Hogg
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, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	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, 2:

Fallon Frevert

Absent or not voting, 4:

Dandekar Olson, R. Taylor, D. Zirkelbach

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

House File 2394, a bill for an act relating to the procedures for filing administrative rules, was taken up for consideration.

SENATE FILE 2316 SUBSTITUTED FOR **HOUSE FILE 2394**

Paulsen of Linn asked and received unanimous consent to substitute **Senate File 2316** for **House File 2394**.

Senate File 2316, a bill for an act relating to the procedures for filing administrative rules, was taken up for consideration.

Paulsen 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. 2316**)

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
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, 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	Mr. Speaker Rants

The nays were, none.

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	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 2394 WITHDRAWN

Paulsen of Linn asked and received unanimous consent to withdraw House File 2394 from further consideration by the House.

House File 2215, a bill for an act relating to requests for regulatory analysis of administrative rules, with report of committee recommending passage, was taken up for consideration.

Roberts of Carroll 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. 2215)

The ayes were, 93:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Ford
Freeman	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	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shultz	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, 2:

Fallon	Frevert
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Absent or not voting, 5:

Dandekar	McCarthy	Olson, R.	Taylor, D.
Zirkelbach			

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

House File 2662, a bill for an act relating to the effective period and legislative review of administrative rules, was taken up for consideration.

Eichhorn of Hamilton offered amendment **H-8190** filed by him as follows:

H-8190

- 1 Amend **House File 2662** as follows:
- 2 1. By striking page 1, line 32, through page 2,
- 3 line 3, and inserting the following:
- 4 "Sec. ____ **NEW SECTION.** 17A.5A COMPREHENSIVE
- 5 REVIEW AND RECISSION.
- 6 1. Each agency shall develop an ongoing plan for
- 7 the comprehensive review of all agency rules over a
- 8 five-year period. The initial review shall commence
- 9 July 1, 2010. Each state agency shall commence its
- 10 review by developing a plan in consultation with major
- 11 stakeholders and constituent groups. The plan shall
- 12 specifically identify all rules exempt from the
- 13 requirements of this section due to state or federal

14 law and shall contain an explanation of the
15 exemptions.

16 a. The plan shall provide a realistic, workable,
17 and effective scheme for the review of agency rules
18 and for the identification and elimination of all
19 rules of the agency that are outdated, redundant,
20 overbroad, ineffective, unnecessary, or otherwise
21 undesirable.

22 b. The plan shall include a schedule for review
23 and of each rule within the five-year period. Any
24 rule not scheduled for review under this plan is void
25 on January 1, 2011.

26 c. The review shall be accomplished through a
27 rulemaking process as provided in sections 17A.4 and
28 17A.5. As part of this process, the agency shall
29 either readopt the rule, amend and readopt the rule,
30 or rescind the rule.

31 d. Each agency shall annually prepare a report
32 that summarizes the results of each review and
33 documents the rule changes that have been made
34 pursuant to the review. Copies of the report shall be
35 provided to the governor, the president of the senate,
36 and the speaker of the house.

37 2. This section does not apply to the department
38 of revenue, the state board of regents, or a licensing
39 board as described in section 272C.1, or any rule that
40 is required by a federal law and that does not exceed
41 the minimum scope and intent of that federal law."

42 2. Page 2, by inserting after line 11 the
43 following:

44 "Sec. _____. Section 17A.7, subsection 2, Code 2005,
45 is amended by striking the subsection."

46 3. Title page, by striking lines 1 and 2 and
47 inserting the following: "An Act requiring all
48 administrative rules to be periodically reviewed and
49 repromulgated by state agencies and providing for
50 legislative review."

Page 2

1 4. By renumbering as necessary.

J.K. Van Fossen of Scott offered the following amendment [H-8295](#),
to amendment [H-8190](#), filed by him from the floor and moved its
adoption:

[H-8295](#)

1 Amend the amendment, [H-8190](#), to [House File 2662](#) as

2 follows:

3 1. Page 1, by striking lines 4 through 41 and

4 inserting the following:
5 ""Sec. __. NEW SECTION. 17A.5A AUTOMATIC SUNSET
6 AND LEGISLATIVE REAUTHORIZATION.
7 1. Commencing July 1, 2007, all rules shall expire
8 on June 30, one year following the initial effective
9 date of the rule, excluding the effective dates of any
10 amendment to the rules.
11 2. By the second Monday in January of each year
12 each agency shall prepare a listing of those rules
13 which will expire on June 30 and submit that list to
14 the president of the senate and the speaker of the
15 house of representatives, who shall refer the list to
16 the appropriate standing committees of the general
17 assembly. A standing committee shall review the list
18 within twenty-one days after it is referred to the
19 committee by the speaker of the house of
20 representatives or the president of the senate and
21 shall take formal committee action by proposing
22 legislation to extend the effective date of some or
23 all of the rules contained on that list for an
24 additional year.
25 3. Any rule which has not had its effective date
26 extended as provided in subsection 2 is void the
27 following June 30 and the administrative code editor
28 shall remove it from the Iowa administrative code.""
29 2. Page 1, by striking lines 46 through 50 and
30 inserting the following:
31 " __. Title page, by striking lines 1 and 2 and
32 inserting the following: "An Act providing for the
33 automatic expiration of all administrative rules, for
34 their reauthorization by the general assembly, and
35 providing additional legislative review."
36 3. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 50, nays 42.

Amendment [H-8295](#) was adopted.

Gipp of Winneshiek asked and received unanimous consent that [House File 2662](#) be deferred and that the bill retain its place on the calendar. (Amendment [H-8190](#), as amended, pending).

The House resumed consideration of [House File 2671](#), 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, previously deferred. (Amendment [H-8220](#), as amended, pending)

Wise of Lee offered the following amendment [H-8305](#), to amendment [H-8220](#), as amended, filed by him, Quirk of Chickasaw and Sands of Louisa from the floor and moved its adoption:

[H-8305](#)

1 Amend the amendment, H-8220, to [House File 2671](#), as
 2 follows:
 3 1. Page 1, by inserting after line 7 the
 4 following:
 5 "____. Page 3, by inserting after line 31 the
 6 following:
 7 "If a person who has agreed to buy residential real
 8 property is denied a first mortgage loan pursuant to
 9 this section and cannot otherwise comply with the
 10 terms of the agreement, the seller of the property
 11 shall be entitled to any earnest money or other trust
 12 funds held by a real estate broker pursuant to section
 13 543B.46 paid by the person or on behalf of the person
 14 pursuant to the agreement.""

Amendment [H-8305](#) was adopted.

Winckler of Scott moved to suspend Rule 31.8 to consider amendment [H-8294](#) filed by her from the floor.

Roll call was requested by Winckler of Scott and Murphy of Dubuque.

On the question "Shall Rule 31.8 be suspended to consider amendment [H-8294](#)?" ([H.F. 2671](#))

The ayes were, 44:

Bell	Berry	Bukta	Cohon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Jacoby	Jochum	Kressig
Kuhn	Lensing	Lykam	Mascher
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Petersen	Pettengill
Quirk	Reasoner	Reichert	Schueller
Shomshor	Shoultz	Smith	Swaim

Taylor, T. Whitaker	Thomas Whitead	Wendt Winckler	Wessel-Kroeschell Wise
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The nays were, 50:

Alons	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
Wildurdyke	Mr. Speaker Rants		

Absent or not voting, 6:

Anderson Taylor, D.	Dandekar Zirkelbach	Huser	Olson, R.
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The motion to suspend the rules lost, placing amendment [H-8294](#) out of order.

On motion by Sands of Louisa, amendment [H-8220](#), as amended, was adopted.

Dix of Butler 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. 2671](#))

The ayes were, 69:

Alons	Anderson	Arnold	Baudler
Bell	Boal	Carroll	Chambers
Cohoon	Davitt	De Boef	Dix
Dolecheck	Drake	Eichhorn	Elgin
Freeman	Gaskill	Gipp	Granzow
Greiner	Heaton	Hogg	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kressig	Kurtenbach
Lalk	Lukan	Lykam	Maddox
May	Mertz	Murphy	Olson, S.
Paulsen	Pettengill	Quirk	Raecker

Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schueller	Shomshor
Soderberg	Struyk	Swaim	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Whitaker	Whitead	Wilderdyke	Wise
Mr. Speaker			
Rants			

The nays were, 25:

Berry	Bukta	Fallon	Foege
Ford	Frevert	Heddens	Hunter
Jacoby	Jochum	Kuhn	Lensing
Mascher	McCarthy	Miller	Oldson
Olson, D.	Petersen	Schickel	Shoultz
Smith	Taylor, T.	Wendt	Wessel-Kroeschell
Winckler			

Absent or not voting, 6:

Dandekar	Hoffman	Huser	Olson, R.
Taylor, D.	Zirkelbach		

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to, placing out of order amendment [H-8293](#) filed by Ford of Polk from the floor.

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

Roberts of Carroll 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. 2424](#))

The ayes were, 92:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Davitt
De Boef	Dix	Dolecheck	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hogg	Horbach	Hunter	Huseman
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing

Lukan	Lykam	Maddox	Mascher
May	McCarthy	Mertz	Miller
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, 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, none.

Absent or not voting, 8:

Dandekar	Drake	Hoffman	Huser
Murphy	Olson, R.	Taylor, D.	Zirkelbach

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

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

The ayes 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	Wilderdyke	Mr. Speaker	
		Rants	

The nays were, 45:

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

Absent or not voting, 4:

Dandekar	Olson, R.	Taylor, D.	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 2661](#), a bill for an act relating to the linked investments for tomorrow Act, was taken up for consideration.

Lukan of Dubuque offered amendment [H-8271](#) filed by him as follows:

[H-8271](#)

- 1 Amend [House File 2661](#) as follows:
- 2 1. Page 8, by striking lines 2 through 4.

Lukan of Dubuque asked and received unanimous consent to withdraw amendment [H-8296](#), to amendment [H-8271](#), filed by him from the floor.

Lukan of Dubuque offered the following amendment [H-8304](#), to amendment [H-8271](#), filed by him from the floor and moved its adoption:

[H-8304](#)

- 1 Amend the amendment, [H-8271](#), to [House File 2661](#) as
- 2 follows:
- 3 1. Page 1, by inserting after line 1 the
- 4 following:

5 " _____. Page 3, by striking line 2 and inserting
 6 the following: "businesses which are fifty-one
 7 percent or more owned, operated, and actively managed
 8 by one or more women, minority persons, or persons
 9 with disabilities. "Disability" means the same as
 10 defined in section 15.102, subsection 5. A."
 11 2. By renumbering as necessary.

Amendment [H-8304](#) was adopted.

On motion by Lukan of Dubuque amendment [H-8271](#), as amended, was adopted.

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. 2661](#))

The ayes were, 94:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohon	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	Jochum	Jones	Kaufman
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, 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, none.

Absent or not voting, 6:

Dandekar	Jacobs	Jenkins	Olson, R.
Taylor, D.	Zirkelbach		

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

[House File 2632](#), a bill for an act relating to real estate, including real estate broker and salesperson licensing and real estate disclosures, was taken up for consideration.

Dix of Butler offered the following amendment [H-8221](#) filed by him and moved its adoption:

[H-8221](#)

- 1 Amend [House File 2632](#) as follows:
- 2 1. Page 1, lines 10 and 11, by striking the words
- 3 "~~or lessor, or prospective purchaser,~~" and inserting
- 4 the following: "lessor, or prospective purchaser who
- 5 does not make repeated and successive transactions of
- 6 a like character,".
- 7 2. Page 1, line 15, by striking the words and
- 8 figure "subsections 3 and" and inserting the
- 9 following: "subsection".
- 10 3. Page 1, line 16, by striking the word "are"
- 11 and inserting the following: "is".
- 12 4. Page 1, by striking lines 17 through 31.

Amendment [H-8221](#) was adopted.

Dix of Butler 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. 2632](#))

The ayes were, 94:

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	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, 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, none.

Absent or not voting, 6:

Dandekar	Jacobs	Jenkins	Olson, R.
Taylor, D.	Zirkelbach		

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

HOUSE FILES 2389 and 2446 WITHDRAWN

Dix of Butler asked and received unanimous consent to withdraw House Files 2389 and 2446 from further consideration by the House.

INTRODUCTION OF BILLS

House File 2748, by committee on ways and means, a bill for an act providing for the retention of fees by licensing boards, and the bureau of radiological health, under the purview of the Iowa department of public health, providing for the nontransferability of specified fees, and providing effective dates.

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

House File 2749, by committee on ways and means, a bill for an act relating to debt management, mortgage bankers and brokers,

delayed deposit services, regulated loans, and industrial loans, and providing for fees and penalties.

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

SENATE MESSAGES CONSIDERED

[Senate File 2251](#), by committee on education, a bill for an act directing the department of education and the Iowa department of public health to convene a healthy children task force and providing an effective date.

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

[Senate File 2309](#), by committee on economic growth, a bill for an act relating to technology transfer and commercialization in certain core platform areas.

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

[Senate File 2332](#), by committee on state government, a bill for an act establishing an Iowa food policy council.

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

[Senate File 2363](#), by committee on natural resources and environment, a bill for an act relating to water quality standards.

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

[Senate File 2377](#), by committee on natural resources and environment, a bill for an act relating to animal feeding operations, by providing for standards and evaluations by the department of natural resources.

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

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2162, 2215, 2424, 2632, 2661, 2671, 2693, 2713** and [Senate File 2316](#).

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\1023 Tena Johnson, Jewell – For celebrating her 104th birthday.
- 2006\1024 Lucille Cobet, Tama – For celebrating her 85th birthday.
- 2006\1025 Mr. and Mrs. Grover Walker, Jewell – For celebrating their 65th wedding anniversary.
- 2006\1026 Simon Jr. and Corinne Steenhoek, Pella – For celebrating their 50th wedding anniversary.
- 2006\1027 Lloyd and Nettie Van Zante, Pella – For celebrating their 60th wedding anniversary.
- 2006\1028 Jerry and Lois Ann Weber, Bancroft – For celebrating their 50th wedding anniversary.

SUBCOMMITTEE ASSIGNMENTS

[House File 2295](#)

Ways and Means: Paulsen, Chair; Lalk and Quirk.

[House File 2471](#)

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

[House File 2503](#)

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

[House File 2530](#)

Ways and Means: Boal, Chair; Tymeson and Winckler.

[House File 2584](#)

Ways and Means: Struyk, Chair; Frevert and Lalk.

[House File 2617](#)

Ways and Means: Tymeson, Chair; Boal and Hogg.

[House File 2685](#)

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

[Senate File 2333](#)

Veterans Affairs: Alons, Chair; Hutter and Quirk.

[Senate File 2387](#) Reassigned

Appropriations: Jacobs, Chair; Reichert and Roberts.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 771](#)

Government Oversight: Alons, Chair; Hutter and Winckler.

COMMITTEE RECOMMENDATIONS

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

MARGARET A. THOMSON
Chief Clerk of the House

COMMITTEE ON GOVERNMENT OVERSIGHT

Committee Bill (Formerly [House Study Bill 508](#)), relating to state bidding requirements for purchases.

Fiscal Note is not required.

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

COMMITTEE ON STATE GOVERNMENT

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

Fiscal Note is not required.

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

COMMITTEE ON TRANSPORTATION

[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.

Fiscal Note is not required.

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

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly [House File 2081](#)), relating to eligibility for the military service property tax credit and exemption and including effective and applicability date provisions.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2006.

Committee Bill (Formerly [House File 2494](#)), relating to the practices and procedures of the department of corrections and the judicial district departments of correctional services, including increasing the penalty for sexual misconduct by an officer, employee, or agent of the department of corrections or a judicial district department of correctional services, and providing for a fee.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2006.

Committee Bill (Formerly [House File 2568](#)), providing for the retention of fees by licensing boards, and the bureau of radiological health, under the purview of the Iowa department of public health, providing for the nontransferability of specified fees, and providing effective dates.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2006.

Committee Bill (Formerly [House File 2606](#)), relating to debt management, mortgage bankers and brokers, delayed deposit services, regulated loans and industrial loans, and providing for fees and penalties.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2006.

Committee Bill (Formerly [House File 2688](#)), relating to the issuance of permits to carry weapons.

Fiscal Note is not required.

Recommended **Amend and Do Pass** March 15, 2006.

Committee Bill (Formerly [House File 2735](#)), relating to the formulation of motor fuel, by providing for renewable fuel including ethanol blended fuel and biodiesel blended fuel, providing incentives for infrastructure used to store and dispense renewable fuel, providing for income tax credits and excise taxes, providing for penalties, and providing effective and applicability dates, including retroactive applicability.

Fiscal Note is not required.

Recommended **Do Pass** March 15, 2006.

AMENDMENTS FILED

H-8291	H.F. 2522	J.R. Van Fossen of Scott
H-8292	H.F. 2709	Tymeson of Madison
H-8300	H.F. 2620	Huser of Polk
		Struyk of Pottawattamie
		De Boef of Keokuk
H-8302	H.F. 2717	Davitt of Warren
		Struyk of Pottawattamie
H-8303	H.F. 2612	Senate Amendment
H-8306	H.F. 2725	Paulsen of Linn
H-8307	H.F. 2717	Struyk of Pottawattamie
H-8308	H.F. 2637	Carroll of Poweshiek
H-8309	H.F. 2716	Jochum of Dubuque

On motion by Gipp of Winneshiek the House adjourned at 4:45 p.m., until 8:00 a.m., Friday, March 17, 2006.