

**PROOF**

---

---

**STATE OF IOWA**

**House Journal**

**TUESDAY, MARCH 28, 2006**

---

Printed daily by the State of Iowa during the sessions of the General Assembly.  
An official corrected copy is available for reference in the office of the Chief Clerk.  
(The official bound copy will be available after a reasonable time upon adjournment.)

---

---

## JOURNAL OF THE HOUSE

Seventy-ninth Calendar Day - Fifty-fifth Session Day

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

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

Prior to convening the House was entertained with the music of "The Sonshine Singers", hosted by Representative Helen Miller of Webster and sponsored by Young at Art – Fort Dodge, the Fort Dodge Chamber of Commerce and Matt Bemrich, Fort Dodge Councilman.

Prayer was offered by Bryan English, former associate pastor of the Baptist Church, Spencer. He was the guest of Representative Mike May of Dickinson County.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

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

### INTRODUCTION OF BILL

[House File 2772](#), by committee on appropriations, a bill for an act creating a brain injury services program and providing for allocation of a previously enacted appropriation.

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

### SPECIAL PRESENTATION

Bell of Jasper introduced to the House a delegation from Taiwan.

The House rose and expressed its welcome.

### ADOPTION OF [HOUSE RESOLUTION 138](#)

Drake of Pottawattamie and Mertz of Kossuth called up for consideration [House Resolution 138](#), a resolution supporting the proposal of Iowa State University to pursue the location of the

national bio and agro-defense facility at the site of the current National Center for Animal Health in Ames, Iowa, and moved its adoption.

The motion prevailed and the resolution was adopted.

CONSIDERATION OF BILLS  
Unfinished Business Calendar

**House File 2414**, a bill for an act relating to adoption petitions and proceedings including the information required to be included in an adoption petition, was taken up for consideration.

Anderson of Page offered the following amendment **H-8229** filed by him and moved its adoption:

**H-8229**

- 1 Amend **House File 2414** as follows:
- 2 1. Page 1, line 6, by inserting after the word
- 3 "conviction" the following: "or deferred judgment for
- 4 an offense other than a simple misdemeanor".
- 5 2. Page 1, line 20, by inserting after the word
- 6 "conviction" the following: "or deferred judgment for
- 7 an offense other than a simple misdemeanor".
- 8 3. Page 1, line 32, by inserting after the word
- 9 "conviction" the following: "or deferred judgment for
- 10 an offense other than a simple misdemeanor".

Amendment **H-8229** was adopted.

**SENATE FILE 2252** SUBSTITUTED FOR **HOUSE FILE 2414**

Anderson of Page asked and received unanimous consent to substitute **Senate File 2252** for **House File 2414**.

**Senate File 2252**, a bill for an act relating to adoption petitions and proceedings including the information required to be included in an adoption petition, was taken up for consideration.

Anderson of Page 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. 2252](#))

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
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
Mascher	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wildurdyke	Winckler	Mr. Speaker	
		Rants	

The nays were, none.

Absent or not voting, 5:

Foege	Ford	Maddox	Wise
Zirkelbach			

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

[House File 2447](#), a bill for an act modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation, was taken up for consideration.

[SENATE FILE 2338](#) SUBSTITUTED FOR [HOUSE FILE 2447](#)

Alons of Sioux asked and received unanimous consent to substitute [Senate File 2338](#) for [House File 2447](#).

[Senate File 2338](#), a bill for an act modifying provisions relating to utilization of indirect cost reimbursements in appropriations to the office of grants enterprise management of the department of management, and making an appropriation, was taken up for consideration.

Alons of Sioux 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. 2338](#))

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
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, R.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rasmussen
Rayhons	Reasoner	Reichert	Roberts
Sands	Schickel	Schueller	Shomshor
Shoultz	Smith	Soderberg	Struyk
Swaim	Taylor, D.	Taylor, T.	Thomas
Tjepkes	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:

Foege

Ford

Kaufmann

Zirkelbach

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

#### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2252 and 2338.**

#### ADOPTION OF [HOUSE RESOLUTION 153](#)

Oldson of Polk called up for consideration [House Resolution 153](#), a resolution honoring the Des Moines Roosevelt High School Girls' Basketball Team, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### ADOPTION OF [HOUSE RESOLUTION 154](#)

Petersen of Polk called up for consideration [House Resolution 154](#), a resolution congratulating the Des Moines Hoover High School Boys' Basketball Team on winning the class 4-A championship at the 2006 Iowa Boys' State Basketball Tournament, and moved its adoption.

The motion prevailed and the resolution was adopted.

#### SPECIAL PRESENTATION

Davitt of Warren and Tymeson of Madison introduced the Norwalk High School Girls' Basketball Team.

The House rose and expressed its welcome.

[House File 2511](#), a bill for an act relating to county, city, and school board publication of allowed claims, with report of committee recommending amendment and passage, was taken up for consideration.

Schickel of Cerro Gordo offered the following amendment [H-8348](#) filed by him and moved its adoption:

[H-8348](#)

1 Amend [House File 2511](#) as follows:

- 2 1. Page 1, line 11, by striking the word "Two"  
3 and inserting the following: "If the reason for the  
4 claims is the same, two".  
5 2. Page 1, line 14, by inserting after the word  
6 "statement." the following: "However, the commission  
7 shall provide at its office upon request an  
8 unconsolidated list of all claims allowed."  
9 3. Page 1, line 33, by striking the word "Two"  
10 and inserting the following: "If the purpose for the  
11 claims is the same, two".  
12 4. Page 2, line 1, by striking the words  
13 "However, salaries" and inserting the following:  
14 "However, salaries However, the board shall provide at  
15 its office upon request an unconsolidated list of all  
16 claims allowed. Salaries".  
17 5. Page 2, line 16, by striking the word "Two"  
18 and inserting the following: "If the reason for the  
19 claims is the same, two".  
20 6. Page 2, line 19, by inserting after the word  
21 "statement." the following: "However, the commission  
22 shall provide at its office upon request an  
23 unconsolidated list of all claims allowed."  
24 7. Page 3, line 16, by striking the word "Two"  
25 and inserting the following: "If the reason for the  
26 claims is the same, two".  
27 8. Page 3, line 19, by inserting after the word  
28 "statement." the following: "However, the board shall  
29 provide at its office upon request an unconsolidated  
30 list of all claims allowed."  
31 9. Page 3, line 34, by striking the word "Two"  
32 and inserting the following: "If the reason for the  
33 claims is the same, two".  
34 10. Page 4, line 2, by inserting after the word  
35 "statement." the following: "However, the city shall  
36 provide at its office upon request an unconsolidated  
37 list of all claims allowed."  
38 11. Page 4, line 28, by striking the word "Two"  
39 and inserting the following: "If the reason for the  
40 claims is the same, two".  
41 12. Page 4, line 31, by inserting after the word  
42 "statement." the following: "However, the utility  
43 board shall provide at its office upon request an  
44 unconsolidated list of all claims allowed."  
45 13. By renumbering as necessary.

Amendment [H-8348](#) was adopted.

[SENATE FILE 2194](#) SUBSTITUTED FOR [HOUSE FILE 2511](#)

Schickel of Cerro Gordo asked and received unanimous consent to substitute [Senate File 2194](#) for [House File 2511](#).

[Senate File 2194](#), a bill for an act relating to county, city, and school board publication of allowed claims, 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?" ([S.F. 2194](#))

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
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, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	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 and none.



Absent or not voting and 2:

Kaufmann                      Zirkelbach

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

**HOUSE FILE 2447 WITHDRAWN**

Alons of Sioux asked and received unanimous consent to withdraw **House File 2447** from further consideration by the House.

**HOUSE FILES 2134 and 2511 WITHDRAWN**

Schickel of Cerro Gordo asked and received unanimous consent to withdraw House Files 2134 and 2511 from further consideration by the House.

**HOUSE FILES 2252 and 2414 WITHDRAWN**

Anderson of Page asked and received unanimous consent to withdraw House Files 2252 and 2414 from further consideration by the House.

**House File 2560**, a bill for an act relating to farm tenancies, was taken up for consideration.

**SENATE FILE 2292 SUBSTITUTED FOR HOUSE FILE 2560**

S. Olson of Clinton asked and received unanimous consent to substitute **Senate File 2292** for **House File 2560**.

**Senate File 2292**, a bill for an act relating to farm tenancies, was taken up for consideration.

S. Olson of Clinton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (**S.F. 2292**)

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
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, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
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, 1:

Zirkelbach

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

#### HOUSE FILES 2357, 2516 and 2560 WITHDRAWN

S. Olson of Clinton asked and received unanimous consent to withdraw House Files 2357, 2516 and 2560 from further consideration by the House.

#### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2194 and 2292.**

**House File 2636**, a bill for an act relating to the development of an Iowa studies professional development plan and the establishment of an Iowa studies committee, was taken up for consideration.

Pettengill of Benton asked and received unanimous consent to withdraw amendment **H-8357** filed by Pettengill of Benton et al., on March 22, 2006.

Carroll of Poweshiek offered the following amendment **H-8144** filed by him and moved its adoption:

**H-8144**

- 1 Amend **House File 2636** as follows:
- 2 1. Page 2, line 3, by striking the words "
- 3 student tracking,".

Amendment **H-8144** was adopted.

**SENATE FILE 2320** SUBSTITUTED FOR **HOUSE FILE 2636**

Carroll of Poweshiek asked and received unanimous consent to substitute **Senate File 2320** for **House File 2636**.

**Senate File 2320**, a bill for an act relating to the development of an Iowa studies professional development plan and the establishment of an Iowa studies committee, was taken up for consideration.

Pettengill of Benton asked and received unanimous consent to withdraw amendment **H-8356** filed by Pettengill of Benton et al., on March 22, 2006.

Carroll of Poweshiek 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. 2320**)

The ayes were, 90:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
De Boef	Dix	Dolecheck	Drake

Eichhorn	Elgin	Fallon	Foege
Ford	Freeman	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Hutter	Jacobs	Jacoby
Jenkins	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
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
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	Wilderdyke
Winckler	Mr. Speaker		
	Rants		

The nays were, none.

Absent or not voting, 10:

Davitt	Frevert	Huser	Jochum
Kurtenbach	Quirk	Shomshor	Shultz
Wise	Zirkelbach		

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

Roberts of Carroll in the chair at 9:41 a.m.

[House File 2640](#), a bill for an act relating to the appointment of district associate judges and magistrates, was taken up for consideration.

[SENATE FILE 2342](#) SUBSTITUTED FOR [HOUSE FILE 2640](#)

Boal of Polk asked and received unanimous consent to substitute [Senate File 2342](#) for [House File 2640](#).

[Senate File 2342](#), a bill for an act relating to the appointment of district associate judges and magistrates, was taken up for consideration.

## SPECIAL PRESENTATION

Murphy of Dubuque introduced to the House the Honorable Bob Carr, former state representative from Dubuque County.

The House rose and expressed its welcome.

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?" ([S.F. 2342](#))

The ayes were, 86:

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

The nays were, 12:

Baudler	Eichhorn	Freeman	Granzow
Hoffman	Hutter	Kaufmann	Mertz
Miller	Quirk	Tjepkes	Upmeyer

Absent or not voting and 2:

Dolecheck	Zirkelbach
-----------	------------

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

[HOUSE FILE 2640](#) WITHDRAWN

Boal of Polk asked and received unanimous consent to withdraw [House File 2640](#) from further consideration by the House.

[House File 2654](#), a bill for an act relating to the powers and duties of the county treasurer and including effective and applicability date provisions, was taken up for consideration.

Tjepkes of Webster asked and received unanimous consent to withdraw amendment [H-8138](#) filed by him on March 7, 2006.

Tjepkes of Webster offered the following amendment [H-8288](#) filed by him and moved its adoption:

[H-8288](#)

- 1 Amend [House File 2654](#) as follows:
- 2 1. Page 1, by striking lines 24 through 27.
- 3 2. By striking page 4, line 3, through page 7,
- 4 line 21.
- 5 3. Page 8, by striking lines 7 through 17.
- 6 4. Page 12, by striking lines 18 through 26.
- 7 5. By striking page 21, line 35, through page 24,
- 8 line 29.
- 9 6. By striking page 24, line 34, through page 25,
- 10 line 1.
- 11 7. Page 25, line 8, by striking the figure
- 12 "321.124,".
- 13 8. Page 25, by striking lines 9 and 10 and
- 14 inserting the following:
- 15 "\_\_\_, The section of this Act amending section
- 16 321.25 takes effect July 1, 2007."
- 17 9. By renumbering as necessary.

Amendment [H-8288](#) was adopted.

Tjepkes of Webster offered the following amendment [H-8151](#) filed by him and moved its adoption:

[H-8151](#)

- 1 Amend [House File 2654](#) as follows:  
2 1. Page 2, by inserting after line 23 the  
3 following:  
4 "Sec. \_\_\_\_ Section 321.20A, subsection 2, Code  
5 2005, is amended to read as follows:  
6 2. An owner of ~~a commercial vehicle~~ more than  
7 fifty commercial vehicles subject to the proportional  
8 registration provisions of chapter 326 ~~who has a fleet~~  
9 ~~of more than fifty commercial vehicles and~~ who is  
10 issued a certificate of title under this section shall  
11 not be subject to registration fees until the  
12 commercial vehicle is driven or moved upon the  
13 highways. The registration fee due shall be prorated  
14 for the remaining unexpired months of the registration  
15 year. Ownership of the commercial vehicle shall not  
16 be transferred until registration fees have been paid  
17 to the department."  
18 2. By renumbering as necessary.

Amendment [H-8151](#) was adopted.

McCarthy of Polk offered the following amendment [H-8386](#) filed by him and Tjepkes of Webster and moved its adoption:

[H-8386](#)

- 1 Amend [House File 2654](#) as follows:  
2 1. Page 12, by inserting after line 8 the  
3 following:  
4 "Sec. \_\_\_\_ Section 321.324A, subsections 1 and 3,  
5 Code 2005, are amended to read as follows:  
6 1. For purposes of this section, "funeral  
7 procession" means a procession of motor vehicles  
8 accompanying the body of a deceased person during  
9 daylight hours which is being escorted by a vehicle  
10 continually displaying its emergency signal lamps  
11 flashing simultaneously and using lighted head lamps  
12 and identifying flags, or an escort vehicle displaying  
13 a flashing or revolving red and amber light visible to  
14 pedestrians in all directions, and keeping all other  
15 motor vehicles with lighted head lamps in close  
16 formation.  
17 3. The funeral ~~home~~ establishment in charge of the  
18 funeral procession is liable only in connection with  
19 the procession for any negligent, reckless, or  
20 intentional act by the funeral ~~home~~ establishment or  
21 any employee or agent of the funeral ~~home~~  
22 establishment that results in any death, personal

23 injury or property damage suffered during a funeral  
 24 procession.  
 25 Sec. \_\_. Section 321.423, subsection 2, Code  
 26 Supplement 2005, is amended by adding the following  
 27 new paragraph:  
 28 NEW PARAGRAPH. j. On a vehicle being operated as  
 29 an escort vehicle for a funeral procession as provided  
 30 in section 321.324A."  
 31 2. Title page, line 1, by inserting after the  
 32 words "relating to" the following: "motor vehicles  
 33 and".  
 34 3. Title page, line 1, by inserting after the  
 35 word "treasurer" the following: "in relation to motor  
 36 vehicles and property taxation".  
 37 4. By renumbering as necessary.

Amendment [H-8386](#) was adopted.

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. 2654](#))

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
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, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	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	Wilderdyke
Winckler	Wise	Roberts, Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

#### HOUSE FILES 2269 and 2636 WITHDRAWN

Carroll of Poweshiek asked and received unanimous consent to withdraw House Files 2269 and 2636 from further consideration by the House.

#### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: [House File 2654](#), and [Senate Files 2320](#) and [2342](#).

[House File 2655](#), a bill for an act relating to the duties of county recorders and county auditors concerning instruments affecting real estate and certain other filings recorded by the county recorder, was taken up for consideration.

#### [SENATE FILE 2264](#) SUBSTITUTED FOR [HOUSE FILE 2655](#)

Schickel of Cerro Gordo asked and received unanimous consent to substitute [Senate File 2264](#) for [House File 2655](#).

[Senate File 2264](#), a bill for an act relating to the duties of county recorders and county auditors concerning instruments affecting real estate and certain other filings recorded by the county recorder, 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?" ([S.F. 2264](#))

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
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, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	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	Wilderdyke
Winckler	Wise	Roberts, Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

[HOUSE FILE 2655](#) WITHDRAWN

Schickel of Cerro Gordo asked and received unanimous consent to withdraw [House File 2655](#) from further consideration by the House.

[House File 2660](#), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary

language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions, was taken up for consideration.

Eichhorn of Hamilton offered the following amendment [H-8104](#) filed by the committee on judiciary and moved its adoption:

[H-8104](#)

1 Amend [House File 2660](#) as follows:  
 2 1. Page 4, by inserting after line 1, the  
 3 following:  
 4 "Sec.\_\_\_\_. Section 29B.100, Code 2005, is amended  
 5 to read as follows:  
 6 29B.100 CAPTURED OR ABANDONED PROPERTY.  
 7 1. All persons subject to this code shall secure  
 8 all public property taken from the enemy for the  
 9 service of the United States, and shall give notice  
 10 and turn over to the proper authority without delay  
 11 all captured or abandoned property in their  
 12 possession, custody or control.  
 13 2. Any person subject to this code ~~who shall be~~  
 14 punished as a court-martial may direct if the person  
 15 does any of the following:  
 16 ~~1. a.~~ a. Fails to carry out the duties prescribed  
 17 herein;  
 18 ~~2. b.~~ b. Buys, sells, trades, or in any way deals in  
 19 or disposes of captured or abandoned property, whereby  
 20 the person receives or expects any profit, benefit or  
 21 advantage to the person or another directly or  
 22 indirectly connected with the person; ~~and~~  
 23 ~~3. c.~~ c. Engages in looting or pillaging; ~~shall be~~  
 24 ~~punished as a court-martial may direct."~~  
 25 2. Page 4, by inserting after line 27, the  
 26 following:  
 27 "Sec.\_\_\_\_. Section 63.6, Code 2005, is amended to  
 28 read as follows:  
 29 63.6 JUDGES.  
 30 All judges of courts of record shall qualify before  
 31 taking office following appointment by taking and  
 32 subscribing an oath to the effect that they will  
 33 support the Constitution of the United States and ~~that~~  
 34 the Constitution of the ~~state~~ State of Iowa, and that,  
 35 without fear, favor, affection, or hope of reward,  
 36 they will, to the best of their knowledge and ability,  
 37 administer justice according to the law, equally to  
 38 the rich and the poor.  
 39 Sec.\_\_\_\_. Section 124.401, subsection 1,  
 40 paragraphs a through c, Code 2005, are amended to read

41 as follows:

42 a. Violation of this subsection, with respect to  
43 the following controlled substances, counterfeit  
44 substances, or simulated controlled substances is a  
45 class "B" felony, and notwithstanding section 902.9,  
46 subsection 2, shall be punished by confinement for no  
47 more than fifty years and a fine of not more than one  
48 million dollars:

49 (1) More than one kilogram of a mixture or  
50 substance containing a detectable amount of heroin.

Page 2

1 (2) More than five hundred grams of a mixture or  
2 substance containing a detectable amount of any of the  
3 following:

4 (a) Coca leaves, except coca leaves and extracts  
5 of coca leaves from which cocaine, ecgonine, and  
6 derivatives of ecgonine ~~or~~ and their salts have been  
7 removed.

8 (b) Cocaine, its salts, optical and geometric  
9 isomers, ~~and~~ or salts of isomers.

10 (c) Ecgonine, its derivatives, their salts,  
11 isomers, ~~and~~ or salts of isomers.

12 (d) Any compound, mixture, or preparation which  
13 contains any quantity of any of the substances  
14 referred to in subparagraph subdivisions (a) through  
15 (c).

16 (3) More than fifty grams of a mixture or  
17 substance described in subparagraph (2) which contains  
18 cocaine base.

19 (4) More than one hundred grams of phencyclidine  
20 (PCP) or one kilogram or more of a mixture or  
21 substance containing a detectable amount of  
22 phencyclidine (PCP).

23 (5) More than ten grams of a mixture or substance  
24 containing a detectable amount of lysergic acid  
25 diethylamide (LSD).

26 (6) More than one thousand kilograms of a mixture  
27 or substance containing a detectable amount of  
28 marijuana.

29 (7) More than five kilograms of a mixture or  
30 substance containing a detectable amount of any of the  
31 following:

32 (a) Methamphetamine, its salts, isomers, or salts  
33 of isomers.

34 (b) Amphetamine, its salts, isomers, and salts of  
35 isomers.

36 (c) Any compound, mixture, or preparation which  
37 contains any quantity of any of the substances  
38 referred to in subparagraph subdivisions (a) and (b).

39 b. Violation of this subsection with respect to

40 the following controlled substances, counterfeit  
41 substances, or simulated controlled substances is a  
42 class "B" felony, and in addition to the provisions of  
43 section 902.9, subsection 2, shall be punished by a  
44 fine of not less than five thousand dollars nor more  
45 than one hundred thousand dollars:

46 (1) More than one hundred grams but not more than  
47 one kilogram of a mixture or substance containing a  
48 detectable amount of heroin.

49 (2) More than one hundred grams but not more than  
50 five hundred grams of any of the following:

Page 3

1 (a) Coca leaves, except coca leaves and extracts  
2 of coca leaves from which cocaine, ecgonine, and  
3 derivatives of ecgonine or their salts have been  
4 removed.

5 (b) Cocaine, its salts, optical and geometric  
6 isomers, and salts of isomers.

7 (c) Ecgonine, its derivatives, their salts,  
8 isomers, and salts of isomers.

9 (d) Any compound, mixture, or preparation which  
10 contains any quantity of any of the substances  
11 referred to in subparagraph subdivisions (a) through  
12 (c).

13 (3) More than ten grams but not more than fifty  
14 grams of a mixture or substance described in  
15 subparagraph (2) which contains cocaine base.

16 (4) More than ten grams but not more than one  
17 hundred grams of phencyclidine (PCP) or more than one  
18 hundred grams but not more than one kilogram of a  
19 mixture or substance containing a detectable amount of  
20 phencyclidine (PCP).

21 (5) Not more than ten grams of a mixture or  
22 substance containing a detectable amount of lysergic  
23 acid diethylamide (LSD).

24 (6) More than one hundred kilograms but not more  
25 than one thousand kilograms of marijuana.

26 (7) More than five grams but not more than five  
27 kilograms of methamphetamine, its salts, isomers, or  
28 salts of isomers, or analogs of methamphetamine, or  
29 any compound, mixture, or preparation which contains  
30 any quantity or detectable amount of methamphetamine,  
31 its salts, isomers, or salts of isomers, or analogs of  
32 methamphetamine.

33 (8) More than five grams but not more than five  
34 kilograms of amphetamine, its salts, isomers, or salts  
35 of isomers, or any compound, mixture, or preparation  
36 which contains any quantity or detectable amount of  
37 amphetamine, its salts, isomers, ~~and~~ or salts of  
38 isomers.

39 c. Violation of this subsection with respect to  
40 the following controlled substances, counterfeit  
41 substances, or simulated controlled substances is a  
42 class "C" felony, and in addition to the provisions of  
43 section 902.9, subsection 4, shall be punished by a  
44 fine of not less than one thousand dollars nor more  
45 than fifty thousand dollars:

46 (1) One hundred grams or less of a mixture or  
47 substance containing a detectable amount of heroin.

48 (2) One hundred grams or less of any of the  
49 following:

50 (a) Coca leaves, except coca leaves and extracts

Page 4

1 of coca leaves from which cocaine, ecgonine, and  
2 derivatives of ecgonine ~~or~~ and their salts have been  
3 removed.

4 (b) Cocaine, its salts, optical and geometric  
5 isomers, ~~and~~ or salts of isomers.

6 (c) Ecgonine, its derivatives, their salts,  
7 isomers, ~~and~~ or salts of isomers.

8 (d) Any compound, mixture, or preparation which  
9 contains any quantity of any of the substances  
10 referred to in subparagraph subdivisions (a) through  
11 (c).

12 (3) Ten grams or less of a mixture or substance  
13 described in subparagraph (2) which contains cocaine  
14 base.

15 (4) Ten grams or less of phencyclidine (PCP) or  
16 one hundred grams or less of a mixture or substance  
17 containing a detectable amount of phencyclidine (PCP).

18 (5) More than fifty kilograms but not more than  
19 one hundred kilograms of marijuana.

20 (6) Five grams or less of methamphetamine, its  
21 salts, isomers, or salts of isomers, or analogs of  
22 methamphetamine, or any compound, mixture, or  
23 preparation which contains any quantity or detectable  
24 amount of methamphetamine, its salts, isomers, or  
25 salts of isomers, or analogs of methamphetamine.

26 (7) Five grams or less of amphetamine, its salts,  
27 isomers, or salts of isomers, or any compound,  
28 mixture, or preparation which contains any quantity or  
29 detectable amount of amphetamine, its salts, isomers,  
30 ~~and~~ or salts of isomers.

31 (8) Any other controlled substance, counterfeit  
32 substance, or simulated controlled substance  
33 classified in schedule I, II, or III.

34 Sec. \_\_\_\_ Section 124.401C, subsection 1, Code  
35 2005, is amended to read as follows:

36 1. In addition to any other penalties provided in  
37 this chapter, a person who is eighteen years of age or

38 older and who either directly or by extraction from  
 39 natural substances, or independently by means of  
 40 chemical processes, or both, unlawfully manufactures  
 41 methamphetamine, its salts, isomers, ~~and~~ or salts of  
 42 its isomers in the presence of a minor shall be  
 43 sentenced up to an additional term of confinement of  
 44 five years. However, the additional term of  
 45 confinement shall not be imposed on a person who has  
 46 been convicted and sentenced for a child endangerment  
 47 offense under section 726.6, subsection 1, paragraph  
 48 "g", arising from the same facts."  
 49 3. Page 7, by inserting after line 24, the  
 50 following:

Page 5

1 "Sec. \_\_\_\_\_. Section 192.102, Code 2005, is amended  
 2 to read as follows:  
 3 192.102 GRADE "A" PASTEURIZED MILK ORDINANCE.  
 4 The department shall adopt, by rule, the "Grade 'A'  
 5 Pasteurized Milk Ordinance, ~~2003~~ 2005 Revision",  
 6 including a subsequent revision of the ordinance. If  
 7 the ordinance specifies that compliance with a  
 8 provision of the ordinance's appendices is mandatory,  
 9 the department shall also adopt that provision. The  
 10 department shall not amend the ordinance, unless the  
 11 department explains each amendment and reasons for the  
 12 amendment in the Iowa administrative bulletin when the  
 13 rules are required to be published pursuant to chapter  
 14 17A. The department shall administer this chapter  
 15 consistent with the provisions of the ordinance."  
 16 4. Page 14, by inserting after line 2, the  
 17 following:  
 18 "Sec. \_\_\_\_\_. Section 258.1, Code 2005, is amended to  
 19 read as follows:  
 20 258.1 FEDERAL ACT ACCEPTED.  
 21 The provisions of the Act of Congress ~~entitled "An~~  
 22 ~~Act to provide for the promotion of vocational~~  
 23 ~~education; to provide for co-operation with the states~~  
 24 ~~in the promotion of such education in agriculture and~~  
 25 ~~in the trades and industries; to provide for co-~~  
 26 ~~operation with the states in the preparation of~~  
 27 ~~teachers of vocational subjects; and to appropriate~~  
 28 ~~money and regulate its expenditure", approved February~~  
 29 ~~23, 1917, [39 Stat. L. 929; 20 U.S.C., ch 2] known as~~  
 30 the Carl D. Perkins Vocational and Technical  
 31 Education Act of 1998, codified at 20 U.S.C. } 2301 et  
 32 seq., originally known as the Vocational Education Act  
 33 of 1963, and enacted December 18, 1963, as part A of  
 34 Pub. L. No. 88-210, 77 Stat. 403, and all amendments  
 35 thereto and the benefit of all funds appropriated  
 36 under said Act and all other Acts pertaining to

37 vocational education, are accepted."  
 38 5. By renumbering as necessary.

The committee amendment [H-8104](#) was adopted.

[SENATE FILE 2253](#) SUBSTITUTED FOR [HOUSE FILE 2660](#)

Eichhorn of Hamilton asked and received unanimous consent to substitute [Senate File 2253](#) for [House File 2660](#).

[Senate File 2253](#), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions, was taken up for consideration.

Eichhorn of Hamilton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2253](#))

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
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, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reasoner	Reichert	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	Wilderdyke
Winckler	Wise	Roberts, Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

**HOUSE FILE 2660 WITHDRAWN**

Eichhorn of Hamilton asked and received unanimous consent to withdraw [House File 2660](#) from further consideration by the House.

**House File 2719**, a bill for an act providing for the conversion of cooperative associations, and providing for an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

**SENATE FILE 2378 SUBSTITUTED FOR HOUSE FILE 2719**

Alons of Sioux asked and received unanimous consent to substitute [Senate File 2378](#) for [House File 2719](#).

**Senate File 2378**, a bill for an act providing for the conversion of cooperative associations, and providing for an effective date, was taken up for consideration.

Alons of Sioux 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. 2378](#))

The ayes were, 96:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta

Carroll	Chambers	Cohon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Fallon
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
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	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	Winckler	Wise	Roberts, Presiding

The nays were, 1:

Heaton

Absent or not voting, 3:

Jones                      Wilderdyke                      Zirkelbach

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

#### [HOUSE FILE 2719](#) WITHDRAWN

Alons of Sioux asked and received unanimous consent to withdraw [House File 2719](#) from further consideration by the House.

[House File 2749](#), 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, was taken up for consideration.

Sands of Louisa offered the following amendment [H-8395](#) filed by him and moved its adoption:

[H-8395](#)

- 1 Amend [House File 2749](#) as follows:
- 2 1. Page 14, line 18, by inserting after the word
- 3 "state" the following: "together with evidence of
- 4 whether the applicant is seeking to transact business
- 5 as a mortgage broker or as a mortgage banker".
- 6 2. By striking page 21, line 33, through page 22,
- 7 line 1, and inserting the following: "5."
- 8 3. By renumbering as necessary.

Amendment [H-8395](#) was adopted.

[SENATE FILE 2353](#) SUBSTITUTED FOR [HOUSE FILE 2749](#)

Sands of Louisa asked and received unanimous consent to substitute [Senate File 2353](#) for [House File 2749](#).

[Senate File 2353](#), 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, was taken up for consideration.

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?" ([S.F. 2353](#))

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cphoon	Dandekar
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, R.
Olson, S.	Paulsen	Petersen	Pettengill

Quirk	Raecker	Rants, Spkr.	Rasmussen
Rayhons	Reichert	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	Wilderdyke	Winckler
Wise	Roberts, Presiding		

The nays were, none.

Absent or not voting, 2:

Reasoner                      Zirkelbach

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

#### HOUSE FILES 2606 and 2749 WITHDRAWN

Sands of Louisa asked and received unanimous consent to withdraw House Files 2606 and 2749 from further consideration by the House.

#### 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 28, 2006, passed the following bill in which the concurrence of the Senate was asked:

[House File 2593](#), a bill for an act relating to activities of lobbyists and the ethical conduct of state officials and employees.

Also: That the Senate has on March 28, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2390](#), a bill for an act relating to the sales and use tax exemption for central office equipment and transmission equipment used in telecommunications operations.

MICHAEL E. MARSHALL, Secretary

## IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2253, 2264, 2353 and 2378.**

On motion by Gipp of Winneshiek, the House was recessed at 10:39 a.m., until 1:00 p.m.

## AFTERNOON SESSION

The House reconvened at 1:04 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 sixty-eight members present, thirty-two absent.

## INTRODUCTION OF BILLS

**House File 2773**, by committee on appropriations, a bill for an act relating to real estate education programs and the real estate education fund and making an appropriation.

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

**House File 2774**, by committee on ways and means, a bill for an act relating to trust and agency funds by allowing city contributions for pension and related employee benefits pursuant to contracted public safety services.

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

**House File 2775**, by committee on appropriations, a bill for an act relating to the judicial branch including the assessment of court fees and costs.

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

## SENATE MESSAGE CONSIDERED

[Senate File 2390](#), by committee on ways and means, a bill for an act relating to the sales and use tax exemption for central office equipment and transmission equipment used in telecommunications operations.

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

CONSIDERATION OF BILLS  
Regular Calendar

[Senate File 2199](#), a bill for an act concerning the purchase of service under the Iowa department of public safety peace officers' retirement, accident, and disability system, with report of committee recommending passage, was taken up for consideration.

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?" ([S.F. 2199](#))

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
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, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes

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, 1:

Zirkelbach

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

### Ways and Means Calendar

[Senate File 2183](#), a bill for an act allowing cities and counties to create enterprise zones near modes of transportation, with report of committee recommending amendment and passage, was taken up for consideration.

Jenkins of Black Hawk offered amendment [H-8349](#) filed by the committee on ways and means as follows:

#### [H-8349](#)

1 Amend [Senate File 2183](#), as passed by the Senate, as  
 2 follows:  
 3 1. By striking everything after the enacting  
 4 clause and inserting the following:  
 5 "Section 1. Section 15E.192, subsection 2, Code  
 6 Supplement 2005, is amended to read as follows:  
 7 2. A city ~~with a population of twenty four~~  
 8 ~~thousand or more which includes at least three census~~  
 9 ~~tracts with at least fifty percent of the population~~  
 10 ~~in each census tract located in the city~~, as shown by  
 11 the 2000 certified federal census, may create an  
 12 economic development enterprise zone as authorized in  
 13 this division, subject to certification by the  
 14 department of economic development, by designating one  
 15 or more contiguous census tracts, as determined in the  
 16 most recent federal census, or designating other  
 17 geographic units approved by the department of  
 18 economic development for that purpose. If there is an  
 19 area in the city which meets the requirements for  
 20 eligibility for an urban or rural enterprise community  
 21 under Title XIII of the federal Omnibus Budget  
 22 Reconciliation Act of 1993, such area shall be

23 designated by the state as an economic development  
24 enterprise zone. The area meeting the requirements  
25 for eligibility for an urban or rural enterprise  
26 community shall not be included for the purpose of  
27 determining the area limitation pursuant to subsection  
28 3. In creating an enterprise zone, a city ~~with a~~  
29 ~~population of twenty-four thousand or more which~~  
30 includes at least three census tracts with at least  
31 fifty percent of the population in each census tract  
32 located in the city, as shown by the 2000 certified  
33 federal census, may designate as part of the area  
34 tracts or approved geographic units located in a  
35 contiguous city if such tracts or approved geographic  
36 units meet the criteria and the city agrees to being  
37 included. The city may establish more than one  
38 enterprise zone. Reference in this division to "city"  
39 means a city ~~with a population of twenty-four thousand~~  
40 ~~or more which includes at least three census tracts~~  
41 with at least fifty percent of the population in each  
42 census tract located in the city, as shown by the 2000  
43 certified federal census.

44 Sec. 2. Section 15E.192, Code Supplement 2005, is  
45 amended by adding the following new subsections:  
46 NEW SUBSECTION. 2A. A city may create an economic  
47 development enterprise zone as authorized in this  
48 division, subject to certification by the department  
49 of economic development, by designating up to four  
50 square miles of the city for that purpose. In order

Page 2

1 for an enterprise zone to be certified pursuant to  
2 this subsection, an enterprise zone shall meet the  
3 distress criteria provided in section 15E.194,  
4 subsection 2A. Section 15E.194, subsection 2, shall  
5 not apply to an enterprise zone certified pursuant to  
6 this subsection. A cumulative total of not more than  
7 twenty-five million dollars worth of incentives and  
8 assistance under section 15E.196, subsections 1, 2, 3,  
9 4, and 6, shall be awarded to businesses located in  
10 enterprise zones certified prior to July 1, 2007,  
11 pursuant to this subsection. For the fiscal period  
12 beginning July 1, 2007, and ending June 30, 2010, each  
13 fiscal year a cumulative total of not more than  
14 twenty-five million dollars worth of incentives and  
15 assistance under section 15E.196, subsections 1, 2, 3,  
16 4, and 6, shall be awarded to businesses located in  
17 enterprise zones certified during that fiscal year  
18 pursuant to this subsection. A business located in an  
19 enterprise zone certified pursuant to this subsection  
20 that receives incentives and assistance shall have up  
21 to two fiscal years after the fiscal year in which



22 incentives and assistance are awarded to use or expend  
 23 such incentives and assistance. Any incentives and  
 24 assistance that remain unused or unexpended at the end  
 25 of a project or by June 30 of the second fiscal year  
 26 after the fiscal year in which the incentives and  
 27 assistance were awarded shall be credited to the  
 28 fiscal year in which the incentives and assistance  
 29 were awarded and may be awarded by the department to a  
 30 different business. For purposes of this subsection  
 31 and section 15E.194, subsection 2A, "city" means a  
 32 city that includes at least three census tracts, as  
 33 determined in the most recent federal census.  
 34 NEW SUBSECTION. 2B. A city that includes at least  
 35 two census tracts with at least fifty percent of the  
 36 population in each census tract located in the city  
 37 may create an economic development enterprise zone as  
 38 authorized in this division, subject to certification  
 39 by the department of economic development as provided  
 40 in section 15E.194, subsection 3. An enterprise zone  
 41 under this subsection shall not be required to meet  
 42 any distress criteria.  
 43 Sec. 3. Section 15E.192, subsection 3, paragraph  
 44 b, Code Supplement 2005, is amended to read as  
 45 follows:  
 46 b. A county or city may apply to the department  
 47 for an area to be certified as an enterprise zone ~~at~~  
 48 ~~any time prior to March 1, 2006.~~ However, the total  
 49 amount of land designated as enterprise zones under  
 50 ~~subsections 1 and 2~~ subsection 1, and any other

Page 3

1 enterprise zones certified by the department,  
 2 excluding those approved pursuant to subsection 2B and  
 3 section 15E.194, ~~subsection~~ subsections 2A and 4,  
 4 shall not exceed in the aggregate one percent of the  
 5 total county area.  
 6 Sec. 4. Section 15E.192, subsection 4, Code  
 7 Supplement 2005, is amended to read as follows:  
 8 4. An enterprise zone designation shall remain in  
 9 effect ~~for ten years following the date of~~  
 10 certification until one year following the completion  
 11 of the designation of census tracts for the state as  
 12 part of the 2010 census process. Any state or local  
 13 incentives or assistance that may be conferred must be  
 14 conferred before the designation expires. However,  
 15 the benefits of the incentive or assistance may  
 16 continue beyond the expiration.  
 17 Sec. 5. Section 15E.193B, subsection 1, Code  
 18 Supplement 2005, is amended to read as follows:  
 19 1. A housing business qualifying under this  
 20 section is eligible to receive incentives and

21 assistance only as provided in this section. An  
22 eligible housing business shall not receive incentives  
23 or assistance for a home or multiple dwelling unit  
24 built or rehabilitated in an enterprise zone  
25 designated pursuant to section 15E.194, subsection 2A  
26 or 4. Sections 15E.193 and 15E.196 do not apply to an  
27 eligible housing business qualifying under this  
28 section.

29 Sec. 6. Section 15E.194, Code 2005, is amended by  
30 adding the following new subsection:

31 NEW SUBSECTION. 2A. A city may designate an area  
32 of up to four square miles to be an enterprise zone if  
33 the area includes or is located within four miles of  
34 at least three of the following:

- 35 a. A commercial service airport.
- 36 b. A barge terminal or a navigable waterway.
- 37 c. Entry to a rail line.
- 38 d. Entry to an interstate highway.
- 39 e. Entry to a commercial and industrial highway  
40 network as identified pursuant to section 313.2A.

41 An eligible housing business under section 15E.193B  
42 shall not receive incentives or assistance for a home  
43 or multiple dwelling unit built or rehabilitated in an  
44 enterprise zone designated pursuant to this  
45 subsection.

46 Sec. 7. Section 15E.194, subsection 3, Code 2005,  
47 is amended to read as follows:

48 3. The department of economic development shall  
49 certify eligible enterprise zones that meet the  
50 requirements of subsection 1 upon request by the

Page 4

1 county, ~~or~~ subsection 2 upon request by the city, o  
2 subsection 2A upon request by the city, as applicable.  
3 Once every two years, the department may certify one  
4 enterprise zone pursuant to section 15E.192,  
5 subsection 2B.

6 Sec. 8. Section 15E.195, subsection 2, Code 2005,  
7 is amended to read as follows:

8 2. A city ~~with a population of twenty four~~  
9 ~~thousand or more which includes at least three census~~  
10 tracts with at least fifty percent of the population  
11 in each census tract located in the city and which  
12 designates an enterprise zone pursuant to section  
13 15E.194, subsection 2 or 2A, and in which an eligible  
14 enterprise zone is certified shall establish an  
15 enterprise zone commission to review applications from  
16 qualified businesses located within or requesting to  
17 locate within an enterprise zone to receive incentives  
18 or assistance as provided in section 15E.196. The  
19 enterprise zone commission shall review applications

20 from qualified housing businesses requesting to  
21 receive incentives or assistance as provided in  
22 section 15E.193B. The commission shall consist of  
23 nine members. Six of these members shall consist of  
24 one representative of an international labor  
25 organization, one member with economic development  
26 expertise chosen by the department of economic  
27 development, one representative of the city council,  
28 one member of the local community college board of  
29 directors, one member of the city planning and zoning  
30 commission, and one representative of the local  
31 workforce development center. These six members shall  
32 select the remaining three members. If the enterprise  
33 zone consists of an area meeting the requirements for  
34 eligibility for an urban enterprise community under  
35 Title XIII of the federal Omnibus Budget  
36 Reconciliation Act of 1993, one of the remaining three  
37 members shall be a representative of that community.  
38 If a city contiguous to the city designating the  
39 enterprise zone is included in an enterprise zone, a  
40 representative of the contiguous city, chosen by the  
41 city council, shall be a member of the commission. A  
42 city in which an eligible enterprise zone is certified  
43 shall have only one enterprise zone commission. If a  
44 city has established an enterprise zone commission  
45 prior to July 1, 1998, the city may petition to the  
46 department of economic development to change the  
47 structure of the existing commission.  
48 Sec. 9. EFFECTIVE AND RETROACTIVE APPLICABILITY  
49 DATES. This Act, being deemed of immediate  
50 importance, takes effect upon enactment and, if

Page 5

1 enacted after March 1, 2006, applies retroactively to  
2 March 1, 2006."  
3 2. Title page, by striking lines 1 and 2 and  
4 inserting the following: "An Act relating to the  
5 certification of enterprise zones and incentives and  
6 assistance under the enterprise zone program and  
7 including effective date and retroactive applicability  
8 provisions."  
9 3. By renumbering as necessary.

Struyk of Pottawattamie asked and received unanimous consent to withdraw amendment [H-8404](#), to the committee amendment [H-8349](#), filed by him and Jenkins of Black Hawk from the floor.

Jenkins of Black Hawk offered the following amendment [H-8412](#), to the committee amendment [H-8349](#), filed by him and Struyk of Pottawattamie from the floor and moved its adoption:

[H-8412](#)

- 1 Amend the amendment, [H-8349](#), to [Senate File 2183](#),
- 2 as passed by the Senate, as follows:
- 3 1. Page 1, line 45, by striking the word
- 4 "subsections" and inserting the following:
- 5 "subsection".
- 6 2. Page 2, by striking lines 6 through 11 and
- 7 inserting the following: "this subsection. For the
- 8 fiscal year".
- 9 3. Page 2, by striking lines 18 through 30 and
- 10 inserting the following: "pursuant to this
- 11 subsection. For purposes of this subsection".
- 12 4. Page 2, by striking lines 34 through 42.
- 13 5. Page 2, lines 47 and 48, by striking the words
- 14 and figures "~~at any time prior to March 1, 2006~~" and
- 15 inserting the following: "at any time prior to ~~March~~
- 16 ~~1, 2006~~ July 1, 2010".
- 17 6. Page 3, line 2, by striking the word and
- 18 figure "subsection 2B" and inserting the following:
- 19 "subsection 2".
- 20 7. Page 3, by striking lines 9 through 12 and
- 21 inserting the following: "effect for ten years
- 22 following the date of certification. Prior to the
- 23 expiration of an enterprise zone designation, a city
- 24 or county meeting the distress criteria in section
- 25 15E.194 may apply for a one-time ten-year extension of
- 26 the designation. In applying for a one-time ten-year
- 27 extension of an enterprise zone designation, a city or
- 28 county may redefine the boundaries of the enterprise
- 29 zone provided that the redefined enterprise zone meets
- 30 the applicable distress criteria provided in section
- 31 15E.194. Prior to the expiration of an enterprise
- 32 zone designation, a city or county that is not
- 33 eligible to designate an enterprise zone but
- 34 previously designated the enterprise zone pursuant to
- 35 section 15E.194, Code Supplement 1997, may apply for a
- 36 one-time extension of the enterprise zone designation
- 37 to one year following the complete publication of the
- 38 2010 federal census. In applying for a one-time
- 39 extension of the enterprise zone designation, the city
- 40 or county may redefine the boundaries of the
- 41 enterprise zone provided that the redefined enterprise
- 42 zone meets the distress criteria provided in section
- 43 15E.194, Code Supplement 1997. The department shall
- 44 designate by rule the specific date of one year
- 45 following the complete publication of the 2010 federal

46 census. Any state or local".  
47 8. Page 4, by striking lines 3 through 5.  
48 9. By striking page 4, line 48, through page 5,  
49 line 2, and inserting the following:  
50 "Sec.\_\_\_\_. REPORT. By December 31, 2006, the

Page 2

1 department of economic development shall submit a  
2 written report to the general assembly regarding the  
3 enterprise zone program and other programs  
4 administered by the department. The report shall  
5 include an analysis of the impact the enterprise zone  
6 program has on the state's economy and the economy of  
7 the cities and counties where enterprise zones are and  
8 have been located, how the enterprise zone program  
9 integrates with other programs administered by the  
10 department, whether other programs administered by the  
11 department are used to focus assistance on  
12 economically distressed areas of the state, and any  
13 changes to the enterprise zone program or any other  
14 programs administered by the department necessary to  
15 better serve the needs of the economically distressed  
16 areas of the state.  
17 Sec.\_\_\_\_. EFFECTIVE AND RETROACTIVE APPLICABILITY  
18 DATES.  
19 1. The section of this Act amending section  
20 15E.192, subsection 4, being deemed of immediate  
21 importance, takes effect upon enactment and applies  
22 retroactively to May 14, 1997.  
23 2. The remaining sections of this Act, being  
24 deemed of immediate importance, take effect upon  
25 enactment and apply retroactively to March 1, 2006."  
26 10. By renumbering as necessary.

Amendment [H-8412](#) was adopted, placing out of order amendment [H-8362](#) to the committee amendment [H-8349](#), filed by Struyk of Pottawattamie on March 22, 2006.

Ford of Polk asked and received unanimous consent to withdraw amendment [H-8413](#), to the committee amendment [H-8349](#), filed by him from the floor.

Anderson of Page asked and received unanimous consent to withdraw amendment [H-8384](#), to the committee amendment [H-8349](#), filed by him and Swaim of Davis on March 27, 2006.

Anderson of Page offered the following amendment [H-8392](#), to the committee amendment [H-8349](#), filed by him and Swaim of Davis and moved its adoption:

[H-8392](#)

- 1 Amend the amendment, [H-8349](#), to [Senate File 2183](#),
- 2 as passed by the Senate, as follows:
- 3 1. Page 3, by inserting after line 28 the
- 4 following:
- 5 "Sec. \_\_\_\_ Section 15E.194, subsection 1,
- 6 unnumbered paragraph 1, Code 2005, is amended to read
- 7 as follows:
- 8 An enterprise zone may be designated by a county
- 9 which has one of the fifteen highest family poverty
- 10 rates for counties in the state based on the 2000
- 11 census and has a population of less than twenty
- 12 thousand based on the 2000 census or a county which
- 13 meets at least two of the following criteria:"
- 14 2. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 38, nays 46.

Amendment [H-8392](#) lost.

Swaim of Davis offered the following amendment [H-8406](#), to the committee amendment [H-8349](#), filed by him from the floor and moved its adoption:

[H-8406](#)

- 1 Amend the amendment, [H-8349](#), to [Senate File 2183](#),
- 2 as passed by the Senate, as follows:
- 3 1. Page 3, by inserting after line 28 the
- 4 following:
- 5 "Sec. \_\_\_\_ Section 15E.194, subsection 1, Code
- 6 2005, is amended to read as follows:
- 7 1. An enterprise zone may be designated by a
- 8 county which meets at least two of the following
- 9 criteria:
- 10 a. The county has an average weekly wage that
- 11 ranks among the bottom ~~twenty-five~~ thirty-three
- 12 counties in the state based on the 2000 annual average
- 13 weekly wage for employees in private business.
- 14 b. The county has a family poverty rate that ranks
- 15 among the top ~~twenty-five~~ thirty-three counties in the
- 16 state based on the 2000 census.

- 17 c. The county has experienced a percentage  
 18 population loss that ranks among the top ~~twenty-five~~  
 19 thirty-three counties in the state between 1995 and  
 20 2000.  
 21 d. The county has a percentage of persons sixty-  
 22 five years of age or older that ranks among the top  
 23 ~~twenty-five~~ thirty-three counties in the state based  
 24 on the 2000 census."  
 25 2. By renumbering as necessary.

Roll call was requested by Shoultz of Black Hawk and Fallon of Polk.

On the question "Shall amendment [H-8406](#) to the committee amendment [H-8349](#) be adopted?" ([S.F. 2183](#))

The ayes were, 43:

Anderson	Arnold	Baudler	Berry
Bukta	Dix	Dolecheck	Fallon
Foege	Ford	Frevort	Gaskill
Heddens	Hunter	Jochum	Jones
Kaufmann	Kuhn	Lensing	Lukan
Lykam	Mascher	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Pettengill	Quirk	Rasmussen
Reasoner	Reichert	Schueller	Shoultz
Swaim	Taylor, D.	Taylor, T.	Tymeson
Van Engelenhoven	Wessel-Kroeschell	Whitaker	

The nays were, 53:

Alons	Bell	Boal	Chambers
Cohoon	Dandekar	Davitt	Drake
Eichhorn	Elgin	Freeman	Gipp
Granzow	Greiner	Heaton	Hoffman
Hogg	Horbach	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Kressig	Kurtenbach	Lalk	Maddox
May	Olson, S.	Paulsen	Petersen
Raecker	Rayhons	Roberts	Schickel
Shomshor	Smith	Soderberg	Struyk
Thomas	Tjepkes	Tomenga	Upmeyer
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Whitead	Wilderdyke	Winckler	Wise
Mr. Speaker			
Rants			

Absent or not voting, 4:

Carroll                      De Boef                      Sands                      Zirkelbach

Amendment [H-8406](#) lost.

On motion by Jenkins of Black Hawk, the committee amendment [H-8349](#), as amended, was adopted.

Jenkins of Black Hawk 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. 2183](#))

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Hunter	Huseman	Huser	Hutter
Jacobs	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shultz	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	Wilderdyke	Winckler
Wise	Mr. Speaker		
	Rants		

The nays were, 1:

Fallon



Absent or not voting, 1:

Zirkelbach

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

#### IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **Senate Files 2183 and 2199.**

#### Unfinished Business Calendar

**House File 2523**, a bill for an act relating to safe motor vehicle operation, including penalties for certain motor vehicle violations causing serious injury or death and classroom instruction for driver education courses, was taken up for consideration.

#### **SENATE FILE 2267** SUBSTITUTED FOR **HOUSE FILE 2523**

J.R. Van Fossen of Scott asked and received unanimous consent to substitute **Senate File 2267** for **House File 2523**.

**Senate File 2267**, a bill for an act relating to safe motor vehicle operation, including penalties for certain motor vehicle violations causing death or serious injury and classroom instruction for driver education courses, was taken up for consideration.

Dix of Butler in the chair at 2:47 p.m.

J.R. Van Fossen of Scott 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. 2267**)

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Carroll
Chambers	Cohoon	Dandekar	Davitt

De Boef	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Huseman
Huser	Hutter	Jacobs	Jacoby
Jenkins	Jochum	Jones	Kaufmann
Kressig	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
May	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	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	Wilderdyke
Winckler	Wise	Dix, Presiding	

The nays were, 3:

Hunter	Mascher	Olson, R.
--------	---------	-----------

Absent or not voting, 2:

Bukta	Zirkelbach
-------	------------

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

#### [HOUSE FILE 2523](#) WITHDRAWN

J.R. Van Fossen of Scott asked and received unanimous consent to withdraw [House File 2523](#) from further consideration by the House.

[House File 2754](#), a bill for an act 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, was taken up for consideration.

S. Olson of Clinton offered amendment [H-8377](#) filed by him as follows:

[H-8377](#)

- 1 Amend [House File 2754](#) as follows:
- 2 1. Page 2, by striking lines 28 through 33.
- 3 2. Page 35, line 6, by striking the word "total".
- 4 3. Page 35, line 18, by striking the word
- 5 "total".
- 6 4. Page 35, line 19, by striking the word
- 7 "total".
- 8 5. Page 35, line 31, by striking the word
- 9 "total".
- 10 6. Page 36, line 24, by striking the words
- 11 "distribution percentage" and inserting the following:
- 12 "gallonage".
- 13 7. Page 36, line 25, by striking the words
- 14 "distribution percentage" and inserting the following:
- 15 "gallonage".
- 16 8. Page 38, by inserting after line 4 the
- 17 following:
- 18 "\_. The information included in a report
- 19 submitted by a retail dealer is deemed to be a trade
- 20 secret, protected as a confidential record pursuant to
- 21 section 22.7."
- 22 9. Page 39, by inserting after line 3 the
- 23 following:
- 24 "\_. The report shall not provide information
- 25 regarding motor fuel or biofuel which is sold and
- 26 dispensed by an individual retail dealer or at a
- 27 particular retail motor fuel site. The report shall
- 28 not include a trade secret protected as a confidential
- 29 record pursuant to section 22.7."
- 30 10. Page 39, line 25, by inserting after the word
- 31 "aggregate" the following: "biofuel".
- 32 11. Page 39, line 30, by inserting after the word
- 33 "aggregate" the following: "biofuel".
- 34 12. Page 39, line 35, by inserting after the word
- 35 "aggregate" the following: "biofuel".
- 36 13. Page 40, line 5, by inserting after the word
- 37 "aggregate" the following: "biofuel".
- 38 14. Page 41, lines 25 and 26, by striking the
- 39 words and figure "as defined in section 214A.1" and
- 40 inserting the following: "as provided in section
- 41 214A.2".
- 42 15. Page 41, lines 28 and 29, by striking the
- 43 words and figure "as defined in section 214A.1" and
- 44 inserting the following: "as provided in section
- 45 214A.2".
- 46 16. Page 41, line 35, by inserting after the word

47 "~~ethanol~~" the following: "as defined in section  
48 214A.1".  
49 17. Page 42, lines 14 and 15, by striking the  
50 words and figure "as defined in section 214A.1" and

Page 2

1 inserting the following: "as provided in section  
2 214A.2".  
3 18. Page 42, lines 17 and 18, by striking the  
4 words and figure "as defined in section 214A.1" and  
5 inserting the following: "as provided in section  
6 214A.2".  
7 19. Page 43, lines 1 and 2, by striking the words  
8 and figure "as defined in section 214A.1" and  
9 inserting the following: "as provided in section  
10 214A.2".  
11 20. Page 43, lines 4 and 5, by striking the words  
12 and figure "as defined in section 214A.1" and  
13 inserting the following: "as provided in section  
14 214A.2".  
15 21. Page 43, lines 10 and 11, by striking the  
16 words "gasoline blended with at least ten percent  
17 ethanol" and inserting the following: "ethanol  
18 blended gasoline blended with at least ten percent  
19 ethanol as defined in section 214A.1, unless under  
20 emergency circumstances".  
21 22. Page 43, line 14, by striking the words and  
22 figure "as defined in section 214A.1" and inserting  
23 the following: "if commercially available".  
24 23. Page 43, lines 25 and 26, by striking the  
25 words and figure "as defined in section 214A.1" and  
26 inserting the following: "as provided in section  
27 214A.2".  
28 24. Page 43, lines 28 and 29, by striking the  
29 words and figure "as defined in section 214A.1" and  
30 inserting the following: "as provided in section  
31 214A.2".  
32 25. Page 44, line 4, by inserting after the word  
33 "~~ethanol~~" the following: "as defined in section  
34 214A.1".  
35 26. Page 44, lines 28 and 29, by striking the  
36 words and figure "as defined in section 214A.1" and  
37 inserting the following: "as provided in section  
38 214A.2".  
39 27. Page 44, lines 31 and 32, by striking the  
40 words and figure "as defined in section 214A.1" and  
41 inserting the following: "as provided in section  
42 214A.2".  
43 28. Page 46, lines 10 and 11, by striking the  
44 words and figure "as defined in section 214A.1" and  
45 inserting the following: "as provided in section

46 214A.2".  
 47 29. Page 46, lines 13 and 14, by striking the  
 48 words and figure "as defined in section 214A.1" and  
 49 inserting the following: "as provided in section  
 50 214A.2".

Page 3

1 30. By renumbering as necessary.

Kurtenbach of Story offered the following amendment [H-8407](#), to amendment [H-8377](#), filed by him and S. Olson of Clinton from the floor and moved its adoption:

[H-8407](#)

1 Amend the amendment, [H-8377](#), to [House File 2754](#) as  
 2 follows:  
 3 1. Page 1, by inserting after line 1 the  
 4 following:  
 5 "\_\_\_\_. Page 1, line 20, by striking the word  
 6 "constituent" and inserting the following:  
 7 "component"."  
 8 2. Page 1, by inserting after line 2 the  
 9 following:  
 10 "\_\_\_\_. Page 4, line 23, by striking the word  
 11 "having" and inserting the following: "be".  
 12 \_\_\_\_\_. Page 5, line 22, by striking the word "The"  
 13 and inserting the following: "If the motor fuel is  
 14 advertised for sale or sold as biodiesel or biodiesel  
 15 blended fuel, the".  
 16 \_\_\_\_\_. Page 11, line 6, by striking the word  
 17 "equipment" and inserting the following: "dispenser".  
 18 \_\_\_\_\_. By striking page 31, line 35, through page  
 19 33, line 9."  
 20 3. Page 1, by inserting after line 15 the  
 21 following:  
 22 "\_\_\_\_. Page 37, by striking lines 2 through 4."  
 23 4. Page 1, by inserting after line 37 the  
 24 following:  
 25 "\_\_\_\_. Page 40, by striking lines 11 through 15  
 26 and inserting the following: "the biofuel threshold  
 27 percentage as provided in section 452A.31."  
 28 5. Page 2, by inserting after line 50 the  
 29 following:  
 30 "\_\_\_\_. Title page, line 5, by striking the words  
 31 "and excise taxes"."  
 32 6. By renumbering as necessary.

Rule 75 was invoked.

A non-record roll call was requested.

The ayes were 44, nays 53.

Amendment [H-8407](#) lost.

Shoultz of Black Hawk offered the following amendment [H-8409](#), to amendment [H-8377](#), filed by him and Kuhn of Floyd from the floor and moved its adoption:

[H-8409](#)

1 Amend the amendment, [H-8377](#), to [House File 2754](#) as  
2 follows:  
3 1. Page 1, line 1, by striking the word "Amend"  
4 and inserting the following: "Amend".  
5 2. Page 1, by inserting after line 2 the  
6 following:  
7 "\_\_\_\_. Page 5, by inserting after line 12, the  
8 following:  
9 "Sec.\_\_\_\_. Section 214A.2, Code 2005, is amended  
10 by adding the following new subsection:  
11 NEW SUBSECTION. 2B. a. Except as provided in  
12 paragraph "b", a retail dealer shall not advertise for  
13 sale, sell, or dispense gasoline other than ethanol  
14 blended gasoline in this state.  
15 b. A retail dealer may advertise for sale, sell,  
16 or dispense gasoline, other than ethanol blended  
17 gasoline, in this state if both of the following  
18 apply:  
19 (1) The gasoline is used to operate a motor which  
20 powers any one of the following:  
21 (a) An aircraft as defined in section 328.1.  
22 (b) A motor vehicle used exclusively for motor  
23 sports, including on a raceway, if the motor vehicle  
24 cannot operate on a highway as provided in chapter 321  
25 or rules adopted by the state department of  
26 transportation.  
27 (c) An antique vehicle registered under section  
28 321.115.  
29 (d) A snowmobile as defined in section 321G.1.  
30 (e) An all-terrain vehicle as defined in section  
31 321G.1.  
32 (f) A watercraft as defined in section 462A.2.  
33 (g) A lawnmower or other implement powered by a  
34 small motor.  
35 (2) The retail dealer does not use more than one  
36 motor fuel pump located at a retail motor fuel site to  
37 sell and dispense the gasoline."

- 38 \_\_\_\_ Page 7, by inserting after line 24 the  
39 following:  
40 "Sec. \_\_\_\_ EFFECTIVE DATE. Section 214A.2,  
41 subsection 2B, as enacted in this Act, takes effect  
42 January 1, 2007."  
43 \_\_\_\_ Page 20, by striking lines 7 through 10, and  
44 inserting the following: "section, if the taxpayer  
45 claims an E-85 gasoline promotion tax credit as  
46 provided in".  
47 \_\_\_\_ By striking page 20, line 17, through page  
48 22, line 29.  
49 \_\_\_\_ Page 24, by striking lines 9 through 13.  
50 \_\_\_\_ Page 24, line 14, by striking the word "b."

Page 2

- 1 and inserting the following: "5."  
2 \_\_\_\_ Page 27, by striking lines 6 through 9, and  
3 inserting the following: "subsection, if the taxpayer  
4 claims an E-85 promotion tax credit as provided in  
5 section".  
6 \_\_\_\_ Page 27, line 17, by striking the word  
7 "subsections" and inserting the following:  
8 "subsection".  
9 \_\_\_\_ Page 27, by striking lines 18 through 33.  
10 \_\_\_\_ Page 28, by striking lines 32 and 33 and  
11 inserting the following: "422.11O and 422.11P, as  
12 enacted in this Act, and section 422.33, subsections  
13 11B and 11C, as enacted in".  
14 \_\_\_\_ Page 29, by striking lines 16 through 29.  
15 \_\_\_\_ By striking page 31, line 35, through page  
16 33, line 9."  
17 2. Page 1, by inserting after line 15 the  
18 following:  
19 " \_\_\_\_ Page 37, by striking lines 2 through 4."  
20 3. Page 2, by inserting after line 50 the  
21 following:  
22 " \_\_\_\_ Title page, line 5, by striking the words  
23 "and excise taxes".  
24 4. By renumbering as necessary.

A non-record roll call was requested.

The ayes were 21, nays 50.

Amendment [H-8409](#) lost.

On motion by S. Olson of Clinton, amendment [H-8377](#) was adopted.

Shultz of Black Hawk asked and received unanimous consent to withdraw amendment [H-8372](#) filed by him and Kuhn of Floyd on March 23, 2006.

Wise of Lee offered the following amendment [H-8355](#) filed by him and Hoffman of Crawford and moved its adoption:

[H-8355](#)

1 Amend [House File 2754](#) as follows:

2 1. Page 7, by striking line 26 and inserting the  
3 following:

4 "RENEWABLE FUEL AND ENERGY"

5 2. Page 7, by inserting after line 26 the  
6 following:

7 "Sec.\_\_\_\_. Section 15.103, subsection 1, paragraph  
8 b, subparagraph (7), Code Supplement 2005, is amended  
9 to read as follows:

10 (7) Economics ~~or alternative and renewable energy~~  
11 including the alternative and renewable energy sectors  
12 listed in section 476.42, subsection 1, paragraph "a".

13 Sec.\_\_\_\_. Section 15E.61, unnumbered paragraph 1,  
14 Code 2005, is amended to read as follows:

15 The general assembly finds the following:

16 Fundamental changes have occurred in national and  
17 international financial markets and in the financial  
18 markets of this state. A critical shortage of seed  
19 and venture capital resources exists in the state, and  
20 such shortage is impairing the growth of commerce in  
21 the state. A need exists to increase the availability  
22 of venture equity capital for emerging, expanding, and  
23 restructuring enterprises in Iowa, including, without  
24 limitation, enterprises in the life sciences, advanced  
25 manufacturing, information technology, alternative and  
26 renewable energy including the alternative and  
27 renewable energy sectors listed in section 476.42,  
28 subsection 1, paragraph "a", and value-added  
29 agriculture areas. Such investments will create jobs  
30 for Iowans and will help to diversify the state's  
31 economic base.

32 Sec.\_\_\_\_. Section 15E.223, subsection 4, Code  
33 2005, is amended to read as follows:

34 4. "Targeted industry business" means an existing  
35 or proposed business entity, including an emerging  
36 small business or qualified business which is operated  
37 for profit and which has a primary business purpose of  
38 doing business in at least one of the targeted  
39 industries designated by the department which include  
40 life sciences, software and information technology,  
41 advanced manufacturing, value-added agriculture,



42 alternative and renewable energy including the  
43 alternative and renewable energy sectors listed in  
44 section 476.42, subsection 1, paragraph "a", and any  
45 other industry designated as a targeted industry by  
46 the department.  
47 Sec.\_\_\_\_. Section 15E.231, subsection 1, Code  
48 Supplement 2005, is amended by adding the following  
49 new paragraph:  
50 NEW PARAGRAPH. h. Development of the alternative

Page 2

1 and renewable energy sector.  
2 Sec.\_\_\_\_. Section 15E.351, subsection 1, Code  
3 Supplement 2005, is amended to read as follows:  
4 1. The department shall establish and administer a  
5 business accelerator program to provide financial  
6 assistance for the establishment and operation of a  
7 business accelerator for technology-based, value-added  
8 agricultural, information solutions, alternative and  
9 renewable energy including the alternative and  
10 renewable energy sectors listed in section 476.42,  
11 subsection 1, paragraph "a", or advanced manufacturing  
12 start-up businesses or for a satellite of an existing  
13 business accelerator. The program shall be designed  
14 to foster the accelerated growth of new and existing  
15 businesses through the provision of technical  
16 assistance. The department shall use moneys  
17 appropriated to the department from the grow Iowa  
18 values fund pursuant to section 15G.111, subsection 1,  
19 subject to the approval of the economic development  
20 board, to provide financial assistance under this  
21 section.  
22 Sec.\_\_\_\_. Section 260C.18A, subsection 2,  
23 unnumbered paragraph 1, Code Supplement 2005, is  
24 amended to read as follows:  
25 Moneys deposited in the funds and disbursed to  
26 community colleges for a fiscal year shall be expended  
27 for the following purposes, provided seventy percent  
28 of the moneys shall be used on projects in the areas  
29 of advanced manufacturing, information technology and  
30 insurance, alternative and renewable energy including  
31 the alternative and renewable energy sectors listed in  
32 section 476.42, subsection 1, paragraph "a", and life  
33 sciences which include the areas of biotechnology,  
34 health care technology, and nursing care technology:"  
35 3. Title page, by striking lines 1 through 3 and  
36 inserting the following: "An Act relating to  
37 renewable fuel and energy, providing incentives for".  
38 4. By renumbering as necessary.

Amendment [H-8355](#) was adopted.

Hoffman of Crawford offered amendment [H-8399](#) filed by Hoffman, et al., as follows:

[H-8399](#)

1 Amend [House File 2754](#) as follows:

2 1. By striking page 9, line 22, through page 10,  
3 line 22.

4 2. Page 11, by inserting after line 22 the  
5 following:

6 "Sec.\_\_\_\_. EFFECTIVE DATE.

7 1. The sections of this Act amending sections  
8 323A.1 and 323A.2, being deemed of immediate  
9 importance, take effect upon enactment.

10 2. Section 323A.2A, as enacted in this Act, being  
11 deemed of immediate importance, takes effect upon  
12 enactment.

13 DIVISION

14 RENEWABLE FUEL INFRASTRUCTURE PROGRAMS

15 SUBCHAPTER II

16 RENEWABLE FUEL INFRASTRUCTURE

17 Sec.\_\_\_\_. NEW SECTION. 15G.114 DEFINITIONS.

18 As used in this subchapter, unless the context  
19 otherwise requires:

20 1. "Biodiesel", "biodiesel blended fuel", "E-85  
21 gasoline", "gasoline", "motor fuel", "motor fuel  
22 pump", "retail dealer", and "retail motor fuel site"  
23 mean the same as defined in section 214A.1.

24 2. "Infrastructure board" means the renewable fuel  
25 infrastructure board as created in section 15G.115.

26 3. "Motor fuel storage and dispensing  
27 infrastructure" or "infrastructure" means a tank and  
28 motor fuel pumps necessary to keep and dispense motor  
29 fuel at a retail motor fuel site, including but not  
30 limited to all associated equipment, dispensers,  
31 pumps, pipes, hoses, tubes, lines, fittings, valves,  
32 filters, seals, and covers.

33 4. "Terminal" means a storage and distribution  
34 facility for motor fuel or a blend stock such as  
35 ethanol or biodiesel that is supplied to a motor  
36 vehicle, pipeline, or a marine vessel and from which  
37 the motor fuel or blend stock may be removed at a  
38 rack. "Terminal" does not include any of the  
39 following:

40 a. A retail motor fuel site.

41 b. A facility at which motor fuel or special fuel,  
42 or blend stocks are used in the manufacture of  
43 products other than motor fuel and from which no motor  
44 fuel or special fuel is removed.

45 5. "Terminal operator" means a person who has  
46 responsibility for, or physical control over, the

47 operation of a terminal, including by ownership,  
 48 contractual agreement, or appointment."  
 49 3. By striking page 11, line 23, through page 12,  
 50 line 20.

Page 2

1 4. Page 12, line 21, by striking the figure  
 2 "455G.33" and inserting the following: "15G.115".  
 3 5. Page 12, lines 28 and 29, by striking the  
 4 words and figure "the renewable fuel infrastructure  
 5 fund created in section 455G.32."  
 6 6. Page 12, line 31, by striking the word and  
 7 figures "455G.34 and 455G.35" and inserting the  
 8 following: "15G.116 and 15G.117".  
 9 7. Page 14, line 8, by striking the figure  
 10 "455G.34" and inserting the following: "15G.116".  
 11 8. Page 14, line 12, by striking the figure  
 12 "455G.33" and inserting the following: "15G.115".  
 13 9. Page 14, line 23, by striking the words "the  
 14 cost-share" and inserting the following: "cost-  
 15 share".  
 16 10. Page 15, line 22, by inserting after the word  
 17 "department" the following: "of natural resources".  
 18 11. Page 17, by inserting after line 2 the  
 19 following:  
 20 "\_\_\_\_. The infrastructure board shall submit a  
 21 report to the general assembly each year which  
 22 provides the same information as required in section  
 23 15.104, subsection 9."  
 24 12. Page 17, line 3, by striking the figure  
 25 "455G.35" and inserting the following: "15G.117".  
 26 13. Page 17, line 6, by striking the figure  
 27 "455G.33" and inserting the following: "15G.115".  
 28 14. Page 17, line 8, by inserting after the word  
 29 "board" the following: "as provided in chapter 455G".  
 30 15. By striking page 18, line 34, through page  
 31 19, line 4.  
 32 16. By renumbering as necessary.

Hoffman of Crawford offered the following amendment [H-8405](#), to  
 amendment [H-8399](#), filed by him from the floor and moved its  
 adoption:

[H-8405](#)

1 Amend the amendment, [H-8399](#), to [House File 2754](#) as  
 2 follows:  
 3 1. Page 2, by inserting after line 12, the  
 4 following:  
 5 "\_\_\_\_. Page 14, by striking line 22, and inserting

6 the following: "infrastructure board on a cost-share  
 7 basis. To all extent practical, the program shall be  
 8 administered in conjunction with the programs provided  
 9 in section 15.401. The department shall contract with  
 10 a qualified organization to evaluate applications for  
 11 referral to the department and evaluation and approval  
 12 by the infrastructure board.  
 13 \_\_\_\_\_. The infrastructure board shall approve".  
 14 2. Page 2, by inserting after line 29, the  
 15 following:  
 16 "\_\_\_\_. Page 17, by striking lines 16 through 20  
 17 and inserting the following:  
 18 "\_\_\_\_. To all extent practical, the program shall  
 19 be administered in conjunction with the programs  
 20 provided in section 15.401. The department shall  
 21 contract with a qualified organization to evaluate  
 22 applications for referral to the department and  
 23 evaluation and approval by the infrastructure board.  
 24 \_\_\_\_\_. The department shall award".

Amendment [H-8405](#) was adopted.

On motion by Hoffman of Crawford, amendment [H-8399](#), as amended, was adopted.

S. Olson of Clinton moved that the bill be read a last time now and passed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2754](#))

The ayes were, 92:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dolecheck	Drake
Eichhorn	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Jacobs	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	Quirk
Raecker	Rasmussen	Rayhons	Reasoner

Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Wilderdyke	Winckler	Wise	Mr. Speaker, Rants

The nays were, 7:

Dix	Elgin	Huser	Hutter
Kurtenbach	Tomenga	Watts	

Absent or not voting, 1:

Zirkelbach

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

#### [HOUSE FILE 2735](#) WITHDRAWN

S. Olson of Clinton asked and received unanimous consent to withdraw [House File 2735](#) from further consideration by the House.

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2754](#) and [Senate File 2267](#).

#### 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 28, 2006, passed the following bill in which the concurrence of the Senate was asked:

[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.

Also: That the Senate has on March 28, 2006, passed the following bill in which the concurrence of the Senate was asked:

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

Also: That the Senate has on March 28, 2006, passed the following bill in which the concurrence of the Senate was asked:

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

Also: That the Senate has on March 28, 2006, passed the following bill in which the concurrence of the Senate was asked:

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

MICHAEL E. MARSHALL, Secretary

[House File 2759](#), a bill for an act providing for the appropriation of moneys to support renewable fuel infrastructure, and providing a contingent effective date, was taken up for consideration.

Hoffman of Crawford offered amendment [H-8398](#) filed by Hoffman, et al., as follows:

[H-8398](#)

1 Amend [House File 2759](#) as follows:  
2 1. By striking everything after the enacting  
3 clause and inserting the following:  
4 "Section 1. Section 15G.111, subsection 1,  
5 paragraph a, Code Supplement 2005, is amended to read  
6 as follows:  
7 a. For the fiscal period beginning July 1, 2005,  
8 and ending June 30, 2015, there is appropriated each  
9 fiscal year from the grow Iowa values fund created in  
10 section 15G.108, ~~to the following amounts for the~~  
11 ~~purposes designated:~~  
12 ~~(1) For the fiscal year beginning July 1, 2005,~~  
13 ~~and ending June 30, 2006, to the department of~~  
14 ~~economic development thirty-five million dollars for~~  
15 ~~programs administered by the department of economic~~  
16 ~~development.~~  
17 ~~(2) For each fiscal year of the fiscal period~~  
18 ~~beginning July 1, 2006, and ending June 30, 2009, to~~  
19 ~~the department of economic development thirty-three~~  
20 ~~million dollars for programs administered by the~~  
21 ~~department of economic development.~~  
22 ~~(3) For each fiscal year of the fiscal period~~  
23 ~~beginning July 1, 2009, and ending June 30, 2015, to~~  
24 ~~the department of economic development thirty-five~~  
25 ~~million dollars for programs administered by the~~  
26 ~~department of economic development.~~  
27 Sec. 2. Section 15G.111, Code Supplement 2005, is  
28 amended by adding the following new subsection:  
29 NEW SUBSECTION. 6A. a. For the fiscal period  
30 beginning July 1, 2006, and ending June 30, 2009,  
31 there is designated each fiscal year from the grow  
32 Iowa values fund created in section 15G.108 to the

33 department two million dollars exclusively to support  
 34 the renewable fuel infrastructure programs as provided  
 35 in sections 15E.116 and 15E.117, as enacted in 2006  
 36 Iowa Acts, [House File 2754](#). Sixty-five percent of the  
 37 moneys shall be allocated to support infrastructure  
 38 relating to storing and dispensing E-85 gasoline as  
 39 provided in section 15E.116, as enacted in 2006 Iowa  
 40 Acts, [House File 2754](#), and the remaining amount shall  
 41 be allocated to support infrastructure relating to  
 42 storing and dispensing biodiesel or biodiesel blended  
 43 fuel as provided in sections 15E.116 and 15E.117, as  
 44 enacted in 2006 Iowa Acts, [House File 2754](#). However,  
 45 the renewable fuel infrastructure board as provided in  
 46 section 15E.115, as enacted in 2006 Iowa Acts, House  
 47 File 2754, may adjust this percentage allocation if  
 48 the board determines that there are not sufficient  
 49 persons eligible to be awarded moneys to support  
 50 infrastructure relating to storing and dispensing E-85

Page 2

1 gasoline or to support infrastructure relating to  
 2 storing and dispensing of biodiesel or biodiesel  
 3 blended fuel. Up to fifty thousand dollars shall be  
 4 allocated each fiscal year in order to support the  
 5 department's administration of the programs.  
 6 Otherwise the moneys shall not be transferred, used,  
 7 obligated, appropriated, or otherwise encumbered  
 8 except as necessary to administer the programs.  
 9 b. This subsection is repealed on July 1, 2009.  
 10 Sec. 3. CONTINGENT EFFECTIVE DATE. This Act is  
 11 contingent upon the enactment of 2006 Iowa Acts, House  
 12 File 2754."

Kuhn of Floyd offered the following amendment [H-8403](#), to  
 amendment [H-8398](#), filed by him from the floor and moved its  
 adoption:

[H-8403](#)

1 Amend the amendment, [H-8398](#), to [House File 2759](#), as  
 2 follows:  
 3 1. Page 1, by striking lines 7 through 26, and  
 4 inserting the following:  
 5 "a. For the fiscal period beginning July 1, ~~2005~~  
 6 ~~2006~~, and ending June 30, 2015, there is appropriated  
 7 each fiscal year from the grow Iowa values fund  
 8 created in section 15G.108, to the department of  
 9 economic development ~~thirty-five~~ ~~thirty-three~~ million  
 10 dollars for programs administered by the department of  
 11 economic development."

- 12 2. Page 1, line 30, by striking the figure "2009"  
 13 and inserting the following: "2015".  
 14 3. Page 2, line 9, by striking the figure "2009"  
 15 and inserting the following: "2015".

Amendment [H-8403](#) lost.

On motion by Hoffman of Crawford amendment [H-8398](#) was adopted, placing out of order amendment [H-8393](#) filed by Whitaker of Van Buren on March 27, 2006 and amendment [H-8396](#) filed by Jacoby of Johnson on March 27, 2006.

Kuhn of Floyd asked and received unanimous consent to withdraw amendment [H-8373](#) filed by him on March 23, 2006.

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. 2759](#))

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
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, R.
Olson, S.	Paulsen	Petersen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
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, 1:

Zirkelbach

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

#### IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2759](#) be immediately messaged to the Senate.

#### EXPLANATION OF VOTE

I inadvertently on March 28, 2006, pressed the wrong button and would have voted "aye" on [Senate File 2378](#).

HEATON of Henry

#### PRESENTATION OF VISITORS

The Speaker announced that the following visitors were present in the House chamber:

Twenty – one 8<sup>th</sup> grade students from Ruthven – Ayrshire School, Ruthven, Iowa, accompanied by Jon Josephson. By Frevert of Palo Alto.

#### 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\1179 John Schinckel, Jr., Walcott – For celebrating his 80<sup>th</sup> birthday.

2006\1180 Lee and Deloris Ayers, Webster City – For celebrating their 55<sup>th</sup> wedding anniversary.

- 2006\1181 Harlan and Judy Poolman, Clarion – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1182 Lila Frakes, Roland – For celebrating her 85<sup>th</sup> birthday.
- 2006\1183 Doris Skrovig, Dows – For celebrating her 80<sup>th</sup> birthday.
- 2006\1184 Herman Hiemstra, Clarion – For celebrating his 80<sup>th</sup> birthday.
- 2006\1185 Bob Peterson, Mason City – For celebrating his 85<sup>th</sup> birthday.
- 2006\1186 Marion Roberts, Mason City – For celebrating her 80<sup>th</sup> birthday.
- 2006\1187 Richard and Maxine Van Deventer, Mason City – For celebrating their 65<sup>th</sup> wedding anniversary.
- 2006\1188 James and Ardith Donaldson, Union – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1189 Daniel Wieland, Winthrop – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1190 Daniel McElroy, Winthrop – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1191 Jacob Lentz, Winthrop – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1192 Adam Riniker, Winthrop – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1193 Alex Riniker, Winthrop – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1194 Norma Wessels, Cedar Falls – For celebrating her 90<sup>th</sup> birthday.
- 2006\1195 LaVerne and Shirley Plaster, Washburn – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1196 Andrew Apodaca, Earlham – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1197 Lindsey Adams, Garner – For receiving the Pershing Scholarship.
- 2006\1198 Brady Studer, Garner – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1199 Floyd Bochmann, Sheffield – For celebrating his 93<sup>rd</sup> birthday.
- 2006\1200 Ellery and Darlene Wood, Garner – For celebrating their 50<sup>th</sup> wedding anniversary.

- 2006\1201 Merwin and Mary Tibbott, Greeley – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1202 Mildred Sterling, Guttenberg – For celebrating her 90<sup>th</sup> birthday.
- 2006\1203 Hugh and Virginia Swift, Akron – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1204 Grace Feuerhelm, Le Mars – For celebrating her 90<sup>th</sup> birthday.
- 2006\1205 Ella Kounkel, Le Mars – For celebrating her 95<sup>th</sup> birthday.
- 2006\1206 Adrian and Muriel Jacobs, Orange City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1207 Arlene Daggett, Conrad – For celebrating her 90<sup>th</sup> birthday.
- 2006\1208 Lee Mayo, Hawkeye – For celebrating his 80<sup>th</sup> birthday.
- 2006\1209 Margaret Martin, Eldorado – For celebrating her 80<sup>th</sup> birthday.
- 2006\1210 John McLeland, Conrad – For celebrating his 80<sup>th</sup> birthday.
- 2006\1211 Blanche Rebik, Traer – For celebrating her 95<sup>th</sup> birthday.
- 2006\1212 Don and Elsie Vogt, Gladbrook – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1213 Zenita Arthur, Westgate – For celebrating her 90<sup>th</sup> birthday.

#### SUBCOMMITTEE ASSIGNMENT

##### [House File 2668](#)

Ways and Means: Tomenga, Chair; Paulsen and Reasoner.

#### HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

##### [House Study Bill 775](#)

Government Oversight: Alons, Chair; Baudler, Eichhorn, Hutter, Lensing, Thomas, J.K. Van Fossen, Whitead and Winckler.

#### COMMITTEE RECOMMENDATIONS

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

MARGARET A. THOMSON  
Chief Clerk of the House

## COMMITTEE ON ADMINISTRATION AND RULES

[Senate Joint Resolution 2001](#), a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

Fiscal Note is not required.

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

## COMMITTEE ON HUMAN RESOURCES

[Senate File 2241](#), a bill for an act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers.

Fiscal Note is not required.

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

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

Fiscal Note is not required.

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

[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.

Fiscal Note is not required.

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

[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.

Fiscal Note is not required.

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

[Senate File 2322](#), 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.

Fiscal Note is not required.

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

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

Fiscal Note is not required.

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

#### COMMITTEE ON WAYS AND MEANS

**Committee Bill** (Formerly [House File 2072](#)), relating to financial transaction associated with agricultural production, by providing for a tax credit to facilitate the transfer of assets, and including an effective and applicability date.

Fiscal Note is not required.

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

**Committee Bill** (Formerly [House File 2471](#)), relating to trust and agency funds by allowing city contributions for pension and related employee benefits pursuant to contracted public safety services.

Fiscal Note is not required.

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

[Senate File 2268](#), a bill for an act relating to financial transactions associated with agricultural production, by providing for tax credits and tax exemptions, and including effective and retroactive and other applicability dates.

Fiscal Note is not required.

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

**Committee Bill** (Formerly [House Study Bill 655](#)), exempting from sales and use taxes certain equipment used in transmitting telecommunications services.

Fiscal Note is not required.

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

#### RESOLUTIONS FILED

[HR 156](#), by Kuhn, Gipp, Swaim, Lensing, Davitt, Hunter, Bukta, Miller, Mertz, Foegen, Berry, Schickel, D. Olson, Whitaker, Heddens, D. Taylor, Kressig, Gaskill, Hutter, T. Taylor, Jochum, Wessel-Kroeschell, Mascher, Winckler, Smith, Shomshor, Frevert, Murphy, Pettengill, Jacoby, Oldson, Lykam, Whitehead, Huser, McCarthy, R. Olson, Shoultz, Schueller, Reichert, Quirk, Petersen, Wise, Wendt

and Dandekar, a resolution recognizing March 29, 2006, as Advocating Change Day 2006 for persons with disabilities.

Laid over under **Rule 25**.

[HR 157](#), by Upmeyer and Smith, a resolution designating April 2006 as Kidney Cancer Awareness Month.

Laid over under **Rule 25**.

[HR 158](#), by Jacobs, a resolution honoring the Valley High School mock trial program and congratulating its mock trial team on winning the Iowa High School Mock Trial State Tournament.

Laid over under **Rule 25**.

[HR 159](#), by Lykam, S. Olson, Winckler, Hutter, J.K. Van Fossen and J.R. Van Fossen, a resolution to honor the Scott County Medical Society on its sesquicentennial anniversary.

Laid over under **Rule 25**.

#### AMENDMENTS FILED

<a href="#">H-8400</a>	<a href="#">S.F.</a>	<a href="#">2374</a>	Kaufmann of Cedar Paulsen of Linn
<a href="#">H-8401</a>	<a href="#">H.F.</a>	<a href="#">2752</a>	Alons of Sioux
<a href="#">H-8402</a>	<a href="#">H.F.</a>	<a href="#">2760</a>	Wise of Lee
<a href="#">H-8408</a>	<a href="#">S.F.</a>	<a href="#">2272</a>	Raecker of Polk
<a href="#">H-8410</a>	<a href="#">H.F.</a>	<a href="#">2755</a>	Rayhons of Hancock
<a href="#">H-8411</a>	<a href="#">H.F.</a>	<a href="#">2765</a>	Alons of Sioux
<a href="#">H-8414</a>	<a href="#">S.F.</a>	<a href="#">2272</a>	Boal of Polk Wilderdyke of Harrison Mascher of Johnson Cohoon of Des Moines
<a href="#">H-8415</a>	<a href="#">S.F.</a>	<a href="#">2346</a>	Hunter of Polk
<a href="#">H-8416</a>	<a href="#">S.F.</a>	<a href="#">2346</a>	Hunter of Polk
<a href="#">H-8417</a>	<a href="#">S.F.</a>	<a href="#">2346</a>	Hunter of Polk
<a href="#">H-8418</a>	<a href="#">S.F.</a>	<a href="#">2346</a>	Hunter of Polk
			Hogg of Linn
<a href="#">H-8419</a>	<a href="#">H.F.</a>	<a href="#">2731</a>	Jochum of Dubuque

H-8420      H.F. 2731      D. Olson of Boone

On motion by Gipp of Winneshiek the House adjourned at 4:18 p.m., until 8:45 a.m., Wednesday, March 29, 2006.