

PROOF

STATE OF IOWA

House Journal

MONDAY, APRIL 3, 2006

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JOURNAL OF THE HOUSE

Eighty-fifth Calendar Day - Fifty-ninth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, April 3, 2006

The House met pursuant to adjournment at 1:14 p.m., Roberts of Carroll in the chair.

Prayer was offered by Reverend Jerry Rigdon, pastor of the Asbury United Methodist Church, Burlington. He was the guest of Representative Dennis Cohoon of Des Moines County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Rod Roberts, state representative from Carroll County.

The Journal of Friday, March 31, 2006 was approved.

INTRODUCTION OF BILL

[House File 2790](#), by committee on ways and means, a bill for an act providing for association group health care plans, wellness incentives for small employers, health benefit coverage for independent contractors, and a small business wellness program tax credit, providing an appropriation, and providing for effective, retroactive, and applicability dates.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Schueller of Jackson on request of Murphy of Dubuque.

ADOPTION OF [HOUSE RESOLUTION 119](#)

Bell of Jasper called up for consideration [House Resolution 119](#), a resolution supporting a free trade agreement between the Republic of China on Taiwan and the United States, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF [HOUSE RESOLUTION 122](#)

Bell of Jasper called up for consideration [House Resolution 122](#), a resolution requesting the Congress of the United States to give due consideration to the readiness of the Republic of China on Taiwan for membership in the United Nations, and moved its adoption.

The motion prevailed and the resolution was adopted.

ADOPTION OF [HOUSE RESOLUTION 145](#)

Bell of Jasper called up for consideration [House Resolution 145](#), a resolution supporting a proposal to invite the Republic of China (Taiwan) to participate in the upcoming meeting of the World Health Assembly as an observer, and moved its adoption.

The motion prevailed and the resolution was adopted.

Boal of Polk in the chair at 1:23 p.m.

ADOPTION OF [HOUSE CONCURRENT RESOLUTION 107](#)

Roberts of Carroll called up for consideration [House Concurrent Resolution 107](#), a concurrent resolution relating to the board of correction's evaluation of the Iowa state penitentiary in Fort Madison, and moved its adoption.

The motion prevailed and the resolution was adopted.

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House Concurrent Resolution 107](#) be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED

Tomonga of Polk called up for consideration [House File 540](#), a bill for an act prohibiting consideration of certain traffic accidents

occurring in the line of duty during a certified law enforcement officer's employment in establishment of motor vehicle insurance rates, amended by the Senate amendment [H-1542](#) as follows:

[H-1542](#)

- 1 Amend [House File 540](#), as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. NEW SECTION. 321.267A TRAFFIC
- 6 ACCIDENTS INVOLVING CERTIFIED LAW ENFORCEMENT OFFICERS
- 7 – REPORTS.
- 8 1. Any traffic accident involving the operation of
- 9 a motor vehicle by a certified law enforcement officer
- 10 shall be reported to the department by the officer's
- 11 employer. The officer's employer shall certify to the
- 12 department whether or not the accident occurred as the
- 13 result of legal intervention by the officer, as
- 14 defined in the American national standards institute
- 15 D16.1 manual on classification of motor vehicle
- 16 accidents, 1996 edition.
- 17 2. Notwithstanding section 321.200, upon receiving
- 18 a certification pursuant to subsection 1, the
- 19 department shall not include a notation of the
- 20 accident described in the certification on the
- 21 officer's driving record.
- 22 3. For the purposes of this section, "certified
- 23 law enforcement officer" means a law enforcement
- 24 officer who is certified through the Iowa law
- 25 enforcement academy as provided in section 80B.13,
- 26 subsection 3, or section 80B.17."

Tomenga of Polk asked and received unanimous consent to withdraw amendment [H-8008](#), to amendment [H-1542](#), filed by him on January 31, 2006, placing out of order amendment [H-8010](#) filed by Thomas of Clayton on February 2, 2006, amendment [H-8019](#) filed by Thomas of Clayton on February 13, 2006 and amendment [H-8366](#) filed by Thomas of Clayton on March 23, 2006.

Tomenga of Polk offered amendment [H-8173](#), to the Senate amendment [H-1542](#), filed by him as follows:

[H-8173](#)

- 1 Amend the Senate amendment, [H-1542](#), to House File
- 2 540, as amended, passed, and reprinted by the House,
- 3 as follows:
- 4 1. Page 1, by striking lines 3 through 26 and

5 inserting the following:
 6 "____. By striking everything after the enacting
 7 clause and inserting the following:
 8 "Section 1. NEW SECTION. 321.267A TRAFFIC
 9 ACCIDENTS INVOLVING CERTIFIED LAW ENFORCEMENT OFFICERS
 10 – REPORTS.
 11 1. Any traffic accident involving the operation of
 12 a motor vehicle by a certified law enforcement officer
 13 shall be reported to the department by the officer's
 14 employer. The officer's employer shall certify to the
 15 department whether or not the accident occurred in the
 16 line of duty while operating an official government
 17 vehicle. Such a certification is effective only for
 18 the purposes of this section.
 19 2. Notwithstanding section 321.200, upon receiving
 20 a certification pursuant to subsection 1, the
 21 department shall not include a notation of the
 22 accident described in the certification on the
 23 officer's driving record.
 24 3. The provisions of this section shall not
 25 relieve a certified law enforcement officer operating
 26 a motor vehicle of the duty to drive with due regard
 27 for the safety of all persons.
 28 4. For the purposes of this section, "certified law
 29 enforcement officer" means a law enforcement officer
 30 who is certified through the Iowa law enforcement
 31 academy as provided in section 80B.13, subsection 3,
 32 or section 80B.17."

Thomas of Clayton offered the following amendment [H-8371](#), to amendment [H-8173](#) to the Senate amendment [H-1542](#) filed by him and moved its adoption:

[H-8371](#)

1 Amend the amendment, [H-8173](#), to the Senate
 2 amendment, [H-1542](#), to [House File 540](#), as amended,
 3 passed, and reprinted by the House, as follows:
 4 1. Page 1, line 9, by inserting after the word
 5 "OFFICERS" the following: "OR OTHER EMERGENCY
 6 RESPONDERS".
 7 2. Page 1, line 12, by inserting after the word
 8 "officer" the following: "or other emergency
 9 responder".
 10 3. Page 1, line 13, by inserting after the word
 11 "officer's" the following: "or responder's".
 12 4. Page 1, line 14, by inserting after the word
 13 "officer's" the following: "or responder's".

14 5. Page 1, line 17, by inserting after the word
 15 "vehicle" the following: "or during the responder's
 16 deployment on an emergency call".

17 6. Page 1, line 23, by inserting after the word
 18 "officer's" the following: "or responder's".

19 7. Page 1, line 25, by inserting after the word
 20 "officer" the following: "or other emergency
 21 responder".

22 8. Page 1, by inserting after line 32, the
 23 following:

24 "5. For the purposes of this section, "other
 25 emergency responder" means a fire fighter certified as
 26 a fire fighter I pursuant to rules adopted under
 27 chapter 100B and trained in emergency driving or an
 28 emergency medical responder certified under chapter
 29 147A and trained in emergency driving."

30 __. Title page, line 2, by inserting after the
 31 word "officers" the following: "and other emergency
 32 responders".

33 9. By renumbering as necessary.

Amendment [H-8371](#) was adopted.

On motion by Tomenga of Polk amendment [H-8173](#), as amended,
 was adopted.

On motion by Tomenga of Polk the House concurred in the Senate
 amendment [H-1542](#), as amended.

Tomenga of Polk moved that the bill, as amended by the Senate
 and further amended and concurred in by the House, 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. 540](#))

The ayes were, 97:

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

Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
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
Boal, Presiding			

The nays were, none.

Absent or not voting, 3:

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

CONSIDERATION OF BILLS Unfinished Business Calendar

[House File 2748](#), a bill for an act providing for the retention of fees by licensing boards, and the bureau of radiological health, under the purview of the Iowa department of public health, providing for the nontransferability of specified fees, and providing effective dates, was taken up for consideration.

Upmeyer of Hancock offered the following amendment [H-8443](#) filed by her and moved its adoption:

[H-8443](#)

- 1 Amend [House File 2748](#) as follows:
- 2 1. Page 2, line 21, by inserting after the words
- 3 "[this section](#)" the following: "including but not
- 4 limited to the addition of full-time equivalent
- 5 positions for program services and investigations".
- 6 2. Page 4, line 12, by inserting after the word
- 7 "duties" the following: ", including but not limited
- 8 to the addition of full-time equivalent positions for
- 9 program services and investigations".
- 10 3. Page 5, by inserting after line 21 the
- 11 following:
- 12 "Sec.____. EXAMINING BOARDS – BUREAU OF

13 PROFESSIONAL LICENSURE – BUREAU OF RADIOLOGICAL
 14 HEALTH – NONREVERSION OF FUNDS. Notwithstanding any
 15 provision to the contrary, and notwithstanding section
 16 8.33, moneys appropriated for the fiscal year
 17 beginning July 1, 2006, and ending June 30, 2007, to
 18 an examining board listed in section 147.80, to the
 19 bureau of professional licensure, and to the bureau of
 20 radiological health that remain unencumbered or
 21 unobligated at the close of the fiscal year and
 22 repayment receipts and fees authorized to be retained
 23 by an examining board listed in section 147.80, the
 24 bureau of professional licensure, and the bureau of
 25 radiological health, for the fiscal year beginning
 26 July 1, 2006, and ending June 30, 2007, shall not
 27 revert but shall remain available for expenditure for
 28 the purposes designated until the close of the
 29 succeeding fiscal year."
 30 4. Page 5, by striking line 28 and inserting the
 31 following:
 32 "The sections of this Act relating to the addition
 33 of the hearing aid dispenser examiners and the nursing
 34 home administrators examiners to the list of examining
 35 boards in section 147.13, adding those professions to
 36 the list of examining boards contained in section
 37 147.80, and providing for nonreversion of certain
 38 appropriations made for, and repayment receipts, and
 39 retained fees applicable to, the fiscal year beginning
 40 July 1, 2006, take effect July 1, 2006. The remaining
 41 sections of this Act take effect July 1, 2007."
 42 5. By renumbering as necessary.

Amendment [H-8443](#) was adopted.

Hutter 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?" ([H.F. 2748](#))

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs

Jacoby	Jenkins	Jochum	Jones
Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
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
Boal, Presiding			

The nays were, none.

Absent or not voting, 3:

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

HOUSE FILES 2289 and 2568 WITHDRAWN

Hutter of Scott asked and received unanimous consent to withdraw House Files 2289 and 2568 from further consideration by the House.

Appropriations Calendar

House File 2773, a bill for an act relating to real estate education programs and the real estate education fund and making an appropriation, was taken up for consideration.

Jacobs of Polk offered the following amendment **H-8445** filed by her and moved its adoption:

H-8445

- 1 Amend **House File 2773** as follows:
- 2 1. Page 1, by inserting before line 1 the
- 3 following:

4 "Section 1. Section 543B.54, Code 2005, is amended
5 to read as follows:
6 543B.54 REAL ESTATE EDUCATION FUND.
7 1. The Iowa real estate education fund is created
8 as a financial assurance mechanism to assist in the
9 establishment and maintenance of ~~a college credit~~ real
10 estate education ~~program at the university of northern~~
11 ~~Iowa programs at Iowa community colleges and other~~
12 ~~Iowa colleges and universities,~~ and to assist the real
13 estate commission in providing an education director.
14 The fund is created as a separate fund in the state
15 treasury, and any funds remaining in the fund at the
16 end of each fiscal year shall not revert to the
17 general fund, but shall remain in the Iowa real estate
18 education fund. Twenty-five dollars per license from
19 fees deposited for each real estate salesperson's
20 license and each broker's license shall be distributed
21 and are appropriated to the ~~board of regents real~~
22 ~~estate commission~~ for the purpose of establishing and
23 maintaining ~~a real estate education program at the~~
24 ~~university of northern Iowa~~ a program to provide
25 grants to Iowa community colleges and other Iowa
26 colleges and universities providing programs under
27 this section and using the curriculum maintained by
28 the commission.
29 2. Grants shall be awarded by a grant committee
30 established by the real estate commission. The
31 committee shall consist of seven members: two members
32 of the commission, four members of the Iowa
33 association of realtors, and one member of the public.
34 The commission shall promulgate rules relating to the
35 organization and operation of the committee, which
36 shall include the term of membership, and establishing
37 standards for awarding grants. The members of the
38 committee may be reimbursed for actual and necessary
39 expenses incurred in the performance of their duties
40 but shall not receive a per diem payment. The
41 remaining moneys in the fund shall be distributed and
42 are appropriated to the professional licensing and
43 regulation division of the department of commerce for
44 the purpose of hiring and compensating a real estate
45 education director and regulatory compliance
46 personnel."
47 2. Page 1, by striking lines 22 through 24 and
48 inserting the following:
49 "a. The ad hoc committee shall consist of the
50 following members: the education director of the real

Page 2

1 estate commission, the education director of the Iowa
2 association of realtors, a representative of the Iowa

- 3 community colleges, a representative of the state
 4 board of regents, and a representative of private
 5 colleges and universities."
 6 3. By striking page 1, line 34 through page 2,
 7 line 3.
 8 4. Page 2, by inserting after line 12 the
 9 following:
 10 "Sec. ____ EFFECTIVE DATE. The section of this
 11 Act amending section 543B.54 shall take effect July 1,
 12 2007."
 13 5. Title page, line 2, by inserting after the
 14 word "fund" the following: ", establishing an
 15 effective date."
 16 6. By renumbering as necessary.

Amendment [H-8445](#) was adopted.

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

On the question "Shall the bill pass?" ([H.F. 2773](#))

The ayes were, 96:

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

The nays were, none.

Absent or not voting, 4:

Dix Schueller Taylor, D. 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 2514](#) WITHDRAWN

Jacobs of Polk asked and received unanimous consent to withdraw [House File 2514](#) 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 Files 540, 2748 and 2773.**

Ways and Means Calendar

[House File 2774](#), 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, was taken up for consideration.

Reasoner of Union 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. 2774](#))

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dolecheck	Drake	Eichhorn
Elgin	Fallon	Foege	Ford
Freeman	Frevert	Gaskill	Gipp
Granzow	Greiner	Heaton	Heddens
Hoffman	Hogg	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones

Kaufmann	Kressig	Kuhn	Kurtenbach
Lalk	Lensing	Lukan	Lykam
Maddox	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
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
Boal, Presiding			

The nays were, none.

Absent or not voting, 3:

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

Appropriations Calendar

[House File 2775](#), a bill for an act relating to the judicial branch including the assessment of court fees and costs, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 2775](#))

The ayes were, 90:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Bukta	Carroll
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dolecheck	Drake	Elgin
Foege	Ford	Freeman	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Horbach
Huseman	Huser	Hutter	Jacobs

Jacoby	Jenkins	Jones	Kressig
Kaufmann	Kuhn	Kurtenbach	Lalk
Lensing	Lukan	Lykam	Maddox
Mascher	May	McCarthy	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Roberts
Sands	Schickel	Shomshor	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	Boal, Presiding		

The nays were, 6:

Eichhorn	Fallon	Frevert	Hunter
Reichert	Shoultz		

Absent or not voting, 4:

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

[HOUSE FILE 2714](#) WITHDRAWN

Horbach of Tama asked and received unanimous consent to withdraw [House File 2714](#) from further consideration by the House.

[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, was taken up for consideration.

Dolecheck of Ringgold moved that the joint resolution be read a last time now and placed upon its adoption and the joint resolution was read a last time.

On the question "Shall the joint resolution be adopted and agreed to?" ([S.J.R. 2001](#))

The ayes were, 80:

Anderson	Baudler	Bell	Berry
Bukta	Carroll	Chambers	Cohoon
Dandekar	Davitt	Dolecheck	Elgin
Foege	Ford	Freeman	Frevert
Gaskill	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Hunter
Huseman	Huser	Hutter	Jacobs
Jacoby	Jenkins	Jochum	Jones
Kressig	Kuhn	Kurtenbach	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	Shoultz	Soderberg	Struyk
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise

The nays were, 17:

Alons	Arnold	De Boef	Drake
Eichhorn	Fallon	Heddens	Hogg
Kaufmann	Lalk	Roberts	Shomshor
Smith	Swaim	Taylor, D.	Van Engelenhoven
Boal, Presiding			

Absent or not voting, 3:

Dix	Schueller	Zirkelbach
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The joint resolution having received a constitutional majority was declared to have been adopted and agreed to by the House.

[HOUSE FILE 2471](#) WITHDRAWN

Reasoner of Union asked and received unanimous consent to withdraw [House File 2471](#) from further consideration by the House.

Unfinished Business Calendar

[Senate File 2076](#), a bill for an act relating to confinement feeding operations by providing for manure management plans, with report of committee recommending passage, was taken up for consideration.

De Boef of Keokuk asked and received unanimous consent to withdraw amendment [H-8067](#) filed by her on March 2, 2006.

De Boef of Keokuk offered the following amendment [H-8428](#) filed by her and moved its adoption:

[H-8428](#)

- 1 Amend [Senate File 2076](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 459.312, Code 2005, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 4A. The department shall provide
- 8 for the receipt and processing of manure management
- 9 plans, including updates to manure management plans,
- 10 in an electronic format pursuant to section 459.302,
- 11 not later than July 1, 2008. After that time, a
- 12 person required to submit a manure management plan
- 13 under this section may submit the manure management
- 14 plan to the department and to the county board of
- 15 supervisors in an electronic format."
- 16 2. By renumbering as necessary.

Amendment [H-8428](#) was adopted.

De Boef of Keokuk 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. 2076](#))

The ayes were, 95:

Alons	Anderson	Arnold	Baudler
Bell	Berry	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
Rants, Spkr.	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	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
Wilderdryke	Wise	Boal, Presiding	

The nays were, 2:

Fallon	Rasmussen
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Absent or not voting, 3:

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

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2774, 2775, [Senate Joint Resolution 2001](#) and [Senate File 2076](#).**

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

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. 2249](#))

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	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	Roberts	Sands
Schickel	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	Boal, Presiding		

The nays were, none.

Absent or not voting, 2:

Schueler Zirkelbach

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

[Senate File 2343](#), a bill for an act revising the membership requirements for the child advocacy board, with report of committee recommending passage, was taken up for consideration.

Hutter 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. 2343](#))

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	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	Roberts	Sands
Schickel	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	Boal, Presiding		

The nays were, none.

Absent or not voting, 2:

Schueller Zirkelbach

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

[House File 2772](#), a bill for an act creating a brain injury services program and providing for allocation of a previously enacted appropriation, was taken up for consideration.

Carroll of Poweshiek offered the following amendment [H-8450](#) filed by him and Heddens of Story and moved its adoption:

[H-8450](#)

- 1 Amend [House File 2772](#) as follows:
- 2 1. Page 3, by striking lines 28 through 33 and
- 3 inserting the following:
- 4 "d. The cost-share component's financial
- 5 eligibility requirements shall be established in
- 6 administrative rule. In establishing the
- 7 requirements, the department shall consider the
- 8 eligibility and cost-share requirements used for the
- 9 hawk-i program under chapter 514I. The individual

10 must meet the cost-share component's financial
 11 eligibility requirements and be willing to pay a cost-
 12 share for the cost-share component."

Amendment [H-8450](#) was adopted.

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?" ([H.F. 2772](#))

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	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	Roberts	Sands
Schickel	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	Boal, Presiding		

The nays were, none.

Absent or not voting, 2:

Schueller Zirkelbach

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

HOUSE FILES 2325 and 2561 WITHDRAWN

Carroll of Poweshiek asked and received unanimous consent to withdraw House Files 2325 and 2561 from further consideration by the House.

[Senate File 2363](#), a bill for an act relating to water quality standards, with report of committee recommending passage, was taken up for consideration.

Dolecheck of Ringgold asked and received unanimous consent to withdraw amendment [H-8427](#) filed by him on March 29, 2006.

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. 2363](#))

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	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	Roberts	Sands
Schickel	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	Boal,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Schueller 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: [House File 2772](#), [Senate Files 2249, 2343](#) and [2363](#).

[House File 2746](#), a bill for an act relating to state employee vehicle usage, 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?" ([H.F. 2746](#))

The ayes were, 52:

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

The nays were, 46:

Bell	Berry	Bukta	Cphoon
Dandekar	Davitt	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum

Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	Olson, R.
Petersen	Pettengill	Quirk	Reasoner
Reichert	Shomshor	Shoultz	Smith
Swaim	Taylor, D.	Taylor, T.	Thomas
Wendt	Wessel-Kroeschell	Whitaker	Whitead
Winckler	Wise		

Absent or not voting, 2:

Schueller Zirkelbach

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

IMMEDIATE MESSAGE

Jacobs of Polk asked and received unanimous consent that [House File 2746](#) be immediately messaged to the Senate.

The House stood at ease at 3:08 p.m., until the fall of the gavel.

The House resumed session at 4:59 p.m., Roberts of Carroll in the chair.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on March 30, 2006. Had I been present, I would have voted "aye" on House Files 2740, 2764 and Senate Files 2087, 2275, 2290, 2299, 2304, 2327, 2341, 2344 and 2358.

PAULSEN of Linn

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\1220 Penny Fee, Sioux City – For being named Siouxland Woman of the Year by Quota International of Sioux City.

- 2006\1221 Jim and Shirley Bauer, Sioux City – For celebrating their 50th wedding anniversary.
- 2006\1222 Rubene Fromknecht, Sioux City – For celebrating her 92nd birthday.
- 2006\1223 Robert and Dorene McCarthy, Dubuque – For celebrating their 60th wedding anniversary.
- 2006\1224 Kristen Jogerst, Dubuque – For winning 1st place in the 2006 Chemistry Olympiad.
- 2006\1225 Keegan Clefisch, Dubuque – For winning 3rd place in the 2006 Chemistry Olympiad.
- 2006\1226 Mark Vaske, Dubuque – For receiving 3rd place in the 2006 Chemistry Olympiad.
- 2006\1227 Chase Liaboe, Dubuque – For receiving 6th place in the 2006 Chemistry Olympiad.
- 2006\1228 LaVerne and Phyllis Childers, Roland – For celebrating their 50th wedding anniversary.
- 2006\1229 Delbert and Darlene Quam, Story City – For celebrating their 50th wedding anniversary.
- 2006\1230 Kenneth Thomas, West Branch – For celebrating his 80th birthday.
- 2006\1231 Myrt Hasselbusch, Clarence – For celebrating her 85th birthday.
- 2006\1232 Ellsworth Brown, Ottumwa – For celebrating his 80th birthday.
- 2006\1233 Frances Snyder, Ottumwa – For celebrating her 90th birthday.
- 2006\1234 Raymond Benjamin, Ottumwa – For celebrating his 90th birthday.
- 2006\1235 Martha Chisman, Ottumwa – For celebrating her 80th birthday.
- 2006\1236 Mary Hart, Ottumwa – For celebrating her 85th birthday.
- 2006\1237 Evelyn Prusinski, Ottumwa – For celebrating her 90th birthday.
- 2006\1238 Gordon Brandt, Blakesburg – For celebrating his 80th birthday.
- 2006\1239 Geraldine Schoolen, Ottumwa – For celebrating her 85th birthday.
- 2006\1240 Stephen Stoltz, Ottumwa – For celebrating his 85th birthday.
- 2006\1241 Violet Crowther, Ottumwa – For celebrating her 85th birthday.
- 2006\1242 Wilbur Jones, Ottumwa – For celebrating his 104th birthday.

- 2006\1243 Clara Liddell, Ottumwa – For celebrating her 90th birthday.
- 2006\1244 Lester Johnson, Ottumwa – For celebrating his 80th birthday.
- 2006\1245 Robert Rhynas, Ottumwa – For celebrating his 80th birthday.
- 2006\1246 Hobart Sims, Ottumwa – For celebrating his 80th birthday.
- 2006\1247 James Taylor, Ottumwa – For celebrating his 90th birthday.
- 2006\1248 Howard Vanzante, Ottumwa – For celebrating his 85th birthday.
- 2006\1249 Vesta Steele, Ottumwa – For celebrating her 102nd birthday.
- 2006\1250 Blanche Moore, Oskaloosa – For celebrating her 90th birthday.
- 2006\1251 Rachel Silvers, Oskaloosa – For celebrating her 90th birthday.
- 2006\1252 Hazel and Cecil Brim, Grinnell – For celebrating their 65th wedding anniversary.
- 2006\1253 Neil and Pat Johnson, Grinnell – For celebrating their 50th wedding anniversary.
- 2006\1254 Virginia and George Turner, Oskaloosa – For celebrating their 60th wedding anniversary.
- 2006\1255 Eleanor Harvey, Akron – For celebrating her 87th birthday.
- 2006\1256 Jenny Versteeg, Orange City – For celebrating her 102nd birthday.

RESOLUTIONS FILED

[HR 161](#), by Kuhn, a resolution honoring the City of Stacyville on its sesquicentennial year.

Laid over under **Rule 25**.

[HR 162](#), by Heaton, a resolution honoring Coach Robert Hilmer, the “winningest” coach in the history of Iowa boys’ high school basketball.

Laid over under **Rule 25**.

AMENDMENTS FILED

H-8448	H.F. 2771	Paulsen of Linn
H-8449	H.F. 2782	Thomas of Clayton

H-8451	H.F.	2763	Winckler of Scott
			Jochum of Dubuque
H-8452	S.F.	2318	Lukan of Dubuque
H-8453	H.F.	2752	Petersen of Polk
H-8454	S.F.	2346	Tymeson of Madison
			Paulsen of Linn
H-8455	H.F.	2782	Petersen of Polk
H-8456	S.F.	2352	Baudler of Adair
H-8457	H.F.	2760	Ford of Polk
H-8458	H.F.	2782	T. Taylor of Linn

On motion by Jacobs of Polk the House adjourned at 4:59 p.m., until 8:45 a.m., Tuesday, April 5, 2006.