

PROOF

STATE OF IOWA

House Journal

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JOURNAL OF THE HOUSE

Eighty-sixth Calendar Day - Sixtieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Tuesday, April 4, 2006

The House met pursuant to adjournment at 8:47 a.m., Jacobs of Polk in the chair.

Prayer was offered by Reverend Joel Love, pastor of Union Congregational United Church of Christ, Reinbeck. He was the guest of Representative Lance Horbach of Tama.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Libby Jacobs, state representative from Polk County.

The Journal of Monday, April 3, 2006 was approved.

ADOPTION OF [HOUSE RESOLUTION 149](#)

Heddens of Story and Wessel-Kroeschell of Story called up for consideration [House Resolution 149](#), a resolution to welcome the 2006 Special Olympics USA National Games to Iowa, and moved its adoption.

The motion prevailed and the resolution was adopted.

SPECIAL PRESENTATION

Wessel-Kroeschell introduced to the House Rich Fellingham, President/CEO of the Special Olympics Iowa and Kyler Prunty a participant of 2006 Special Olympics. They addressed the House briefly regarding the Games.

The House rose and expressed its welcome.

SENATE AMENDMENT CONSIDERED

Elgin of Linn called up for consideration [House File 729](#), a bill for an act relating to the Iowa public employees' retirement system and

the judicial retirement system, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8029](#):

[H-8029](#)

1 Amend [House File 729](#), as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by inserting after line 2 the
4 following:
5 "Section 1. Section 97B.1A, Code Supplement 2005,
6 is amended by adding the following new subsection:
7 NEW SUBSECTION. 11A. "Fully funded" means a
8 funded ratio of at least one hundred percent using the
9 most recent actuarial valuation. For purposes of this
10 subsection, "funded ratio" means the ratio produced by
11 dividing the lesser of the actuarial value of the
12 system's assets or the market value of the system's
13 assets, by the system's actuarial liabilities, using
14 the actuarial method adopted by the investment board
15 pursuant to section 97B.8A, subsection 3.
16 Sec. _____. Section 97B.1A, subsection 24, paragraph
17 a, Code Supplement 2005, is amended to read as
18 follows:
19 a. "Three-year average covered wage" means, ~~for a~~
20 ~~member who retires prior to July 1, 2008~~, a member's
21 covered wages averaged for the highest three years of
22 the member's service, except as otherwise provided in
23 this subsection. The highest three years of a
24 member's covered wages shall be determined using
25 calendar years. However, if a member's final quarter
26 of a year of employment does not occur at the end of a
27 calendar year, the system may determine the wages for
28 the third year by computing the average quarter of all
29 quarters from the member's highest calendar year of
30 covered wages not being used in the selection of the
31 two highest years and using the computed average
32 quarter for each quarter in the third year in which no
33 wages have been reported in combination with the final
34 quarter or quarters of the member's service to create
35 a full year. However, the system shall not use the
36 member's final quarter of wages if using that quarter
37 would reduce the member's three-year average covered
38 wage. If the three-year average covered wage of a
39 member exceeds the highest maximum covered wages in
40 effect for a calendar year during the member's period
41 of service, the three-year average covered wage of the
42 member shall be reduced to the highest maximum covered
43 wages in effect during the member's period of service.
44 Notwithstanding any other provision of this paragraph
45 to the contrary, a member's wages for the third year
46 as computed by this paragraph shall not exceed, by

47 more than three percent, the member's highest actual
48 calendar year of covered wages for a member whose
49 first month of entitlement is January 1999 or later.
50 Sec.____. Section 97B.1A, subsection 24, paragraph

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1 c, Code Supplement 2005, is amended by striking the
2 paragraph and inserting in lieu thereof the following:
3 c. Notwithstanding any other provisions of this
4 subsection to the contrary, for a member who retires
5 on or after July 1, 2007, the member's three-year
6 average covered wage shall be the lesser of the three-
7 year average covered wage as calculated pursuant to
8 paragraph "a" and the adjusted covered wage amount.
9 For purposes of this paragraph, the adjusted covered
10 wage amount shall be the greater of the member's
11 three-year average covered wage calculated pursuant to
12 paragraph "a" as of July 1, 2007, and an amount equal
13 to one hundred twenty-one percent of the member's
14 applicable calendar year wages. The member's
15 applicable calendar year wages shall be the member's
16 highest full calendar year of covered wages not used
17 in the calculation of the member's three-year average
18 covered wage pursuant to paragraph "a", or, if the
19 member does not have another full calendar year of
20 covered wages that was not used in the calculation of
21 the three-year average covered wage under paragraph
22 "a", the lowest full calendar year of covered wages
23 that was used in the calculation of the member's
24 three-year average covered wage pursuant to paragraph
25 "a."

26 2. Page 1, line 23, by striking the figure "2006"
27 and inserting the following: "2007".

28 3. Page 1, line 24, by striking the figure "2014"
29 and inserting the following: "2011".

30 4. Page 1, line 31, by striking the figure "2014"
31 and inserting the following: "2011".

32 5. Page 2, by inserting after line 2 the
33 following:

34 "Sec.____. Section 97B.48A, subsection 1, Code
35 2005, is amended by adding the following new
36 unnumbered paragraph:

37 NEW UNNUMBERED PARAGRAPH. For purposes of this
38 subsection and not for purposes of determining a
39 retiree's covered wages, remuneration paid on and
40 after July 1, 2007, includes noncovered contributions
41 to a defined contribution plan qualified under
42 Internal Revenue Code section 401(a), a tax-deferred
43 annuity qualified under Internal Revenue Code section
44 403(b), an eligible deferred compensation plan
45 qualified under Internal Revenue Code section 457, or

46 any other tax qualified or nonqualified investment
47 vehicle, that is provided by an employer to a retiree
48 who has been or will be reemployed in covered
49 employment."
50 6. Page 2, line 3, by inserting after the word

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1 "Code" the following: "Supplement".
2 7. Page 2, by inserting after line 14 the
3 following:
4 "Sec. _____. Section 97B.49F, subsection 2,
5 paragraph c, Code 2005, is amended by adding the
6 following new subparagraph:
7 NEW SUBPARAGRAPH. (4A) Notwithstanding any
8 provisions of this paragraph to the contrary, moneys
9 shall not be credited to the reserve account if the
10 system is not fully funded or if the system would not
11 remain fully funded if moneys were credited to the
12 reserve account.
13 Sec. _____. Section 97B.49H, subsection 3, Code
14 2005, is amended to read as follows:
15 3. The system shall annually determine the amount
16 to be credited to the supplemental accounts of active
17 members. The total amount credited to the
18 supplemental accounts of all active members shall not
19 exceed the amount that the system determines, in
20 consultation with the system's actuary, can be
21 absorbed without significantly impacting the funded
22 status of the system. The amount to be credited shall
23 be not be greater than the amount calculated by
24 multiplying the member's covered wages for the
25 applicable wage reporting period by the supplemental
26 rate. For purposes of this subsection, the
27 supplemental rate is the difference, if positive,
28 between the combined employee and employer statutory
29 contribution rates in effect under section 97B.11 and
30 the normal cost rate of the retirement system as
31 determined by the system's actuary in the most recent
32 annual actuarial valuation of the retirement system.
33 The credits shall be made at least quarterly during
34 the calendar year following a determination that the
35 retirement system does not have an unfunded accrued
36 liability. The normal cost rate, calculated according
37 to the actuarial cost method used, is the percent of
38 pay allocated to each year of service that is
39 necessary to fund projected benefits over all members'
40 service with the retirement system."
41 8. Page 2, by inserting after line 21 the
42 following:
43 "Sec. _____. Section 97B.65, Code 2005, is amended
44 to read as follows:

45 97B.65 REVISION RIGHTS RESERVED – INCREASE OF
 46 BENEFITS – RATES OF CONTRIBUTION.
 47 The right is reserved to the general assembly to
 48 alter, amend, or repeal any provision of this chapter
 49 or any application thereof to any person, provided,
 50 however, that to the extent of the funds in the

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1 retirement system the amount of benefits which at the
 2 time of any such alteration, amendment, or repeal
 3 shall have accrued to any member of the retirement
 4 system shall not be repudiated, provided further,
 5 however, that the amount of benefits accrued on
 6 account of prior service shall be adjusted to the
 7 extent of any unfunded accrued liability then
 8 outstanding. ~~Any An~~ increase ~~enacted in the~~ enefits
 9 or retirement ~~allowance~~ allowances provided under thi
 10 chapter shall not be enacted until after the system's
 11 actuary determines that the system is fully funded and
 12 will continue to be fully funded immediately following
 13 enactment of the increase. However, an increase in
 14 the benefits or retirement allowances provided under
 15 this chapter may be enacted if the increase is
 16 accompanied by a change in the employer and employee
 17 contribution rates necessary to support such increase,
 18 ~~all as determined in accordance with sound actuarial~~
 19 ~~principles and methods by the system's actuary."~~

20 9. Page 3, line 17, by striking the word and
 21 figures "January 1, 2006" and inserting the following:
 22 "October 1, 2007".

23 10. Page 5, line 4, by striking the figure "2005"
 24 and inserting the following: "2006".

25 11. Page 5, line 8, by striking the figure "2005"
 26 and inserting the following: "2006".

27 12. Page 5, line 30, by striking the figure
 28 "2005" and inserting the following: "2006".

29 13. Page 7, line 11, by striking the figure
 30 "2005" and inserting the following: "2006".

31 14. Page 7, line 16, by striking the figure
 32 "2005" and inserting the following: "2006".

33 15. Page 11, line 33, by striking the figure
 34 "2005" and inserting the following: "2006".

35 16. Page 12, line 2, by striking the figure
 36 "2005" and inserting the following: "2006".

37 17. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate
 amendment [H-8029](#).

Elgin of Linn moved that the bill, as amended by the Senate 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. 729](#))

The ayes were, 97:

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	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Mascher	May	Mertz
Miller	Murphy	Oldson	Olson, D.
Olson, R.	Olson, S.	Paulsen	Petersen
Pettengill	Quirk	Raecker	Rants, Spkr.
Rasmussen	Rayhons	Reasoner	Reichert
Roberts	Sands	Schickel	Schueller
Shomshor	Shoultz	Smith	Soderberg
Struyk	Swaim	Taylor, D.	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wendt	Wessel-Kroeschell	Whitaker
Whitead	Wilderdyke	Winckler	Wise
Jacobs, Presiding			

The nays were, none.

Absent or not voting, 3:

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

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 729](#) be immediately messaged to the Senate.

House Joint Resolution 2006, a joint resolution nullifying administrative rules relating to the mandatory reporting of certain acts or omissions by persons licensed by the Iowa board of dental examiners and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Eichhorn of Hamilton 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?" (**H.J.R. 2006**)

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	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Jacobs,	
		Presiding	

The nays were, none.

Absent or not voting, 1:

Zirkelbach

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

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House Joint Resolution 2006](#) be immediately messaged to the Senate.

SENATE AMENDMENT CONSIDERED

Schickel of Cerro Gordo called up for consideration [House File 2240](#), a bill for an act relating to county board of supervisor vacancies, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8421](#):

[H-8421](#)

1 Amend [House File 2240](#), as passed by the House, as
2 follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 69.14A, subsection 1,
6 unnumbered paragraph 1, Code 2005, is amended to read
7 as follows:
8 A vacancy on the board of supervisors shall be
9 filled by one of the ~~two~~ following procedures:
10 Sec. __. Section 69.14A, subsection 1, Code 2005,
11 is amended by adding the following new paragraph:
12 NEW PARAGRAPH. c. For a vacancy declared by the
13 board pursuant to section 331.214, subsection 2, by
14 special election held to fill the office if the
15 remaining balance of the unexpired term is two and
16 one-half years or more. The committee of county
17 officers designated to fill the vacancy in section
18 69.8 shall order the special election at the earliest
19 practicable date, but giving at least thirty-two days'
20 notice of the election. A special election called
21 under this section shall be held on a Tuesday and
22 shall not be held on the same day as a school election
23 within the county. The office shall be listed on the
24 ballot, as "For Board of Supervisors, To Fill
25 Vacancy". The person elected at the special election
26 shall serve the balance of the unexpired term."
27 2. Page 1, line 22 by inserting after the word
28 "board" the following: "shall appoint a physician and
29 the family of the supervisor shall appoint a physician
30 to examine the supervisor. For purposes of this

31 subsection, "family" means the parent, spouse, or
 32 child of the supervisor. If the family does not
 33 appoint a physician, the board".
 34 3. Page 1, line 23, by striking the word "and"
 35 and inserting the following: "The board shall".
 36 4. Page 1, line 30, by inserting after the word
 37 "term," the following: "However, if the physicians
 38 concur that the supervisor is mentally incapable of
 39 performing the duties of office, the board shall not
 40 declare the supervisor's seat vacant for one year from
 41 the date of the hearing if the supervisor is receiving
 42 treatment for the mental incapacity."
 43 5. Page 1, by inserting after line 35 the
 44 following:
 45 "c. If the board declares a vacancy under this
 46 subsection and the remaining balance of the
 47 supervisor's unexpired term is two and one-half years
 48 or more, a special election shall be held to fill the
 49 office as provided in section 69.14A, subsection 1,
 50 paragraph "c.""

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1 6. By renumbering as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-8421](#).

Schickel of Cerro Gordo moved that the bill, as amended by the Senate 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. 2240](#))

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	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan

Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	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	Jacobs, 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.

SENATE AMENDMENT CONSIDERED

Watts of Dallas called up for consideration [House File 2282](#), a bill for an act relating to the election of mayor and city council members in a city governed by the council-manager-at-large form of city government, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8422](#):

[H-8422](#)

1 Amend [House File 2282](#), as passed by the House, as
 2 follows:
 3 1. Page 2, by inserting after line 9 the
 4 following:
 5 "Sec.____. Section 372.13, subsection 2, paragraph
 6 a, unnumbered paragraph 1, Code 2005, is amended to
 7 read as follows:
 8 By appointment by the remaining members of the
 9 council, except that if the remaining members do not
 10 constitute a quorum of the full membership, ~~paragraph~~
 11 ~~paragraphs~~ "b" and "c" shall be followed. The
 12 appointment shall be for the period until the next
 13 pending election as defined in section 69.12, and
 14 shall be made within forty days after the vacancy
 15 occurs. If the council chooses to proceed under this

16 paragraph, it shall publish notice in the manner
 17 prescribed by section 362.3, stating that the council
 18 intends to fill the vacancy by appointment but that
 19 the electors of the city or ward, as the case may be,
 20 have the right to file a petition requiring that the
 21 vacancy be filled by a special election. The council
 22 may publish notice in advance if an elected official
 23 submits a resignation to take effect at a future date.
 24 The council may make an appointment to fill the
 25 vacancy after the notice is published or after the
 26 vacancy occurs, whichever is later. However, if
 27 within fourteen days after publication of the notice
 28 or within fourteen days after the appointment is made,
 29 there is filed with the city clerk a petition which
 30 requests a special election to fill the vacancy, an
 31 appointment to fill the vacancy is temporary and the
 32 council shall call a special election to fill the
 33 vacancy permanently, under paragraph "b". The number
 34 of signatures of eligible electors of a city for a
 35 valid petition shall be determined as follows:
 36 Sec. ____ Section 372.13, subsection 2, Code 2005,
 37 is amended by adding the following new paragraph:
 38 NEW PARAGRAPH. c. If concurrent vacancies exist
 39 on the council and the remaining council members do
 40 not constitute a quorum of the full membership, the
 41 city clerk shall notify the mayors of the cities in
 42 the county where the city is located and such mayors
 43 shall, within twenty days of notification, appoint a
 44 successor to each vacant city council office. If the
 45 city is divided into wards, the appointee must be a
 46 resident of the ward in which the city council vacancy
 47 has occurred. The appointee shall serve until
 48 qualification of the person elected at the special
 49 election provided for in paragraph "b". If the office
 50 of city clerk is vacant, the remaining council members

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1 shall notify the mayors of the city council
 2 vacancies."
 3 2. Page 2, by inserting after line 9 the
 4 following:
 5 "Sec. ____ NEW SECTION. 372.13A PAYMENTS WITHOUT
 6 PRIOR AUTHORIZATION OF COUNCIL.
 7 1. If concurrent vacancies exist on the council
 8 and the remaining council members do not constitute a
 9 quorum of the full membership, the city clerk is
 10 authorized to make the following payments without
 11 prior approval of the council:
 12 a. For fixed charges including but not limited to
 13 freight, express, postage, water, light, telephone
 14 service, or contractual services, after a bill is

- 15 filed with the clerk.
16 b. For salaries and payrolls if the compensation
17 has been fixed or approved by the council. The salary
18 or payroll shall be certified by the officer or
19 supervisor under whose direction or supervision the
20 compensation is earned.
21 2. The bills paid under this section shall be
22 submitted to the city council for review and approval
23 at the next regular meeting following payment in which
24 a quorum of the council is present."
25 3. Title page, line 1, by inserting after the
26 words "relating to" the following: "city government
27 by providing for".
28 4. Title page, line 3, by inserting after the
29 word "government" the following: "and by providing
30 for city continuity when concurrent city council
31 vacancies exist".
32 5. By renumbering as necessary.

The motion lost and the House refused to concur in the Senate amendment [H-8422](#).

SENATE AMENDMENT CONSIDERED

Kaufmann of Cedar called up for consideration [House File 2365](#), a bill for an act relating to committing disorderly conduct near a military funeral, memorial service, funeral procession, or burial, and providing penalties, amended by the Senate, and moved that the House concur in the following Senate amendment [H-8137](#):

[H-8137](#)

- 1 Amend [House File 2365](#), as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 3, by striking the word "three"
4 and inserting the following: "five".
5 2. Page 1, by inserting after line 24 the
6 following:
7 "Sec. __. EFFECTIVE DATE. This Act, being deemed
8 of immediate importance, takes effect upon enactment."
9 3. Title page, lines 2 and 3, by striking the
10 words "and providing penalties" and inserting the
11 following: "providing penalties, and providing an
12 effective date".
13 4. By renumbering, relettering, or redesignating
14 and correcting internal references as necessary.

The motion prevailed and the House concurred in the Senate amendment [H-8137](#).

Kaufmann of Cedar moved that the bill, as amended by the Senate 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. 2365](#))

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	Jacoby	Jenkins	Jochum
Jones	Kaufmann	Kressig	Kuhn
Kurtenbach	Lalk	Lensing	Lukan
Lykam	Maddox	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Smith	Soderberg	Struyk	Swaim
Taylor, D.	Taylor, T.	Thomas	Tjepkes
Tomenga	Tymeson	Upmeyer	Van Engelenhoven
Van Fossen, J.K.	Van Fossen, J.R.	Watts	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Jacobs,	
		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.

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2240** and **2365**.

The House stood at ease at 9:40 a.m., until the fall of the gavel.

The House resumed session at 10:21 a.m., Speaker pro tempore Carroll in the chair.

CONSIDERATION OF BILLS
Ways and Means Calendar

House File 2768, a bill for an act authorizing the state medical examiner to collect and retain fees for medical examiner facility expenses and services related to tissue recovery and making an appropriation, was taken up for consideration.

Upmeyer of Hancock 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. 2768](#))

The ayes were, 98:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
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	Mascher	May	McCarthy
Mertz	Miller	Murphy	Oldson
Olson, D.	Olson, R.	Olson, S.	Paulsen
Petersen	Pettengill	Quirk	Raecker
Rants, Spkr.	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith

Soderberg	Struyk	Swaim	Taylor, D.
Taylor, T.	Thomas	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Wilderdyke	Winckler
Wise	Carroll, Presiding		

The nays were, none.

Absent or not voting, 2:

Maddox Zirkelbach

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

House File 2776, a bill for an act exempting from sales and use taxes certain equipment used in transmitting telecommunications services, was taken up for consideration.

Struyk of Pottawattamie offered the following amendment **H-8447** filed by him and moved its adoption:

H-8447

- 1 Amend **House File 2776** as follows:
- 2 1. Page 1, line 10, by striking the word "which"
- 3 and inserting the following: "that".
- 4 2. Title page, by striking lines 1 and 2 and
- 5 inserting the following: "An Act relating to the
- 6 sales and use tax exemption for central office
- 7 equipment and transmission equipment used in
- 8 telecommunications operations."

Amendment **H-8447** was adopted.

SENATE FILE 2390 SUBSTITUTED FOR **HOUSE FILE 2776**

Struyk of Pottawattamie asked and received unanimous consent to substitute **Senate File 2390** for **House File 2776**.

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, was taken up for consideration.

Struyk 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. 2390](#))

The ayes were, 95:

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

The nays were, 3:

Fallon	Ford	Hunter
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Absent or not voting, 2:

Maddox	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 829](#) WITHDRAWN

Alons of Sioux asked and received unanimous consent to withdraw [House File 829](#) from further consideration by the House.

HOUSE FILE 2776 WITHDRAWN

Struyk of Pottawattamie asked and received unanimous consent to withdraw House File 2776 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 2768 and Senate File 2390.

House File 2777, a bill for an act relating to certification to the county auditor of the amount of loans, advances, indebtedness, or bonds issued or incurred for urban renewal purposes, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2777)

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cphoon	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.	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Struyk	Swaim	Taylor, T.
Thomas	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.

Watts Wendt Wessel-Kroeschell Whitaker
Whitehead Wilderdyke Winckler Wise
Carroll,
Presiding

The nays were, 1:

Fallon

Absent or not voting, 2:

Taylor, D. Zirkelbach

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

[HOUSE FILE 2732](#) WITHDRAWN

Kurtenbach of Story asked and received unanimous consent to withdraw [House File 2732](#) from further consideration by the House.

Unfinished Business Calendar

[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, with report of committee recommending passage, was taken up for consideration.

Lukan of Dubuque offered the following amendment [H-8452](#) filed by him and moved its adoption:

[H-8452](#)

- 1 Amend [Senate File 2318](#), as passed by the Senate, as
- 2 follows:
- 3 1. Page 1, line 21, by inserting after the word
- 4 "patients" the following: "to a hospital or other
- 5 medical facility".
- 6 2. Page 1, line 22, by inserting after the word
- 7 "patients" the following: "to a hospital or other
- 8 medical facility".

Amendment [H-8452](#) was adopted.

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

On the question "Shall the bill pass?" ([S.F. 2318](#))

The ayes were, 99:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
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	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	Carroll,	
		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.

IMMEDIATE MESSAGES

Gipp of Winneshiek asked and received unanimous consent that the following bills be immediately messaged to the Senate: [House File 2777](#) and [Senate File 2318](#).

On motion by Gipp of Winneshiek, the House was recessed at 10:40 a.m., until 2:00 p.m.

AFTERNOON SESSION

The House reconvened at 2:03 p.m., Speaker pro tempore Carroll in the chair.

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 April 4, 2006, amended and passed the following bill in which the concurrence of the Senate was asked:

[House File 845](#), a bill for an act relating to appointments by members of the general assembly to statutory boards, commissions, councils, and committees, abolishing certain related entities, and including effective date and applicability provisions.

Also: That the Senate has on April 4, 2006, amended and passed the following bill in which the concurrence of the Senate was asked:

[House File 2245](#), a bill for an act concerning the Iowa public employees' retirement system and the statewide fire and police retirement system, and providing an effective and retroactive applicability date.

Also: That the Senate has on April 4, 2006, passed the following bill in which the concurrence of the Senate was asked:

[House File 2331](#), a bill for an act to eliminate certain restrictions on the authority of a physician assistant to prescribe certain schedule II controlled substances.

Also: That the Senate has on April 4, 2006, passed the following bill in which the concurrence of the Senate was asked:

[House File 2613](#), a bill for an act concerning programs and reports related to economic development.

Also: That the Senate has on April 4, 2006, passed the following bill in which the concurrence of the Senate was asked:

[House File 2624](#), a bill for an act extending the statute of limitations for the filing of an indictment or information in a felony or aggravated or serious misdemeanor proceeding involving DNA profiling.

Also: That the Senate has on April 4, 2006, passed the following bill in which the concurrence of the Senate was asked:

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

Also: That the Senate has on April 4, 2006, passed the following bill in which the concurrence of the House is asked:

[House File 2635](#), a bill for an act relating to drainage and levee districts by providing for the publication of notice and the letting of bids.

Also: That the Senate has on April 4, 2006, passed the following bill in which the concurrence of the Senate was asked:

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

Also: That the Senate has on April 4, 2006, passed the following bill in which the concurrence of the Senate was asked:

[House File 2672](#), a bill for an act relating to payment of attorney fees in termination of parental rights proceedings, providing an effective date, and providing for retroactive applicability.

Also: That the Senate has on April 4, 2006, passed the following bill in which the concurrence of the Senate was asked:

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

Also: That the Senate has on April 4, 2006, passed the following bill in which the concurrence of the Senate was asked:

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

Also: That the Senate has on April 4, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2391](#), a bill for an act relating to the assessment for property taxation purposes of machinery, equipment, and fixtures used at concrete mixing facilities and hot mix asphalt facilities and including effective date and retroactive applicability date provisions.

Also: That the Senate has on April 4, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2392](#), a bill for an act relating to the filing of reports with the ethics and campaign disclosure board.

Also: That the Senate has on April 4, 2006, passed the following bill in which the concurrence of the House is asked:

[Senate File 2394](#), a bill for an act relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions.

MICHAEL E. MARSHALL, Secretary

The House stood at ease at 2:04 p.m., until the fall of the gavel.

The House resumed session at 4:13 p.m., Roberts of Carroll in the chair.

SENATE MESSAGES CONSIDERED

[Senate File 2391](#), by committee on ways and means, a bill for an act relating to the assessment for property taxation purposes of machinery, equipment, and fixtures used at concrete mixing facilities and hot mix asphalt facilities and including effective date and retroactive applicability date provisions.

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

[Senate File 2392](#), by committee on government oversight, a bill for an act relating to the filing of reports with the ethics and campaign disclosure board.

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

[Senate File 2394](#), by committee on ways and means, a bill for an act relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions.

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

MESSAGE FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on April 4, 2006, passed the following bill in which the concurrence of the Senate was asked:

[House File 2652](#), a bill for an act relating to civil and criminal procedure including the issuance of and violations of certain civil protective orders and criminal no-contact orders.

MICHAEL E. MARSHALL, Secretary

QUORUM CALL

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

MOTION TO RECONSIDER PREVAILED

Huser of Polk called up for consideration the motion to reconsider [House File 2282](#), filed on April 4, 2006, and moved to reconsider the vote by which the Senate amendment [H-8422](#) to [House File 2282](#), a bill for an act relating to the election of mayor and city council members in a city governed by the council-manager-at-large form of city government, failed to be adopted by the House on April 4, 2006, filed by her from the floor. (Found on pages 1123-1125 of the House Journal.)

The motion prevailed and the House reconsidered the Senate amendment [H-8422](#) to [House File 2282](#).

Huser of Polk offered the following amendment [H-8482](#), to the Senate amendment [H-8422](#), filed by her, Watts of Dallas, Tjepkes of Webster and Drake of Pottawattamie from the floor and moved its adoption:

[H-8482](#)

- 1 Amend the amendment, [H-8422](#), to [House File 2282](#), as
- 2 passed by the House, as follows:
- 3 1. By striking page 1, line 5, through page 2,
- 4 line 2, and inserting the following:
- 5 ""Sec. __. Section 372.13, subsection 2,
- 6 paragraph b, Code 2005, is amended to read as follows:
- 7 b. By a special election held to fill the office
- 8 for the remaining balance of the unexpired term. If
- 9 the council opts for a special election or a valid
- 10 petition is filed under paragraph "a", the special
- 11 election may be held concurrently with any pending
- 12 election as provided by section 69.12 if by so doing
- 13 the vacancy will be filled not more than ninety days
- 14 after it occurs. Otherwise, a special election to
- 15 fill the office shall be called at the earliest
- 16 practicable date. If there are concurrent vacancies
- 17 on the council and the remaining council members do
- 18 not constitute a quorum of the full membership, a
- 19 special election shall be called at the earliest
- 20 practicable date. The council shall give the county

21 commissioner at least ~~sixty~~ thirty-two days' written
 22 notice of the date chosen for the special election.
 23 The council of a city where a primary election may be
 24 required shall give the county commissioner at least
 25 ~~eighty-five~~ sixty days' written notice of the date
 26 chosen for the special election. A special election
 27 held under this subsection is subject to sections
 28 376.4 through 376.11, but the dates for actions in
 29 relation to the special election, including dates for
 30 filing of nomination petitions, shall be calculated
 31 with regard to the date for which the special election
 32 is called."

33 2. Page 2, by inserting after line 20 the
 34 following:

35 "2. If concurrent vacancies exist on the council
 36 and the remaining council members do not constitute a
 37 quorum of the full membership and the office of city
 38 clerk is vacant, the county auditor of the county
 39 where the city is located shall make the payments
 40 described in subsection 1 without prior approval of
 41 the council."

42 3. Page 2, line 21, by striking the figure "2."
 43 and inserting the following: "3."

44 4. By renumbering as necessary.

Amendment [H-8482](#) was adopted.

On motion by Watts of Dallas the House concurred in the Senate amendment [H-8422](#), as amended.

Watts of Dallas moved that the bill, as amended by the Senate 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. 2282](#))

The ayes were, 97:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Dandekar
Davitt	De Boef	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foegen
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	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, 3:

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

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2282](#) be immediately messaged to the Senate.

Appropriations Calendar

[House File 2782](#), a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first fund, tobacco settlement trust fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, the technology reinvestment fund, the endowment for Iowa's health account, and related matters, was taken up for consideration.

Huseman of Cherokee offered amendment [H-8475](#) filed by him from the floor as follows:

[H-8475](#)

- 1 Amend [House File 2782](#) as follows:
- 2 1. Page 1, line 25, by striking the figure

3 "2,800,500" and inserting the following: "2,536,500".
4 2. Page 1, line 31, by striking the figure
5 "22,000,000" and inserting the following:
6 "1,800,000".
7 3. Page 4, line 10, by striking the figure
8 "35,000" and inserting the following: "235,000".
9 4. Page 4, line 17, by striking the figure
10 "500,000" and inserting the following: "564,000".
11 5. Page 4, by inserting after line 17, the
12 following:
13 "c. For acquiring, constructing, and improving
14 recreational trails within the state:
15 \$ 1,000,000"
16 6. Page 5, line 30, by striking the figure
17 "23,685,000" and inserting the following:
18 "14,600,000".
19 7. Page 5, line 31, by striking the figure
20 "22,000,000" and inserting the following:
21 "14,600,000".
22 8. Page 10, by inserting after line 1 the
23 following:
24 "Of the amount appropriated for the dredging of
25 lakes, \$275,000 shall be allocated for a lake with
26 public access located in a county with a population
27 between 18,350 and 18,450."
28 9. Page 11, line 30, by inserting before the word
29 "For" the following: "(1)".
30 10. Page 11, by inserting after line 32 the
31 following:
32 "(2) For planning, design, and construction costs
33 associated with the construction of a new 350,000-
34 gross-square-foot state office building:
35 \$ 1,000,000"
36 11. Page 12, by striking lines 21 through 27 and
37 inserting the following:
38 "(2) For allocation to the homeland security and
39 emergency management division for the STARCOM project:
40 \$ 1,700,000"
41 ____ DEPARTMENT OF PUBLIC SAFETY
42 For allocation to the division of fire protection
43 for the planning, design, and construction of regional
44 emergency response training centers in the state:
45 \$ 4,300,000"
46 Of the amount appropriated in this subsection,
47 \$300,000 shall be allocated to Western Iowa technical
48 community college.
49 Of the amount appropriated in this subsection,
50 \$900,000 shall be allocated to Iowa western community

Page 2

1 college.

2 Of the amount appropriated in this subsection,
3 \$150,000 shall be allocated to the Dubuque county
4 firemen's association.

5 Of the amount appropriated in this subsection,
6 \$150,000 shall be allocated to the city of Waterloo.

7 Of the amount appropriated in this subsection,
8 \$300,000 shall be allocated to Scott county community
9 college.

10 Of the amount appropriated in this subsection,
11 \$400,000 shall be allocated to Iowa lakes community
12 college.

13 Of the amount appropriated in this subsection,
14 \$400,000 shall be allocated to the Mason City fire
15 department.

16 Of the amount appropriated in this subsection,
17 \$400,000 shall be allocated to southeastern community
18 college.

19 Of the amount appropriated in this subsection,
20 \$300,000 shall be allocated to a public agency, as
21 defined in section 470.1, located in merged area
22 eleven.

23 Of the amount appropriated in this subsection,
24 \$300,000 shall be allocated to a public agency, as
25 defined in section 470.1, located in merged area ten.

26 Of the amount appropriated in this subsection,
27 \$300,000 shall be allocated to a public agency, as
28 defined in section 470.1, located in merged area five.

29 Of the amount appropriated in this subsection,
30 \$400,000 shall be allocated to a public agency, as
31 defined in section 470.1, located in merged areas
32 fourteen and fifteen."

33 12. Page 12, by striking lines 32 through 34.

34 13. Page 14, by striking lines 31 through 33.

35 14. Page 15, line 14, by striking the figure

36 "2,800,000" and inserting the following:

37 "38,485,000".

38 15. Page 16, line 16, by striking the figure
39 "1,000,000" and inserting the following: "3,000,000".

40 16. By striking page 17, line 34, through page
41 18, line 26.

42 17. Page 18, by inserting before line 27 the
43 following:

44 "Sec. ___. There is appropriated from the
45 endowment for Iowa's health restricted capitals fund
46 to the department of administrative services for the
47 fiscal year beginning July 1, 2005, and ending June
48 30, 2006, the following amount, or so much thereof as
49 is necessary, to be used for the purpose designated:
50 For costs associated with the restoration of the

Page 3

1 west capitol terrace:
2 \$ 2,300,00"
3 18. Page 19, by striking line 1 and inserting the
4 following: "fiscal years that begin July 1, 2005, and
5 July 1, 2006."
6 19. Page 19, line 19, by striking the word
7 "needing" and inserting the following: "ending".
8 20. Page 19, line 20, by striking the words "the
9 division" and inserting the following: "this
10 division".
11 21. Page 19, by inserting after line 27 the
12 following:
13 "Sec. __. EFFECTIVE DATE. The section of this
14 division of this Act appropriating moneys to the
15 department of administrative services for the fiscal
16 year beginning July 1, 2005, for restoration of the
17 west capitol terrace, being deemed of immediate
18 importance, takes effect upon enactment."
19 22. Page 20, line 3, by striking the figure
20 "3,397,434" and inserting the following: "3,358,334".
21 23. Page 20, by inserting after line 27 the
22 following:
23 " __. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD
24 For technological improvements to the board's
25 electronic filing system:
26 \$ 39,100"
27 24. Page 23, line 20, by striking the word
28 "credited" and inserting the following: "created".
29 25. Page 26, by inserting after line 11 the
30 following:
31 "Sec. __. 2001 Iowa Acts, chapter 185, section
32 30, as amended by 2005 Iowa Acts, chapter 178, section
33 22, is amended to read as follows:
34 SEC. 30. REVERSION.
35 1. Except as provided in subsection 2 and
36 notwithstanding section 8.33, moneys appropriated in
37 this division of this Act shall not revert at the
38 close of the fiscal year for which they were
39 appropriated but shall remain available for the
40 purposes designated until the close of the fiscal year
41 that begins July 1, 2004, or until the project for
42 which the appropriation was made is completed,
43 whichever is earlier.
44 2. Notwithstanding section 8.33, moneys
45 appropriated in section 25, subsection 3, paragraph
46 "b", and section 28 of this division of this Act shall
47 not revert at the close of the fiscal year for which
48 they were appropriated but shall remain available for
49 the purpose designated until the close of the fiscal
50 year that begins July 1, ~~2005~~ 2006, or until the

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1 project for which the appropriation was made is
2 completed, whichever is earlier."

3 26. Page 28, by inserting after line 13 the
4 following:

5 "DIVISION
6 MISCELLANEOUS CODE CHANGES
7 Sec. __. NEW SECTION. 8A.330 NEW CONSTRUCTION
8 – RETURN ON INVESTMENT.

9 The department shall not expend or obligate more
10 than \$1,000,000 in total of the funds appropriated for
11 a project unless authorized by a constitutional
12 majority of each house of the general assembly, or
13 upon approval by a constitutional majority of the
14 members of each house of the general assembly
15 appointed to the legislative fiscal committee if the
16 general assembly is not in session. If the return on
17 investment is less than five percent, the expenditure
18 or obligation of the funds must be approved by the
19 general assembly and the governor. Additionally,
20 prior to expending or obligating more than \$1,000,000
21 in total, the department shall submit a business plan
22 related to the construction of a new state office
23 building that includes all of the following:

24 1. A list of the identified agencies that will
25 occupy the building and an estimate of the number of
26 employees of each agency.

27 2. The rental or lease costs currently paid by the
28 identified state agencies, and the estimated rental or
29 lease costs to be incurred by the identified state
30 agencies if a new state office building is not
31 constructed.

32 3. A return on investment analysis associated with
33 the construction of a new state office building
34 compared with the following:

35 a. Continuing to lease or rent space for existing
36 state agencies in addition to renovating the Wallace
37 state office building.

38 b. Entering into an agreement for the construction
39 of a new building for use by the state through a long-
40 term lease or long-term lease-purchase agreement.

41 Sec. __. Section 100B.2, Code Supplement 2005, is
42 amended by adding the following new subsection:
43 NEW SUBSECTION. 9. Participate in the regional
44 emergency response training center application process
45 as provided in section 100B.16.

46 Sec. __. Section 100B.3, Code 2005, is amended to
47 read as follows:

48 100B.3 TRAINING AGREEMENTS.

49 The state fire marshal, subject to the approval of
50 the state fire service and emergency response council,

Page 5

1 ~~may shall~~ enter into written agreements with other
2 ~~educational institutions~~ public agencies that have
3 established regional emergency response training
4 centers under section 100B.16 to provide training in
5 conjunction with training provided by the fire service
6 training bureau ~~or~~. Moneys appropriated shall not be
7 distributed by the department of public safety to a
8 regional training center until such an agreement has
9 been entered into with the regional training center.
10 PARAGRAPH DIVIDED. The state fire marshal, subject
11 to the approval of the state fire service and
12 emergency response council, may enter into written
13 agreements with other educational institutions to
14 assist in research conducted by the bureau.
15 Sec. __. Section 100B.4, unnumbered paragraph 1,
16 Code Supplement 2005, is amended to read as follows:
17 Fees assessed pursuant to this chapter shall be
18 retained by the division of state fire marshal and
19 such repayments received shall be used exclusively to
20 offset the cost of fire service training. Fees
21 charged by regional emergency response training
22 centers for fire service training programs as
23 described in section 100B.6 shall be uniform statewide
24 and shall not be greater than the fee schedule
25 approved by the state fire service and emergency
26 response council.
27 Sec. __. Section 100B.7, subsection 2, paragraphs
28 k and l, Code 2005, are amended to read as follows:
29 k. Plan and coordinate fire schools and other
30 short courses of instruction on a statewide, regional,
31 and local level, utilizing existing educational
32 institutions, programs, and facilities as ~~feasible~~
33 provided in sections 100B.16 and 100B.18.
34 l. Prepare for the state fire marshal and the
35 state fire service and emergency response council an
36 annual report of activities that include a summary of
37 classes taught, budget, and staff activities. The
38 annual report shall include a report of the activities
39 of each regional emergency response training center
40 established under section 100B.16.
41 Sec. __. Section 100B.7, subsection 2, Code 2005,
42 is amended by adding the following new paragraph:
43 NEW PARAGRAPH. r. Work in conjunction with those
44 state agencies charged with developing training
45 standards for emergency response training to develop a
46 curriculum and standards for emergency response
47 training provided by a training center established
48 pursuant to section 100B.16.
49 Sec. __. NEW SECTION. 100B.15 DEFINITIONS.
50 As used in this part:

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1 1. "Bureau" means the fire service training
2 bureau.

3 2. "Council" means the state fire service and
4 emergency response council.

5 3. "Emergency responders" means firefighters, law
6 enforcement officers, emergency medical service
7 personnel, and other personnel having emergency
8 response duties.

9 4. "Emergency response service" means fire
10 protection service, law enforcement, emergency medical
11 service, hazardous materials containment and disposal,
12 search and rescue operations, evacuation operations,
13 and other related services.

14 5. "Municipality" means a city, county, township,
15 benefited fire district, or agency authorized by law
16 to provide emergency response services.

17 6. "Public agency" means a municipality, a
18 community college, or an association representing fire
19 fighters.

20 7. "Training center" means a regional emergency
21 response training center established under section
22 100B.16.

23 Sec. __. NEW SECTION. 100B.16 REGIONAL
24 EMERGENCY RESPONSE TRAINING CENTERS.

25 1. Twelve regional emergency response training
26 centers are established to provide training to fire
27 fighters and other emergency responders. The training
28 centers are established in the following cities and
29 shall be operated by the following public agencies:

30 a. In Dubuque to be operated by the Dubuque county
31 fire fighters' association and to provide advanced
32 training in agricultural emergency response.

33 b. In Waterloo to be operated by the city of
34 Waterloo and to provide advanced training in hazardous
35 materials emergency response.

36 c. In Sioux City to be operated by Western Iowa
37 technology community college and to provide advanced
38 training in emergency responder communications.

39 d. In Council Bluffs to be operated by Iowa
40 western community college.

41 e. In Davenport to be operated by Scott County
42 community college.

43 f. In Emmetsburg to be operated by Iowa lakes
44 community college.

45 g. In Mason City to be operated by the Mason City
46 fire department.

47 h. In Fort Madison to be operated by southeastern
48 community college.

49 The public agencies named in paragraphs "a" through
50 "h" shall, in conjunction with the bureau, coordinate

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1 fire service training programs as described in section
2 100B.6 at each training center.

3 2. a. A public agency listed in subsection 1,
4 paragraphs "a" through "h", shall submit an
5 application to the council in order to receive any
6 appropriation made for the agency's training center.
7 A public agency located in merged area five, ten, or
8 eleven, or in merged areas fourteen and fifteen
9 combined may submit an application to the council to
10 request that a training center be established to
11 coordinate, in conjunction with the bureau, fire
12 service training programs as described in section
13 100B.6 at that training center.

14 b. The application shall be provided by the bureau
15 in a form prescribed by the council. An applicant
16 public agency shall indicate on the application the
17 location of the proposed training center. The
18 application shall be accompanied by letters from
19 public agencies and private businesses in the merged
20 area stating an intent to participate in, and provide
21 for financial support for, establishment and
22 activities of the training center.

23 c. By January 10 of each year, the council shall
24 submit a list of applications received and the
25 council's recommendation on each application to the
26 general assembly. The general assembly shall
27 determine which applications for establishment of a
28 training center shall be approved. The council shall,
29 upon request, provide the applications and supporting
30 documentation submitted by each applicant.

31 3. In selecting a location for a proposed training
32 center, an applicant public agency shall consider, and
33 address in the application, all of the following:

34 a. The availability and proximity of quality
35 classroom space with adequate audio-visual support.

36 b. The availability and adequate supply from area
37 emergency response service entities of equipment which
38 supports training.

39 c. A site where limited, safe open burning would
40 not be challenged or prohibited due to environmental
41 issues or community concerns.

42 d. Proximity to a medical facility.

43 e. The availability of water mains, roadway,
44 drainage, electrical service, and reasonably flat
45 terrain.

46 f. Accessibility to area fire departments.

47 The application shall include letters of support
48 for the recommended site from emergency response
49 entities in the region.

50 4. a. If a training center is established in

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1 merged area five, the training center shall provide
2 advanced training in homeland security.

3 b. If a training center is established in merged
4 area ten, the training center shall provide advanced
5 training in agricultural terrorism response and mass
6 casualty and fatality response.

7 c. If a training center is established in merged
8 area eleven, the training center shall provide
9 advanced training in operations integration in
10 compliance with the national incident management
11 system.

12 Sec. __. NEW SECTION. 100B.17 TRAINING CENTER
13 FACILITIES.

14 1. Each training center is required to have the
15 following facilities:

16 a. A two-story burn building containing a minimum
17 of two burn rooms, interior and exterior stairways, a
18 standpipe connection, and other features necessary to
19 provide live fire training which meets federal fire
20 fighter professional qualifications standards and the
21 minimum training standards developed by the council
22 for Iowa fire fighters.

23 b. A two-story skills building containing interior
24 and exterior stairways, ventilation panels, forcible
25 entry skill stations, a sprinkler system, and other
26 features necessary to provide live fire training which
27 meets federal fire fighter professional qualifications
28 standards and the minimum training standards developed
29 by the council for Iowa fire fighters.

30 c. Necessary classroom space.

31 2. In addition to the requirements in subsection
32 1, each training center assigned an area of advanced
33 training as specified in section 100B.16 is required
34 to have facilities to support instruction in its area
35 of advanced training. These facilities shall include
36 facilities and structures to support full-scale
37 training exercises in such area of advanced training
38 as recommended or required by any applicable state or
39 national training facility standards.

40 3. The bureau shall inspect the facilities of each
41 training center to ensure compliance with the
42 requirements of this section.

43 Sec. __. NEW SECTION. 100B.18 TRAINING
44 PROVIDED.

45 1. Training centers shall provide fire service
46 training in accordance with curriculum approved by the
47 bureau. The bureau, in cooperation with the public
48 agencies operating the training centers, shall provide
49 the necessary training materials, curriculum, and
50 training aids. Each public agency operating a

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1 training center shall be responsible for scheduling
2 training programs.

3 2. Training centers may provide emergency response
4 service training in addition to fire service training.
5 A training center shall offer joint training exercises
6 to emergency responders. The bureau shall work in
7 conjunction with those state agencies charged with
8 developing training standards for emergency response
9 service training to develop a curriculum and standards
10 for emergency response service training provided by a
11 training center.

12 3. A training center shall offer training to any
13 emergency responder who applies for training at the
14 training center regardless of the emergency
15 responder's place of residence or employment.

16 Sec. __. NEW SECTION. 100B.19 AGREEMENTS FOR
17 TRAINING AND FINANCIAL ASSISTANCE – AUTHORITY.

18 A public agency operating a training center may
19 enter into agreements under chapter 28E to provide
20 emergency response service training to emergency
21 responders. The agreements may provide for financial
22 contributions from participating public agencies,
23 private fire departments, and emergency response
24 service entities and may provide for in-kind
25 contributions of land, equipment, and personnel from
26 such public agencies, private fire departments, and
27 other entities providing emergency response services.

28 Sec. __. NEW SECTION. 546.12 COMMERCE-RELATED
29 BUILDING.

30 1. For the purposes of this section:

31 a. "Chargeable expenses" means expenses incurred
32 as part of the regulatory expenses charged by a
33 commerce-related agency that are not deposited into
34 the general fund of the state, may be expended by the
35 commerce-related agency, and are collected by the
36 following commerce-related agency pursuant to the
37 following specified authorization:

38 (1) The utilities board and the consumer advocate
39 division of the department of justice, expenses for
40 carrying out duties under section 476.10.

41 (2) The banking division, actual expenses under
42 section 524.207, subsection 3.

43 (3) The credit union division, actual expenses
44 under section 533.67, subsection 3.

45 (4) The insurance division, actual expenses under
46 section 505.7, subsection 4.

47 b. "Commerce-related agency" means the consumer
48 advocate division of the department of justice or any
49 of the following divisions of the department:

50 (1) Banking.

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1 (2) Credit union.

2 (3) Insurance.

3 (4) Utilities.

4 2. The commerce-related agencies may jointly
5 provide for construction of a building to house the
6 commerce-related agencies. If deemed cost-effective
7 by the commerce-related agencies, the building may be
8 developed with capacity for other occupants. A
9 building developed under this section shall be a model
10 energy-efficient building that may be used as a public
11 example for similar efforts. The building shall
12 comply with the life cycle cost provisions developed
13 pursuant to section 72.5. The building shall be
14 located on the capitol grounds.

15 3. Costs associated with construction and
16 operation of the building are chargeable expenses.
17 The commerce-related agencies shall utilize a cost-
18 effective approach for financing construction of the
19 building which may include but is not limited to
20 lease, lease-purchase, bonding, or installment
21 acquisition arrangement, or a financing arrangement
22 under section 12.28. If financing for the building is
23 implemented under section 12.28, the limitation on
24 principal under that section does not apply. This
25 section comprises a complete and independent
26 authorization and procedure for the commerce-related
27 agencies to enter into a lease or agreement and this
28 section is not a qualification of any other powers
29 which the commerce-related agencies may possess and
30 the authorizations and powers granted under this
31 section are not subject to the terms, requirements, or
32 limitations of any other provisions of law, except
33 that the commerce-related agencies must comply with
34 the provisions of section 12.28 when entering into
35 financing agreements for the purchase of real or
36 personal property.

37 4. If financing for the building is implemented
38 through bonding, the commerce-related agencies shall
39 be considered to be an authority for purposes of
40 section 12.30 and shall be subject to that section.
41 In order further to assure maintenance of any bond
42 reserve funds established in connection with the
43 financing, the treasurer of state shall, on or before
44 January 1 of each calendar year, make and deliver to
45 the governor the treasurer of state's certificate
46 stating the sum, if any, required to restore any such
47 bond reserve fund to the bond reserve fund requirement
48 for that fund. Within thirty days after the beginning
49 of the session of the general assembly next following
50 the delivery of the certificate, the governor shall

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1 submit to both houses of the general assembly printed
2 copies of a budget including the sum, if any, required
3 to restore any such bond reserve fund to the bond
4 reserve fund requirement for that fund. Any sums
5 appropriated by the general assembly and paid to the
6 treasurer of state shall be deposited by the treasurer
7 of state in the applicable bond reserve fund.

8 5. All moneys received by the commerce-related
9 agencies from agreements and leases entered into
10 pursuant to this section with private and public
11 agencies shall be considered repayment receipts as
12 defined in section 8.2, and shall be used for costs
13 incurred in connection with the building.

14 6. Notwithstanding sections 8A.302, 8A.321, and
15 8A.322, the commerce-related agencies shall be
16 responsible for securing architectural services,
17 contracting for construction, engineering, and
18 construction oversight and management, assigning
19 space, and controlling the funding associated with the
20 building construction and the building's operation.
21 The commerce-related agencies may utilize consultants
22 or other expert assistance to address feasibility,
23 planning, or other considerations connected with
24 construction of the building or decision making
25 regarding the building. The commerce-related agencies
26 shall consult with the office of the governor and the
27 legislative bodies with oversight of the commerce-
28 related agencies and capital projects. If the
29 building will be constructed on the capitol grounds,
30 the building project shall be subject to a
31 recommendation by the capitol planning commission.
32 Sec. __. TRAINING FOCUS REPORT.

33 1. The state fire service and emergency response
34 council and the homeland security and emergency
35 management division of the department of public
36 defense shall compile a report developing a
37 comprehensive training focus for emergency responders
38 to be implemented by training centers that are, or
39 will be, established under section 100B.16. The
40 report shall identify areas of emergency response
41 services on which the state should focus, including
42 but not limited to advanced training in homeland
43 security, agricultural terrorism response, mass
44 casualty and fatality response, and operations
45 integration in compliance with the national incident
46 management system. The report shall also include
47 recommendations on which a merged area or established
48 training center should provide the training.

49 2. On or before March 10, 2007, the state fire
50 service and emergency response council and the

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- 1 homeland security and emergency response division
- 2 shall report to the general assembly on the matters
- 3 described in subsection 1."
- 4 27. By renumbering, redesignating, and correcting
- 5 internal references as necessary.

Struyk of Pottawattamie asked and received unanimous consent to withdraw amendment [H-8486](#), to amendment [H-8475](#), filed by him from the floor.

The House stood at ease at 4:40 p.m., until the fall of the gavel.

The House resumed session at 4:52 p.m., S. Olson of Clinton in the chair.

Sands of Louisa asked and received unanimous consent to withdraw the following amendment [H-8487](#), to amendment [H-8475](#), filed by him from the floor.

Eichhorn of Hamilton offered the following amendment [H-8488](#), to amendment [H-8475](#), filed by him and Tjepkes of Webster from the floor and moved its adoption:

[H-8488](#)

- 1 Amend the amendment, [H-8475](#), to [House File 2782](#) as
- 2 follows:
- 3 1. Page 2, by striking lines 26 through 28 and
- 4 inserting the following:
- 5 "Of the amount appropriated in this subsection,
- 6 \$300,000 shall be allocated to Iowa central community
- 7 college."
- 8 2. Page 6, by inserting after line 44 the
- 9 following:
- 10 "____. In Fort Dodge to be operated by Iowa central
- 11 community college."
- 12 3. By renumbering as necessary.

Amendment [H-8488](#) was adopted.

The House stood at ease at 4:55 p.m., until the fall of the gavel.

The House resumed session at 5:18 p.m., S. Olson of Clinton in the chair.

Huseman of Cherokee asked and received unanimous consent that amendment [H-8475](#), as amended, be deferred.

Shoultz of Black Hawk asked and received unanimous consent to withdraw amendment [H-8472](#) filed by him and Berry of Black Hawk from the floor.

Thomas of Clayton asked and received unanimous consent to withdraw amendment [H-8481](#) filed by him from the floor.

Cohon of Des Moines offered the following amendment [H-8483](#) filed by him from the floor and moved its adoption:

[H-8483](#)

1 Amend [House File 2782](#) as follows:
 2 1. Page 2, by inserting after line 17 the
 3 following:
 4 "____. DEPARTMENT OF ECONOMIC DEVELOPMENT
 5 For costs associated with the creation and
 6 operation of Iowa port authorities pursuant to chapter
 7 28J:
 8 \$ 80,000
 9 The amount appropriated in this subsection shall be
 10 administered by the department as a grant program.
 11 The purpose of the grant program is to provide support
 12 for programs that enhance, foster, aid, provide, or
 13 promote transportation, economic development,
 14 recreation, governmental operations, culture, or
 15 research within the jurisdiction of a port authority
 16 pursuant to chapter 28J. Grants shall be awarded in
 17 the manner provided by the department pursuant to
 18 rule."

Amendment [H-8483](#) was adopted.

D. Olson of Boone asked and received unanimous consent that amendment [H-8469](#) be deferred.

Swaim of Davis offered amendment [H-8461](#) filed by him and Arnold of Lucas from the floor as follows:

[H-8461](#)

1 Amend [House File 2782](#) as follows:
 2 1. Page 2, by inserting after line 30 the
 3 following:

4 "___ DEPARTMENT OF PUBLIC HEALTH
 5 For construction costs associated with the
 6 planning, design, and construction of a regional
 7 collaborative building to house environmental public
 8 health and emergency and facility management:
 9 \$ 450,000"
 10 2. By renumbering as necessary.

Amendment [H-8461](#) lost.

Swaim of Davis offered the following amendment [H-8484](#) filed by him from the floor and moved its adoption:

[H-8484](#)

1 Amend [House File 2782](#) as follows:
 2 1. Page 2, by inserting after line 30 the
 3 following:
 4 "___ DEPARTMENT OF PUBLIC HEALTH
 5 For the establishment of a grant program for
 6 infrastructure needs associated with the expansion and
 7 enhancement of medical services in distressed rural
 8 areas of the state:
 9 \$ 2,000,000
 10 For purposes of the grant program, "distressed
 11 rural area of the state" means a county with a
 12 population not exceeding twenty thousand which has a
 13 family poverty rate which is among the fifteen highest
 14 in the state. The department shall establish rules to
 15 implement and administer the grant program."
 16 2. By renumbering as necessary.

Amendment [H-8484](#) lost.

Raecker of Polk offered amendment [H-8462](#) filed by him from the floor as follows:

[H-8462](#)

1 Amend [House File 2782](#) as follows:
 2 1. Page 3, line 13, by striking the figure
 3 "13,200,000" and inserting the following:
 4 "8,200,000".
 5 2. Page 3, by inserting after line 20 the
 6 following:
 7 "___ For the design and construction of a new
 8 university hygienic laboratory at the state university
 9 of Iowa:
 10 \$ 10,000,000

11 _____. For the construction, major renovation, and
 12 maintenance of a veterinary laboratory at Iowa state
 13 university of science and technology:
 14 \$ 2,000,000
 15 _____. For major renovation and major repair needs,
 16 including health, life, and fire safety needs, and for
 17 compliance with the federal Americans With
 18 Disabilities Act, for state buildings and facilities
 19 under the purview of the state board of regents
 20 institutions:
 21 \$ 6,200,000
 22 _____. For endowment salaries:
 23 \$ 5,000,000
 24 _____. To provide a grant for the construction of,
 25 and purchasing equipment for, a facility to be used
 26 exclusively for processing novel proteins from
 27 agricultural products for pharmaceutical,
 28 nutraceutical, or chemical applications:
 29 \$ 1,000,000"
 30 3. Page 6, by inserting after line 3 the
 31 following:
 32 "Sec. _____. STATE BOARD OF REGENTS. There is
 33 appropriated from the rebuild Iowa infrastructure fund
 34 to the state board of regents for the following fiscal
 35 years the following amounts, or so much thereof as is
 36 necessary, to be used for the purposes designated:
 37 For the design and construction of a new university
 38 hygienic laboratory at the state university of Iowa:
 39 FY 2007-2008 \$ 14,000,000
 40 FY 2008-2009 \$ 12,000,000
 41 Notwithstanding section 8.33, moneys appropriated
 42 in this section shall not revert at the close of the
 43 fiscal year for which they were appropriated but shall
 44 remain available for the purposes designated until the
 45 close of the fiscal year that begins July 1, 2011, or
 46 until the project for which the appropriation was made
 47 is completed, whichever is earlier."
 48 4. Page 17, line 12, by striking the word "a."
 49 5. Page 17, by striking lines 28 through 30.
 50 6. Page 28, by inserting after line 13 the

Page 2

1 following:
 2 "DIVISION IX
 3 MISCELLANEOUS CHANGES
 4 Sec. _____. STATE BOARD OF REGENTS – GENERAL FUND
 5 ENDING BALANCE.
 6 1. Prior to the appropriation of the surplus
 7 existing in the general fund of the state at the
 8 conclusion of the fiscal year beginning July 1, 2005,
 9 pursuant to section 8.57, subsections 1 and 2, from

10 appropriations that remain unencumbered or unobligated
11 and would otherwise revert on August 31, 2006,
12 pursuant to section 8.33, up to \$2,800,000 shall be
13 transferred to the state board of regents.
14 2. The transfer made in subsection 1 shall be
15 distributed to the state board of regents in the
16 fiscal year beginning July 1, 2006, to be used as
17 additional funding for the fiscal year beginning July
18 1, 2006, for the institutions under the state board of
19 regents.
20 Sec. __. EFFECTIVE DATE. This division of this
21 Act, being deemed of immediate importance, takes
22 effect upon enactment."
23 7. Title page, line 6, by inserting after the
24 word "matters" the following: "and providing an
25 immediate effective date".
26 8. By renumbering, redesignating, and correcting
27 internal references as necessary.

Bell of Jasper asked and received unanimous consent to withdraw amendment [H-8480](#), to amendment [H-8462](#), filed by him and Huser of Polk from the floor.

Raecker of Polk offered the following amendment [H-8468](#), to amendment [H-8462](#), filed by him from the floor and moved its adoption:

[H-8468](#)

1 Amend the amendment, [H-8462](#), to [House File 2782](#) as
2 follows:
3 1. Page 1, by inserting after line 21 the
4 following:
5 "It is the intent of the general assembly that the
6 moneys appropriated in this subsection supplant state
7 university operating funds used for the purposes
8 stated."
9 2. By renumbering as necessary.

Amendment [H-8468](#) was adopted.

On motion by Raecker of Polk, amendment [H-8462](#), as amended, was adopted.

T. Taylor of Linn offered the following amendment [H-8463](#) filed by him from the floor and moved its adoption:

[H-8463](#)

- 1 Amend [House File 2782](#) as follows:
 2 1. Page 4, by inserting after line 17, the
 3 following:
 4 "c. For the purchase and placement of close-
 5 clearance warning devices by a railroad company at a
 6 location along its railways:
 7 \$ 5,000"
 8 The director of the department of transportation
 9 shall adopt rules regarding the placement and purchase
 10 of close-clearance warning devices."
 11 2. By renumbering as necessary.

Amendment [H-8463](#) lost.

Thomas of Clayton asked and received unanimous consent to withdraw amendment [H-8470](#) filed by him from the floor.

Thomas of Clayton offered the following amendment [H-8449](#) filed by him and moved its adoption:

[H-8449](#)

- 1 Amend [House File 2782](#) as follows:
 2 1. Page 12, line 15, by inserting before the word
 3 "For" the following: "(1)."
 4 2. Page 12, by inserting after line 16 the
 5 following:
 6 "(2) For the preservation of a historic wall at
 7 backbone state park:
 8\$ 25,000"
 9 3. By renumbering as necessary.

Amendment [H-8449](#) lost.

Ford of Polk offered the following amendment [H-8479](#) filed by him from the floor and moved its adoption:

[H-8479](#)

- 1 Amend [House File 2782](#) as follows:
 2 1. Page 16, by inserting after line 29 the
 3 following:
 4 "The authority shall seek minority entertainment
 5 performers for entertainment attractions."
 6 2. By renumbering as necessary.

Amendment [H-8479](#) lost.

T. Taylor of Linn offered the following amendment [H-8458](#) filed by him and moved its adoption:

[H-8458](#)

- 1 Amend [House File 2782](#) as follows:
- 2 1. Page 18, by striking lines 5 through 11 and
- 3 inserting the following:
- 4 "For a community designated by the department as a
- 5 great place under the great places initiative:"
- 6 2. Page 18, by striking lines 19 through 25 and
- 7 inserting the following:
- 8 "For a community designated by the department as a
- 9 great place under the great places initiative:"
- 10 3. By renumbering as necessary.

Amendment [H-8458](#) lost.

Petersen of Polk offered the following amendment [H-8455](#) filed by her and moved its adoption:

[H-8455](#)

- 1 Amend [House File 2782](#) as follows:
- 2 1. Page 28, by inserting after line 13, the
- 3 following:
- 4 "DIVISION IX
- 5 MISCELLANEOUS CHANGES
- 6 Sec. __. **NEW SECTION.** 307.15 SAFE ROUTES TO
- 7 SCHOOL PROGRAM.
- 8 1. A safe routes to school program is established
- 9 as provided in the federal Safe, Accountable,
- 10 Flexible, Efficient Transportation Equity Act: A
- 11 Legacy For Users, Pub. L. No. 109-59. The program
- 12 shall be administered by the department using funds
- 13 received from the federal government, appropriations,
- 14 and any other moneys available from public or private
- 15 sources. The primary purpose of the program is to
- 16 enable and encourage children in kindergarten through
- 17 grade eight to walk or ride bicycles to school.
- 18 Projects which are eligible for funding under the
- 19 state infrastructure program include but are not
- 20 limited to the following:
- 21 a. Installation of new crosswalks and bicycle
- 22 lanes.
- 23 b. Construction of multiuse trails in proximity to
- 24 schools.

25 c. Implementation of traffic-calming programs in
26 neighborhoods surrounding schools.
27 d. Construction of wide outside lanes to be used
28 as bicycle routes.
29 2. The department is encouraged to work with
30 school districts and individual schools, neighborhood
31 associations, metropolitan and regional planning
32 organizations, law enforcement agencies, state and
33 local government agencies, and other entities as
34 necessary to maximize the use of federal and other
35 moneys to fulfill the purpose of the program.
36 3. Contingent upon the receipt of funds from the
37 federal government in a fiscal year, there is
38 appropriated from the rebuild Iowa infrastructure fund
39 to the department an annual appropriation of one
40 million dollars."
41 2. By renumbering as necessary.

Amendment [H-8455](#) lost.

Petersen of Polk offered the following amendment [H-8474](#) filed by her from the floor and moved its adoption:

[H-8474](#)

1 Amend [House File 2782](#) as follows:
2 1. Page 28, by inserting after line 13 the
3 following:
4 "DIVISION
5 MISCELLANEOUS CODE CHANGES
6 Sec. __. Section 8A.321, Code Supplement 2005, is
7 amended by adding the following new subsection:
8 NEW SUBSECTION. 4A. Adopt the energy-efficient
9 components of the leadership in energy and
10 environmental design rating system for all new
11 construction state-owned and state-financed
12 buildings."
13 2. By renumbering as necessary.

Roll call was requested by Petersen of Polk and Wise of Lee.

On the question "Shall amendment [H-8474](#) be adopted?" ([H.F. 2782](#))

The ayes were, 48:

Bell	Berry	Bukta	Cphoon
Dandekar	Davitt	Fallon	Foega
Ford	Frevert	Gaskill	Heddens

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

The nays were, 50:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	May	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
Wildurdyke	Olson, S., Presiding		

Absent or not voting, 2:

Taylor, D. Zirkelbach

Amendment [H-8474](#) lost.

Huser of Polk asked and received unanimous consent to withdraw amendment [H-8476](#) filed by her from the floor.

D. Olson of Boone asked and received unanimous consent that amendment [H-8469](#) be deferred.

Petersen of Polk offered the following amendment [H-8478](#) filed by her from the floor and moved its adoption:

[H-8478](#)

- 1 Amend [House File 2782](#) as follows:
- 2 1. Page 28, by inserting after line 13 the
- 3 following:
- 4 "DIVISION
- 5 STATE BUILDING WELLNESS FACILITIES
- 6 Sec. __. NEW SECTION. 8A.330 STATE BUILDING
- 7 WELLNESS FACILITIES.
- 8 1. For the purposes of this section:
- 9 a. "State business space" means a building or

10 portion of a building occupied by persons conducting
11 state business.
12 b. "Wellness facilities" means space dedicated for
13 exercise equipment, shower and changing facilities,
14 the provision of physical fitness and health promotion
15 classes, and other programs and facilities intended to
16 support persons engaged in healthy lifestyle
17 activities.
18 2. The general assembly finds that a healthy
19 workforce is essential to efficiently provide service
20 to the public and that state employees should be
21 supported in their efforts to maintain a healthy
22 lifestyle. In order to support these efforts, state-
23 owned wellness facilities should be provided within or
24 in close proximity to state business space.
25 3. State business space that is constructed on or
26 after July 1, 2007, shall provide the employees using
27 that space with access to wellness facilities. Unless
28 state-owned wellness facilities are already available
29 in close proximity to the state business space, the
30 department, state agency contracting officer, and
31 director of the state agency that will occupy the
32 business space shall ensure that the architect or
33 other person responsible for developing plans and
34 specifications for the space includes plans and
35 specifications for wellness facilities within the
36 state business space. The cost of the wellness
37 facilities shall not exceed one-half of one percent of
38 the total cost of the state business space, exclusive
39 of professional fees associated with development of
40 the wellness facilities.
41 4. A wellness facility developed in accordance
42 with this section shall be administered by the
43 department in accordance with the needs of the agency
44 occupying the state business space in which the
45 wellness facility is located."
46 2. By renumbering as necessary.

Roll call was requested by Speaker Rants and Tymeson of Madison.

On the question "Shall amendment [H-8478](#) be adopted?" ([H.F. 2782](#))

The ayes were, 41:

Bell	Berry	Bukta	Cphoon
Davitt	Foege	Ford	Frevert
Gaskill	Heddens	Hogg	Hunter
Jacoby	Jochum	Kressig	Kuhn

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

The nays were, 56:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	Dandekar
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	Mertz	Paulsen	Pettengill
Raecker	Rants, Spkr.	Rasmussen	Rayhons
Reichert	Roberts	Sands	Schickel
Soderberg	Struyk	Tjepkes	Tomenga
Tymeson	Upmeyer	Van Engelenhoven	Van Fossen, J.K.
Van Fossen, J.R.	Watts	Wilderdylke	Olson, S., Presiding

Absent or not voting, 3:

Huser	Quirk	Zirkelbach
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Amendment [H-8478](#) lost.

Huser of Polk asked and received unanimous consent that amendment [H-8491](#) be deferred.

The House resumed consideration of amendment [H-8475](#), as amended and found on pages 1138-1150 of the House Journal.

Raecker of Polk offered the following amendment [H-8495](#), to amendment [H-8475](#), filed by him from the floor and moved its adoption:

[H-8495](#)

- 1 Amend the amendment, [H-8475](#), to [House File 2782](#) as
- 2 follows:
- 3 1. Page 1, by inserting after line 6 the
- 4 following:
- 5 "___". Page 2, by inserting after line 17 the

6 following:
 7 "____. DEPARTMENT OF EDUCATION
 8 To provide resources for structural and
 9 technological improvements to local libraries and for
 10 the enrich Iowa program, notwithstanding section 8.57,
 11 subsection 6, paragraph "c":
 12 § 1,200,000""

Amendment [H-8495](#) was adopted.

Struyk of Pottawattamie asked and received unanimous consent to withdraw amendments [H-8492](#) and [H-8496](#), to amendment [H-8475](#), filed by him from the floor.

Watts of Dallas offered the following amendment [H-8490](#), to amendment [H-8475](#), filed by him from the floor and moved its adoption:

[H-8490](#)

1 Amend the amendment, [H-8475](#), to [House File 2782](#) as
 2 follows:
 3 1. Page 11, by striking lines 28 through 31 and
 4 inserting the following: "related agencies and
 5 capital projects. The building location shall be
 6 subject to a recommendation by the capitol planning
 7 commission."

Amendment [H-8490](#) was adopted.

Reichert of Muscatine offered amendment [H-8498](#), to amendment [H-8475](#), filed by him and Bell of Jasper, Berry of Black Hawk, Cohoon of Des Moines, Dandekar of Linn, Davitt of Warren, Foege of Linn, Frevert of Palo Alto, Gaskill of Wapello, Heddens of Story, Hunter of Polk, Jacoby of Johnson, Jochum of Dubuque, Kressig of Black Hawk, Kuhn of Floyd, Lensing of Johnson, Lykam of Scott, Mascher of Johnson, Mertz of Kossuth, Miller of Webster, Murphy of Dubuque, Oldson of Polk, D. Olson of Boone, R. Olson of Polk, Petersen of Polk, Pettengill of Benton, Quirk of Chickasaw, Reasoner of Union, Schueller of Jackson, Shomshor of Pottawattamie, Shoultz of Black Hawk, Smith of Marshall, Swaim of Davis, T. Taylor of Linn, Thomas of Clayton, Wendt of Woodbury, Wessel-Kroeschell of Story, Whitaker of Van Buren, Whitead of Woodbury, Winckler of Scott and Wise of Lee from the floor as follows:

[H-8498](#)

1 Amend the amendment, [H-8475](#), to [House File 2782](#), as
2 follows:

3 1. Page 2, by inserting after line 39 the
4 following:

5 "___ . Page 16, by inserting after line 16 the
6 following:

7 "Moneys appropriated in this subsection shall be
8 used for vertical infrastructure purposes.

9 By January 15 of each year, an identified Iowa
10 great place shall submit a report to the department of
11 cultural affairs regarding the activities of the Iowa
12 great place during the previous calendar year. The
13 report shall include but not be limited to an
14 explanation of the use of all moneys received by the
15 Iowa great place from the department of cultural
16 affairs. The department shall submit information
17 received in the annual reports as well as a written
18 report accounting for all expenditures made by the
19 department during the previous year for purposes of
20 the Iowa great places program to the governor, the
21 auditor of state, the general assembly, and the chairs
22 and ranking members of the joint appropriations
23 subcommittee on transportation, infrastructure, and
24 capitals and the chairs and ranking members of
25 committees in the senate and house which customarily
26 consider legislation regarding the Iowa great places
27 programs.""

28 2. Page 9, by inserting after line 27 the
29 following:

30 "Sec. ___. Section 303.3C, subsection 3, Code
31 Supplement 2005, is amended by adding the following
32 new paragraph:

33 NEW PARAGRAPH. d. Approve, deny, or modify
34 recommendations submitted by the department of
35 cultural affairs for the expenditure of moneys
36 appropriated to the department for purposes of the
37 Iowa great places program.

38 Sec. ___. Section 303.3C, Code Supplement 2005, is
39 amended by adding the following new subsection:

40 NEW SUBSECTION. 4. By January 15 of each year, an
41 identified Iowa great place shall submit a report to
42 the department of cultural affairs regarding the
43 activities of the Iowa great place during the previous
44 calendar year. The report shall include but not be
45 limited to an explanation of the use of all moneys
46 received by the Iowa great place from the department
47 of cultural affairs. The department shall submit
48 information received in the annual reports as well as
49 a written report accounting for all expenditures made
50 by the department during the previous year for

Page 2

1 purposes of the Iowa great places program to the
 2 governor, the auditor of state, the general assembly,
 3 and the chairs and ranking members of the joint
 4 appropriations subcommittee on transportation,
 5 infrastructure, and capitals and the chairs and
 6 ranking members of committees in the senate and house
 7 which customarily consider legislation regarding the
 8 Iowa great places programs."
 9 3. By renumbering as necessary.

Speaker pro tempore Carroll in the chair at 6:51 p.m.

Huseman of Cherokee asked and received unanimous consent that amendment [H-8475](#), as amended, be deferred. (Amendment [H-8498](#) pending)

D. Olson of Boone offered amendment [H-8469](#) filed by him and Anderson of Page, previously deferred, from the floor as follows:

[H-8469](#)

1 Amend [House File 2782](#) as follows:
 2 1. Page 2, line 23, by inserting before the word
 3 "To" the following: "a."
 4 2. Page 2, by inserting after line 26 the
 5 following:
 6 "b. For the establishment of a wastewater
 7 treatment financial assistance program to assist
 8 disadvantaged communities in installing or upgrading
 9 water treatment facilities:
 10 \$ 5,000,000"
 11 3. Page 6, by inserting after line 3 the
 12 following:
 13 "Sec.____. DEPARTMENT OF NATURAL RESOURCES. There
 14 is appropriated from the rebuild Iowa infrastructure
 15 fund to the department of natural resources for the
 16 fiscal year beginning July 1, 2007, and ending June
 17 30, 2008, the following amount, or so much thereof as
 18 is necessary, to be used for the purpose designated:
 19 For the establishment of a wastewater treatment
 20 financial assistance program to assist disadvantaged
 21 communities in installing or upgrading water treatment
 22 facilities:
 23 \$ 5,000,000
 24 Notwithstanding section 8.33, moneys appropriated

25 in this section shall not revert at the close of the
26 fiscal year for which they were appropriated but shall
27 remain available for the purposes designated until the
28 close of the fiscal year that begins July 1, 2009, or
29 until the project for which the appropriation was made
30 is completed, whichever is earlier."
31 4. By renumbering as necessary.

D. Olson of Boone offered the following amendment [H-8497](#), to amendment [H-8469](#), filed by him from the floor, previously deferred, and moved its adoption:

[H-8497](#)

1 Amend the amendment, [H-8469](#), to [House File 2782](#) as
2 follows:
3 1. Page 1, line 13, by striking the words
4 "NATURAL RESOURCES" and inserting the following:
5 "ECONOMIC DEVELOPMENT".
6 2. Page 1, line 15, by striking the words
7 "natural resources" and inserting the following:
8 "economic development".

Amendment [H-8497](#) was adopted.

On motion by D. Olson of Boone, amendment [H-8469](#), as amended, lost.

Huser of Polk asked and received unanimous consent that amendment [H-8491](#) be deferred.

Eichhorn of Hamilton offered the following amendment [H-8500](#), to amendment [H-8475](#), filed by him and Tjepkes of Webster from the floor and moved its adoption:

[H-8500](#)

1 Amend the amendment, [H-8475](#), to [House File 2782](#) as
2 follows:
3 1. Page 2, by striking lines 26 through 28 and
4 inserting the following:
5 "Of the amount appropriated in this subsection,
6 \$300,000 shall be allocated to Iowa central community
7 college."
8 2. Page 6, by inserting after line 44 the
9 following:
10 "___ In Fort Dodge to be operated by Iowa central

- 11 community college and to provide advanced training in
12 homeland security."
13 3. Page 7, by striking lines 7 and 8 and
14 inserting the following: "A public agency located in
15 merged area ten or eleven, or in merged areas fourteen
16 and fifteen".
17 4. By striking page 7, line 50, through page 8,
18 line 2.
19 5. By renumbering as necessary.

Amendment [H-8500](#) was adopted, placing out of order amendment [H-8488](#), previously adopted.

Paulsen of Linn offered the following amendment [H-8501](#), to amendment [H-8475](#), filed by him and Elgin of Linn from the floor and moved its adoption:

[H-8501](#)

- 1 Amend the amendment, [H-8475](#), to [House File 2782](#) as
2 follows:
3 1. Page 2, by striking lines 23 through 25 and
4 inserting the following:
5 "Of the amount appropriated in this subsection,
6 \$300,000 shall be allocated to Kirkwood community
7 college."
8 2. Page 6, by inserting after line 38 the
9 following:
10 "___ In Cedar Rapids to be operated by Kirkwood
11 community college and to provide advanced training in
12 agricultural terrorism response and mass casualty and
13 fatality response."
14 3. Page 7, by striking lines 7 and 8 and
15 inserting the following: "A public agency located in
16 merged area five or eleven, or in merged areas
17 fourteen and fifteen".
18 4. Page 8, by striking lines 3 through 6.
19 5. By renumbering as necessary.

Amendment [H-8501](#) was adopted.

Huseman of Cherokee asked and received unanimous consent that amendment [H-8475](#), as amended, be deferred.

Huser of Polk asked and received unanimous consent to withdraw amendment [H-8491](#), previously deferred, filed by her and Quirk of Chickasaw from the floor.

Reichert of Muscatine asked and received unanimous consent to withdraw amendment [H-8498](#), previously deferred.

The House stood at ease at 7:22 p.m., until the fall of the gavel.

The House resumed session at 7:35 p.m., Speaker pro tempore Carroll in the chair.

Paulsen of Linn offered the following amendment [H-8502](#), to amendment [H-8475](#), filed by him from the floor and moved its adoption:

[H-8502](#)

- 1 Amend the amendment, [H-8475](#), to House File
- 2 2782 as follows:
- 3 1. Page 7, by striking lines 7 and 8 and inserting the
- 4 following: "A public agency located in merged area
- 5 eleven, or in merged areas fourteen and fifteen".
- 6 2. By renumbering as necessary.

Amendment [H-8502](#) was adopted.

On motion by Huseman of Cherokee, amendment [H-8475](#), as amended, was adopted.

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

On the question "Shall the bill pass?" ([H.F. 2782](#))

The ayes were, 94:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Chambers	Cohoon	Dandekar	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Elgin	Foege	Freeman
Frevert	Gipp	Granzow	Greiner
Heaton	Heddens	Hoffman	Hogg
Horbach	Hunter	Huseman	Huser
Hutter	Jacobs	Jacoby	Jenkins
Jochum	Jones	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Maddox	Mascher

May	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	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	Carroll, Presiding		

The nays were, 4:

Ford	Gaskill	McCarthy	Pettengill
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Absent or not voting, 2:

Fallon	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.

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2782](#) be immediately messaged to the Senate.

EXPLANATION OF VOTE

I was necessarily absent from the House chamber on April 4, 2006. Had I been present, I would have voted "aye" on [House File 729](#).

MCCARTHY of Polk

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Mr. Speaker: The Chief Clerk of the House respectfully reports that the following bills have been examined and found correctly enrolled, signed by the Speaker of the House and the President of the Senate, and presented to the Governor for his approval on this 4th day of April, 2006: House Files 537, 2505, 2507, 2611 and 2696.

MARGARET A. THOMSON
Chief Clerk of the House

Report adopted.

PRESENTATION OF VISITORS

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

Eighty 5th grade students from Gehlen and LeMars Community Schools, LeMars, Iowa, including Blake Wendt grandson of Representative Roger Wendt. They were accompanied by Mrs. Boehmer, Mr. Kasel, Mrs. Renner, Mr. Gunther and Jay King (D.A.R.E. officer). By Soderberg of Plymouth.

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\1257 | Dick and Bonnie Timmerman, Fayette – For celebrating their 50 th wedding anniversary. |
| 2006\1258 | Frances Scott, Fontanelle – For celebrating his 92 nd birthday. |
| 2006\1259 | Mildred Persing, Stuart – For celebrating her 90 th birthday. |
| 2006\1260 | Robert and Jane Starr, Panora – For celebrating their 50 th wedding anniversary. |
| 2006\1261 | Cargill and Sunny Fresh Foods, Mason City – For being selected as McDonald's Supplier of the Year. |
| 2006\1262 | Elsie Onken, Iowa Falls – For celebrating her 90 th birthday. |
| 2006\1263 | Ray and Louise Mensing, Greenfield – For celebrating their 65 th wedding anniversary. |
| 2006\1264 | Melvin and Helen Clark, Yale – For celebrating their 58 th wedding anniversary. |
| 2006\1265 | Leroy Van Gundy, Bagley – For celebrating his 80 th birthday. |
| 2006\1266 | Hazel Conrad, Audubon – For celebrating her 90 th birthday. |
| 2006\1267 | Wincie Doffing, Dubuque – For receiving a Division 1 rating at the Iowa Music Teacher Association auditions at Iowa State University. |

and also for winning the University of Dubuque Level A district auditions.

- 2006\1268 Carrie Li, Dubuque – For receiving a Division 1 rating at the Iowa Music Teacher Association auditions at Iowa State University, and also for winning the University of Dubuque Level B district auditions.
- 2006\1269 Adam O'Dell, Dubuque – For receiving a Division 1 rating at the Iowa Music Teacher Association auditions at Iowa State University, and also for winning the University of Dubuque Level C district auditions.
- 2006\1270 Lea Hoefler, Dubuque – For receiving a Division 1 rating at the Iowa Music Teacher Association auditions at Iowa State University, and also for winning the University of Dubuque Level D district auditions.
- 2006\1271 Swapnil “Neil” Mehta, Dubuque – For winning the University of Dubuque Level E district auditions.
- 2006\1272 Michael Gilbertson, Dubuque – For winning the University of Dubuque Level F district auditions.
- 2006\1273 Irene Thompson, Clear Lake – For celebrating her 80th birthday.
- 2006\1274 Duane Mabb, Thornton – For celebrating his 80th birthday.
- 2006\1275 Glenn Wille, Garner – For celebrating his 80th birthday.
- 2006\1276 Ruby Lenz, Garner – For celebrating her 90th birthday.
- 2006\1277 Wilma Donaldson, Hampton – For celebrating her 85th birthday.
- 2006\1278 Maxine Springer, Hampton – For celebrating her 90th birthday.
- 2006\1279 Nathan and Marlys Pals, Meservey – For celebrating their 50th wedding anniversary.
- 2006\1280 Robert and Nancy Moore, Alexander – For celebrating their 50th wedding anniversary.
- 2006\1281 Mary Rose Brown, Iowa Falls – For celebrating her 80th birthday.
- 2006\1282 Don and Pauline Musson, Iowa Falls – For celebrating their 60th wedding anniversary.
- 2006\1283 Bill and Fran Stone, Iowa Falls – For celebrating their 55th wedding anniversary.
- 2006\1284 Melvin and Elaine Montgomery, Baxter – For celebrating their 50th wedding anniversary.

- 2006\1285 Sarah Shively, Council Bluffs – For receiving the Outstanding Young Women in Music designation from Sigma Alpha Iota.
- 2006\1286 5th Judicial District Department of Correctional Services-Field Services and Men's Residential – For passing the American Correctional Associations Audit and for their admirable dedication to Iowa's Correctional System.
- 2006\1287 Jeffrey William Hoobin, Johnston – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1288 Marshall Meyer, Sumner – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1289 Marie Lincoln, Oelwein – For celebrating her 90th birthday.
- 2006\1290 Al Franzen, St. Lucas – For celebrating his 80th birthday.
- 2006\1291 Eleanor Gehrke, Sumner – For celebrating her 85th birthday.
- 2006\1292 Mr. and Mrs. Ritchie Kane, Westgate – For celebrating their 50th wedding anniversary.
- 2006\1293 Zach Moye, Reinbeck – For attaining the rank of Eagle Scout, the highest rank in the Boy Scouts of America.
- 2006\1294 Marvin and Mary Cepak, Clutier – For celebrating their 50th wedding anniversary.
- 2006\1295 Catherine Fischer, Sheldon – For celebrating her 95th birthday.
- 2006\1296 Kamrin Ryun, Keokuk – For receiving an award from the Keokuk American Legion Auxiliary Unit 41 and the National Children and Youth for saving his mother's life by calling 911 when she lapsed into a diabetic coma.
- 2006\1297 Tessa Vande Hoef, Harris – For being named to the All-State Cheerleading Squad.
- 2006\1298 Leland and Bernice Hirt, Spirit Lake – For celebrating their 65th wedding anniversary.
- 2006\1299 Rosemary Carlson, Essex – For celebrating her 80th birthday.
- 2006\1300 Lorenz Meier, Coin – For celebrating his 80th birthday.
- 2006\1301 Leslie and Vivian Bugbee, Mason City – For celebrating their 65th wedding anniversary.
- 2006\1302 Carl Tatone, Mason City – For celebrating his 80th birthday.

- 2006\1303 Thomas and Eleanor Madden, Mason City – For celebrating their 50th wedding anniversary.
- 2006\1304 Don and Kayrl Plagge, Mason City – For celebrating their 50th wedding anniversary.
- 2006\1305 Clayton and Gertrude Knoll, Mason City – For celebrating their 73rd wedding anniversary.
- 2006\1306 Doris Abrahamsen, Webster City – For celebrating her 80th birthday.
- 2006\1307 Laura Samuelson, Stanhope – For celebrating her 95th birthday.
- 2006\1308 Mrs. Cleo Kalsem, Ames – For celebrating her 95th birthday.

SUBCOMMITTEE ASSIGNMENT

[House File 2784](#)

Appropriations: Roberts, Chair; Jacobs and Mertz.

HOUSE STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 776](#) Ways and Means

Relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of and tax exemptions under the income, sales, use, and property taxes, updating the streamlined sales and use tax, and including effective and retroactive applicability date provisions.

[H.S.B. 777](#) Ways and Means

Relating to electronic technology in county government and providing a fee.

RESOLUTIONS FILED

[HCR 112](#), by Huser, Struyk, Arnold, Van Engelenhoven, Rasmussen, Greiner, Pettengill, Lukan, J.R. Van Fossen, Carroll, Horbach, Dandekar, D. Olson, Thomas, Davitt and Mertz, a concurrent resolution designating May 2006 as Motorcycle Safety Awareness Month.

Laid over under **Rule 25**.

HR 163, by Gipp and Murphy, a resolution to recognize and honor Iowans serving in all branches and components of the military.

Laid over under **Rule 25**.

HR 164, by Whitaker, Wise, Heaton, Greiner, Gaskill, Sands, Cohoon, Swaim, De Boef, Miller, Thomas, Hutter, D. Taylor, Watts, Baudler, Shomshor, Reasoner, Dolecheck, Kurtenbach, Dandekar, Boal, Heddens, Granzow, Struyk, Lukan, Reichert, Huseman, Hunter, Pettengill, Tymeson, Berry, Eichhorn, Kressig, Davitt, Murphy, D. Olson, Bukta, Petersen, Jacoby and Tjepkes, a resolution to honor the 224th Combat Engineer Battalion of the Iowa National Guard for its service and sacrifice in the Iraq War.

Laid over under **Rule 25**.

AMENDMENTS FILED

<u>H-8459</u>	<u>H.F. 2780</u>	Whitaker of Van Buren
<u>H-8460</u>	<u>H.F. 2781</u>	Paulsen of Linn
<u>H-8464</u>	<u>S.F. 2322</u>	Upmeyer of Hancock
<u>H-8465</u>	<u>S.F. 2346</u>	Mascher of Johnson
<u>H-8466</u>	<u>H.F. 845</u>	Senate Amendment
<u>H-8467</u>	<u>S.F. 2364</u>	Huser of Polk
		Kaufmann of Cedar
		Lalk of Fayette
		Swaim of Davis
		Schueller of Jackson
<u>H-8471</u>	<u>H.F. 2752</u>	Lensing of Johnson
		Jenkins of Black Hawk
		Upmeyer of Hancock
<u>H-8473</u>	<u>H.F. 2245</u>	Senate Amendment
<u>H-8477</u>	<u>H.F. 2780</u>	Carroll of Poweshiek
		Heddens of Story
<u>H-8485</u>	<u>H.F. 2758</u>	Carroll of Poweshiek
<u>H-8489</u>	<u>H.F. 2767</u>	Boal of Polk

<u>H-8493</u>	<u>H.F.</u>	<u>2789</u>	Tomenga of Polk Wilderdyke of Harrison Kaufmann of Cedar R. Olson of Polk
<u>H-8494</u>	<u>H.F.</u>	<u>2508</u>	Horbach of Tama
<u>H-8499</u>	<u>S.F.</u>	<u>2268</u>	Drake of Pottawattamie Mertz of Kossuth

On motion by Gipp of Winneshiek the House adjourned at 7:41 p.m., until 8:45 a.m., Wednesday, April 5, 2006.