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**STATE OF IOWA**

**House Journal**

**WEDNESDAY, MARCH 15, 2006**

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(The official bound copy will be available after a reasonable time upon adjournment.)

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## **JOURNAL OF THE HOUSE**

Sixty-sixth Calendar Day - Forty-sixth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Wednesday, March 15, 2006

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

Prayer was offered by Pandit Krishna Pandey, Priest of the Hindu Temple and Cultural Center of Iowa, Madrid. He was the guest of Representative Lisa Heddens of Story County.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Tuesday, March 14, 2006 was approved.

### **SPECIAL PRESENTATIONS**

Kaufmann of Cedar introduced to the House the Honorable Jan Torrence, former state representative from Muscatine County.

The House rose and expressed its welcome.

Upmeyer of Hancock introduced to the House Carolyn Nicholas (Miss Iowa 2004) and her sister Emily (2006 Miss Iowa candidate) who sang before the House prior to convening.

The House rose and expressed its welcome.

The House stood at ease at 8:48 a.m., until the fall of the gavel.

### **LEAVE OF ABSENCE**

Leave of absence was granted as follows:

D. Taylor of Linn, for March 15-16, 2006, on request of T. Taylor of Linn.

The House resumed session at 9:22 a.m., Speaker Rants in the chair.

CONSIDERATION OF BILLS  
Appropriations Calendar

[House File 2527](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of cultural affairs, the department of education, and the state board of regents and including effective and retroactive applicability dates, was taken up for consideration.

Whitaker of Van Buren asked and received unanimous consent that amendment [H-8171](#) be deferred.

The following amendments were deferred by unanimous consent:

Amendment [H-8167](#), amendment [H-8174](#), amendment [H-8166](#) and amendment [H-8152](#).

Wendt of Woodbury offered the following amendment [H-8172](#) filed by Wendt, et al., and moved its adoption:

[H-8172](#)

- 1 Amend [House File 2527](#) as follows:
- 2 1. Page 10, by striking lines 15 through 19.
- 3 2. Page 33, line 22, by striking the figures
- 4 "~~2005~~ 2006" and inserting the following: "2005".
- 5 3. Page 33, line 23, by striking the figures
- 6 "~~2006~~ 2007" and inserting the following: "2006".
- 7 4. Page 33, by striking lines 29 through 30 and
- 8 inserting the following: "in paragraph "d" and are
- 9 subject to the provisions of section 284.7, subsection
- 10 6. A school district shall submit a".
- 11 5. Page 34, by striking lines 3 through 5 and
- 12 inserting the following: "services agency not later
- 13 than January 15, 2006."
- 14 6. Page 35, by inserting after line 14 the
- 15 following:
- 16 "Sec.     . **NEW SECTION.** 284.14 APPROPRIATIONS.
- 17 There is appropriated from the general fund of the
- 18 state to the department of education, the following
- 19 amounts, for the following fiscal years, for the
- 20 student achievement and teacher quality program:
- 21 1. For the fiscal year beginning July 1, 2006, and
- 22 ending June 30, 2007, the sum of ninety-nine million
- 23 five hundred ninety-three thousand eight hundred
- 24 ninety-four dollars.

- 25 2. For the fiscal year beginning July 1, 2007, and  
 26 ending June 30, 2008, the sum of one hundred twenty-  
 27 nine million five hundred ninety-three thousand eight  
 28 hundred ninety-four dollars.
- 29 3. For the fiscal year beginning July 1, 2008, and  
 30 ending June 30, 2009, the sum of one hundred fifty-  
 31 nine million five hundred ninety-three thousand eight  
 32 hundred ninety-four dollars.
- 33 4. For the fiscal year beginning July 1, 2009, and  
 34 ending June 30, 2010, the sum of one hundred eighty-  
 35 nine million five hundred ninety-three thousand eight  
 36 hundred ninety-four dollars.
- 37 5. For the fiscal year beginning July 1, 2010, and  
 38 ending June 30, 2011, and for each succeeding fiscal  
 39 year, the sum of two hundred nineteen million five  
 40 hundred ninety-three thousand eight hundred ninety-  
 41 four dollars."
- 42 7. By renumbering as necessary.

Dix of Butler in the chair at 9:35 a.m.

Speaker Rants in the chair at 9:41 a.m.

Roll call was requested by Murphy of Dubuque and Wendt of Woodbury.

On the question "Shall amendment [H-8172](#) be adopted?" ([H.F. 2527](#))

The ayes were, 46:

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

The nays were, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn

Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson
Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Mr. Speaker	
		Rants	

Absent or not voting, 3:

Dandekar                      Taylor, D.                      Zirkelbach

Amendment [H-8172](#) lost.

Mascher of Johnson asked and received unanimous consent that amendment [H-8165](#) be deferred.

Oldson of Polk offered the following amendment [H-8178](#) filed by Oldson, et al., and moved its adoption:

[H-8178](#)

1 Amend [House File 2527](#) as follows:  
2 1. Page 10, by inserting after line 35 the  
3 following:  
4 "\_\_\_ PRESCHOOL FOR FOUR-YEAR-OLD CHILDREN PROGRAM  
5 For allocation to eligible school districts for a  
6 four-year-old preschool program:  
7 ..... \$ 15,000,00  
8 a. PROGRAM ESTABLISHED – ADMINISTRATION. A  
9 preschool for four-year-old children program is  
10 established under the supervision of the department of  
11 education. From the moneys appropriated pursuant to  
12 this section, not more than \$281,250 shall be used by  
13 the department for administration of the program.  
14 b. PURPOSE. The purpose of the preschool for  
15 four-year-old children program shall be to provide an  
16 opportunity for all young children in the state to  
17 enter school ready to learn by expanding voluntary  
18 access to quality preschool curricula for all children  
19 who are four years old in order to increase the  
20 statewide percentage of four-year-olds who have access  
21 to such curricula.  
22 c. ELIGIBLE CHILDREN.  
23 (1) A child who is a resident of Iowa and is four  
24 years of age by September 15 of a school year shall be

25 eligible to enroll in the preschool program. If space  
26 and funding are available, a school district approved  
27 to participate in the program may enroll a younger  
28 child in the program; however, the child shall not be  
29 counted for state funding purposes.

30 (2) An eligible child who is enrolled in a child  
31 care center licensed under chapter 237A or in an  
32 existing public or private preschool or  
33 prekindergarten program located within the boundaries  
34 of the school district is also eligible to receive  
35 services through the preschool program.

36 (3) An eligible child who is receiving care from a  
37 child care home that is not registered under chapter  
38 237A, from a child development home that is registered  
39 under chapter 237A, or from another care provider that  
40 is not subject to regulation under chapter 237A, shall  
41 receive preschool program services through a child  
42 care center licensed under chapter 237A or through a  
43 preschool that is authorized by departmental rule to  
44 provide preschool program services.

45 d. TEACHER REQUIREMENTS.

46 (1) An individual serving as a teacher in the  
47 preschool for four-year-old children program shall be  
48 appropriately licensed under chapter 272, meet  
49 requirements under chapter 284, and be employed by the  
50 school district implementing the program.

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1 (2) A teacher in the preschool for four-year-old  
2 children program shall collaborate with other  
3 agencies, organizations, and boards in the community  
4 to further the program's capacity to meet the diverse  
5 needs of students and student families, such as early  
6 care, health, and human services. In addition, a  
7 teacher in the program shall work to maintain  
8 relationships with each student's family in order to  
9 enhance the student's development in all settings by  
10 collaborating with providers of parent education and  
11 parent involvement opportunities.

12 e. PROGRAM REQUIREMENTS. The state board shall  
13 adopt rules to further define the following preschool  
14 for four-year-old children program requirements:

15 (1) Maximum and minimum teacher-to-child ratios  
16 and class sizes shall be identified.

17 (2) A school district shall incorporate applicable  
18 state and federal program standards.

19 (3) A school district shall incorporate student  
20 learning standards.

21 (4) A school district shall provide for the  
22 integration of children from other state and federally  
23 funded preschools.

24 (5) A school district shall collaborate with  
25 participating families, early care providers, and  
26 community partners including but not limited to  
27 community empowerment area boards, head start  
28 programs, shared visions and other programs provided  
29 under the auspices of the child development  
30 coordinating council, licensed child care centers,  
31 area education agencies, child care resource and  
32 referral services provided under section 237A.26,  
33 early childhood special education programs, services  
34 funded by Title I of the federal Elementary and  
35 Secondary Education Act of 1965, and family support  
36 programs in accordance with the rules adopted by the  
37 state board.

38 (6) A school district shall provide for parental  
39 involvement in the preschool for four-year-old  
40 children program.

41 f. SCHOOL DISTRICT REQUIREMENTS. The state board  
42 shall adopt rules to further define the following  
43 requirements of school districts implementing the  
44 preschool for four-year-old children program:

45 (1) Methods of demonstrating community readiness  
46 to implement high-quality programming in a local  
47 program shall be identified. The methods may include  
48 but are not limited to a school district providing  
49 evidence of a public hearing on the proposed  
50 programming and written documentation of collaboration

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1 agreements between the school district, existing  
2 community providers, and other community stakeholders  
3 addressing operational procedures and other critical  
4 measures.

5 (2) A school district shall provide transportation  
6 of students enrolled in the preschool program as  
7 required for prekindergarten programs in section  
8 285.1.

9 (3) Subject to implementation of agreements  
10 between a school district and community-based  
11 providers of services to four-year-old children  
12 residing in the school district, a four-year-old child  
13 residing in a school district who is enrolled in a  
14 child care center licensed under chapter 237A or in an  
15 existing public or private preschool program shall be  
16 eligible for services provided by the school  
17 district's preschool program.

18 (4) A school district shall participate in data  
19 collection or performance measurement processes and  
20 reporting as defined by rule.

21 (5) Career development for school district  
22 preschool teachers shall be addressed in the school

23 district's career development plan implemented in  
 24 accordance with section 284.6.  
 25 g. DEPARTMENT OF EDUCATION REQUIREMENTS.  
 26 (1) The department shall implement an application  
 27 and selection process for school district  
 28 participation in the preschool for four-year-old  
 29 children program.  
 30 (2) The department shall track the progress of  
 31 students served by a school district preschool for  
 32 four-year-old children program and the students'  
 33 performance in elementary and secondary education.  
 34 (3) The department shall implement procedures to  
 35 monitor the quality of the programming provided under  
 36 the preschool for four-year-old children program."  
 37 2. By renumbering as necessary.

Roll call was requested by Oldson of Polk and Wendt of Woodbury.

On the question "Shall amendment [H-8178](#) be adopted?" ([H.F. 2527](#))

The ayes were, 46:

Bell	Berry	Bukta	Cohoon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	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, 51:

Alons	Anderson	Arnold	Baudler
Boal	Carroll	Chambers	De Boef
Dix	Dolecheck	Drake	Eichhorn
Elgin	Freeman	Gipp	Granzow
Greiner	Heaton	Hoffman	Horbach
Huseman	Hutter	Jacobs	Jenkins
Jones	Kaufmann	Kurtenbach	Lalk
Lukan	Maddox	May	Olson, S.
Paulsen	Raecker	Rasmussen	Rayhons
Roberts	Sands	Schickel	Soderberg
Struyk	Tjepkes	Tomenga	Tymeson

Upmeyer	Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.
Watts	Wilderdyke	Mr. Speaker	
		Rants	

Absent or not voting, 3:

Dandekar	Taylor, D.	Zirkelbach
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Amendment [H-8178](#) lost.

Wendt of Woodbury offered the following amendment [H-8155](#) filed by him and moved its adoption:

[H-8155](#)

- 1 Amend [House File 2527](#) as follows:
- 2 1. Page 10, by inserting after line 35 the
- 3 following:
- 4 "\_\_\_\_. PROFESSIONAL DEVELOPMENT
- 5 For materials, training, and other resources
- 6 necessary for school districts to provide professional
- 7 development to instructional staff:
- 8 ..... \$ 4,000,00
- 9 Funds allocated pursuant to this subsection shall
- 10 be distributed to school districts in accordance with
- 11 the following formula:
- 12 (1) Fifty percent of the allocation shall be in
- 13 the proportion that the basic enrollment of a school
- 14 district bears to the sum of the basic enrollments of
- 15 all school districts in the state for the budget year.
- 16 (2) Fifty percent of the allocation shall be based
- 17 upon the proportion that the number of full-time
- 18 equivalent teachers employed by a school district
- 19 bears to the sum of the number of full-time equivalent
- 20 teachers who are employed by all school districts in
- 21 the state for the base year."
- 22 2. By renumbering as necessary.

Amendment [H-8155](#) lost.

Ford of Polk offered amendment [H-8214](#) filed by him as follows:

[H-8214](#)

- 1 Amend [House File 2527](#) as follows:
- 2 1. Page 10, by inserting after line 35 the
- 3 following:
- 4 "\_\_\_\_. HIGH-RISK TEACHER COMPENSATION GRANTS
- 5 For competitive grants to school districts. The

6 department shall determine grant criteria for the  
 7 awarding of high-risk teacher compensation grants to  
 8 school districts to pay teachers who are employed by  
 9 school districts in attendance centers in high crime  
 10 areas that have a high incidence of police calls to  
 11 the attendance center and who have high numbers of  
 12 student suspensions. Individual grant awards shall be  
 13 not more than \$5,000."

14 2. By striking page 33, line 22 through page 34,  
 15 line 5.

16 3. By renumbering as necessary.

Ford of Polk offered the following amendment [H-8272](#), to amendment [H-8214](#), filed by him from the floor and moved its adoption:

[H-8272](#)

- 1 Amend the amendment, [H-8214](#), to [House File 2527](#) as  
 2 follows:  
 3 1. Page 1, by striking line 5 and inserting the  
 4 following:  
 5 "For competitive high-risk teacher compensation  
 6 grants to school districts:  
 7 ..... \$ 1,000,00  
 8 The". "  
 9 2. Page 1, by striking lines 14 and 15.

Amendment [H-8272](#) was adopted.

On motion by Ford of Polk, amendment [H-8214](#), as amended, lost.

Gaskill of Wapello offered the following amendment [H-8176](#) filed by Gaskill, et al., and moved its adoption:

[H-8176](#)

- 1 Amend [House File 2527](#) as follows:  
 2 1. Page 11, line 4, by striking the figure  
 3 "155,579,244" and inserting the following:  
 4 "160,829,244".  
 5 2. Page 11, by striking lines 8 through 22 and  
 6 inserting the following:  
 7 "a. Merged Area I ..... \$ 7,857,801  
 8 b. Merged Area II ..... \$ 8,799,656  
 9 c. Merged Area III ..... \$ 8,120,130  
 10 d. Merged Area IV ..... \$ 3,988,693  
 11 e. Merged Area V ..... \$ 8,790,877  
 12 f. Merged Area VI ..... \$ 7,744,638

13	g. Merged Area VII .....	\$ 11,382,434
14	h. Merged Area IX .....	\$ 14,081,578
15	i. Merged Area X .....	\$ 23,573,984
16	j. Merged Area XI .....	\$ 23,839,165
17	k. Merged Area XII .....	\$ 9,331,165
18	l. Merged Area XIII .....	\$ 9,420,626
19	m Merged Area XIV .....	\$ 4,039,142
20	n. Merged Area XV .....	\$ 12,683,057
21	o. Merged Area XVI .....	\$ 7,176,298"

Roll call was requested by Gaskill of Wapello and Smith of Marshall.

On the question "Shall amendment [H-8176](#) be adopted?" ([H.F. 2527](#))

The ayes were, 47

Bell	Berry	Bukta	Cohoon
Davitt	Fallon	Foege	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, 49:

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

Absent or not voting, 4:

Dandekar                      Heaton                      Taylor, D.                      Zirkelbach

Amendment [H-8176](#) lost.

Gipp of Winneshiek asked and received unanimous consent that [House File 2527](#) be deferred and that the bill retain its place on the calendar.

On motion by Gipp of Winneshiek, the House was recessed at 12:02 p.m., until 1:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 1:19 p.m., Speaker pro tempore Carroll in the chair.

#### QUORUM CALL

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

#### CONSIDERATION OF BILLS Regular Calendar

The House resumed consideration of [House File 2527](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of cultural affairs, the department of education, and the state board of regents and including effective and retroactive applicability dates, previously deferred.

Wendt of Woodbury offered amendment [H-8154](#) filed by him as follows:

#### [H-8154](#)

- 1 Amend [House File 2527](#) as follows:
- 2 1. Page 14, by inserting after line 34 the
- 3 following:
- 4 "Sec. \_\_\_ AREA EDUCATION AGENCY INFRASTRUCTURE

5 GRANT PROGRAM. There is appropriated from the rebuild  
6 Iowa infrastructure fund to the department of  
7 education for the fiscal year beginning July 1, 2006,  
8 and ending June 30, 2007, the following amount, or so  
9 much thereof as is necessary, to be used for the  
10 purpose designated:  
11 For the establishment and implementation of an area  
12 education agency infrastructure grant program which  
13 provides up to \$200,000 to area education agencies for  
14 infrastructure purposes, notwithstanding section 8.57,  
15 subsection 6, paragraph "c":  
16 ..... \$ 1,000,000  
17 For purposes of the grant program, "infrastructure  
18 purposes" includes land acquisition and construction,  
19 major renovation and major repair of buildings, all  
20 appurtenant structures, utilities, site development,  
21 recreational trails, and routine, recurring  
22 maintenance or operational expenses or leasing of a  
23 building, appurtenant structure, or utility without a  
24 lease-purchase agreement.  
25 Area education agencies that have reorganized or  
26 are planning to reorganize shall receive priority in  
27 receiving grants.  
28 Notwithstanding section 8.33, moneys appropriated  
29 in this section that remain unencumbered or  
30 unobligated at the close of the fiscal year shall not  
31 revert but shall remain available for expenditure for  
32 purposes of the grant program until the close of the  
33 succeeding fiscal year."  
34 2. By renumbering as necessary.

Wendt of Woodbury offered the following amendment [H-8185](#), to  
amendment [H-8154](#), filed by him and moved its adoption:

[H-8185](#)

1 Amend the amendment, [H-8154](#), to [House File 2527](#) as  
2 follows:  
3 1. Page 1, line 20, by striking the words "site  
4 development," and inserting the following: "and site  
5 development."  
6 2. Page 1, by striking lines 21 through 24.

Amendment [H-8185](#) was adopted.

Chambers of O'Brien rose on a point of order that amendment  
[H-8154](#), as amended, was not germane.

The Speaker ruled the point well taken and amendment [H-8154](#),  
as amended, not germane.

Pettengill of Benton offered amendment [H-8215](#) filed by her as follows:

[H-8215](#)

- 1 Amend [House File 2527](#) as follows:
- 2 1. Page 15, by inserting after line 19 the
- 3 following:
- 4 "aa. The state board of regents shall not take
- 5 action to change the current status of the Iowa
- 6 braille and sight saving school unless both of the
- 7 following have occurred:
- 8 (1) The board submits to the general assembly a
- 9 comprehensive plan, program, and fiscal analysis of
- 10 the existing circumstances and the circumstances which
- 11 would prevail upon the proposed change. The analysis
- 12 shall include a detailed study of the educational
- 13 implications of the change, the impact on the
- 14 students, and the opinions and research of nationally
- 15 recognized experts in the field of the education of
- 16 visually impaired students.
- 17 (2) The general assembly studies the plans,
- 18 programs, and fiscal analysis, reviews their impact on
- 19 the programs, and enacts legislation authorizing the
- 20 change proposed under this lettered paragraph."
- 21 2. By renumbering as necessary.

Pettengill of Benton asked and received unanimous consent to withdraw amendment [H-8224](#), to amendment [H-8215](#), filed by her on March 14, 2006.

Pettengill of Benton offered the following amendment [H-8251](#), to amendment [H-8215](#), filed by her and Chambers of O'Brien and moved its adoption:

[H-8251](#)

- 1 Amend the amendment, [H-8215](#), to [House File 2527](#) as
- 2 follows:
- 3 1. Page 1, by striking lines 4 through 20 and
- 4 inserting the following:
- 5 ""The state board of regents shall not circumvent
- 6 the requirements of section 270.10 and as the board
- 7 develops any plan regarding the Iowa braille and sight
- 8 saving school, it shall comply with the requirements
- 9 of section 270.10 and shall report monthly to the
- 10 legislative standing committee on government oversight
- 11 during the legislative interim.""

Amendment [H-8251](#) was adopted.

On motion by Pettengill of Benton, amendment [H-8215](#), as amended, was adopted.

Shoultz of Black Hawk offered the following amendment [H-8121](#) filed by him and Kressig of Black Hawk and moved its adoption:

[H-8121](#)

- 1 Amend [House File 2527](#) as follows:
- 2 1. Page 16, line 11, by striking the figure
- 3 "6,000,000" and inserting the following:
- 4 "40,000,000".

Gipp of Winneshiek asked and received unanimous consent that [House File 2527](#) be deferred and that the bill retain its place on the calendar. (Amendment [H-8121](#) pending)

ADOPTION OF [HOUSE RESOLUTION 130](#)

Upmeyer of Hancock and Wise of Lee called up for consideration [House Resolution 130](#), a resolution honoring John G. Pappajohn, a 2006 nationally recognized Outstanding Community College Alumnus, and moved its adoption.

The motion prevailed and the resolution was adopted.

The House resumed consideration of [House File 2527](#) and amendment [H-8121](#).

Roberts of Carroll in the chair at 2:25 p.m.

Shoultz of Black Hawk moved the adoption of amendment [H-8121](#).

Roll call was requested by Kressig of Black Hawk and Shoultz of Black Hawk.

On the question "Shall amendment [H-8121](#) be adopted?" ([H.F. 2527](#))

The ayes were, 46:

Bell	Berry	Bukta	Cohoon
Davitt	Fallon	Foege	Ford
Frevert	Gaskill	Heddens	Hogg
Hunter	Huser	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Mascher	McCarthy	Mertz	Miller
Murphy	Oldson	Olson, D.	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, 48:

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

Absent or not voting, 6:

Alons	Dandekar	Heaton	Kurtenbach
Taylor, D.	Zirkelbach		

Amendment [H-8121](#) lost.

D. Olson of Boone offered the following amendment [H-8092](#) filed by him and moved its adoption:

[H-8092](#)

- 1 Amend [House File 2527](#) as follows:
- 2 1. Page 19, line 25, by striking the figure
- 3 "3,849,461" and inserting the following: "3,949,461".
- 4 2. Page 19, by inserting after line 26 the
- 5 following:
- 6 "From the funds appropriated in this lettered
- 7 paragraph, \$100,000 shall be allocated for purposes of
- 8 conducting a one-year biomonitoring pilot study to

- 9 anonymously test the blood of newborns for metals.
- 10 The study shall plot the results geographically to
- 11 identify areas in the state where hazardous substances
- 12 threaten the public's health."

Amendment [H-8092](#) lost.

Struyk of Pottawattamie asked and received unanimous consent to withdraw amendment [H-8153](#) filed by him on March 9, 2006.

Chambers of O'Brien asked and received unanimous consent to withdraw amendment [H-8210](#) filed by him on March 13, 2006, placing out of order amendment [H-8270](#) filed by Petersen of Polk, Heddens of Story, Wise of Lee, Smith of Marshall, Swaim of Davis, Thomas of Clayton, Whitaker of Van Buren, Foege of Linn, Reasoner of Union, D. Olson of Boone, Kuhn of Floyd, Reichert of Muscatine, Frevert of Palo Alto, Gaskill of Wapello, Pettengill of Benton, Oldson of Polk, Murphy of Dubuque and Kressig of Black Hawk from the floor.

Oldson of Polk offered the following amendment [H-8183](#) filed by her and moved its adoption:

[H-8183](#)

- 1 Amend [House File 2527](#) as follows:
- 2 1. Page 27, by striking lines 1 and 2 and
- 3 inserting the following: "~~nine~~ forty-seven million
- 4 ~~six~~ three hundred ~~seventy-three~~ eighty-eight thousand
- 5 five hundred ~~seventy-five~~ ninety-one dollars for".
- 6 2. Page 27, line 26, by striking the words "one
- 7 hundred sixty-seven" and inserting the following:
- 8 "two hundred sixty-five".
- 9 3. Page 27, line 27, by striking the word "fifty-
- 10 eight" and inserting the following: "ninety-nine".

Amendment [H-8183](#) lost.

Chambers of O'Brien offered the following amendment [H-8212](#) filed by him and moved its adoption:

[H-8212](#)

- 1 Amend [House File 2527](#) as follows:
- 2 1. Page 27, by inserting after line 28 the
- 3 following:

4 "Sec. \_\_\_\_ Section 261.35, subsection 2, Code  
 5 2005, is amended to read as follows:  
 6 2. "Eligible borrower" means a person, or the  
 7 parent of a person, who is a resident of this state  
 8 and is enrolled or will be enrolled at an eligible  
 9 institution within or without the state or who is a  
 10 nonresident of this state and is enrolled or will be  
 11 enrolled at an eligible institution within the state,  
 12 or who is a resident of another state and is borrowing  
 13 from an Iowa-based eligible lender and is enrolled or  
 14 will be enrolled at an eligible institution within or  
 15 without the state, or who has previously received a  
 16 loan guaranteed by the commission. All eligible  
 17 borrowers must meet the eligibility requirements  
 18 established by the commission. The commission shall  
 19 establish the qualifications for being a resident of  
 20 this state; however, the qualifications shall not be  
 21 more stringent than those established by the state  
 22 board of regents."

Amendment [H-8212](#) was adopted.

Chambers of O'Brien offered amendment [H-8213](#) filed by him as follows:

[H-8213](#)

- 1 Amend [House File 2527](#) as follows:
  1. Page 28, line 32, by striking the word "in".
  2. Page 28, by striking lines 33 and 34.

Quirk of Chickasaw asked and received unanimous consent to withdraw amendment [H-8273](#), to amendment [H-8213](#), filed by him from the floor.

On motion by Chambers of O'Brien, amendment [H-8213](#) was adopted.

Wendt of Woodbury offered amendment [H-8181](#) filed by him as follows:

[H-8181](#)

- 1 Amend [House File 2527](#) as follows:
  1. Page 29, by inserting after line 9 the following:  
 4 "Sec. \_\_\_\_ Section 280.12, subsection 2, Code  
 5 2005, is amended by adding the following new  
 6 paragraph:

7 NEW PARAGRAPH. f. Harassment or bullying  
8 prevention goals, programs, training, and other  
9 initiatives.

10 Sec. \_\_\_\_\_. NEW SECTION. 280.28 HARASSMENT AND  
11 BULLYING PROHIBITED – POLICY – IMMUNITY.

12 1. PURPOSE – FINDINGS – POLICY. The state of  
13 Iowa is committed to providing all students with a  
14 safe and civil school environment in which all members  
15 of the school community are treated with dignity and  
16 respect. The general assembly finds that a safe and  
17 civil school environment is necessary for students to  
18 learn and achieve at high academic levels. Harassing  
19 and bullying behavior can seriously disrupt the  
20 ability of school employees to maintain a safe and  
21 civil environment, and the ability of students to  
22 learn and succeed. Therefore, it is the policy of the  
23 state of Iowa that school employees, volunteers, and  
24 students in Iowa schools shall not engage in harassing  
25 or bullying behavior.

26 2. DEFINITIONS. For purposes of this section,  
27 unless the context otherwise requires:

28 a. "Harassment" and "bullying" shall be construed  
29 to mean the same and mean any conduct toward a student  
30 that is based on any actual or perceived trait or  
31 characteristic of the student and that creates an  
32 objectively hostile school environment which meets any  
33 of the following conditions:

34 (1) Places the student in reasonable fear of harm  
35 to the student's person or property.

36 (2) Has a substantially detrimental effect on the  
37 student's physical or mental health.

38 (3) Has the effect of substantially interfering  
39 with a student's academic performance.

40 (4) Has the effect of substantially interfering  
41 with the student's ability to participate in or  
42 benefit from the services, activities, or privileges  
43 provided by a school.

44 b. "Trait or characteristic of the student"  
45 includes, but is not limited to, age, color, creed,  
46 national origin, race, religion, marital status, sex,  
47 sexual orientation, gender identity, physical  
48 attributes, physical or mental ability or disability,  
49 ancestry, political party preference, socioeconomic  
50 status, or familial status.

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1 3. POLICY. On or before January 1, 2007, the  
2 board of directors of a school district and the  
3 authorities in charge of each accredited nonpublic  
4 school shall adopt a policy declaring harassment and  
5 bullying in schools, on school property, and at any

6 school function, or school-sponsored activity  
7 regardless of its location, in a manner consistent  
8 with this section, as against state and school policy.  
9 The board and the authorities shall make a copy of the  
10 policy available to all school employees, volunteers,  
11 students, and parents and shall take all appropriate  
12 steps to bring the policy against harassment and  
13 bullying, and the responsibilities set forth in the  
14 policy to the attention of school employees,  
15 volunteers, students, and parents. Each policy shall,  
16 at a minimum, include all of the following components:  
17 a. A statement declaring harassment and bullying  
18 to be against state and school policy. The statement  
19 shall include, but not be limited to, the following  
20 provisions:  
21 (1) School employees, volunteers, and students in  
22 school, on school property, or at any school function  
23 or school-sponsored activity shall not engage in  
24 harassing and bullying behavior.  
25 (2) School employees, volunteers, and students  
26 shall not engage in reprisal, retaliation, or false  
27 accusation against a victim, witness, or an individual  
28 who has reliable information about such an act of  
29 harassment or bullying.  
30 b. A definition of harassment and bullying that is  
31 no less inclusive than the definition set forth in  
32 this section.  
33 c. A description of the type of behavior expected  
34 from school employees, volunteers, and students  
35 relative to prevention measures, reporting, and  
36 investigation of harassment or bullying.  
37 d. The consequences and appropriate remedial  
38 action for a person who violates the harassment and  
39 bullying policy.  
40 e. A procedure for reporting an act of harassment  
41 or bullying, including the identification by job title  
42 of the school official responsible for ensuring that  
43 the policy is implemented, and the identification of  
44 the person or persons to whom reports of harassment or  
45 bullying shall be submitted.  
46 f. A procedure for the prompt investigation of  
47 complaints, either identifying the school principal,  
48 or the principal's designee as the individual  
49 responsible for conducting the investigation,  
50 including a statement that investigators will consider

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1 the totality of circumstances presented in determining  
2 whether conduct objectively constitutes harassment or  
3 bullying under this section.  
4 g. A statement of the manner in which the policy

5 will be publicized.

6 4. PROGRAMS ENCOURAGED. The board of directors of  
7 a school district and the authorities in charge of  
8 each accredited nonpublic school are encouraged to  
9 establish programs designed to eliminate harassment  
10 and bullying in schools. To the extent that funds are  
11 available for these purposes, school districts and  
12 accredited nonpublic schools shall do the following:  
13 a. Provide training on harassment and bullying  
14 policies to school employees and volunteers who have  
15 significant contact with students.

16 b. Develop a process to provide school employees,  
17 volunteers, and students with the skills and knowledge  
18 to help reduce incidents of harassment and bullying.

19 5. IMMUNITY. A school employee, volunteer, or  
20 student, or a student's parent or guardian, who  
21 promptly, reasonably, and in good faith reports an  
22 incident of harassment or bullying, in compliance with  
23 the procedures in the policy adopted pursuant to this  
24 section, to the appropriate school official designated  
25 by the school district or accredited nonpublic school,  
26 shall be immune from civil or criminal liability  
27 relating to such report, as well as for participating  
28 in any administrative or judicial proceeding resulting  
29 from or relating to the report.

30 6. COLLECTION REQUIREMENT. The board of directors  
31 of a school district and the authorities in charge of  
32 each nonpublic school shall develop and maintain a  
33 system to collect harassment and bullying incidence  
34 data.

35 7. INTEGRATION OF POLICY AND REPORTING. The board  
36 of directors of a school district and the authorities  
37 in charge of each nonpublic school shall integrate its  
38 antiharassment and antibullying policy into the  
39 comprehensive school improvement plan required under  
40 section 256.7, subsection 21, and shall report data  
41 collected under subsection 6, as specified by the  
42 department to the local community.

43 8. EXISTING REMEDIES NOT AFFECTED. This section  
44 shall not be construed to preclude a victim from  
45 seeking administrative or legal remedies under any  
46 applicable provision of law."

47 2. Page 35, by inserting after line 14 the  
48 following:

49 "Sec. \_\_\_\_ STATE MANDATE FUNDING SPECIFIED. In  
50 accordance with section 25B.2, subsection 3, the state

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1 cost of requiring compliance with any state mandate  
2 included in the sections of this Act amending section  
3 280.12 and enacting section 280.28 shall be paid by a

4 school district from state school foundation aid  
5 received by the school district under section 257.16.  
6 This specification of the payment of the state cost  
7 shall be deemed to meet all the state funding-related  
8 requirements of section 25B.2, subsection 3, and no  
9 additional state funding shall be necessary for the  
10 full implementation of those sections of this Act by  
11 and enforcement of those sections of this Act against  
12 all affected school districts."  
13 3. By renumbering as necessary.

Chambers of O'Brien rose on a point of order that amendment [H-8181](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8181](#) not germane.

Whitaker of Van Buren offered the following amendment [H-8171](#), previously deferred, filed by Whitaker, et al., and moved its adoption:

[H-8171](#)

1 Amend [House File 2527](#) as follows:  
2 1. Page 2, line 9, by striking the figure  
3 "3,725,000" and inserting the following: "3,800,000".

Amendment [H-8171](#) lost.

#### SPECIAL PRESENTATION

Kaufmann of Cedar introduced to the House the Honorable Dan Boddicker, former state representative from Cedar County.

The House rose and expressed its welcome.

Frevert of Palo Alto offered the following amendment [H-8167](#), previously deferred, filed by her and moved its adoption:

[H-8167](#)

1 Amend [House File 2527](#) as follows:  
2 1. Page 2, by striking lines 21 through 33.  
3 2. By renumbering as necessary.

Amendment [H-8167](#) lost.

Gaskill of Wapello offered the following amendment [H-8174](#), previously deferred, filed by her and Whitaker of Van Buren and moved its adoption:

[H-8174](#)

- 1 Amend [House File 2527](#) as follows:
- 2 1. Page 4, line 17, by striking the figure
- 3 "534,676" and inserting the following: "554,676".
- 4 2. Page 4, by inserting after line 18 the
- 5 following:
- 6 "From the funds appropriated in this subsection,
- 7 \$20,000 shall be used for the American gothic house
- 8 visitor center in Wapello county."

Amendment [H-8174](#) lost.

Frevert of Palo Alto offered the following amendment [H-8166](#), previously deferred, filed by her and moved its adoption:

[H-8166](#)

- 1 Amend [House File 2527](#) as follows:
- 2 1. Page 6, line 2, by striking the figure
- 3 "4,779,655" and inserting the following: "5,149,655".

A non-record roll call was requested.

The ayes were 40, nays 49.

Amendment [H-8166](#) lost.

Bell of Jasper offered the following amendment [H-8152](#), previously deferred, filed by Bell, et al., and moved its adoption:

[H-8152](#)

- 1 Amend [House File 2527](#) as follows:
- 2 1. Page 7, line 6, by striking the figure
- 3 "1,420,694" and inserting the following: "1,620,694".
- 4 2. Page 7, line 9, by striking the figure
- 5 "1,698,432" and inserting the following: "2,913,432".
- 6 3. Page 7, line 12, by striking the figure
- 7 "1,376,558" and inserting the following: "1,426,558".

Amendment [H-8152](#) lost.

Mascher of Johnson offered amendment [H-8165](#), previously deferred, filed by her and requested division as follows:

[H-8165](#)

1 Amend [House File 2527](#) as follows:

[H-8165A](#)

2 1. Page 10, line 25, by striking the figure  
3 "400,000" and inserting the following: "600,000".

[H-8165B](#)

4 2. Page 29, by inserting after line 9 the  
5 following:  
6 "Sec.\_\_\_\_. Section 279.61, Code Supplement 2005,  
7 is amended by adding the following new subsection:  
8 NEW SUBSECTION. 3. The board of directors of each  
9 school district shall adopt a policy which requires  
10 that each attendance center identify the students who  
11 will most likely have difficulty meeting the  
12 attendance requirements of section 299.1A and hold at  
13 least one meeting with each student identified, the  
14 student's parent or guardian, and school personnel to  
15 develop options for the student which may include but  
16 are not limited to opportunities under the jobs for  
17 America's graduates program, regional or alternative  
18 high school programs, postsecondary enrollment options  
19 under chapter 261C, and district-to-community college  
20 sharing programs."  
21 3. Page 35, by inserting after line 14 the  
22 following:  
23 "Sec.\_\_\_\_. Section 299.1A, Code 2005, is amended  
24 to read as follows:  
25 299.1A COMPULSORY ATTENDANCE AGE.  
26 A child who has reached the age of six and is under  
27 ~~sixteen~~ eighteen years of age by September 15 is of  
28 compulsory attendance age. However, if a child  
29 enrolled in a school district or accredited nonpublic  
30 school reaches the age of ~~sixteen~~ eighteen on or after  
31 September 15, the child remains of compulsory age  
32 until the end of the regular school calendar."  
33 4. By renumbering as necessary.

Mascher of Johnson asked and received unanimous consent to withdraw amendment [H-8165B](#).

On motion by Mascher of Johnson, amendment [H-8165A](#) lost.

Chambers of O'Brien moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2527](#))

The ayes were, 53:

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

The nays were, 44:

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

Absent or not voting, 3:

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

#### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on March 15, 2006, passed the following bill in which the concurrence of the Senate was asked:

[House File 2177](#), a bill for an act requiring the county auditor to evidence approval of the name of a subdivision plat and requiring such statement for filing the subdivision plat with the county recorder.

Also: That the Senate has on March 15, 2006, passed the following bill in which the concurrence of the House is asked:

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

Also: That the Senate has on March 15, 2006, passed the following bill in which the concurrence of the House is asked:

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

MICHAEL E. MARSHALL, Secretary

### Appropriations Calendar

[House File 2743](#), a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund, was taken up for consideration.

The House stood at ease at 4:31 p.m., until the fall of the gavel.

The House resumed session at 5:38 p.m., Speaker Rants in the chair.

### QUORUM CALL

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

The House resumed consideration of [House File 2743](#).

Foege of Linn offered amendment [H-8265](#) filed by him as follows:

[H-8265](#)

1 Amend [House File 2743](#) as follows:

2 1. Page 1, by inserting before line 1 the  
3 following:

4 "DIVISION I"

5 2. Page 10, by inserting after line 16 the  
6 following:

7 "DIVISION II"

8 Sec.\_\_\_\_. Section 12.65, subsection 1, Code 2005,  
9 is amended to read as follows:

10 1. A healthy Iowans tobacco trust is created in  
11 the office of the treasurer of state. Moneys  
12 transferred to the healthy Iowans tobacco trust from  
13 the endowment for Iowa's health account of the tobacco  
14 settlement trust fund established in section 12E.12  
15 and appropriated or transferred from any other source  
16 shall be deposited in the healthy Iowans tobacco  
17 trust. Additionally, proceeds derived from payment of  
18 taxes pursuant to section 453A.6, subsection 1,  
19 paragraph "a", subparagraph (2); section 453A.6,  
20 subsection 1, paragraph "b", subparagraph (2); section  
21 453A.43, subsection 1, paragraph "b"; and section  
22 453A.43, subsection 2, paragraph "b", shall be  
23 credited to the healthy Iowans tobacco trust.

24 Sec.\_\_\_\_. Section 453A.6, subsection 1, Code 2005,  
25 is amended to read as follows:

26 1. There is imposed, and shall be collected and  
27 paid to the department, the following taxes on all  
28 cigarettes used or otherwise disposed of in this state  
29 for any purpose whatsoever:

30 a. CLASS A.

31 (1) On cigarettes weighing not more than three  
32 pounds per thousand, ~~eighteen mills one and~~  
33 eight-tenths cents on each such cigarette.

34 (2) In addition to the tax imposed in subparagraph  
35 (1), on cigarettes weighing not more than three pounds  
36 per thousand, three and two-tenths cents on each  
37 cigarette.

38 b. CLASS B.

39 (1) On cigarettes weighing more than three pounds  
40 per thousand, ~~eighteen mills one and eight-tenths~~  
41 cents on each such cigarette.

42 (2) In addition to the tax imposed in subparagraph  
43 (1), on cigarettes weighing more than three pounds per  
44 thousand, three and two-tenths cents on each  
45 cigarette.

46 Sec.\_\_\_\_. Section 453A.35, Code 2005, is amended  
47 to read as follows:

48 453A.35 TAX AND FEES PAID TO GENERAL FUND.

49 The proceeds derived from the sale of stamps and  
50 the payment of taxes, fees and penalties provided for

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1 under this chapter, and the permit fees received from  
2 all permits issued by the department, with the  
3 exception of the proceeds derived from payment of  
4 taxes pursuant to section 453A.6, subsection 1,  
5 paragraph "a", subparagraph (2); section 453A.6,  
6 subsection 1, paragraph "b", subparagraph (2); section  
7 453A.43, subsection 1, paragraph "b"; and section  
8 453A.43, subsection 2, paragraph "b", which shall be  
9 credited to the healthy Iowans tobacco trust created  
10 in section 12.65, shall be credited to the general  
11 fund of the state. All permit fees provided for in  
12 this chapter and collected by cities in the issuance  
13 of permits granted by the cities shall be paid to the  
14 treasurer of the city where the permit is effective,  
15 or to another city officer as designated by the  
16 council, and credited to the general fund of the city.  
17 Permit fees so collected by counties shall be paid to  
18 the county treasurer.

19 Sec. \_\_\_\_ Section 453A.40, subsection 1, Code  
20 2005, is amended to read as follows:

21 1. All of the following persons shall be subject  
22 to an inventory tax on the following items as provided  
23 in this section:

24 a. All persons required to be licensed obtain a  
25 permit under section 453A.13 as distributors or to be  
26 licensed under section 453A.44 as a distributor or  
27 subjobber, having in their possession and held for  
28 resale on the effective date of an increase in the tax  
29 rate cigarettes, or little cigars, or tobacco products  
30 upon which the tax under section 453A.6 or 453A.43 has  
31 been paid, unused cigarette tax stamps which have been  
32 paid for under section 453A.8, or unused metered  
33 imprints which have been paid for under section  
34 453A.12 shall be subject to an inventory tax on the  
35 items as provided in this section.

36 b. All consumers having for use or storage on the  
37 effective date of an increase in the tax rate, tobacco  
38 products upon which the tax under section 453A.43 has  
39 been paid.

40 c. All consumers subject to section 453A.46,  
41 subsection 6, who have acquired title to or possession  
42 of tobacco products for storage in this state, upon  
43 which tobacco products the tax imposed by section  
44 453A.43 has not been paid.

45 Sec. \_\_\_\_ Section 453A.43, subsections 1 and 2,  
46 Code 2005, are amended to read as follows:

47 1. a. A tax is imposed upon all tobacco products  
48 in this state and upon any person engaged in business  
49 as a distributor of tobacco products, at the rate of  
50 twenty-two percent of the wholesale sales price of the

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1 tobacco products, except little cigars as defined in  
2 section 453A.42.

3 b. In addition to the tax imposed under paragraph  
4 "a", a tax is imposed upon all tobacco products in  
5 this state and upon any person engaged in business as  
6 a distributor of tobacco products, at the rate of  
7 thirty-three percent of the wholesale sales price of  
8 the tobacco products, except little cigars as defined  
9 in section 453A.42.

10 c. Little cigars shall be subject to the same rate  
11 of tax imposed upon cigarettes in section 453A.6,  
12 payable at the time and in the manner provided in  
13 section 453A.6; and stamps shall be affixed as  
14 provided in division I of this chapter.

15 d. The ~~tax~~ taxes on tobacco products, excluding  
16 little cigars, shall be imposed at the time the  
17 distributor does any of the following:

18 a. (1) Brings, or causes to be brought, into this  
19 state from without the state tobacco products for  
20 sale.

21 b. (2) Makes, manufactures, or fabricates tobacco  
22 products in this state for sale in this state.

23 e. (3) Ships or transports tobacco products to  
24 retailers in this state, to be sold by those  
25 retailers.

26 2. a. A tax is imposed upon the use or storage by  
27 consumers of tobacco products in this state, and upon  
28 the consumers, at the rate of twenty-two percent of  
29 the cost of the tobacco products.

30 b. In addition to the tax imposed in paragraph  
31 "a", a tax is imposed upon the use or storage by  
32 consumers of tobacco products in this state, and upon  
33 the consumers, at a rate of thirty-three percent of  
34 the cost of the tobacco products.

35 c. The ~~tax~~ taxes imposed by this subsection shall  
36 not apply if the ~~tax~~ taxes imposed by subsection 1 on  
37 the tobacco products ~~has~~ have been paid.

38 d. ~~This tax~~ The taxes imposed under this  
39 subsection shall not apply to the use or storage of  
40 tobacco products in quantities of:

41 a. (1) Less than 25 cigars.

42 b. (2) Less than 10 oz. snuff or snuff powder.

43 e. (3) Less than 1 lb. smoking or chewing tobacco  
44 or other tobacco products not specifically mentioned  
45 herein, in the possession of any one consumer.

46 Sec. \_\_\_\_ EFFECTIVE DATE. The sections of this  
47 division of this Act amending section 12.65; section  
48 453A.6, subsection 1; section 453A.35; section  
49 453A.40, subsection 1; and section 453A.43,  
50 subsections 1 and 2, being deemed of immediate

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- 1 importance, take effect on the first day of the month
- 2 that begins following enactment of this Act."
- 3 3. By renumbering as necessary.

Raecker of Polk rose on a point of order that amendment [H-8265](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8265](#) not germane.

Heaton of Henry offered the following amendment [H-8262](#) filed by him and moved its adoption:

[H-8262](#)

- 1 Amend [House File 2743](#) as follows:
- 2 1. Page 1, by striking lines 15 and 16 and
- 3 inserting the following: "for the fiscal year
- 4 beginning July 1, 2006, and ending June 30, 2007,
- 5 pursuant to 2006 Iowa Acts, [House File 2734](#), if
- 6 enacted;"
- 7 2. Page 1, by striking lines 23 and 24 and
- 8 inserting the following: "beginning July 1, 2006, and
- 9 ending June 30, 2007, pursuant to 2006 Iowa Acts,
- 10 [House File 2734](#), if enacted; and for provision of".
- 11 3. Page 4, by inserting after line 3 the
- 12 following:
- 13 "(7) The department shall use the additional
- 14 \$2,000,000 in funds appropriated in this paragraph "c"
- 15 to fund existing substance abuse treatment programs."
- 16 4. Page 5, line 8, by striking the figure
- 17 "800,000" and inserting the following: "850,000".
- 18 5. Page 5, by inserting after line 30 the
- 19 following:
- 20 "(5) Of the funds appropriated in this paragraph
- 21 "h", \$50,000 shall be used to administer substance
- 22 abuse prevention program evaluations."
- 23 6. Page 6, line 5, by striking the figure
- 24 "3,772,999" and inserting the following: "3,782,999".
- 25 7. Page 6, line 12, by striking figure "396,217"
- 26 and inserting the following: "406,217".
- 27 8. Page 6, line 15, by striking the word
- 28 "corrections," and inserting the following:
- 29 "corrections and".
- 30 9. Page 6, by striking line 18 and inserting the
- 31 following: "program with \$50,000 of this amount being

32 used for".  
33 10. Page 7, line 12, by striking the words "drug  
34 courts" and inserting the following: "the drug court  
35 program".  
36 11. By renumbering as necessary.

Amendment [H-8262](#) was adopted.

Petersen of Polk offered the following amendment [H-8216](#) filed by Petersen, et al., and moved its adoption:

[H-8216](#)

1 Amend [House File 2743](#) as follows:  
2 1. Page 2, by striking lines 13 and 14, and  
3 inserting the following: "as provided in chapter  
4 142A, for tobacco use prevention and control efforts  
5 and enforcement at the state and local levels, and for  
6 not more than the following full-time".  
7 2. Page 2, line 30, by inserting after the word  
8 "commerce" the following: ", and of the funds  
9 appropriated in this paragraph "a", \$75,000 shall be  
10 used to provide grants to any city, county, or board  
11 of health that adopts an ordinance or rule regulating  
12 smoking, notwithstanding any provision of law to the  
13 contrary, for enforcement of the ordinance or rule".

A non-record roll call was requested.

The ayes were 44, nays 49.

Amendment [H-8216](#) lost.

Thomas of Clayton asked and received unanimous consent to withdraw amendments [H-8197](#) and [H-8200](#) filed by him on March 13, 2006.

Ford of Polk asked and received unanimous consent to withdraw amendment [H-8204](#) filed by him on March 13, 2006.

Heaton of Henry 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. 2743](#))

The ayes were, 95:

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

The nays were, none.

Absent or not voting, 5:

Berry	Dandekar	Taylor, D.	Tomenga
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 Files 2527 and 2743.**

**House File 2734**, a bill for an act relating to and making appropriations to the department of human services, the department of elder affairs, the Iowa department of public health, the department of veterans affairs and the Iowa veterans home, and the department

of inspections and appeals, providing for fee increases, and including other related provisions and appropriations, and providing effective dates, was taken up for consideration.

Hogg of Linn offered amendment [H-8170](#) filed by him as follows:

[H-8170](#)

1 Amend [House File 2734](#) as follows:

2 1. Page 1, line 18, by inserting after the word  
3 "handicapped," the following: "for the development  
4 and implementation of a comprehensive senior living  
5 program."

6 2. Page 1, line 23, by striking the figure  
7 "3,627,645" and inserting the following:  
8 "11,924,375".

9 3. Page 1, line 24, by striking the figure  
10 "30.50" and inserting the following: "33.50".

11 4. Page 2, by inserting after line 19 the  
12 following:  
13 " \_\_\_\_\_. Of the funds appropriated in this section,  
14 \$2,196,967 shall be used for case management for the  
15 frail elderly. Of the funds allocated in this  
16 subsection, \$1,010,000 shall be transferred to the  
17 department of human services in equal amounts on a  
18 quarterly basis for reimbursement of case management  
19 services provided under the medical assistance elderly  
20 waiver. The monthly cost per client for case  
21 management for the frail elderly services provided  
22 shall not exceed \$70. It is the intent of the general  
23 assembly that the additional funding provided for case  
24 management for the frail elderly for the fiscal year  
25 beginning July 1, 2006, and ending June 30, 2007,  
26 shall be used to provide case management services for  
27 an additional 1,650 individuals.

28 \_\_\_\_\_. The department of elder affairs shall  
29 distribute up to \$400,000 of the funds appropriated in  
30 this section in a manner that will supplement and  
31 maximize federal funds under the federal Older  
32 Americans Act and shall not use the amount distributed  
33 for any administrative purposes of either the  
34 department of elder affairs or the area agencies on  
35 aging."

36 5. Page 2, by inserting before line 20 the  
37 following:

38 "INSPECTIONS AND APPEALS

39 Sec. \_\_\_\_\_. DEPARTMENT OF INSPECTIONS AND APPEALS.

40 There is appropriated from the general fund of the  
41 state to the department of inspections and appeals for  
42 the fiscal year beginning July 1, 2006, and ending

43 June 30, 2007, the following amount, or so much  
 44 thereof as is necessary, to be used for the purpose  
 45 designated:  
 46 For the inspection and certification of assisted  
 47 living facilities and adult day care services,  
 48 including program administration and costs associated  
 49 with implementation, salaries, support, maintenance,  
 50 and miscellaneous purposes and for not more than the

Page 2

1 following full-time equivalent positions:  
 2 ..... \$ 758,474  
 3 ..... FTEs 5.00

4 IOWA FINANCE AUTHORITY

5 Sec.\_\_\_\_. IOWA FINANCE AUTHORITY. There is  
 6 appropriated from the general fund of the state to the  
 7 Iowa finance authority for the fiscal year beginning  
 8 July 1, 2006, and ending June 30, 2007, the following  
 9 amount, or so much thereof as is necessary, to be used  
 10 for the purpose designated:

11 To provide reimbursement for rent expenses to  
 12 eligible persons:  
 13 ..... \$ 700,000

14 Participation in the rent subsidy program shall be  
 15 limited to only those persons who meet the nursing  
 16 facility level of care for home and community-based  
 17 services waiver services as established on or after  
 18 July 1, 2006."

19 6. Page 15, line 16, by striking the figure  
 20 "708,671,610" and inserting the following:  
 21 "766,671,610".

22 7. Page 36, line 4, by striking the figure  
 23 "1,885.87" and inserting the following: "1,890.87".

24 8. By striking page 48, line 6, through page 50,  
 25 line 19.

26 9. Page 60, by inserting after line 13 the  
 27 following:

28 "Sec.\_\_\_\_. Section 453A.6, subsection 1, Code  
 29 2005, is amended to read as follows:

30 1. There is imposed, and shall be collected and  
 31 paid to the department, ~~the following taxes~~ on all  
 32 cigarettes used or otherwise disposed of in this state  
 33 for any purpose whatsoever:

34 ~~Class A. On cigarettes weighing not more than~~  
 35 ~~three pounds per thousand, eighteen mills on each such~~  
 36 ~~cigarette.~~

37 ~~Class B. On cigarettes weighing more than three~~  
 38 ~~pounds per thousand, eighteen mills a tax of five~~  
 39 ~~cents~~ on each such cigarette.

40 Sec.\_\_\_\_. Section 453A.40, subsection 1, Code  
 41 2005, is amended to read as follows:

42 1. All of the following persons shall be subject  
43 to an inventory tax on the following items as provided  
44 in this section:  
45 a. All persons required to be licensed obtain a  
46 permit under section 453A.13 as distributors or to be  
47 licensed under section 453A.44 as a distributor or  
48 subjobber, having in their possession and held for  
49 resale on the effective date of an increase in the tax  
50 rate cigarettes, ~~or~~ little cigars, or tobacco products

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1 upon which the tax under section 453A.6 or 453A.43 has  
2 been paid, unused cigarette tax stamps which have been  
3 paid for under section 453A.8, or unused metered  
4 imprints which have been paid for under section  
5 453A.12 ~~shall be subject to an inventory tax on the~~  
6 ~~items as provided in this section.~~

7 b. All consumers having for use or storage on the  
8 effective date of an increase in the tax rate, tobacco  
9 products upon which the tax under section 453A.43 has  
10 been paid.

11 c. All consumers subject to section 453A.46,  
12 subsection 6, who have acquired title to or possession  
13 of tobacco products for storage in this state, upon  
14 which tobacco products the tax imposed by section  
15 453A.43 has not been paid.

16 Sec. \_\_\_\_ Section 453A.43, subsection 1,  
17 unnumbered paragraph 1, Code 2005, is amended to read  
18 as follows:

19 A tax is imposed upon all tobacco products in this  
20 state and upon any person engaged in business as a  
21 distributor of tobacco products, at the rate of  
22 ~~twenty-two~~ fifty-five percent of the wholesale sales  
23 price of the tobacco products, except little cigars as  
24 defined in section 453A.42. Little cigars shall be  
25 subject to the same rate of tax imposed upon  
26 cigarettes in section 453A.6, payable at the time and  
27 in the manner provided in section 453A.6; and stamps  
28 shall be affixed as provided in division I of this  
29 chapter. The tax on tobacco products, excluding  
30 little cigars, shall be imposed at the time the  
31 distributor does any of the following:

32 Sec. \_\_\_\_ Section 453A.43, subsection 2,  
33 unnumbered paragraph 1, Code 2005, is amended to read  
34 as follows:

35 A tax is imposed upon the use or storage by  
36 consumers of tobacco products in this state, and upon  
37 the consumers, at the rate of ~~twenty-two~~ fifty-five  
38 percent of the cost of the tobacco products."

39 10. Page 60, by inserting after line 31 the  
40 following:

41 "Sec. \_\_\_\_ EFFECTIVE DATE. The sections of this  
42 division of this Act amending section 453A.6,  
43 subsection 1, section 453A.40, subsection 1, and  
44 section 453A.43, subsections 1 and 2, being deemed of  
45 immediate importance, take effect on the first day of  
46 the month that begins following enactment of this  
47 Act."  
48 11. By renumbering as necessary.

Raecker of Polk rose on a point of order that amendment [H-8170](#) was not germane.

The Speaker ruled the point well taken and amendment [H-8170](#) not germane.

Hogg of Linn asked for unanimous consent to suspend the rules to consider amendment [H-8170](#).

Objection was raised.

Heaton of Henry offered the following amendment [H-8268](#) filed by him as follows:

[H-8268](#)

1 Amend [House File 2734](#) as follows:  
2 1. Page 2, line 5, by inserting after the word  
3 "waiver." the following: "The department of human  
4 services shall adopt rules for case management  
5 services provided under the medical assistance elderly  
6 waiver in consultation with the department of elder  
7 affairs."  
8 2. Page 2, line 11, by inserting after the word  
9 "for" the following: "up to".  
10 3. Page 3, line 16, by striking the figure  
11 "1,866,264" and inserting the following: "2,341,264".  
12 4. Page 3, by inserting after line 27, the  
13 following:  
14 "Of the funds appropriated in this subsection,  
15 \$150,000 shall be used for the access to baby and  
16 child dentistry (ABCD) program to improve child dental  
17 care by reaching all Iowa counties with a demonstrated  
18 oral health program for children from birth through  
19 five years of age.  
20 Of the funds appropriated in this subsection,  
21 \$325,000 shall be used to address the healthy mental  
22 development of children from birth through five years  
23 of age through local evidence-based strategies that

24 engage both the public and private sectors in  
25 promoting healthy development, prevention, and  
26 treatment for children."  
27 5. Page 3, line 32, by striking the figure  
28 "1,442,840" and inserting the following: "1,792,840".  
29 6. Page 3, line 35, by striking the figure  
30 "100,000" and inserting the following: "280,000".  
31 7. Page 4, by inserting after line 2 the  
32 following:  
33 "Of the funds appropriated in this subsection,  
34 \$170,000 is allocated for the department to enter into  
35 a contract with the university of Iowa hospitals and  
36 clinics to implement and administer the prescription  
37 drug donation repository program authorized pursuant  
38 to chapter 135M."  
39 8. Page 4, line 7, by striking the figure  
40 "1,418,662" and inserting the following: "1,718,662".  
41 9. Page 4, by inserting after line 12 the  
42 following:  
43 "Of the funds appropriated in this subsection,  
44 \$300,000 is allocated for an initiative implemented at  
45 the university of Iowa to expand and improve the  
46 workforce engaged in mental health treatment and  
47 services. The initiative shall be guided by the  
48 collaborative efforts between the Iowa department of  
49 public health and the mental health, mental  
50 retardation, developmental disabilities, and brain

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1 injury commission to address the focus of the  
2 initiative and both the department and the commission  
3 shall receive regular updates concerning the status of  
4 the initiative."  
5 10. Page 4, by striking lines 23 through 30, and  
6 inserting the following:  
7 "The amount appropriated in this subsection  
8 includes an additional \$200,000 for childhood lead  
9 poisoning prevention activities. Of this amount,  
10 \$80,000 is allocated to implement blood lead testing  
11 pursuant to section 135.105D, if enacted by 2006 Iowa  
12 Acts, [House File 2724](#), \$50,000 is allocated for a  
13 pilot project to address lead poisoning prevention and  
14 remediation activities in a three-county program in  
15 north central Iowa with a combined population of at  
16 least 50,000, and \$70,000 is allocated for lead hazard  
17 remediation. The department shall select a local  
18 childhood lead poisoning program to receive the amount  
19 allocated for lead hazard remediation. The selection  
20 shall be based on the number of lead-poisoned children  
21 living in the service area of the local childhood lead  
22 poisoning prevention program, the capacity of the

23 program to work with housing agencies to administer  
 24 the lead hazard remediation program, and the lack of  
 25 other resources available for lead hazard remediation  
 26 in the service area of the program."

27 11. Page 5, line 11, by striking the figure  
 28 "109.80" and inserting the following: "112.80".

29 12. By striking page 7, line 33, through page 8,  
 30 line 6, and inserting the following:

31 "Of the funds appropriated in this subsection,  
 32 \$50,000 is allocated for outreach efforts utilizing  
 33 retired and senior volunteers in programs established  
 34 pursuant to chapter 15H. If possible, for the fiscal  
 35 year beginning July 1, 2006, and ending June 30, 2007,  
 36 the department shall contract with individuals  
 37 currently coordinating volunteers with existing  
 38 programs. The department shall be responsible for  
 39 ensuring individuals responsible for claims processing  
 40 receive adequate training."

41 13. Page 8, line 30, by striking the figure  
 42 "43,096,689" and inserting the following:  
 43 "40,858,316".

44 14. Page 8, line 35, by striking the figure  
 45 "13,545,163" and inserting the following:  
 46 "17,827,536".

47 15. Page 9, by striking lines 1 through 15.

48 16. Page 9, line 17, by striking the figure  
 49 "16,782,495" and inserting the following:  
 50 "17,557,495".

#### Page 3

1 17. Page 9, by inserting after line 17 the  
 2 following:  
 3 "Of the funds appropriated in this section,  
 4 \$775,000 is allocated for 12 new clinical consultant  
 5 positions in field operations."

6 18. Page 9, line 23, by striking the figure  
 7 "14,556,560" and inserting the following:  
 8 "15,756,560".

9 19. Page 11, by inserting after line 16 the  
 10 following:

11 "\_\_\_\_. For a contract to enhance and streamline  
 12 income maintenance processing to help manage growing  
 13 caseloads:

14 ..... \$ 150,000"

15 20. Page 14, line 2, by striking the figure  
 16 "42,749,885" and inserting the following:  
 17 "42,874,885".

18 21. Page 14, by inserting after line 14 the  
 19 following:

20 "\_\_\_\_. Of the funds appropriated in this section,  
 21 \$125,000 is allocated for provision of financial

22 education services to persons who are not participants  
23 in the family investment program. The department  
24 shall utilize a request for proposals process to  
25 contract for the financial education services."  
26 22. Page 14, by inserting after line 14 the  
27 following:  
28 "\_\_\_\_. Subject to the provisions of section 8.39,  
29 for the fiscal year beginning July 1, 2006, if  
30 necessary to meet federal maintenance of effort  
31 requirements or to transfer federal temporary  
32 assistance for needy families block grant funding to  
33 be used for purposes of the federal social services  
34 block grant or to meet cash flow needs resulting from  
35 delays in receiving federal funding or to implement,  
36 in accordance with this division of this Act,  
37 activities currently funded with juvenile court  
38 services, county, or community moneys and state moneys  
39 used in combination with such moneys, the department  
40 of human services may transfer funds within or between  
41 any of the appropriations made in this division of  
42 this Act and appropriations in law for the federal  
43 social services block grant to the department for the  
44 following purposes, provided that the combined amount  
45 of state and federal temporary assistance for needy  
46 families block grant funding for each appropriation  
47 remains the same before and after the transfer:  
48 a. For the family investment program.  
49 b. For child care assistance.  
50 c. For child and family services.

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1 d. For field operations.  
2 e. For general administration.  
3 \_\_\_\_\_. MH/MR/DD/BI community services (local  
4 purchase).  
5 This subsection shall not be construed to prohibit  
6 existing state transfer authority for other purposes."  
7 23. Page 15, line 16, by striking the figure  
8 "708,671,610" and inserting the following:  
9 "708,121,610".  
10 24. Page 17, line 11, by striking the word  
11 "available" and inserting the following:  
12 "appropriated".  
13 25. Page 18, by inserting after line 5 the  
14 following:  
15 "\_\_\_\_. Of the amount appropriated in this section,  
16 \$250,000 shall be used for a dollar-for-dollar  
17 matching grant to a nonprofit organization of medical  
18 providers established to provide direction in  
19 promoting a health care culture of continuous  
20 improvement in quality, patient safety, and value

21 through collaborative efforts by hospitals and  
 22 physicians.  
 23 \_\_\_\_\_. The department may amend the Medicaid state  
 24 plan to provide medical assistance reciprocity for  
 25 children who receive an adoption subsidy who are not  
 26 eligible for funding under Title IV-E of the federal  
 27 Social Security Act."

28 26. Page 22, by striking lines 5 through 9 and  
 29 inserting the following: "this division of this Act  
 30 to receive reports. Leadership for the study group  
 31 shall be provided by the division of criminal and  
 32 juvenile justice planning of the department of human  
 33 rights. The study group membership shall also include  
 34 but is not limited to two departmental service area  
 35 administrators or their designees, a representative of  
 36 the division of the commission on the status of women  
 37 of the department of human rights, a member of the  
 38 council on human services, a departmental division  
 39 administrator, two representatives of juvenile court  
 40 services, and two representatives of child welfare  
 41 service provider agencies. In addition, the study  
 42 group membership shall include four members of the  
 43 general assembly so that the majority and minority  
 44 parties of both chambers are represented. Legislative  
 45 members are eligible for reimbursement of actual  
 46 expenses paid under section 2.10."

47 27. Page 27, lines 19 and 20, by striking the  
 48 words and figures "on or after October 1, 2006." and  
 49 inserting the following: "as early as possible in the  
 50 fiscal year. The department may adopt emergency rules

Page 5

1 to implement the program."

2 28. Page 27, line 27, by inserting after the word  
 3 "courts." the following: "The amount allocated in  
 4 this subsection shall be distributed as follows:  
 5 a. To the judicial branch for salaries to assist  
 6 with the operation of juvenile drug court programs  
 7 operated in the following jurisdictions:

8 (1) Marshall county:	
9 .....	\$ 60,00
10 (2) Woodbury county:	
11 .....	\$ 120,254
12 (3) Polk county:	
13 .....	\$ 187,434
14 (4) For establishing a program in the eighth	
15 judicial district and in another judicial district:	
16 .....	\$ 130,000

17 b. For court-ordered services to support substance  
 18 abuse and related services provided to the juveniles  
 19 participating in the juvenile drug court programs

20 listed in paragraph "a":  
 21 ..... \$ 502,312  
 22 The state court administrator shall allocate the  
 23 funding designated in this paragraph among the  
 24 programs."  
 25 29. Page 27, by inserting after line 32 the  
 26 following:  
 27 "\_\_\_\_. During the fiscal year beginning July 1,  
 28 2006, the department shall continue funding one or  
 29 more child welfare diversion and mediation pilot  
 30 projects implemented pursuant to 2004 Iowa Acts,  
 31 chapter 1130, section 1. The department shall do all  
 32 of the following in continuing the pilot projects:  
 33 a. If an agency providing mediation services under  
 34 the pilot project has not demonstrated the ability to  
 35 deliver services throughout the entire fiscal year  
 36 within the funding allocated, the department shall not  
 37 renew the contract with the agency.  
 38 b. If a contract is not renewed as provided in  
 39 paragraph "a", the department shall select a  
 40 replacement provider agency with the experience and  
 41 capacity to provide mediation services in the county  
 42 or counties served by the provider agency whose  
 43 contract was not renewed. Whenever possible in  
 44 selecting a replacement provider agency, the  
 45 department shall select a provider agency whose  
 46 primary operations office is located within the  
 47 largest county served by the pilot project."  
 48 30. Page 29, by striking lines 17 and 18 and  
 49 inserting the following:  
 50 "5. For funding of the state match for the federal

Page 6

1 substance abuse and mental health services  
 2 administration (SAMSHA) system of care grant:  
 3 ..... \$ 67,60  
 4 If the federal grant is not approved on or before  
 5 January 1, 2007, the amount designated in this  
 6 subsection shall be allocated as provided in  
 7 subsection 6."  
 8 31. Page 31, line 21, by striking the figure  
 9 "746,333" and inserting the following: "1,071,074".  
 10 32. Page 31, line 22, by striking the figure  
 11 "96.84" and inserting the following: "102.84".  
 12 33. Page 31, by inserting after line 22 the  
 13 following:  
 14 "The department shall implement a new 20-bed  
 15 substance abuse treatment unit beginning October 1,  
 16 2006."  
 17 34. Page 36, line 4, by striking the figure  
 18 "1,885.87" and inserting the following: "1,897.87".

- 19 35. Page 36, line 6, by inserting after the word  
 20 "services." the following: "The full-time equivalent  
 21 positions authorized in this section include clinical  
 22 consultation positions relating to child protection  
 23 services."  
 24 36. Page 37, line 25, by inserting after the  
 25 words "adjust the" the following: "skilled nursing  
 26 facility market basket".  
 27 37. Page 37, line 33, by inserting after the  
 28 figure "162,315,695." the following: "The inflation  
 29 factor applied from the mid-point of the cost report  
 30 to the first day of the state fiscal year rate period  
 31 shall not be less than zero percent."  
 32 38. Page 38, line 33, by striking the figure  
 33 "2006" and inserting the following: "2007".  
 34 39. Page 41, line 35, by inserting after the  
 35 figure "2006," the following: "effective January 1,  
 36 2007,".  
 37 40. Page 42, by inserting after line 19 the  
 38 following:  
 39 "\_\_\_\_. The department shall adopt rules pursuant to  
 40 chapter 17A to provide reimbursement for covered  
 41 services provided by psychology interns and psychology  
 42 residents to recipients of medical assistance, subject  
 43 to limitations and exclusions the department finds  
 44 necessary on the basis of federal laws and  
 45 regulations."  
 46 41. Page 44, by inserting after line 26 the  
 47 following:  
 48 "Sec. \_\_\_\_\_. 2005 Iowa Acts, chapter 175, section 9,  
 49 is amended by adding the following new subsection:  
 50 NEW SUBSECTION. 15. Notwithstanding section 8.33,

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- 1 \$500,000 of the moneys appropriated in this section  
 2 that remain unencumbered or unobligated at the close  
 3 of the fiscal year shall not revert but shall remain  
 4 available for expenditure for the operational costs  
 5 associated with Part D of the federal Medicare  
 6 Prescription Drug, Improvement, and Modernization Act  
 7 of 2003, Pub. L. No. 108-173, until the close of the  
 8 succeeding fiscal year."  
 9 42. Page 46, by striking lines 9 through 15 and  
 10 inserting the following: "shall not revert but shall  
 11 remain available for expenditure for the purposes  
 12 designated until the close of the succeeding fiscal  
 13 year."  
 14 43. Page 46, by inserting after line 3 the  
 15 following:  
 16 "Sec. \_\_\_\_\_. 2005 Iowa Acts, chapter 175, section  
 17 22, subsection 1, is amended by adding the following

18 new unnumbered paragraph:  
19 NEW UNNUMBERED PARAGRAPH. Notwithstanding sections  
20 8.33 and 222.92, \$1,000,000 of the revenues available  
21 to the state resource center at Glenwood that remain  
22 unencumbered or unobligated at the close of the fiscal  
23 year shall not revert but shall remain available for  
24 expenditure for the purposes of the state resource  
25 center until the close of the succeeding fiscal year.  
26 Sec. \_\_\_\_\_. 2005 Iowa Acts, chapter 175, section 23,  
27 is amended by adding the following new subsection:  
28 NEW SUBSECTION. 3. Notwithstanding section 8.33,  
29 \$200,000 of the moneys appropriated in this section  
30 that remain unencumbered or unobligated at the close  
31 of the fiscal year shall not revert but shall remain  
32 available for expenditure for the purposes designated  
33 until the close of the succeeding fiscal year."  
34 44. Page 47, by inserting after line 21 the  
35 following:  
36 "\_\_\_\_\_. The provision amending 2005 Iowa Acts,  
37 chapter 175, section 9."  
38 45. Page 47, by inserting after line 31 the  
39 following:  
40 "\_\_\_\_\_. The provision amending 2005 Iowa Acts,  
41 chapter 175, section 22.  
42 \_\_\_\_\_. The provision amending 2005 Iowa Acts,  
43 chapter 175, section 23."  
44 46. Page 48, line 31, by inserting after the word  
45 "for" the following: "up to".  
46 47. By renumbering as necessary.

Heaton of Henry offered the following amendment [H-8282](#), to amendment [H-8268](#), filed by him from the floor and moved its adoption:

[H-8282](#)

1 Amend the amendment, [H-8268](#), to [House File 2734](#) as  
2 follows:  
3 1. Page 1, by striking lines 33 through 38 and  
4 inserting the following:  
5 "Of the funds appropriated in this subsection,  
6 \$170,000 shall be used to implement and administer the  
7 prescription drug donation repository program  
8 authorized pursuant to chapter 135M. The department  
9 shall issue a request for proposals to select a  
10 contractor to implement and administer the program."  
11 2. Page 1, by striking lines 47 and 48 and  
12 inserting the following: "services. The initiative  
13 shall receive input from the university of Iowa, the  
14 department of human services, the Iowa department of".  
15 3. Page 2, by striking line 2 and inserting the

16 following: "initiative. The department of human  
17 services, the Iowa department of public health, and  
18 the commission".

19 4. Page 2, by striking lines 7 through 17 and  
20 inserting the following:

21 "Of the amount appropriated in this subsection,  
22 \$100,000 is allocated for childhood lead poisoning  
23 prevention activities for counties not otherwise  
24 receiving funding under this subsection, \$80,000 is  
25 allocated to implement blood lead testing pursuant to  
26 section 135.105D, if enacted by 2006 Iowa Acts, House  
27 File 2724, \$50,000 is allocated to continue the pilot  
28 project to address lead poisoning prevention and  
29 remediation activities in a three-county program in  
30 north central Iowa with a combined population of at  
31 least 50,000, and \$120,000 is allocated for lead  
32 hazard remediation. The department shall select a  
33 local".

34 5. Page 2, by inserting after line 28 the  
35 following:

36 "\_\_\_ . Page 5, by inserting after line 14, the  
37 following:  
38 "The department shall post all county biological  
39 emergency response plans addressing pandemic influenza  
40 preparedness on the department's official internet  
41 website.""

42 6. Page 4, by striking line 3 and inserting the  
43 following:

44 "f. MH/MR/DD/BI community services (local  
45 purchase)."

46 7. Page 5, by inserting after line 47, the  
47 following:

48 "\_\_\_ . Page 28, line 5, by striking the figure  
49 "31,746,063" and inserting the following:  
50 "31,446,063"."

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1 8. Page 6, by inserting after line 16 the  
2 following:

3 "\_\_\_ . Page 31, line 31, by striking the figure  
4 "14,506,583" and inserting the following:  
5 "14,006,583".

6 \_\_\_ . Page 33, line 9, by striking the figure  
7 "10,786,619" and inserting the following:  
8 "10,586,619"."

9 9. Page 7, by inserting after line 8 the  
10 following:

11 "\_\_\_ . Page 45, line 22, by striking the figure  
12 "1,700,000" and inserting the following:  
13 "2,000,000"."

14 10. Page 7, by inserting after line 45 the

15 following:  
16 "\_\_\_, Page 60, by inserting after line 31 the  
17 following:  
18 "Sec. \_\_\_. VETERANS TRUST FUND – FEDERAL  
19 REPLACEMENT FUNDS. If funds are received from the  
20 United States department of veterans affairs for the  
21 establishment and operation of a veterans cemetery in  
22 this state, a portion of those funds, not to exceed  
23 \$500,000, is appropriated to and shall be deposited in  
24 the veterans trust fund established in section 35A.13,  
25 subject to the requirements of this section and  
26 consistent with any federal requirements associated  
27 with such funds. The portion deposited in the  
28 veterans trust fund shall be equal to moneys expended  
29 for the establishment and operation of a veterans  
30 cemetery from moneys appropriated for that purpose  
31 pursuant to 2004 Iowa Acts, chapter 1175, section 288,  
32 subsection 16.""  
33 11. By renumbering as necessary.

Amendment [H-8282](#) was adopted.

Smith of Marshall offered the following amendment [H-8275](#), to amendment [H-8268](#), filed by him from the floor and moved its adoption:

[H-8275](#)

1 Amend the amendment, [H-8268](#), to [House File 2734](#) as  
2 follows:  
3 1. Page 1, line 40, by striking the figure  
4 "1,718,662" and inserting the following: "1,898,662".  
5 2. Page 2, by inserting after line 4 the  
6 following:  
7 "Of the funds appropriated in this subsection,  
8 \$180,000 is allocated for the creation of two  
9 additional psychiatric residency slots at the  
10 university of Iowa college of medicine. In order to  
11 be eligible for the residency program funds, a  
12 resident shall agree to work in an Iowa mental health  
13 shortage area for five years upon completion of the  
14 program."

Amendment [H-8275](#) lost.

Mascher of Johnson offered the following amendment [H-8280](#), to amendment [H-8268](#), filed by her from the floor and moved its adoption:

H-8280

1 Amend the amendment, H-8268, to House File 2734 as  
2 follows:  
3 1. Page 4, line 9, by striking the figure  
4 "708,121,610" and inserting the following:  
5 "709,271,610".  
6 2. Page 4, by inserting after line 27 the  
7 following:  
8 "\_\_\_ Of the amount appropriated in this section,  
9 \$150,000 shall be used to provide adult periodontal  
10 services to medical assistance recipients."

Amendment H-8280 lost.

Hogg of Linn offered the following amendment H-8286, to amendment H-8268, filed by him from the floor and moved its adoption:

H-8286

1 Amend the amendment, H-8268, to House File 2734 as  
2 follows:  
3 1. Page 1, by inserting after line 1 the  
4 following:  
5 "\_\_\_ Page 1, line 23, by striking the figure  
6 "3,627,645" and inserting the following: "5,950,145".  
7 \_\_\_ Page 1, line 24, by striking the figure  
8 "30.50" and inserting the following: "31.50".  
9 \_\_\_ Page 1, line 34, by striking the figure  
10 "2,153,208" and inserting the following: "4,475,708".  
11 \_\_\_ Page 2, line 1, by striking the figure  
12 "750,000" and inserting the following: "3,000,000".  
13 2. Page 1, by inserting after line 7 the  
14 following:  
15 "\_\_\_ Page 2, line 7, by striking the figure "70"  
16 and inserting the following: "114"."  
17 3. Page 7, by inserting after line 43 the  
18 following:  
19 "\_\_\_ Page 48, line 27, by striking the figure  
20 "70" and inserting the following: "114"."  
21 4. By renumbering as necessary.

Roll call was requested by Hogg of Linn and Smith of Marshall.

On the question "Shall amendment H-8286 be adopted?" (H.F. 2734)

The ayes were, 44:

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

The nays were, 49:

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

Absent or not voting, 7:

Bukta	Carroll	Dandekar	Greiner
Horbach	Taylor, D.	Zirkelbach	

Amendment [H-8286](#) lost.

On motion by Heaton of Henry, amendment [H-8268](#), as amended, was adopted, placing out of order the following amendments:

Amendment [H-8169](#) filed by Mascher of Johnson on March 9, 2006.

Amendment [H-8194](#) filed by Smith of Marshall on March 13, 2006.

Amendment [H-8198](#) filed by Murphy of Dubuque on March 13, 2006.

Amendment [H-8202](#) filed by Mascher of Johnson on March 13, 2006.

Amendment [H-8222](#) filed by Mascher of Johnson on March 14, 2006.

Foege of Linn offered the following amendment [H-8177](#) filed by him and moved its adoption:

[H-8177](#)

- 1 Amend [House File 2734](#) as follows:
- 2 1. Page 2, line 32, by striking the figure
- 3 "1,761,036" and inserting the following: "5,761,036".

Amendment [H-8177](#) lost.

Foege of Linn asked and received unanimous consent to withdraw amendment [H-8243](#) filed by him on March 14, 2006.

Heaton of Henry offered the following amendment [H-8240](#) filed by Heaton, et al., and moved its adoption:

[H-8240](#)

- 1 Amend [House File 2734](#) as follows:
- 2 1. Page 8, by inserting after line 6 the
- 3 following:
- 4 "The department of veterans affairs shall report to
- 5 the senate state government committee and to the
- 6 veterans committee of the house of representatives by
- 7 October 15, 2006, regarding employment of the
- 8 additional field service officers authorized under
- 9 this subsection."

Amendment [H-8240](#) was adopted.

Mascher of Johnson offered the following amendment [H-8203](#) filed by her and moved its adoption:

[H-8203](#)

- 1 Amend [House File 2734](#) as follows:
- 2 1. Page 19, by inserting after line 34, the
- 3 following:
- 4 "The director of human services shall seek a waiver
- 5 from the centers for Medicare and Medicaid services of
- 6 the United States department of health and human
- 7 services to provide family coverage under the state
- 8 children's health insurance program created under

9 Title XXI of the federal Social Security Act. The  
 10 program shall provide for payment of premiums for  
 11 private insurance for families if the cost of coverage  
 12 for the entire family is less than the cost of  
 13 enrollment of only the children of the family in the  
 14 state children's health insurance program. The  
 15 employers' private insurance benefit packages and  
 16 contribution levels shall comply with all federal  
 17 requirements. The department shall report progress  
 18 regarding the request for a waiver under this section  
 19 to the general assembly on a periodic basis."

Roll call was requested by Mascher of Johnson and Raecker of Polk.

On the question "Shall amendment [H-8203](#) be adopted?" ([H.F. 2734](#))

The ayes were, 44:

Bell	Berry	Cohoon	Davitt
Fallon	Foege	Ford	Frevert
Gaskill	Heddens	Hogg	Hunter
Huser	Hutter	Jacoby	Jochum
Kressig	Kuhn	Lensing	Lykam
Maddox	Mascher	McCarthy	Mertz
Miller	Oldson	Olson, D.	Olson, R.
Petersen	Pettengill	Reasoner	Reichert
Schueller	Shomshor	Shoultz	Smith
Swaim	Taylor, T.	Thomas	Wendt
Wessel-Kroeschell	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	Jacobs	Jenkins	Jones
Kaufmann	Kurtenbach	Lalk	Lukan
May	Olson, S.	Paulsen	Quirk
Raecker	Rasmussen	Rayhons	Roberts
Sands	Schickel	Soderberg	Struyk
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wildurdyke	Mr. Speaker		
	Rants		

Absent or not voting, 6:

Bukta	Dandekar	Murphy	Taylor, D.
Whitaker	Zirkelbach		

Amendment [H-8203](#) lost.

Hogg of Linn offered the following amendment [H-8260](#) filed by him and moved its adoption:

[H-8260](#)

- 1 Amend [House File 2734](#) as follows:
- 2 1. Page 21, by inserting after line 17 the
- 3 following:
- 4 "Sec.\_\_\_\_. CHILD CARE AT NIGHT PILOT PROJECT.
- 5 There is appropriated from the general fund of the
- 6 state to the department of human services for the
- 7 fiscal year beginning July 1, 2006, and ending June
- 8 30, 2007, the following amount, or so much thereof as
- 9 is necessary, to be used for the purpose designated:
- 10 For implementation of a child care at night pilot
- 11 project in accordance with this section:
- 12 ..... \$ 300,000
- 13 1. The department shall utilize the state child
- 14 care advisory council created in section 237A.21 to
- 15 develop and review grant applications made by licensed
- 16 child care centers, identify request for proposals
- 17 requirements, make recommendations regarding selection
- 18 of grantees, and perform other functions relating to
- 19 the child care at night pilot project.
- 20 2. The pilot project shall subsidize the cost of
- 21 child care provided in a child care center licensed
- 22 under chapter 237A to children whose parents are
- 23 working during the hours of 5 p.m. to 8 a.m. by paying
- 24 a provider reimbursement supplement of \$3 per hour per
- 25 child for up to 2,000 hours per child per year. The
- 26 pilot project shall be implemented in three pilot
- 27 project locations. The pilot project is subject to
- 28 all of the following requirements:
- 29 a. One project shall be located in a large city
- 30 and shall provide support for up to 20 children on a
- 31 regular basis. The total amount of the provider
- 32 reimbursement supplement payable for this location in
- 33 a fiscal year shall be limited to \$120,000.
- 34 b. One project shall be located in a small city
- 35 and shall provide support for up to 10 children on a
- 36 regular basis. The total amount of the provider
- 37 reimbursement supplement payable for this location in
- 38 a fiscal year shall be limited to \$60,000.
- 39 c. One project shall be located in a rural area

40 and shall provide support for up to 10 children on a  
41 regular basis. The total amount of the provider  
42 reimbursement supplement payable for this location in  
43 a fiscal year shall be limited to \$60,000.

44 d. The department may adjust the amount of the  
45 provider reimbursement supplement or the maximum  
46 number of hours per child authorized to the extent  
47 necessary to remain within the funding limitation  
48 applicable to a pilot project location.

49 e. In addition to the provider reimbursement  
50 supplement, a grantee shall be reimbursed up to

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1 \$20,000 for facility and equipment improvements made  
2 to a pilot project location in connection with the  
3 pilot project.

4 f. A grantee must provide evaluation information  
5 identified by the advisory council and the department.

6 g. A portion of the children served by a pilot  
7 project location must be receiving support from the  
8 state child care assistance program under section  
9 237A.13. The portion shall be identified in the grant  
10 requirements.

11 3. The grant period shall begin on or before  
12 August 15, 2006.

13 4. The grantees participating in the pilot project  
14 shall provide an evaluation report to the state child  
15 care advisory council on or before August 31, 2007.  
16 The advisory council shall include the reports  
17 received and provide its own findings and  
18 recommendations in making a report concerning the  
19 pilot project to the governor and the general assembly  
20 on or before November 1, 2007. The evaluation report  
21 information to be provided by grantees shall be  
22 specified by the advisory council and shall include  
23 but is not limited to a description of the demand for  
24 services, identification of the cost of the services  
25 provided, the public safety benefits accruing from the  
26 pilot project, and customer issues with the pilot  
27 project."

28 2. By renumbering as necessary.

Amendment [H-8260](#) lost.

Smith of Marshall offered the following amendment [H-8256](#) filed  
by him and moved its adoption:

[H-8256](#)

- 1 Amend [House File 2734](#) as follows:
- 2 1. Page 22, line 31, by striking the figure
- 3 "80,715,373" and inserting the following:
- 4 "80,965,373".
- 5 2. Page 27, by inserting after line 32, the
- 6 following:
- 7 "\_\_\_\_. Of the funds appropriated in this section,
- 8 \$250,000 is allocated for education and outreach
- 9 programs for children and for parents and adults to
- 10 reduce the incidence of sexual abuse and exploitation
- 11 of children. The amount allocated in this subsection
- 12 shall be distributed in accordance with section
- 13 235A.1."
- 14 3. By renumbering as necessary.

Amendment [H-8256](#) lost.

Foegen of Linn asked and received unanimous consent to withdraw amendments [H-8199](#) and [H-8201](#) filed by him on March 13, 2006.

Carroll of Poweshiek offered amendment [H-8235](#) filed by Carroll, et al., as follows:

[H-8235](#)

- 1 Amend [House File 2734](#) as follows:
- 2 1. Page 56, by striking lines 25 through 28 and
- 3 inserting the following: "~~section 426B.5, subsection~~
- 4 ~~2~~ For deposit in the per capita expenditure target
- 5 pool created in the property tax relief fund and for
- 6 distribution in accordance with section 426B.5,
- 7 subsection 1:"
- 8 2. Page 57, line 10, by striking the figure
- 9 "23,925,724" and inserting the following:
- 10 "25,925,724".

Winckler of Scott asked and received unanimous consent to withdraw amendment [H-8287](#), to amendment [H-8235](#), filed by Winckler, Lykam of Scott, Whitehead of Woodbury, Jochum of Dubuque, Shultz of Black Hawk, T. Taylor of Linn, Lensing of Johnson, Wessel-Kroeschell of Story, Wendt of Woodbury, Berry of Black Hawk, Kressig of Black Hawk, Hogg of Linn, Jacoby of Johnson, R. Olson of Polk, Hunter of Polk and Mascher of Johnson, from the floor.

Carroll of Poweshiek offered the following amendment [H-8279](#), to amendment [H-8235](#), filed by him from the floor and moved its adoption:

[H-8279](#)

- 1 Amend the amendment, [H-8235](#), to [House File 2734](#) as
- 2 follows:
- 3 1. Page 1, by inserting after line 10 the
- 4 following:
- 5 "\_\_\_\_. Page 58, line 10, by inserting after the
- 6 word "percent." the following: "However, the amount
- 7 withheld shall be limited to the amount by which the
- 8 county's ending balance was in excess of the ending
- 9 balance percentage of 10 percent.""
- 10 2. By renumbering as necessary.

Amendment [H-8279](#) was adopted.

On motion by Carroll of Poweshiek, amendment [H-8235](#), as amended, was adopted.

Petersen of Polk offered amendment [H-8263](#) filed by her as follows:

[H-8263](#)

- 1 Amend [House File 2734](#) as follows:
- 2 1. Page 59, by inserting after line 27 the
- 3 following:
- 4 "Sec. \_\_\_\_\_. Section 249J.6, subsection 2, paragraph
- 5 a, Code Supplement 2005, is amended to read as
- 6 follows:
- 7 a. Beginning no later than March 1, 2006, within
- 8 ninety days of enrollment in the expansion population,
- 9 each expansion population member shall participate, in
- 10 conjunction with receiving a single comprehensive
- 11 medical examination and completing a personal health
- 12 improvement plan, in a health risk assessment
- 13 coordinated by a health consortium representing
- 14 providers, consumers, and medical education
- 15 institutions. An expansion population member who
- 16 enrolls in the expansion population prior to March 1,
- 17 2006, shall participate in the health risk assessment,
- 18 receive the single comprehensive medical examination,
- 19 and complete the personal health improvement plan by
- 20 June 1, 2006. The criteria for the health risk
- 21 assessment, the comprehensive medical examination, and
- 22 the personal health improvement plan shall be

23 developed and applied in a manner that takes into  
 24 consideration cultural variations that may exist  
 25 within the expansion population. The health risk  
 26 assessment shall utilize a gender-specific approach  
 27 that assesses health risk factors unique to men and  
 28 women. Specifically for women, in addition to health  
 29 risk factors identified for both men and women, the  
 30 health risk assessment shall include queries and  
 31 provide for necessary laboratory tests relating to  
 32 musculoskeletal health including but not limited to  
 33 osteoporosis, endocrine and hormonal health including  
 34 but not limited to thyroid health, and sexual and  
 35 reproductive health including but not limited to  
 36 fertility-related issues and sexually transmitted  
 37 diseases. In developing the queries unique to women,  
 38 a clinical advisory team shall be utilized that  
 39 includes women's health professionals including but  
 40 not limited to those with specialties in obstetrics  
 41 and gynecology, endocrinology, mental health,  
 42 behavioral health, oncology, cardiology, and  
 43 rheumatology. The health risk assessment shall also  
 44 provide queries relating to an individual's  
 45 environment, including but not limited to the presence  
 46 of domestic violence."  
 47 2. Page 60, by inserting after line 31 the  
 48 following:  
 49 "Sec. \_\_\_\_\_. EFFECTIVE DATE. The section of this  
 50 division of this Act amending section 249J.6, being

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1 deemed of immediate importance, takes effect upon  
 2 enactment."

Petersen of Polk offered the following amendment [H-8289](#), to  
 amendment [H-8263](#), filed by her and Carroll of Poweshiek from the  
 floor and moved its adoption:

[H-8289](#)

1 Amend the amendment, [H-8263](#), to [House File 2734](#) as  
 2 follows:  
 3 1. Page 1, by striking lines 26 through 46 and  
 4 inserting the following: "assessment shall utilize a  
 5 gender-specific approach. In developing the queries  
 6 unique to women, a clinical advisory team shall be  
 7 utilized that includes women's health professionals  
 8 including but not limited to those with specialties in  
 9 obstetrics and gynecology, endocrinology, mental  
 10 health, behavioral health, oncology, cardiology, and  
 11 rheumatology."

Amendment [H-8289](#) was adopted.

On motion by Petersen of Polk, amendment [H-8263](#), as amended, was adopted.

Carroll of Poweshiek asked and received unanimous consent to withdraw amendment [H-8267](#) filed by Upmeyer of Hancock on March 14, 2006.

Upmeyer of Hancock offered the following amendment [H-8266](#) filed by her and moved its adoption:

[H-8266](#)

- 1 Amend [House File 2734](#) as follows:
- 2 1. Page 60, by inserting after line 31, the
- 3 following:
- 4 "Sec.\_\_\_\_. SINGLE POINT OF ENTRY LONG-TERM LIVING
- 5 SYSTEM INTERIM STUDY COMMITTEE. The legislative
- 6 council is requested to establish an interim study
- 7 committee to make recommendations for establishing a
- 8 single point of entry to the long-term living system.
- 9 The membership of the interim study committee shall
- 10 include four members of the senate, three members of
- 11 the house of representatives, and not more than four
- 12 members of the public. The study committee shall
- 13 report its findings and recommendations, including
- 14 recommendations for coordinating state efforts to
- 15 provide access to informational and educational
- 16 resources to assist individuals in making informed
- 17 choices to address their long-term living needs and
- 18 recommendations for funding the single point of entry,
- 19 to the general assembly for consideration during the
- 20 2007 Legislative Session."
- 21 2. By renumbering as necessary.

Amendment [H-8266](#) was adopted.

Heaton of Henry 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. 2734](#))

The ayes were, 79:

Alons	Anderson	Arnold	Baudler
Bell	Berry	Boal	Bukta
Carroll	Chambers	Cohoon	Davitt
De Boef	Dix	Dolecheck	Drake
Eichhorn	Foege	Ford	Freeman
Gaskill	Gipp	Granzow	Greiner
Heaton	Hoffman	Horbach	Huseman
Hutter	Jacobs	Jacoby	Jenkins
Jones	Kaufmann	Kressig	Kurtenbach
Lalk	Lukan	Lykam	Maddox
May	McCarthy	Mertz	Miller
Olson, R.	Olson, S.	Paulsen	Pettengill
Quirk	Raecker	Rasmussen	Rayhons
Reasoner	Reichert	Roberts	Sands
Schickel	Schueller	Shomshor	Shoultz
Soderberg	Struyk	Swaim	Thomas
Tjepkes	Tomenga	Tymeson	Upmeyer
Van Engelenhoven	Van Fossen, J.K.	Van Fossen, J.R.	Watts
Wendt	Whitaker	Whitead	Wilderdyke
Winckler	Wise	Mr. Speaker	
		Rants	

The nays were, 17:

Fallon	Frevert	Heddens	Hogg
Hunter	Huser	Jochum	Kuhn
Lensing	Mascher	Murphy	Oldson
Olson, D.	Petersen	Smith	Taylor, T.
Wessel-Kroeschell			

Absent or not voting, 4:

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

#### SENATE MESSAGE CONSIDERED

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

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

## IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 2734](#) be immediately messaged to the Senate.

## REPORT OF THE CHIEF CLERK OF THE HOUSE

MR. SPEAKER: Pursuant to House Rule 42, I report that in engrossing bills the following corrections were made:

[House File 2543](#)

1. Page 12, line 26 – Deleted the word “or” which was struck in the bill. (“or” is not in Code)
2. Page 16, line 7 and 10 – Added an underscored period at the end of these lines.
3. Page 29, line 7 – Added an s to the word “follow”.
4. Page 39, line 33 – Added an underscored comma after the stricken semicolon.
5. Page 59, line 32 – Added an underscored comma after the stricken semicolon.
6. Page 60, line 17 – Deleted the strike through on the comma.
7. Page 61, line 1 and 2 – Added an underscored comma after the stricken semicolon on both lines.

MARGARET A. THOMSON  
Chief Clerk of the House

## 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\999  | “Mike” and Jim Cullen, Spencer – For celebrating their 50 <sup>th</sup> wedding anniversary. |
| 2006\1000 | Vyonne Backstrom Pieratt, Spencer – For celebrating her 90 <sup>th</sup> birthday.           |
| 2006\1001 | Everlyn Schuck, Spencer – For celebrating her 90 <sup>th</sup> birthday.                     |
| 2006\1002 | Margaret Zinn, Spencer – For celebrating her 80 <sup>th</sup> birthday.                      |
| 2006\1003 | Clarence Scharnberg, Iowa Lakes Area – For celebrating his 95 <sup>th</sup> birthday.        |

- 2006\1004 Fire Chief Wally Jorgenson, Spirit Lake – For his dedicated services as Fire Chief.
- 2006\1005 Mary Barloon, West Union – For celebrating her 90<sup>th</sup> birthday.
- 2006\1006 Newton and Belva Bauer, Hawkeye – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1007 Paul Alverado, Sioux City – For being named to the Iowa Community College 2005–2006 All–Iowa Academic Team.
- 2006\1008 Kelly Ruch, Sioux City – For being named to the Iowa Community College 2005–2006 All–Iowa Academic Team.
- 2006\1009 Lester and Margaret Zinn, Spencer – For celebrating their 61<sup>st</sup> wedding anniversary.
- 2006\1010 Mark, Dean, Roger and Rick Schroeder, Remsen – For being named 2005 Master Pork Producers by the Iowa Pork Producers Association.
- 2006\1011 Dana and Nicky Sleezer, Aurelia – For being named 2005 Master Pork Producers by the Iowa Pork Producers Association.
- 2006\1012 Marlyn and Shirley Grunder, Wilton – For celebrating their 50<sup>th</sup> wedding anniversary.
- 2006\1013 Kenneth and Mary Edith Jeffries, West Branch – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1014 Darlene Gade, Clarence – For celebrating her 80<sup>th</sup> birthday.
- 2006\1015 James Moore, Tipton – For celebrating his 85<sup>th</sup> birthday.
- 2006\1016 Ed Karrsen, Alton – For celebrating his 80<sup>th</sup> birthday.
- 2006\1017 Neva Marienau, Hawarden – For celebrating her 80<sup>th</sup> birthday.
- 2006\1018 Ruth Wilde, Le Mars – For celebrating her 80<sup>th</sup> birthday.
- 2006\1019 Gerald and Fannie Vande Brake, Orange City – For celebrating their 60<sup>th</sup> wedding anniversary.
- 2006\1020 Myrtle Braun, Le Mars – For celebrating her 100<sup>th</sup> birthday.
- 2006\1021 Rachel Engelhardt, Elkader – For celebrating her 80<sup>th</sup> birthday.
- 2006\1022 Marion B. Rhodes, Bettendorf – For celebrating her 85<sup>th</sup> birthday.

## SUBCOMMITTEE ASSIGNMENTS

[House File 2081](#)

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

[House File 2714](#)

Appropriations: Horbach, Chair; May and Reichert.

[Senate File 2208](#)

Local Government: Rasmussen, Chair; Arnold and Schueller.

[Senate File 2268](#)

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

[Senate File 2272](#)

Education: Kaufmann, Chair; Roberts and Wendt.

[Senate File 2276](#)

Commerce, Regulation and Labor: Tomenga, Chair; Freeman, Jacobs, Kressig, Petersen, Sand and Wise.

[Senate File 2299](#)

Commerce, Regulation and Labor: Soderberg, Chair; Kressig and Sands.

[Senate File 2364](#)

Commerce, Regulation and Labor: Hoffman, Chair; Horbach and Oldson.

[Senate File 2387](#)

Appropriations: Jacobs, Chair; Dandekar and Roberts.

## HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 766](#)

Ways and Means: Paulsen, Chair; Carroll, Kurtenbach, Shoultz and Winckler.

[House Study Bill 768](#)

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

[House Study Bill 769](#)

Ways and Means: Boal, Chair; Reasoner and Struyk.

[House Study Bill 770](#)

Ways and Means: Boal, Chair; Shomshor and J.K. Van Fossen.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

[H.S.B. 771](#) **Government Oversight**

Relating to the removal of social security numbers from documents filed with the county recorder.

COMMITTEE RECOMMENDATION

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

MARGARET A. THOMSON  
Chief Clerk of the House

COMMITTEE ON APPROPRIATIONS

[House File 2686](#), a bill for an act providing for technical and substantive changes relating to the Iowa communications network.

Fiscal Note is not required.

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

RESOLUTIONS FILED

[HR 143](#), by Kuhn, a resolution to recognize the sesquicentennial of the city of Osage, Iowa.

Laid over under **Rule 25**.

[HR 144](#), by Reasoner, a resolution congratulating the Matilda J. Gibson Memorial Library in Creston, Iowa, on its 75<sup>th</sup> anniversary.

Laid over under **Rule 25**.

AMENDMENTS FILED

[H-8269](#)      [H.F. 2706](#)      Kurtenbach of Story

<a href="#"><u>H-8271</u></a>	<a href="#"><u>H.F. 2661</u></a>	Lukan of Dubuque
<a href="#"><u>H-8274</u></a>	<a href="#"><u>H.F. 2687</u></a>	R. Olson of Polk
<a href="#"><u>H-8276</u></a>	<a href="#"><u>H.F. 2709</u></a>	Mascher of Johnson
<a href="#"><u>H-8277</u></a>	<a href="#"><u>H.F. 2621</u></a>	Mascher of Johnson
<a href="#"><u>H-8278</u></a>	<a href="#"><u>H.F. 2592</u></a>	Wilderdyke of Harrison
		Upmeyer of Hancock
		Smith of Marshall
<a href="#"><u>H-8281</u></a>	<a href="#"><u>H.F. 2708</u></a>	Freeman of Buena Vista
		Whitead of Woodbury
<a href="#"><u>H-8283</u></a>	<a href="#"><u>H.F. 2695</u></a>	Eichhorn of Hamilton
<a href="#"><u>H-8284</u></a>	<a href="#"><u>H.F. 2686</u></a>	Watts of Dallas
<a href="#"><u>H-8285</u></a>	<a href="#"><u>H.F. 2592</u></a>	Thomas of Clayton
<a href="#"><u>H-8288</u></a>	<a href="#"><u>H.F. 2654</u></a>	Tjepkes of Webster
<a href="#"><u>H-8290</u></a>	<a href="#"><u>H.F. 2621</u></a>	Kaufmann of Cedar
		Mascher of Johnson

On motion by Gipp of Winneshiek the House adjourned at 7:42 p.m., until 8:45 a.m., Thursday, March 16, 2006.