

PROOF

STATE OF IOWA

House Journal

MONDAY, MAY 16, 2005

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An official corrected copy is available for reference in the office of the Chief Clerk.
(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

One Hundred Twenty-seventh Calendar Day - Eighty-second Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, May 16, 2005

The House met pursuant to adjournment at 10:06 a.m., Speaker Rants in the chair.

Prayer was offered by the Honorable John Whitaker, state representative from Van Buren County.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Speaker Rants.

The Journal of Thursday, May 12, 2005 was approved.

RULE 57 SUSPENDED

Gipp of Winneshiek asked and received unanimous consent to suspend Rule 57, relating to committee notice and agenda, for a meeting of the committee on state government at 10:15 a.m.

On motion by Gipp of Winneshiek, the House was recessed at 10:09 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 1:24 p.m., Speaker Rants in the chair.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Arnold of Lucas and Raecker of Polk, until their arrival, on request of Gipp of Winneshiek; Maddox of Polk on request of Gipp of Winneshiek.

INTRODUCTION OF BILL

[**House File 883**](#), by committee on state government, a bill for an act to legalize actions taken and proceedings conducted by the state of

Iowa, Linn county, the city of Cedar Rapids, and three school districts including the Cedar Rapids community school district, the College community school district, and the Linn Mar community school district, which relate to erroneously established boundaries, and providing an effective date.

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

QUORUM CALL

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

PROOF OF PUBLICATION

[\(House Study Bill 305\)](#)

Published copy of [House Study Bill 305](#) and verified proof of publication of said bill in the Gazette, a daily newspaper printed and published in Linn, County, Iowa on May 5, 2005 was filed with the Chief Clerk of the House prior to the time said bill was placed on passage in the House.

COMMITTEE RECOMMENDATION

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

MARGARET A. THOMSON
Chief Clerk of the House

COMMITTEE ON STATE GOVERNMENT

Committee Bill (Formerly [House Study Bill 305](#)), to legalize actions taken and proceedings conducted by the state of Iowa, Linn county, the city of Cedar Rapids, and three school districts including the Cedar Rapids community school district, the College community school district, and the Linn Mar community school district, which relate to erroneously established boundaries, and providing an effective date.

Fiscal Note is not required.

Recommended **Do Pass** May 16, 2005.

Gipp of Winneshiek asked and received unanimous consent to suspend the rules for the immediate consideration of [House File 883](#).

Regular Calendar

[House File 883](#), a bill for an act to legalize actions taken and proceedings conducted by the state of Iowa, Linn county, the city of Cedar Rapids, and three school districts including the Cedar Rapids community school district, the College community school district, and the Linn Mar community school district, which relate to erroneously established boundaries, and providing an effective date. WHEREAS, the boundary between the Cedar Rapids community school district and the College community school district was changed in 1985 and the boundary between the Cedar Rapids community school district and the Linn Mar community school district was changed in 1998; and WHEREAS, the boundary changes were erroneously made by the office of city assessor of the city of Cedar Rapids as a result of the annexation of land in Linn county by the city of Cedar Rapids for inclusion within the territorial jurisdiction of the city; and WHEREAS, the state of Iowa, Linn county, the city of Cedar Rapids, and the three school districts have continuously operated as if the erroneous boundaries were correct, was taken up for consideration.

Elgin of Linn offered amendment [H-1700](#) filed by him from the floor as follows:

[H-1700](#)

- 1 Amend [House File 883](#) as follows:
- 2 1. Page 1, line 5, by striking the words "Linn
- 3 Mar" and inserting the following: "Linn-Mar".
- 4 2. Page 1, line 22, by striking the words "Linn
- 5 Mar" and inserting the following: "Linn-Mar".
- 6 3. Title page, line 5, by striking the words
- 7 "Linn Mar" and inserting the following: "Linn-Mar".
- 8 4. Title page, line 11, by striking the words
- 9 "Linn Mar" and inserting the following: "Linn-Mar".

Amendment [H-1700](#) was adopted.

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

On the question "Shall the bill pass?" ([H.F. 883](#))

The ayes were, 95:

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

The nays were, none.

Absent or not voting, 5:

Arnold	Fallon	Maddox	Raecker
Taylor, T.			

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

IMMEDIATE MESSAGE

Gipp of Winneshiek asked and received unanimous consent that [House File 883](#) be immediately messaged to the Senate.

Gipp of Winneshiek asked and received unanimous consent to suspend the rules for the immediate consideration of [Senate File 390](#).

Ways and Means Calendar

Senate File 390, a bill for an act relating to the generation and purchase of renewable energy including establishing a renewable energy tax credit program administered by the utilities division of the department of commerce and the department of revenue, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Dix of Butler offered amendment **H-1699** filed by him from the floor as follows:

H-1699

1 Amend **Senate File 390**, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 3, by inserting after line 6, the
4 following:
5 "Sec. ___. Section 476B.1, subsection 4, paragraph
6 c, Code 2005, is amended to read as follows:
7 c. Was originally placed in service on or after
8 July 1, ~~2004~~ 2005, but before July 1, ~~2007~~ 2008".
9 Sec. ___. Section 476B.3, Code 2005, is amended to
10 read as follows:
11 476B.3 CREDIT AMOUNT.
12 ~~1. Except as limited by subsection 2, the~~ The wind
13 energy production tax credit allowed under this
14 chapter equals the product of one cent multiplied by
15 the number of kilowatt-hours of qualified electricity
16 sold by the owner during the taxable year.
17 ~~2. a. The maximum amount of tax credit which a~~
18 ~~group of qualified facilities operating as one unit~~
19 ~~may receive for a taxable year equals the rate of~~
20 ~~credit times thirty two percent of the total number of~~
21 ~~kilowatts of nameplate generating capacity.~~
22 b. However, if for the previous taxable year the
23 amount of the tax credit for the group of qualified
24 facilities operating as one unit is less than the
25 maximum amount available as provided in paragraph "a",
26 the maximum amount for the next taxable year shall be
27 increased by the amount of the previous year's unused
28 maximum credit.
29 Sec. ___. Section 476B.4, subsection 1, paragraph
30 b, Code 2005, is amended by striking the paragraph.
31 Sec. ___. Section 476B.5, Code 2005, is amended by
32 striking the section and inserting in lieu thereof the
33 following:
34 476B.5 DETERMINATION OF ELIGIBILITY.

35 1. An owner may apply to the board for a written
36 determination regarding whether a facility is a
37 qualified facility by submitting to the board a
38 written application containing all of the following:
39 a. Information regarding the ownership of the
40 facility including the percentage of equity interest
41 held by each owner.
42 b. The nameplate generating capacity of the
43 facility.
44 c. Information regarding the facility's initial
45 placement in service.
46 d. Information regarding the type of facility.
47 e. A copy of an executed power purchase agreement
48 or other agreement to purchase electricity upon
49 completion of the project.
50 f. Any other information the board may require.

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1 2. The board shall review the application and
2 supporting information and shall make a preliminary
3 determination regarding whether the facility is a
4 qualified facility. The board shall notify the
5 applicant of the approval or denial of the application
6 within thirty days of receipt of the application and
7 information required. If the board fails to notify
8 the applicant of the approval or denial within thirty
9 days, the application shall be deemed denied. An
10 applicant who receives a determination denying an
11 application may file an appeal with the board within
12 thirty days from the date of the denial pursuant to
13 the provisions of chapter 17A. In the absence of a
14 timely appeal, the preliminary determination shall be
15 final. If the application is incomplete, the board
16 may grant an extension of time for the provision of
17 additional information.
18 3. A facility that is not operational within
19 eighteen months after issuance of an approval for the
20 facility by the board shall cease to be a qualified
21 facility. A facility that is granted and thereafter
22 loses approval may reapply to the board for a new
23 determination.
24 4. The maximum amount of nameplate generating
25 capacity of all qualified facilities the board may
26 find eligible under this chapter shall not exceed four
27 hundred fifty megawatts of nameplate generating
28 capacity.
29 5. An owner shall not be an owner of more than two
30 qualified facilities.
31 Sec. __. Section 476B.6, Code 2005, is amended by
32 striking the section and inserting in lieu thereof the
33 following:

34 476B.6 TAX CREDIT CERTIFICATE PROCEDURE.

35 1. a. To be eligible to receive the wind energy
36 production tax credit, the owner must first receive
37 approval of the board of supervisors of the county in
38 which the qualified facility is located. The
39 application for approval may be submitted prior to
40 commencement of the construction of the qualified
41 facility but shall be submitted no later than the
42 close of the owner's first taxable year for which the
43 credit is to be applied for. The application must
44 contain the owner's name and address, the address of
45 the qualified facility, and the dates of the owner's
46 first and last taxable years for which the credit will
47 be applied for. Within forty-five days of the receipt
48 of the application for approval, the board of
49 supervisors shall either approve or disapprove the
50 application. After the forty-five-day limit, the

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1 application is deemed to be approved.

2 b. Upon approval of the application, the owner may
3 apply for the tax credit as provided in subsection 2.
4 In addition, approval of the application is acceptance
5 by the applicant for the assessment of the qualified
6 facility for property tax purposes for a period of
7 twelve years and approval by the board of supervisors
8 for the payment of the property taxes levied on the
9 qualified property to the state. For purposes of
10 property taxation, the qualified facility shall be
11 centrally assessed and shall be exempt from any
12 replacement tax under section 437A.6 for the period
13 during which the facility is subject to property
14 taxation. The property taxes to be paid to the state
15 are those property taxes which make up the
16 consolidated tax levied on the qualified facility and
17 which are due and payable in the twelve-year period
18 beginning with the first fiscal year beginning on or
19 after the end of the owner's first taxable year for
20 which the credit is applied for. Upon approval of the
21 application, the board of supervisors shall notify the
22 county treasurer to state on the tax statement which
23 lists the taxes on the qualified facility that the
24 amount of the property taxes shall be paid to the
25 department. Payment of the designated property taxes
26 to the department shall be in the same manner as
27 required for the payment of regular property taxes and
28 failure to pay designated property taxes to the
29 department shall be treated the same as failure to pay
30 property taxes to the county treasurer.

31 c. Once the owner of the qualified facility
32 receives approval under paragraph "a", subsequent

33 approval under paragraph "a" is not required for the
34 same qualified facility for subsequent taxable years.
35 2. An owner of a qualified facility may apply to
36 the board for the wind energy production tax credit by
37 submitting to the board all of the following:
38 a. A completed application in a form prescribed by
39 the board.
40 b. A copy of the determination granting approval
41 of the facility as a qualified facility by the board.
42 c. A copy of a signed power purchase agreement or
43 other agreement to purchase electricity.
44 d. Sufficient documentation that the electricity
45 has been generated by the qualified facility and sold
46 to a purchaser.
47 e. Any other information the board deems
48 necessary.
49 3. The board shall notify the department of the
50 amount of kilowatt-hours generated and purchased from

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1 a qualified facility. The department shall calculate
2 the amount of the tax credit for which the applicant
3 is eligible and shall issue the tax credit certificate
4 for that amount or notify the applicant in writing of
5 its refusal to do so. An applicant whose application
6 is denied may file an appeal with the department
7 within sixty days from the date of the denial pursuant
8 to the provisions of chapter 17A.
9 4. Each tax credit certificate shall contain the
10 owner's name, address, and tax identification number,
11 the amount of tax credits, the first taxable year the
12 certificate may be used, the type of tax to which the
13 tax credits shall be applied, and any other
14 information required by the department. The tax
15 credit certificate shall only list one type of tax to
16 which the amount of the tax credit may be applied.
17 Once issued by the department, the tax credit
18 certificate shall not be terminated or rescinded.
19 5. If the tax credit application is filed by a
20 partnership, limited liability company, S corporation,
21 estate, trust, or other reporting entity all of the
22 income of which is taxed directly to its equity
23 holders or beneficiaries, for the taxes imposed under
24 chapter 422, division II or III, the tax credit
25 certificate shall be issued directly to equity holders
26 or beneficiaries of the applicant in proportion to
27 their pro rata share of the income of such entity.
28 The applicant shall, in the application made under
29 this section, identify its equity holders or
30 beneficiaries, and the percentage of such entity's
31 income that is allocable to each equity holder or

32 beneficiary. If the tax credit application is filed
33 by a partnership, limited liability company, S
34 corporation, estate, trust, or other reporting entity,
35 all of whose income is taxed directly to its equity
36 holders or beneficiaries for the taxes imposed under
37 chapter 422, division V, or under chapter 432, the tax
38 credit certificate shall be issued directly to the
39 partnership, limited liability company, S corporation,
40 estate, trust, or other reporting entity.

41 6. The department shall not issue a tax credit
42 certificate if the facility approved by the board as a
43 qualified facility is not operational within eighteen
44 months after the approval is issued.

45 7. Once a tax credit certificate is issued
46 pursuant to this section, the tax credit may only be
47 claimed against the type of tax reflected on the
48 certificate.

49 8. A tax credit certificate shall not be used or
50 attached to a return filed for a taxable year

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1 beginning prior to July 1, 2006.

2 Sec. __. Section 476B.7, unnumbered paragraph 1,
3 Code 2005, is amended to read as follows:

4 Wind energy production tax credit certificates
5 issued under this chapter may be transferred to any
6 person or entity. Within thirty days of transfer, the
7 transferee must submit the transferred tax credit
8 certificate to the ~~board~~ department along with a
9 statement containing the transferee's name, tax
10 identification number, and address, and the
11 denomination that each replacement tax credit
12 certificate is to carry and any other information
13 required by the department. Within thirty days of
14 receiving the transferred tax credit certificate and
15 the transferee's statement, the ~~board~~ department shall
16 issue one or more replacement tax credit certificates
17 to the transferee. Each replacement certificate must
18 contain the information required under section 476B.6
19 and must have the same effective taxable year and the
20 same expiration date that appeared in the transferred
21 tax credit certificate. Tax credit certificate
22 amounts of less than the minimum amount established by
23 rule of the board shall not be transferable. A tax
24 credit shall not be claimed by a transferee under this
25 chapter until a replacement tax credit certificate
26 identifying the transferee as the proper holder has
27 been issued.

28 Sec. __. Section 476B.8, Code 2005, is amended to
29 read as follows:

30 476B.8 USE OF TAX CREDIT CERTIFICATES.

31 To claim a wind energy production tax credit under
32 this chapter, a taxpayer must attach one or more tax
33 credit certificates to the taxpayer's tax return. A
34 tax credit certificate shall not be used or attached
35 to a return filed for a taxable year beginning prior
36 to July 1, ~~2005~~ 2006. The tax credit certificate or
37 certificates attached to the taxpayer's tax return
38 shall be issued in the taxpayer's name, expire on or
39 after the last day of the taxable year for which the
40 taxpayer is claiming the tax credit, and show a tax
41 credit amount equal to or greater than the tax credit
42 claimed on the taxpayer's tax return. Any tax credit
43 in excess of the taxpayer's tax liability for the
44 taxable year may be credited to the taxpayer's tax
45 liability for the following seven taxable years or
46 until depleted, whichever is the earlier.
47 Sec. __. Section 476B.9, Code 2005, is amended to
48 read as follows:
49 476B.9 REGISTRATION OF TAX CREDIT CERTIFICATES.
50 The ~~board shall, in conjunction with the~~

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1 department; shall develop a system for the
2 registration of the wind energy production tax credit
3 certificates issued or transferred under this chapter
4 and a system that permits verification that any tax
5 credit claimed on a tax return is valid and that
6 transfers of the tax credit certificates are made in
7 accordance with the requirements of this chapter. The
8 tax credit certificates issued under this chapter
9 shall not be classified as a security pursuant to
10 chapter 502.
11 Sec. __. NEW SECTION. 476B.10 RULES.
12 The department and the board may adopt rules
13 pursuant to chapter 17A for the administration and
14 enforcement of this chapter."
15 2. Title page, by striking lines 2 through 4, and
16 inserting the following: "energy, including by
17 providing tax credits associated with renewable
18 energy, and".
19 3. By renumbering as necessary.

Smith of Marshall rose on a point of order that amendment [H-1699](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1699](#) not germane.

Frevert of Palo Alto asked and received unanimous consent to withdraw amendment [H-1546](#) filed by her on April 27, 2005.

Jenkins of Black Hawk offered the following amendment [H-1698](#) filed by him and Watts of Dallas from the floor and moved its adoption:

[H-1698](#)

- 1 Amend [Senate File 390](#), as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 5, line 30, by striking the words "one
- 4 and one-half cents" and inserting the following: "one
- 5 cent".
- 6 2. Page 9, line 34, by striking the word "ten-
- 7 year" and inserting the following: "five-year".
- 8 3. Page 10, line 1, by striking the word "ten-
- 9 year" and inserting the following: "five-year".

Amendment [H-1698](#) lost.

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

On the question "Shall the bill pass?" ([S.F. 390](#))

The ayes were, 79:

Anderson	Baudler	Bell	Berry
Bukta	Carroll	Chambers	Cohoon
Dandekar	Davitt	Dix	Dolecheck
Drake	Eichhorn	Elgin	Foege
Ford	Freeman	Frevert	Gaskill
Gipp	Granzow	Greiner	Heaton
Heddens	Hoffman	Hogg	Huseman
Jacoby	Jochum	Kaufmann	Kressig
Kuhn	Kurtenbach	Lalk	Lensing
Lukan	Lykam	Mascher	May
McCarthy	Mertz	Miller	Murphy
Oldson	Olson, D.	Olson, R.	Olson, S.
Paulsen	Petersen	Pettengill	Quirk
Raecker	Rasmussen	Rayhons	Reasoner
Reichert	Roberts	Sands	Schickel
Schueller	Shomshor	Shoultz	Smith
Soderberg	Swaim	Thomas	Tjepkes
Tymeson	Upmeyer	Van Fossen, J.K.	Wendt
Wessel-Kroeschell	Whitaker	Whitead	Winckler
Wise	Zirkelbach	Mr. Speaker	

Rants

The nays were, 16:

Alons	Boal	De Boef	Hunter
Huser	Hutter	Jacobs	Jenkins
Jones	Struyk	Taylor, D.	Tomenga
Van Engelenhoven	Van Fossen, J.R.	Watts	Wilderdyke

Absent or not voting, 5:

Arnold	Fallon	Horbach	Maddox
Taylor, T.			

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

On motion by Gipp of Winneshiek, the House was recessed at 2:37 p.m., until 5:30 p.m.

EVENING SESSION

The House reconvened at 5:30 p.m., Speaker Rants in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker: I am directed to inform your honorable body that the Senate has on May 16, 2005, concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

[House File 761](#), a bill for an act relating to children's programs by collocating early childhood programs available through the community empowerment initiative and requiring the department of human services to develop and implement a voluntary child care quality rating system.

Also: That the Senate has on May 16, 2005, insisted on the Senate amendment to [House File 816](#), 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 providing an effective date, and the members of the conference committee, on the part of the Senate are: the senator from Linn, Senator Horn, Co-chair; the senator from Shelby, Senator Boettger, Co-chair; the senator from Pottawattamie, Senator Gronstal; the senator from Wright, Senator Iverson; the senator from Palo Alto, Senator Kibbie; and the senator from Polk, Senator Lamberti.

MICHAEL E. MARSHALL, Secretary

CONFERENCE COMMITTEE APPOINTED
([House File 816](#))

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning [House File 816](#): Chambers of O'Brien, Chair; Tymeson of Madison, Dix of Butler, Mascher of Johnson and Oldson of Polk.

The House stood at ease at 5:30 p.m., until the fall of the gavel.

The House resumed session at 6:36 p.m., Speaker Rants in the chair.

MOTION TO RECONSIDER
([Senate File 390](#))

I move to reconsider the vote by which [Senate File 390](#) passed the House on May 16, 2005.

GIPP of Winneshiek

EXPLANATIONS OF VOTE

I was necessarily absent from the House chamber on May 16, 2005. Had I been present, I would have voted "aye" on [House File 883](#) and [Senate File 390](#).

ARNOLD of Lucas

I was necessarily absent from the House chamber on May 16, 2005. Had I been present, I would have voted "aye" on [House File 883](#).

RAECKER of Polk

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on May 12, 2005, he approved and transmitted to the Secretary of State the following bills:

[House File 589](#), an Act relating to the property taxation of nursing facilities and including effective and applicability date provisions.

[House File 610](#), an Act relating to the transmission of electronic mail including the transmission of unsolicited bulk electronic mail, and the sale or offer for direct sale of prescription drugs and the sale of adulterated or misbranded drugs through the use of electronic mail or the internet, and providing for penalties.

[House File 753](#), an Act requiring certain safety-related information concerning a child to be provided to a parent, guardian, or foster parent or other custodian of a child.

[House File 774](#), an Act relating to the petition and vote requirements for increasing or reducing board of supervisors membership in certain counties.

[House File 786](#), an Act relating to the operating or providing of another business or activity in a health care facility.

[House File 801](#), an Act providing a deduction in computing the individual income tax for certain unreimbursed expenses relating to a human organ transplant and including a retroactive applicability date.

[House File 836](#), an Act relating to cemeteries and cemetery regulation, providing administration and enforcement procedures, establishing requirements for interment rights agreements and reporting, establishing and appropriating fees, and providing penalties.

[House File 837](#), an Act relating to state government financial matters concerning charter agencies, the state appeal board, and reinvention initiatives of the department of management, and making appropriations.

[House File 841](#), an Act relating to health care reform, including provisions relating to the medical assistance program, providing appropriations, providing effective dates, and providing for retroactive applicability.

[House File 857](#), an Act relating to eligible housing businesses under the enterprise zone program.

[House File 870](#), an Act relating to the applicability of motor vehicle financial responsibility provisions to special mobile equipment and providing an effective date.

[Senate File 272](#), an Act relating to the council with which the director of human services consults regarding the medical assistance program.

[Senate File 343](#), an Act relating to governmental services involving audit reports, child abuse reporting and registry requirements, and the family investment program.

COMMUNICATION RECEIVED

The following communication was received and filed in the office of the Chief Clerk:

IOWA TELECOMMUNICATIONS AND NETWORK COMMISSION

Fiscal Year 2004 Annual Report, pursuant to Chapter 8D.10, Code of Iowa.
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

- 2005\1538 Jean Basinger, Des Moines – For receiving the YWCA Women of Achievement Award.
- 2005\1539 Dayle Ellis, Whiting – For celebrating her 82nd birthday.
- 2005\1540 Verna Welte, Sioux City – For receiving the Briar Cliff Presidential Distinguished Leadership Award.
- 2005\1541 Wilbert Nelson, Sioux City – For celebrating his 80th birthday.
- 2005\1542 Harold “Buggs” Hurni, Sioux City – For celebrating his 80th birthday.
- 2005\1543 Bonnie Montange, Sioux City – For celebrating her 90th birthday.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

[House Study Bill 305](#)

State Government: Elgin, Chair; Paulsen and T. Taylor.

Gipp of Winneshiek moved to adjourn at 6:36 p.m., until 8:45 a.m., Thursday, May 19, 2005.

Murphy of Dubuque moved to amend the motion to adjourn to Tuesday, May 17, 2005.

Roll call was requested by Murphy of Dubuque and Smith of Marshall.

On the question "Shall the amended motion to adjourn prevail?"

The ayes were, 49:

Bell	Berry	Bukta	Cphoon
Dandekar	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, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Zirkelbach			

The nays were, 50:

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

Absent or not voting, 1:

Maddox

The motion failed.

Gipp of Winneshiek moved that the House adjourn until Thursday, May 19, 2005 at 8:45 a.m.

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

On the question "Shall the motion to adjourn prevail?"

The ayes were, 50:

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

The nays were, 49:

Bell	Berry	Bukta	Cohoon
Dandekar	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, D.
Taylor, T.	Thomas	Wendt	Wessel-Kroeschell
Whitaker	Whitead	Winckler	Wise
Zirkelbach			

Absent or not voting, 1:

Maddox

The motion prevailed and the House adjourned at 7:19 p.m., until Thursday, May 19, 2005 at 8:45 a.m.