

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MARCH 14, 2005

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JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 14, 2005

The Senate met in regular session at 1:10 p.m., President Kibbie presiding.

Prayer was offered by the Reverend Doug Peters, pastor of the Walnut Hills United Methodist Church in Urbandale, Iowa. He was the guest of Senator Zaun.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kimberly Wilson.

The Journal of Thursday, March 10, 2005, was approved.

The Senate stood at ease at 1:29 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:24 p.m., President Kibbie presiding.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House File 281](#).

[House File 281](#)

On motion of Senator McKibben, [House File 281](#), a bill for an act relating to certain penalties for filing false affidavits and the time for examining and determining a correct return under the state inheritance tax and increasing the amount of property that may be

transferred to minors under certain conditions and including a retroactive applicability date provision, with report of committee recommending passage, was taken up for consideration.

Senator McKibben moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 281](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

WITHDRAWN

Senator McKibben asked and received unanimous consent that [Senate File 175](#) be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 200](#).

Senate File 200

On motion of Senator Putney, **Senate File 200**, a bill for an act relating to the administration of the department of agriculture and land stewardship, by providing for its powers and duties, was taken up for consideration.

Senator Putney moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (**S.F. 200**), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 200** and **House File 281** be **immediately messaged** to the House.

**CONSIDERATION OF BILLS
(Regular Calendar)**

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 201, 210, and 246.

Senate File 201

On motion of Senator Fraise, **Senate File 201**, a bill for an act providing for veterinary emergency preparedness and response by the department of agriculture and land stewardship, was taken up for consideration.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (**S.F. 201**), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

Senate File 210

On motion of Senator Kreiman, **Senate File 210**, a bill for an act relating to specified requirements applicable to a real estate broker or

attorney providing services in connection with a real estate auction, was taken up for consideration.

Senator Kreiman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 210](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

Senate File 246

On motion of Senator McKibben, [Senate File 246](#), a bill for an act prohibiting a donation or contribution to an agency, organization, or political subdivision of the state in a criminal proceeding, was taken up for consideration.

Senator McKibben moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 246](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Larson	Seymour
Beall	Gaskill	Lundby	Shull
Behn	Gronstal	McCoy	Stewart
Black	Hahn	McKibben	Tinsman
Boettger	Hancock	McKinley	Ward
Bolkcom	Hatch	Miller	Warnstadt
Brunkhorst	Horn	Mulder	Wieck
Connolly	Houser	Putney	Wood
Courtney	Iverson	Quirnbach	Zaun
Danielson	Johnson	Ragan	Zieman
Dearden	Kettering	Rielly	
Dotzler	Kibbie	Schoenjahn	
Dvorsky	Lamberti	Seng	

Nays, 1:

Kreiman

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 201, 210, and 246** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 260 and 265.

[Senate File 260](#)

On motion of Senator Rielly, [Senate File 260](#), a bill for an act relating to debt collection disclosure requirements for certain financial institution affiliates, was taken up for consideration.

Senator Rielly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 260](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

Senate File 265

On motion of Senator Stewart, [Senate File 265](#), a bill for an act relating to delinquent property taxes and other duties of the county treasurer and including effective date and applicability date provisions, was taken up for consideration.

Senator Stewart offered amendment [S-3012](#), filed by him on March 8, 2005, to page 19 of the bill, and moved its adoption.

Amendment [S-3012](#) was adopted by a voice vote.

Senator Stewart moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 265](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour

Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 260 and 265 be immediately messaged** to the House.

The Senate stood at ease at 3:00 p.m. until the fall of the gavel.

The Senate resumed session at 3:38 p.m., President Kibbie presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 14, 2005, **passed** the following bill in which the concurrence of the House was asked:

Senate File 139, a bill for an act relating to negotiable instruments, by providing for liabilities among certain parties, and providing a statute of limitations.

ALSO: That the House has on March 14, 2005, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 370](#), a bill for an act allowing the Iowa finance authority to issue qualified residential rental project bonds under the private activity bond allocation Act.

Read first time and referred to committee on **Commerce**.

[House File 399](#), a bill for an act relating to the disposal of solid waste by planning areas and related solid waste management plans and reports.

Read first time and referred to committee on **Natural Resources and Environment**.

[House File 423](#), a bill for an act relating to participation in secondary school interscholastic sports at the varsity and inferior levels.

Read first time and referred to committee on **Education**.

[House File 438](#), a bill for an act relating to assessments associated with soil and water conservation districts, by providing for the deposit of moneys in a fund established by a district's commissioners.

Read first time and referred to committee on **Agriculture**.

[House File 469](#), a bill for an act increasing the membership of the real estate commission.

Read first time and referred to committee on **State Government**.

[House File 476](#), a bill for an act regulating the sale of ammonium nitrate by fertilizer dealers, and providing penalties.

Read first time and referred to committee on **Agriculture**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 275, 268, and 280.

Senate File 275

On motion of Senator Ragan, [Senate File 275](#), a bill for an act requiring the department of agriculture and land stewardship to revise certain application requirements applicable to the women, infants, and children Iowa farmers market nutrition program and the senior farmers market nutrition program and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 275](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

Senate File 268

On motion of Senator Kreiman, [Senate File 268](#), a bill for an act authorizing a county attorney to represent township trustees in certain circumstances, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 268](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

[Senate File 280](#)

On motion of Senator Quirnbach, [Senate File 280](#), a bill for an act relating to vital statistics, by allowing the county registrar to certify copies of records on the county registrar's intranet website, was taken up for consideration.

Senator Quirnbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 280](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Larson	Shull
Behn	Gronstal	Lundby	Stewart

Black	Hahn	McKibben	Tinsman
Boettger	Hancock	McKinley	Ward
Bolkcom	Hatch	Miller	Warnstadt
Brunkhorst	Horn	Mulder	Wieck
Connolly	Houser	Putney	Wood
Courtney	Iverson	Quirnbach	Zaun
Danielson	Johnson	Ragan	Zieman
Dearden	Kettering	Rielly	
Dotzler	Kibbie	Schoenjahn	
Dvorsky	Kreiman	Seng	

Nays, 1:

McCoy

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 268, 275, and 280** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 282, 302, and 304.

Senate File 282

On motion of Senator Quirnbach, **Senate File 282**, a bill for an act providing for the establishment of a committee to examine alternatives and develop an implementation plan regarding adoption of an integrated state fire code, was taken up for consideration.

Senator Quirnbach offered amendment **S-3017**, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment **S-3017** was adopted by a voice vote.

Senator Quirmbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 282](#)), the vote was:

Yeas, 45:

Angelo	Fraise	Lundby	Seymour
Beall	Gaskill	McCoy	Shull
Behn	Gronstal	McKibben	Stewart
Black	Hancock	McKinley	Tinsman
Boettger	Hatch	Miller	Ward
Bolkcom	Horn	Mulder	Warnstadt
Brunkhorst	Houser	Putney	Wieck
Connolly	Iverson	Quirmbach	Wood
Courtney	Johnson	Ragan	Zaun
Danielson	Kibbie	Rielly	
Dearden	Lamberti	Schoenjahn	
Dotzler	Larson	Seng	

Nays, 5:

Dvorsky	Kettering	Zieman
Hahn	Kreiman	

Absent, none.

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

[Senate File 302](#)

On motion of Senator Dearden, [Senate File 302](#), a bill for an act relating to the annual registration fee for certain motor vehicles equipped for persons with disabilities or used by persons with wheelchairs, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 302](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

Senate File 304

On motion of Senator Boettger, [Senate File 304](#), a bill for an act relating to the provisions of the elder Iowans Act, was taken up for consideration.

Senator Boettger moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 304](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman

Dotzler
Dvorsky

Kibbie
Kreiman

Rielly
Schoenjahn

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 282, 302, and 304** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 313, 321, and 324.

[Senate File 313](#)

On motion of Senator Warnstadt, [Senate File 313](#), a bill for an act relating to traffic citations issued for railroad crossing violations, was taken up for consideration.

Senator Quirnbach asked and received unanimous consent that action on [Senate File 313](#) be **deferred**.

[Senate File 321](#)

On motion of Senator Ward, [Senate File 321](#), a bill for an act relating to the use of moneys deposited into the inmate labor fund, was taken up for consideration.

Senator Ward moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 321](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

Senate File 324

On motion of Senator Beall, [Senate File 324](#), a bill for an act relating to equipment dealerships, by providing for the sale or transfer of a dealership and providing for the Act's applicability, was taken up for consideration.

Senator Beall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 324](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun

Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 321 and 324** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 330 and 331.

[Senate File 330](#)

On motion of Senator Kreiman, [Senate File 330](#), a bill for an act relating to family law provisions including dissolution of marriage and domestic relations and termination of parental rights provisions, was taken up for consideration.

Senator Kreiman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 330](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck

Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

Senate File 331

On motion of Senator Kreiman, [Senate File 331](#), a bill for an act to establish an automated victim notification system in the department of justice, was taken up for consideration.

Senator Kreiman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 331](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 330 and 331 be immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House Files 141 and 227.

House File 141

On motion of Senator Seng, **House File 141**, a bill for an act relating to the training and certification of designated security personnel working at commercial establishments with a liquor control license or wine or beer permit, with report of committee recommending passage, was taken up for consideration.

Senator Seng moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (**H.F. 141**), the vote was:

Yeas, 42:

Beall	Fraise	Lamberti	Schoenjahn
Black	Gaskill	Larson	Seng
Boettger	Gronstal	Lundby	Seymour
Bolkcom	Hahn	McCoy	Shull
Brunkhorst	Hancock	McKibben	Stewart
Connolly	Hatch	Miller	Ward
Courtney	Horn	Mulder	Warnstadt
Danielson	Houser	Putney	Wieck
Dearden	Johnson	Quirnbach	Wood
Dotzler	Kibbie	Ragan	
Dvorsky	Kreiman	Rielly	

Nays, 8:

Angelo	Iverson	McKinley	Zaun
Behn	Kettering	Tinsman	Zieman

Absent, none.

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

House File 227

On motion of Senator Fraise, **House File 227**, a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kreiman offered amendment **S-3011**, filed by the committee on Judiciary on March 7, 2005, to page 24 of the bill, and moved its adoption.

Amendment **S-3011** was adopted by a voice vote.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (**H.F. 227**), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 141** and **227** be **immediately messaged** to the House.

BILLS REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **Senate Files 271, 281, 333, and 334** be referred from the Regular Calendar to the committee on **Ways and Means** and **Senate Files 325, 329, and 347** be referred from the Regular Calendar to the committee on **Appropriations**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 14, 2005, **passed** the following bill in which the concurrence of the House was asked:

Senate File 141, a bill for an act relating to reimbursement to owners of aboveground petroleum storage tanks for costs associated with the upgrade or permanent closure of aboveground petroleum storage tanks.

ALSO: That the House has on March 14, 2005, **passed** the following bills in which the concurrence of the Senate is asked:

House File 398, a bill for an act adding an exemption for colleges and universities established by city ordinance to the requirements relating to the registration of postsecondary schools.

Read first time and referred to committee on **Education**.

House File 479, a bill for an act providing an exception to municipal tort liability for all-terrain vehicling.

Read first time and referred to committee on **Judiciary**.

[House File 480](#), a bill for an act relating to the definition of telecommunicator for purposes of telecommunicator training standards promulgated by the Iowa law enforcement academy.

Read first time and referred to committee on **Commerce**.

[House File 529](#), a bill for an act relating to the members of the board of educational examiners and the authority of the board regarding complaints.

Read first time and referred to committee on **Education**.

[House File 581](#), a bill for an act relating to interstate natural gas pipelines including requirements regarding construction, operation, and maintenance, applicable penalties and resultant damages, and easements.

Read first time and referred to committee on **Commerce**.

[House File 607](#), a bill for an act relating to emergency services provided to residents of certain townships and including effective date and retroactive applicability date provisions.

Read first time and referred to committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:02 p.m. until 8:30 a.m., Tuesday, March 15, 2005.

APPENDIX**CERTIFICATES OF RECOGNITION**

The Secretary of the Senate issued the following certificates of recognition:

Gayle E. Alvarez—In appreciation of assisting the State of Iowa by attending festivities in St. Maries, Idaho, for Vernon J. Baker, WWII Medal of Honor recipient, on March 19, 2005. Senator Black (3/14/05).

Mr. and Mrs. Edlef Boysen, Mediapolis—For celebrating your 65th wedding anniversary. Senator Courtney (3/14/05).

Myranell Dockendorff, Danville—For celebrating your 85th birthday. Senator Courtney (3/14/05).

Brad Lower, Burlington—For winning the MAC Wrestling Championship in the 145-pound weight class, winning 1st place at State, and being chosen for the 1st Team All-Mississippi Athletic Conference. Senator Courtney (3/14/05).

Mary Meyer, Burlington—For celebrating your 90th birthday. Senator Courtney (3/14/05).

Dustin Paris, Burlington—For winning the MAC Wrestling Championship in the Heavyweight class. Senator Courtney (3/14/05).

Merle and Elsie Prater, Ames—For celebrating your 60th wedding anniversary. Senator Quirnbach (3/14/05).

Howard and JoAnn Radunz, Ocheyedan—For celebrating your 50th wedding anniversary. Senator Johnson (3/14/05).

Wilfred Schmeiser, Burlington—For celebrating your 90th birthday. Senator Courtney (3/14/05).

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT FOR THE BLIND

Report on purchase of products with recycled content, pursuant to Iowa Code section 216B.3. Report received on March 11, 2005.

IOWA CHILD ADVOCACY BOARD

FY 2004 Annual Report. Report received on March 14, 2005.

REPORT OF COMMITTEE MEETING

JUDICIARY

Convened: March 10, 2005, 2:55 p.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun.

Members Absent: McKibben (excused).

Committee Business: Passed SFs 87 and 279. Approved SSBs 1029, 1030 (as amended), 1035 (as amended), 1107 (as amended), 1127 (as amended), 1152 (as amended), 1154 (as amended), 1155, 1241 (as amended), 1251 (as amended), and 1252.

Adjourned: 3:45 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 16, by Angelo, a resolution honoring the actress Hilary Swank and her Iowa roots.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 354, by committee on Commerce, a bill for an act establishing pilot projects requiring the division of insurance to allow flexible small employer group health insurance coverage and requiring the insurance division to review insurance rating issues affecting small employers.

Read first time under Rule 28 and **placed on calendar**.

Senate File 355, by committee on Human Resources, a bill for an act relating to the creation of a task force to provide for the implementation of Medicare Part D and providing an effective date.

Read first time under Rule 28 and **placed on calendar**.

Senate File 356, by committee on Human Resources, a bill for an act providing for the Iowa department of public health to administer the hotel sanitation code, regulation of home food establishments,

Iowa food code, regulation of egg handlers, and inspection of cosmetology and barbering licensees in place of the department of inspections and appeals.

Read first time under Rule 28 and **placed on calendar.**

[Senate File 357](#), by committee on Judiciary, a bill for an act relating to administrative modification of a child support order.

Read first time under Rule 28 and **placed on calendar.**

[Senate File 358](#), by committee on Judiciary a bill for an act relating to liens associated with agricultural production, by providing for the termination of those liens.

Read first time under Rule 28 and **placed on calendar.**

[Senate File 359](#), by committee on Local Government, a bill for an act providing for payroll deduction for county, city, and school district employees for charitable giving.

Read first time under Rule 28 and **placed on calendar.**

[Senate File 360](#), by committee on Commerce, a bill for an act relating to various provisions administered by the insurance division of the department of commerce concerning premium tax refunds, the interstate insurance compact, insurer insolvency proceedings, individual health insurance, the small employer carrier reinsurance program, the Iowa comprehensive health association, fire insurance policies, the Iowa insurance guaranty association, the FAIR plan, motor vehicle service contracts, investments by county and state mutual associations, reciprocal or interinsurance contract premium rates, unauthorized activity of insurance producers, and annuity contracts for cemetery and funeral merchandise and funeral services, and making fees and penalties applicable and providing effective and retroactive applicability dates.

Read first time under Rule 28 and **placed on calendar.**

[Senate File 361](#), by committee on Judiciary, a bill for an act relating to the criminal offense of theft of leased or rented personal property and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 362](#), by committee on Judiciary, a bill for an act relating to the establishment of multicounty jails.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 363](#), by committee on Commerce, a bill for an act providing for the regulation of persons engaged in soliciting business opportunities, including franchises.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 364](#), by committee on State Government, a bill for an act relating to the conduct of elections and voter registration and including effective date and applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 365](#), by committee on Economic Growth, a bill for an act relating to the application deadline for certification of enterprise zones.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 366](#), by committee on Judiciary, a bill for an act relating to the timing of a mental competency hearing for a person accused of a criminal offense.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 367](#), by committee on Natural Resources and Environment, a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 368](#), by committee on Natural Resources and Environment, a bill for an act relating to alcoholic beverages, by providing for the manufacture and sale of native distilled spirits and establishing a related permit fee, relating to the activities of the grape and wine development commission, and providing for the transfer of wine sale revenues to the grape and wine development fund.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 369](#), by committee on Judiciary, a bill for an act relating to the civil commitment of a sexually violent predator.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 370](#), by committee on Judiciary, a bill for an act relating to the duration of a no-contact order in a criminal case.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 371](#), by committee on Natural Resources and Environment, 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.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 372](#), by committee on Agriculture, a bill for an act relating to animal feeding operations, by providing for the regulation of open feedlot operations, and providing for penalties.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 373](#), by committee on Natural Resources and Environment, a bill for an act relating to refund values for empty beverage containers.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 374](#), by committee on Judiciary, a bill for an act relating to agreements to arbitrate and providing remedies.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 375](#), by committee on Natural Resources and Environment, a bill for an act creating the uniform environmental covenants Act.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 376](#), by Tinsman, a bill for an act providing an additional exclusion from pension or retirement income for certain taxpayers for purposes of the state and individual income tax and providing a retroactive applicability date.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 377](#), by committee on Natural Resources and Environment, a bill for an act relating to the recycling and disposal of cell phones, providing penalties, and providing an effective date.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 378](#), by committee on Business and Labor Relations, a bill for an act relating to workers' compensation liability insurance, the payment of certain weekly workers' compensation benefits, and workers' compensation settlements and filings, and providing for civil penalties.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 379](#), by committee on Judiciary, a bill for an act relating to the Iowa probate code, the Iowa trust code, and certain other trusts.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 380](#), by committee on Judiciary, a bill for an act relating to judicial branch procedures involving applications for

further review and the appointment of judicial officers and chief juvenile court officers.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 381](#), by committee on Judiciary, a bill for an act relating to an alternative dispute resolution process in a residential construction defect case and including a mediation provision.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 382](#), by committee on Judiciary, a bill for an act limiting the preference to purchase an unused right-of-way.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 383](#), by committee on Judiciary, a bill for an act relating to the penalty for sexual misconduct with offenders committed by an officer, employee, or agent of the department of corrections or a judicial district department of correctional services, and providing a penalty.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

[SSB 1284](#) **Appropriations**

Relating to and making appropriations to the department of economic development, state board of regents, the department of workforce development, the Iowa finance authority, and the public employment relations board and related matters.

[SSB 1285](#) **Appropriations**

Relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first fund, tobacco settlement trust fund, and vertical infrastructure fund and including an effective date provision.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 312](#)

APPROPRIATIONS: Kettering and Warnstadt, Co-chairs; Fraise and Miller

[SSB 1284](#)

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

[SSB 1285](#)

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: *[SENATE FILE 372 \(SSB 1246\)](#), a bill for an act relating to animal feeding operations, by providing for the regulation of open feedlot operations, and providing for penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Fraise, Johnson, Black, Brunkhorst, Courtney, Hahn, Hancock, Houser, Kibbie, Mulder, Putney, Ragan, and Rielly. Nays, none. Absent, 1: Gaskill.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on [Senate File 372](#), and they were attached to the committee report.

BUSINESS AND LABOR RELATIONS

Bill Title: *[SENATE FILE 378 \(SSB 1050\)](#), a bill for an act relating to workers' compensation liability insurance, the payment of certain weekly workers' compensation benefits, and workers' compensation settlements and filings, and providing for civil penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Dearden, Wieck, Behn, Dotzler, Horn, McKibben, Seng, Seymour, and Shull. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Business and Labor Relations Committee on [Senate File 378](#), and they were attached to the committee report.

COMMERCE

Bill Title: [SENATE FILE 354](#) (formerly [SF 299](#)), a bill for an act establishing pilot projects requiring the division of insurance to allow flexible small employer group health insurance coverage and requiring the insurance division to review insurance rating issues affecting small employers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Behn, Warnstadt, Angelo, Beall, Bolkcom, Courtney, Gronstal, Kettering, Larson, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 360 \(SSB 1142\)](#), a bill for an act relating to various provisions administered by the insurance division of the department of commerce concerning premium tax refunds, the interstate insurance compact, insurer insolvency proceedings, individual health insurance, the small employer carrier reinsurance program, the Iowa comprehensive health association, fire insurance policies, the Iowa insurance guaranty association, the FAIR plan, motor vehicle service contracts, investments by county and state mutual associations, reciprocal or interinsurance contract premium rates, unauthorized activity of insurance producers, and annuity contracts for cemetery and funeral merchandise and funeral services, and making fees and penalties applicable and providing effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Behn, Warnstadt, Angelo, Beall, Bolkcom, Courtney, Gronstal, Kettering, Larson, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 363 \(SSB 1226\)](#), a bill for an act providing for the regulation of persons engaged in soliciting business opportunities, including franchises.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Behn, Warnstadt, Angelo, Beall, Bolkcom, Courtney, Gronstal, Kettering, Larson, McCoy, McKinley, Rielly, Stewart, Wieck, Zaun, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ECONOMIC GROWTH

Bill Title: [SENATE FILE 365 \(SSB 1282\)](#), a bill for an act relating to the application deadline for certification of enterprise zones.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Brunkhorst, Hatch, Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: *[SENATE FILE 355 \(SSB 1204\)](#), a bill for an act relating to the creation of a task force to provide for the implementation of Medicare Part D and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirnbach, Tinsman, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on [Senate File 355](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 356 \(SSB 1211\)](#), a bill for an act providing for the Iowa department of public health to administer the hotel sanitation code, regulation of home food establishments, Iowa food code, regulation of egg handlers, and inspection of cosmetology and barbering licensees in place of the department of inspections and appeals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Quirnbach, Tinsman, and Wood. Nays, 1: Kreiman. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Human Resources Committee on [Senate File 356](#), and they were attached to the committee report.

JUDICIARY

Bill Title: [SENATE FILE 357 \(SSB 1155\)](#), a bill for an act relating to administrative modification of a child support order.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 358 \(SSB 1252\)](#), a bill for an act relating to liens associated with agricultural production, by providing for the termination of those liens.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 361 \(SSB 1241\)](#), a bill for an act relating to the criminal offense of theft of leased or rented personal property and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 361](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 362 \(SSB 1035\)](#), a bill for an act relating to the establishment of multicounty jails.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 362](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 366 \(SSB 1107\)](#), a bill for an act relating to the timing of a mental competency hearing for a person accused of a criminal offense.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 366](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 369 \(SSB 1030\)](#), a bill for an act relating to the civil commitment of a sexually violent predator.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 369](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 370 \(SSB 1152\)](#), a bill for an act relating to the duration of a no-contact order in a criminal case.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 370](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 374 \(SSB 1127\)](#), a bill for an act relating to agreements to arbitrate and providing remedies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 374](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 379 \(SSB 1251\)](#), a bill for an act relating to the Iowa probate code, the Iowa trust code, and certain other trusts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 379](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 380 \(SSB 1154\)](#), a bill for an act relating to judicial branch procedures involving applications for further review and the appointment of judicial officers and chief juvenile court officers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 380](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 381](#) (formerly [SF 279](#)), a bill for an act relating to an alternative dispute resolution process in a residential construction defect case and including a mediation provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, 1: Quirnbach. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 382](#) (formerly [SF 87](#)), a bill for an act limiting the preference to purchase an unused right-of-way.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Kreiman, Miller, Boettger, Brunkhorst, Fraise, Hancock, Horn, Larson, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, 1: Dvorsky. Present, 1: Quirnbach. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 383 \(SSB 1029\)](#), a bill for an act relating to the penalty for sexual misconduct with offenders committed by an officer, employee, or agent of the department of corrections or a judicial district department of correctional services, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Miller, Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun. Nays, none. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17

LOCAL GOVERNMENT

Bill Title: [SENATE FILE 359 \(SSB 1248\)](#), a bill for an act providing for payroll deduction for county, city, and school district employees for charitable giving.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Quirnbach, Shull, Kreiman, Lundby, McCoy, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun. Nays, none. Absent, 1: Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *[SENATE FILE 367 \(SSB 1233\)](#), a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Houser, Bolkcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on [Senate File 367](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 368](#) (formerly [SF 276](#)), a bill for an act relating to alcoholic beverages, by providing for the manufacture and sale of native distilled spirits and establishing a related permit fee, relating to the activities of the grape and wine development commission, and providing for the transfer of wine sale revenues to the grape and wine development fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Black, Houser, Bolkcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Putney, Schoenjahn, Seng, and Wood. Nays, none. Present, 1: Miller. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on [Senate File 368](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 371 \(SSB 1187\)](#), 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Houser, Bolkcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on [Senate File 371](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 373](#) (formerly [SF 261](#)), a bill for an act relating to refund values for empty beverage containers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Houser, Bolkcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on [Senate File 373](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 375 \(SSB 1125\)](#), a bill for an act creating the uniform environmental covenants Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Houser, Bolkcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on [Senate File 375](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 377](#) (formerly [SF 72](#)), a bill for an act relating to the recycling and disposal of cell phones, providing penalties, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Houser, Bolcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Lundby, Miller, Putney, Schoenjahn, Seng, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *[SENATE FILE 364 \(SSB 1198\)](#), a bill for an act relating to the conduct of elections and voter registration and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 364](#), and they were attached to the committee report.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 14, 2005, the Governor approved and transmitted to the Secretary of State the following bill:

[S.F. 114](#) – Relating to tax credit certificates issued by the Iowa capital investment board and providing an effective date.

AMENDMENTS FILED

S-3016	S.F. 349	Thomas G. Courtney
S-3017	S.F. 282	Herman C. Quirnbach
S-3018	S.F. 339	Matt McCoy