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**STATE OF IOWA**

**Senate Journal**

**TUESDAY, MARCH 29, 2005**

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## JOURNAL OF THE SENATE

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SEVENTY-NINTH CALENDAR DAY  
FORTY-SIXTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, March 29, 2005

The Senate met in regular session at 8:32 a.m., President Kibbie presiding.

Prayer was offered by the Reverend Jim Klosterboer, pastor of the Bethany Lutheran Church in Elkader, Iowa. He was the guest of Senator Schoenjahn.

The Journal of Monday, March 28, 2005, was approved.

RECESS

On motion of Senator Iverson, the Senate recessed at 8:37 a.m. until 1:00 p.m.

**APPENDIX — 1****CERTIFICATES OF RECOGNITION**

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

Lucy Baxter, Decatur County Public Health and Home Care—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Angelo (3/29/05).

Bryan Braack, Eldridge—For receiving the Learning and Leadership Award from the National Education Association. Senator Wood (3/29/05).

Dubuque County Conservation Board—For celebrating its Golden Anniversary. Senator Connolly (3/29/05).

Rebecca Gluesing, Clinton—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Stewart (3/29/05).

Angela Hofer, De Witt—For receiving the Learning and Leadership Award from the National Education Association. Senator Wood (3/29/05).

Jean King, Iowa Lakes Community College—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Johnson (3/29/05).

Margaret Kamalini Kumar, Clinton—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Stewart (3/29/05).

Margaret Lamfers, Country View Manor, Sibley—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Johnson (3/29/05).

Jean Morgan, Camanche—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Stewart (3/29/05).

Sheryl Robins, Osceola Nursing and Rehabilitation Center—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Angelo (3/29/05).

Kathleen Schuster, Ringgold County Hospital—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Angelo (3/29/05).

Beverly Simpson, East Union Community School—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Angelo (3/29/05).

Norma Stringham, Ringgold County Hospital—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Angelo (3/29/05).

Alice Sweeten, Decatur County Public Health and Home Care—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Angelo (3/29/05).

Teresa Weis, Greater Community Hospital/Southwest Iowa Region—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Angelo (3/29/05).

LeMetta Wynn, Clinton—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Stewart (3/29/05).

## REPORT OF COMMITTEE MEETING

### JUDICIARY

**Convened:** March 28, 2005, 3:40 p.m.

**Members Present:** Kreiman and Miller, Co-chairs; Boettger, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirmbach, Schoenjahn, Tinsman, Warnstadt, and Zaun.

**Members Absent:** Brunkhorst and Ward (both excused).

**Committee Business:** Passed HFs 275 (as amended) and 683 (as amended). Approved Governor's appointees.

**Adjourned:** 4:15 p.m.

## INTRODUCTION OF RESOLUTIONS

**Senate Resolution 28**, by Dvorsky, Black, McCoy, Kibbie, Gronstal, Courtney, Wood, Schoenjahn, Bolkcom, Dearden, Hancock, Seng, Quirmbach, Horn, Warnstadt, Dotzler, Rielly, Fraise, Ragan, Stewart, Connolly, Beall, Danielson, Kreiman, Hatch, Houser, Hahn, Boettger, Johnson, Tinsman, Wieck, Miller, Angelo, Kettering, Behn, Putney, Iverson, McKinley, Seymour, Gaskill, Zieman, and Mulder, a resolution to recognize the 50th anniversary of the creation of county conservation boards.

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

**Senate Resolution 29**, by Quirmbach, a resolution to recognize Holly Bender, Associate Professor of Veterinary Pathology at Iowa State University, for receiving the Teaching Excellence Award for Basic Sciences from the Student American Veterinary Medicine Association.

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

[Senate Resolution 30](#), by Quirnbach, a resolution of appreciation to the Iowa Chapter of the American Institute of Architects for designating C.Y. Stephens Auditorium as Iowa's Building of the Century.

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

[Senate Resolution 31](#), by Quirnbach, a resolution to recognize Joanne Olson of Iowa State University for being named the Outstanding Science Teacher Educator of the Year by the Association for Science Teacher Education.

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

#### SUBCOMMITTEE ASSIGNMENTS

[Senate Resolution 27](#)

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

[House File 420](#)

COMMERCE: Warnstadt and Zieman, Co-chairs; Stewart and Zaun

[House File 764](#)

COMMERCE: McCoy and Wieck, Co-chairs; Courtney and Zaun

[House File 769](#)

HUMAN RESOURCES: Boettger and Kreiman, Co-chairs; Bolkcom and Seymour

[House File 781](#)

HUMAN RESOURCES: Dotzler and Johnson, Co-chairs; Behn and Hatch

[House File 784](#)

HUMAN RESOURCES: Ragan and Seymour, Co-chairs; Boettger and Bolkcom

[House File 789](#)

HUMAN RESOURCES: Tinsman and Wood, Co-chairs; Houser and Kreiman

**BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR****The Secretary of the Senate submitted the following report:**

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 29th day of March, 2005:

[Senate File 71.](#)

MICHAEL E. MARSHALL  
Secretary of the Senate

## AFTERNOON SESSION

The Senate reconvened at 1:10 p.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTIONS  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House Concurrent Resolutions 4 and 5.

**House Concurrent Resolution 4**

On motion of Senator Iverson, **House Concurrent Resolution 4**, a concurrent resolution relating to Pioneer Lawmakers, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved the adoption of **House Concurrent Resolution 4**, which motion prevailed by a voice vote.

**House Concurrent Resolution 5**

On motion of Senator Iverson, **House Concurrent Resolution 5**, a concurrent resolution relating to a biennial memorial session, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved the adoption of **House Concurrent Resolution 5**, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Concurrent Resolutions 4 and 5** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration **Senate Resolution 25**.

**Senate Resolution 25**

On motion of Senator Lamberti, **Senate Resolution 25**, a resolution honoring Iowa athletes Jenna Schrack, Matt LaRue, Michelle Pettitt, and their coach, Rob Wagner, for their participation in the Special Olympics World Winter Games in Nagano, Japan, with report of committee recommending passage, was taken up for consideration.

Senator Lamberti moved the adoption of **Senate Resolution 25**, which motion prevailed by a voice vote.

CONSIDERATION OF BILL  
(Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration **Senate File 388**.

**Senate File 388**

On motion of Senator Seng, **Senate File 388**, a bill for an act relating to combining protests of assessment on multiple parcels separately assessed and providing an applicability date, 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?" (**S.F. 388**), 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.

UNFINISHED BUSINESS  
(Deferred March 23, 2005)

**House File 786**

The Senate resumed consideration of **House File 786**, a bill for an act relating to the operating or providing of another business or activity in a health care facility, deferred March 23, 2005.

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?" (**H.F. 786**), 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 Ragan asked and received unanimous consent that [Senate File 303](#) be **withdrawn** from further consideration of the Senate.

## IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate File 388](#) and [House File 786](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL  
(Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 389](#).

[Senate File 389](#)

On motion of Senator Zieman, [Senate File 389](#), a bill for an act providing individual and corporate income tax credits for soy-based cutting tool oil and including an applicability date provision, was taken up for consideration.

Senator Zieman 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. 389](#)), 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.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 259](#).

**[Senate File 259](#)**

On motion of Senator Rielly, [Senate File 259](#), a bill for an act relating to the regulation of agricultural seed, by providing for preemption of local legislation, was taken up for consideration.

Senator Rielly offered amendment [S-3064](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-3064](#) was adopted by a voice vote.

Senator Rielly asked and received unanimous consent that [House File 642](#) be substituted for [Senate File 259](#).

**[House File 642](#)**

On motion of Senator Rielly, [House File 642](#), a bill for an act relating to the regulation of agricultural seed, by providing for preemption of local legislation, was taken up for consideration.

Senator Bolcom asked and received unanimous consent that action on [House File 642](#) be deferred.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate File 389](#) 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 340 and 356.

**Senate File 340**

On motion of Senator Dearden, **Senate File 340**, a bill for an act relating to the local regulation of motor vehicles, including the renewal of motor vehicle registrations by county treasurers and the collection of delinquent parking fines owed to a city or county, was taken up for consideration.

Senator Dearden offered amendment **S-3070**, filed by him from the floor to pages 1-3 of the bill, and moved its adoption.

Amendment **S-3070** was adopted by a voice vote.

Senator Ziemann offered amendment **S-3040**, filed by him on March 21, 2005, to pages 1 and 2 and to the title page of the bill, and moved its adoption.

Amendment **S-3040** was adopted by a voice vote.

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. 340**), 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	Ziemann

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, as amended, was agreed to.

### **Senate File 356**

On motion of Senator Ragan, **Senate File 356**, 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, was taken up for consideration.

Senator Ragan offered amendment **S-3068**, filed by her from the floor to pages 1-4 and to the title page of the bill, and moved its adoption.

Amendment **S-3068** was adopted by a voice vote.

Senator Ragan asked and received unanimous consent that **House File 770** be substituted for **Senate File 356**.

### **House File 770**

On motion of Senator Ragan, **House File 770**, 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, was taken up for consideration.

Senator Ragan offered amendment **S-3069**, filed by her from the floor to pages 1-3 and to the title page of the bill, and moved its adoption.

Amendment **S-3069** was adopted by a voice vote.

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?" ([H.F. 770](#)), 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, as amended, was agreed to.

#### WITHDRAWN

Senator Ragan asked and received unanimous consent that [Senate File 356](#) be **withdrawn** from further consideration of the Senate.

#### IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate File 340](#) and [House File 770](#) be **immediately messaged** to the House.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House File 591](#) and [Senate File 283](#).

[House File 591](#)

On motion of Senator Putney, [House File 591](#), a bill for an act relating to state department of transportation duties concerning its budget, distribution of state institutional road funds, vehicle weight and length restrictions, all-terrain vehicle use, evidence of interstate authority and penalties, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator McCoy asked to withdraw amendment [S-3063](#) filed by him from the floor to page 2 and to the title page of the bill.

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?" ([H.F. 591](#)), 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 283**

On motion of Senator Hancock, **Senate File 283**, a bill for an act relating to the department of public safety by updating references, changing the names of divisions in the department, and changing practices and procedures, was taken up for consideration.

Senator Gronstal offered amendment **S-3061**, filed by Senator Gronstal, et al., on March 28, 2005, to page 10 and to the title page of the bill.

Senator Larson raised the point of order that amendment **S-3061** was not germane to the bill.

The Chair ruled the point not well-taken and amendment **S-3061** in order.

Senator Iverson asked and received unanimous consent that action on amendment **S-3061** and **Senate File 283** be deferred.

The Senate stood at ease at 2:25 p.m. until the fall of the gavel for the purpose of a Republican caucus.

The Senate resumed session at 3:03 p.m., President Kibbie presiding.

**LEAVE OF ABSENCE**

Leave of absence was granted as follows:

Senator Miller, until he returns, on request of Senator Iverson.

**BUSINESS PENDING****Senate File 283**

The Senate resumed consideration of **Senate File 283**, a bill for an act relating to the department of public safety by updating references, changing the names of divisions in the department, and changing practices and procedure, and amendment **S-3061**, previously deferred.



Senator Gronstal asked and received unanimous consent to withdraw amendment [S-3061](#).

Senator Hancock 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. 283](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Larson	Shull
Behn	Gronstal	Lundby	Stewart
Black	Hahn	McCoy	Tinsman
Boettger	Hancock	McKibben	Ward
Bolkcom	Hatch	McKinley	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, none.

Absent, 1:

Miller

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 283](#) and [House File 591](#) be **immediately messaged** to the House.

#### RECESS

On motion of Senator Iverson, the Senate recessed at 3:30 p.m. until the completion of a meeting of the committee on Ways and Means.

RECONVENED

The Senate reconvened at 4:10 p.m., President Kibbie presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Larson, for the remainder of the day, on request of Senator Iverson.

BUSINESS PENDING

[House File 642](#)

The Senate resumed consideration of [House File 642](#), a bill for an act relating to the regulation of agricultural seed, by providing for preemption of local legislation, previously deferred.

Senator Dotzler offered amendment [S-3071](#), filed by Senators Dotzler, Beall, and Brunkhorst from the floor to pages 1 and 2 and to the title page of the bill.

Senator Dotzler asked and received unanimous consent to withdraw [S-3071](#).

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?" ([H.F. 642](#)), the vote was:

Yeas, 33:

Angelo	Gronstal	McKibben	Tinsman
Beall	Hahn	McKinley	Ward
Behn	Hancock	Mulder	Wieck
Black	Horn	Putney	Wood
Boettger	Houser	Rielly	Zaun
Courtney	Iverson	Schoenjahn	Zieman
Dearden	Johnson	Seng	
Fraise	Kettering	Seymour	
Gaskill	Lamberti	Shull	

Nays, 16:

Bolkcom	Dotzler	Kreiman	Quirnbach
Brunkhorst	Dvorsky	Lundby	Ragan
Cannolly	Hatch	McCoy	Stewart
Danielson	Kibbie	Miller	Warnstadt

Absent, 1:

Larson

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

#### WITHDRAWN

Senator Rielly asked and received unanimous consent that [Senate File 259](#) be **withdrawn** from further consideration of the Senate.

#### IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [House File 642](#) be **immediately messaged** to the House.

#### 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 29, 2005, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

[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.

ALSO: That the House has on March 29, 2005, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 802**, a bill for an act expanding the child and dependent care credit under the individual income tax and including an applicability date.

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

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:35 p.m. until 8:30 a.m., Wednesday, March 30, 2005.

**APPENDIX — 2****COMMUNICATION RECEIVED**

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

**IOWA WORKFORCE DEVELOPMENT**

2004 Status Report on the Unemployment Compensation Trust Fund, pursuant to Iowa Code section 96.35. Report received on March 29, 2005.

**CERTIFICATES OF RECOGNITION**

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

Reverend Steve Peters, Trinity United Methodist Church, Fort Dodge—For serving as Chaplain of the Day. Senator Beall (3/29/05).

Sergeant Chad Price—To honor your military service in Iraq. Senator Beall (3/29/05).

The Sunshine Singers, Fort Dodge—For providing the Easter musical message to the Iowa Senate. Senator Beall (3/29/05).

**REPORTS OF COMMITTEE MEETINGS****WAYS AND MEANS**

**Convened:** March 29, 2005, 11:05 a.m.

**Members Present:** Bolkcom and Zieman, Co-chairs; Connolly, Danielson, Dotzler, Hahn, Larson, McCoy, McKinley, Miller, Quirnbach, Seng, Stewart, Wieck, and Zaun.

**Members Absent:** McKibben (excused).

**Committee Business:** Passed SFs 333 and 368 and HFs 186 and 187. Approved SSBs 1191 and 1294. Approved Governor's appointees.

**Adjourned:** 12:20 p.m.

**ALSO:****Convened:** March 29, 2005, 3:35 p.m.**Members Present:** Bolkcom and Zieman, Co-chairs; Connolly, Danielson, Dotzler, Hahn, Larson, McKibben, McKinley, Quirnbach, Seng, Stewart, Wieck, and Zaun.**Members Absent:** McCoy and Miller (both excused).**Committee Business:** Approved Governor's appointees.**Adjourned:** 3:40 p.m.

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 11**, by Tinsman, a concurrent resolution requesting the establishment of a planning group to develop a plan for unifying the state administration of services utilized by older Iowans age 60 or older.

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

## INTRODUCTION OF BILLS

**Senate File 392**, by committee on Ways and Means, a bill for an act relating to entities eligible to claim certain property-related tax credits.

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

**Senate File 393**, by committee on Ways and Means, a bill for an act authorizing the rebate of state sales tax to the owner or operator of a sanctioned automobile racetrack facility.

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

**Senate File 394**, by committee on Ways and Means, a bill for an act relating to veterans by providing for the establishment of a department of veterans affairs, and extending veterans' benefits, preferences, eligibility for appointments, and the military service tax credit and exemption to certain members of the reserve forces of the

United States and the Iowa national guard and providing an effective date.

Read first time under Rule 28 and placed on Ways and Means calendar.

#### SUBCOMMITTEE ASSIGNMENTS

##### Senate Resolution 28

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

##### Senate Resolution 29

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

##### Senate Resolution 30

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

##### Senate Resolution 31

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

##### House File 718

TRANSPORTATION: Danielson, Chair; McCoy, Shull, and Ward

##### House File 768

NATURAL RESOURCES AND ENVIRONMENT: Black and Gaskill, Co-chairs; Johnson and Wood

##### SSB 1296

(Reassignment)

GOVERNMENT OVERSIGHT: Courtney and Wieck, Co-chairs

#### FINAL COMMITTEE REPORTS OF BILL ACTION

##### JUDICIARY

**Bill Title:** HOUSE FILE 275, a bill for an act relating to the purchase, possession, or consumption of alcohol by a person under legal age, and providing a penalty.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT S-3065.

**Final Vote:** Ayes, 13: Kreiman, Miller, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirnbach, Schoenjahn, Tinsman, Warnstadt, and Zaun. Nays, 1: Boettger. Absent, 2: Brunkhorst and Ward.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [HOUSE FILE 683](#), a bill for an act authorizing the appointment of an attorney to represent an indigent parole violator, and providing effective and retroactive applicability date provisions.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3066](#).

**Final Vote:** Ayes, 14: Kreiman, Miller, Boettger, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirnbach, Schoenjahn, Tinsman, Warnstadt, and Zaun. Nays, none. Absent, 2: Brunkhorst and Ward.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**WAYS AND MEANS**

**Bill Title:** [SENATE FILE 392 \(SSB 1191\)](#), a bill for an act relating to entities eligible to claim certain property-related tax credits.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Bolkcom, Zieman, Connolly, Danielson, Dotzler, Hahn, Larson, McCoy, McKinley, Miller, Quirnbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 1: McKibben.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** \*[SENATE FILE 393 \(SSB 1294\)](#), a bill for an act authorizing the rebate of state sales tax to the owner or operator of a sanctioned automobile racetrack facility.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Zieman, Danielson, Dotzler, Hahn, McCoy, Miller, Seng, Stewart, Wieck, and Zaun. Nays, 3: Bolkcom, Connolly, and Quirnbach. Present, 1: McKinley. Absent, 2: Larson and 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 Ways and Means Committee on [Senate File 393](#), and they were attached to the committee report.



**ALSO:**

**Bill Title:** \*[SENATE FILE 394](#) (formerly [SF 333](#)), a bill for an act relating to veterans by providing for the establishment of a department of veterans affairs, and extending veterans' benefits, preferences, eligibility for appointments, and the military service tax credit and exemption to certain members of the reserve forces of the United States and the Iowa national guard and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Bolkcom, Ziemann, Connolly, Danielson, Dotzler, Hahn, Larson, McCoy, McKinley, Miller, Quirnbach, Seng, Stewart, Wieck, 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 Ways and Means Committee on [Senate File 394](#), and they were attached to the committee report.

**ALSO:**

**Bill Title:** [HOUSE FILE 186](#), a bill for an act updating the Code references to the Internal Revenue Code and including retroactive applicability and effective date provisions.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 15: Bolkcom, Ziemann, Connolly, Danielson, Dotzler, Hahn, Larson, McCoy, McKinley, Miller, Quirnbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 1: McKibben.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [HOUSE FILE 187](#), a bill for an act relating to the utility replacement tax task force.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 15: Bolkcom, Ziemann, Connolly, Danielson, Dotzler, Hahn, Larson, McCoy, McKinley, Miller, Quirnbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 1: McKibben.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**GOVERNOR'S APPOINTEE PLACED ON  
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

**JUDICIARY**

Richard G. Moore – Administrator of the Division of Criminal and Juvenile Justice Planning

**GOVERNOR'S APPOINTEES PLACED ON  
EN BLOC CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation:

**JUDICIARY**

Nancy Witt – Iowa State Civil Rights Commission

Johnie Hammond – Board of Corrections

Coleen Deneffe – State Judicial Nominating Commission  
Timothy Mikkelsen – State Judicial Nominating Commission

Barbara Binnie – Board of Parole  
Curtis Jenkins – Board of Parole

**WAYS AND MEANS**

Bret Mills – Executive Director of the Iowa Finance Authority

Steven Adams – Iowa Finance Authority  
Virginia Bordwell – Iowa Finance Authority  
Vincent Lintz – Iowa Finance Authority  
Douglas Walter – Iowa Finance Authority

Frank Stork – State Board of Tax Review

**PRESENTATION OF VISITORS**

The Chair welcomed the following visitors who were present in the Senate gallery:

Eighth grade students from Ruthven-Ayrshire Community Schools, Ruthven, Iowa, accompanied by Jon Josephson. Senator Kibbie.

**AMENDMENTS FILED**

<a href="#"><u>S-3062</u></a>	<a href="#"><u>S.F. 360</u></a>	Ron Wieck
<a href="#"><u>S-3063</u></a>	<a href="#"><u>H.F. 591</u></a>	Matt McCoy
<a href="#"><u>S-3064</u></a>	<a href="#"><u>S.F. 259</u></a>	Tom Rielly
<a href="#"><u>S-3065</u></a>	<a href="#"><u>H.F. 275</u></a>	Judiciary
<a href="#"><u>S-3066</u></a>	<a href="#"><u>H.F. 683</u></a>	Judiciary
<a href="#"><u>S-3067</u></a>	<a href="#"><u>S.F. 378</u></a>	Larry McKibben
<a href="#"><u>S-3068</u></a>	<a href="#"><u>S.F. 356</u></a>	Amanda Ragan
<a href="#"><u>S-3069</u></a>	<a href="#"><u>H.F. 770</u></a>	Amanda Ragan
<a href="#"><u>S-3070</u></a>	<a href="#"><u>S.F. 340</u></a>	Dick L. Dearden
<a href="#"><u>S-3071</u></a>	<a href="#"><u>H.F. 642</u></a>	William A. Dotzler, Jr. Daryl Beall Bob Brunkhorst