

PROOF

STATE OF IOWA

Senate Journal

MONDAY, APRIL 4, 2005

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JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 4, 2005

The Senate met in regular session at 1:06 p.m., President Lamberti presiding.

Prayer was offered by the Reverend Bruce Kittle, chaplain of the Sixth Judicial District Correctional Services of Cedar Rapids, Iowa. He was the guest of Senator Dvorsky.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jennifer Nefzger.

The Journal of Thursday, March 31, 2005, was approved.

Senator Angelo took the chair at 1:15 p.m.

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 31, 2005, **amended and passed** the following bills in which the concurrence of the Senate is asked:

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. (**S-3075**)

Senate File 379, a bill for an act relating to the Iowa probate code, the Iowa trust code, and certain other trusts. (**S-3076**)

ALSO: That the House has on March 31, 2005, **passed** the following bills in which the concurrence of the Senate is asked:

House File 608, a bill for an act defining the term “possession” for purposes of the criminal law.

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

House File 647, a bill for an act relating to electronic filing of campaign finance organizational statements, dissolution reports, and disclosure reports by candidates for statewide office or for the general assembly, establishing a filing deadline for all statements and reports, providing a penalty, and providing applicability dates.

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

House File 708, a bill for an act relating to the establishment of rural improvement zones.

Read first time and referred to committee on **Economic Growth**.

House File 729, a bill for an act relating to the Iowa public employees' retirement system and the judicial retirement system.

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

House File 753, a bill for an act requiring certain safety-related information concerning a child to be provided to a parent, guardian, or foster parent or other custodian of a child.

Read first time and referred to committee on **Human Resources**.

House File 776, a bill for an act relating to governmental financial and information technology activities, including membership in state insurance plans by former members of the general assembly, designation of a chief information officer for the state, cooperative procurement agreements, distribution of state employee salary information, setoff authority for capitol complex and state laboratory parking fines collection, sales of disposed personal property of the state by not-for-profit organizations, a local government setoff authority pilot project, and providing for a study concerning credit card payments accepted by government.

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

House File 793, a bill for an act relating to the conduct of elections and voter registration by providing when candidates to fill county office vacancies are to be nominated at the primary election, relating to signature requirements on nomination petitions, requiring legislative council approval of certain expenditures for implementation of the Help America Vote Act, relating to use of substitute precinct election officials, relating to ballot printing requirements, modifying closing hours of the polls, modifying identification requirements at the polls, providing grounds for challenging a voter's qualifications, relating to preparation of tally lists, striking the authority of the state or county commissioner to issue a notice of a technical infraction, prohibiting candidates or incumbents from being observers when absentee ballots are counted, clarifying that certain confined persons may vote an absentee ballot in person at the commissioner's office, imposing a prohibition on absentee ballot couriers, prohibiting certain communications when absentee ballots are being counted, exempting military and overseas voters from the identification and verification requirements for mail voter registrants, relating to multiple requests for an absentee ballot for a military and overseas voter, relating to changes of address and replacement absentee ballots for military and overseas voters, exempting military and overseas voters from absentee ballot return restrictions, allowing certain military voters to return absentee ballots from within the United States, striking a requirement related to counting federal write-in ballots, relating to establishment of satellite, absentee voting stations, defining voter registration list, requiring identification of certain voter registrants, relating to signature requirements on voter registration applications, including the social security administration as a verification source for certain voter registration information, requiring verification of certain information on all voter registrations received by mail, specifying the county commissioner as the official responsible for voter registration verification, limiting the dates of special elections on public measures for certain political subdivisions and school corporations, and including effective and applicability date provisions.

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

House File 814, a bill for an act relating to electronic notices of bidding opportunities for state purchases.

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

House File 826, a bill for an act relating to the speed limit for vehicular traffic on highways, the fines for violations, and court costs for simple misdemeanor offenses and providing a fee and making appropriations.

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

SPECIAL GUESTS

Senator Iverson introduced U.S. Representative Steve King, former member of the Senate from Sac County. He addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

Senator Lamberti welcomed Special Olympic athletes Jenna Schrack, Matt LaRue, Michelle Pettitt, and their coach Rob Wagner. These athletes participated in the Special Olympics World Winter Games in Nagano, Japan.

Matt LaRue addressed the Senate. He spoke about his experiences as a participant in the Special Olympics.

The Senate rose and expressed its appreciation of the accomplishments of these three athletes.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 21, 15, 13, and 12.

Senate Resolution 21

On motion of President Lamberti, **Senate Resolution 21**, a resolution relating to the musical programming on Iowa Public Radio, with report of committee recommending passage, was taken up for consideration.

President Lamberti moved the adoption of **Senate Resolution 21**, which motion prevailed by a voice vote.

Senate Resolution 15

On motion of Senator Zieman, **Senate Resolution 15**, a resolution honoring the City of Nashua on its sesquicentennial anniversary year, with report of committee recommending passage, was taken up for consideration.

Senator Zieman moved the adoption of **Senate Resolution 15**, which motion prevailed by a voice vote.

Senate Resolution 13

On motion of Senator Iverson, **Senate Resolution 13**, a resolution honoring Rotary International on the occasion of its 100th anniversary and recognizing February 23, 2005, as Rotary International Day, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved the adoption of **Senate Resolution 13**, which motion prevailed by a voice vote.

Senate Resolution 12

On motion of Senator Zieman, **Senate Resolution 12**, a resolution to recognize the sesquicentennial of the town of New Hampton, Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Zieman moved the adoption of **Senate Resolution 12**, which motion prevailed by a voice vote.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:35 p.m. until 3:30 p.m.

APPENDIX — 1**CERTIFICATES OF RECOGNITION**

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

Spencer Anderson, Mason City—For receiving the University of Iowa Presidential Scholarship. Senator Ragan (4/4/05).

Clay Baker, Mediapolis—For receiving the University of Iowa Presidential Scholarship for the 2005–2006 school year. Senator Courtney (4/4/05).

Andrew P. Biederman, Osage—For achieving the rank of Eagle Scout, Boy Scout Troop 62. Senator Ragan (4/4/05).

Ned Patrick Callan, Carter Lake—For receiving the rank of Eagle Scout, Boy Scout Troop 501. Senator Gronstal (4/4/05).

Karen Haman, Huxley—For receiving the University of Iowa Presidential Scholarship for the 2005–2006 school year. Senator Iverson (4/4/05).

Patricia Haman, Huxley—For receiving the University of Iowa Presidential Scholarship for the 2005–2006 school year. Senator Iverson (4/4/05).

Thomas John Heijerman, Rock Valley—For achieving the rank of Eagle Scout, Boy Scout Troop 211. Senator Mulder (4/4/05).

Eric Johnson, Osage—For achieving the rank of Eagle Scout, Boy Scout Troop 62. Senator Ragan (4/4/05).

Mary E. Junk—For being named Publisher of the Year by Editor and Publisher Magazine. Senator Tinsman (4/4/05).

Jacqueline Lampert, Monticello Nursing and Rehab Center—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Hancock (4/4/05).

Ruth Lueken, West Delaware Community School District—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Hancock (4/4/05).

Tom Niblock, Nevada—For receiving the Richard J. Odem Scholarship in the University of Iowa's College of Liberal Arts and Sciences. Senator Iverson (4/4/05).

Lavonne Poolman, Clarion—For celebrating your 90th birthday. Senator Iverson (4/4/05).

Michelle Schnack—For receiving the University of Iowa Presidential Scholarship. Senator Wood (4/4/05).

Matthew Stemper, Sherrill—For receiving the University of Iowa Presidential Scholarship for the 2005–2006 school year. Senator Hancock (4/4/05).

Dave Walker, President of Burlington Baseball Association—For outstanding contributions to baseball and the Burlington community. Senator Courtney (4/4/05).

Jeffrey L. Williams, Osage—For achieving the rank of Eagle Scout, Boy Scout Troop 62. Senator Ragan (4/4/05).

Curtis W. Younker, II, Osage—For achieving the rank of Eagle Scout, Boy Scout Troop 62. Senator Ragan (4/4/05).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: April 4, 2005, 1:45 p.m.

Members Present: Connolly and McKinley, Co-chairs; Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Quirnbach, Schoenjahn, and Wood.

Members Absent: Larson and Ward (both excused).

Committee Business: Passed [HF 742](#).

Adjourned: 2:10 p.m.

TRANSPORTATION

Convened: April 4, 2005, 2:35 p.m.

Members Present: McCoy and Putney, Co-chairs; Beall, Danielson, Dearden, Hahn, Kettering, Shull, Warnstadt, and Ziemann.

Members Absent: Fraise and Ward (both excused).

Committee Business: Passed [HF 718](#).

Adjourned: 2:45 p.m.

INTRODUCTION OF BILL

[Senate File 399](#), by Gronstal and Iverson, a bill for an act providing for county eligibility for state payment of property tax relief moneys and allowed growth funding for mental health, mental retardation, and developmental disabilities services and providing effective and retroactive applicability dates.

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

STUDY BILL RECEIVED

[SSB 1301](#) **Ways and Means**

Relating to the imposition of a gross receipts tax on the sales of tangible personal property at retail, providing penalties, and including effective and retroactive applicability date provisions.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 391](#)

WAYS AND MEANS: Connolly and McKinley, Co-chairs; Miller and Quirnbach

[House File 291](#)

NATURAL RESOURCES AND ENVIRONMENT: Kettering and Wood, Co-chairs; Houser and Schoenjahn

[House File 620](#)

HUMAN RESOURCES: Gaskill and Hatch, Co-chairs; Bolkcom and Johnson

[House File 729](#)

STATE GOVERNMENT: Kibbie and Zieman, Co-chairs; Horn and McKibben

[House File 748](#)

STATE GOVERNMENT: Ward and Wood, Co-chairs; Danielson and Kettering

[House File 776](#)

STATE GOVERNMENT: Danielson and Wieck, Co-chairs; Hancock and Tinsman

[House File 802](#)

WAYS AND MEANS: Danielson and Zaun, Co-chairs; Hahn and Seng

[SSB 1301](#)

WAYS AND MEANS: Connolly and McKibben, Co-chairs; Miller and Stewart

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: [HOUSE FILE 742](#), a bill for an act relating to the Iowa early intervention block grant program by changing the reporting requirements, extending the repeal of the chapter establishing the program, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Connolly, McKinley, Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Quirnbach, Schoenjahn, and Wood. Nays, none. Absent, 2: Larson and Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: [HOUSE FILE 718](#), a bill for an act allowing a refund of unexpired motor vehicle registration fees to a vehicle owner who moves out of state.

Recommendation: DO PASS.

Final Vote: Ayes, 8: McCoy, Beall, Danielson, Dearden, Hahn, Kettering, Shull, and Zieman. Nays, 2: Putney and Warnstadt. Absent, 2: Fraise and Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REFERRAL TO INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the following name be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar":

Michael Tramontina – Director of the Department of Management

STEWART E. IVERSON, JR.

EVENING SESSION

The Senate reconvened at 5:08 p.m., President Lamberti 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 April 4, 2005, **passed** the following bill in which the concurrence of the House was asked:

Senate File 215, a bill for an act modifying the certified mail requirement concerning the service and delivery of certain civil rights complaints and orders.

ALSO: That the House has on April 4, 2005, **passed** the following bill in which the concurrence of the Senate is asked:

House File 538, a bill for an act revising child welfare requirements involving children with mental health, behavioral, or emotional disorders and providing a contingent effective date.

Read first time and referred to committee on **Human Resources**.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration **House File 466**.

House File 466

On motion of Senator Kettering, **House File 466**, a bill for an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, and the general fund, with report of committee recommending passage, was taken up for consideration.

Senator Kettering 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. 466](#)), 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.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 360](#).

[Senate File 360](#)

On motion of Senator McCoy, [Senate File 360](#), 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, was taken up for consideration.

Senator Wieck withdrew amendment [S-3058](#), filed by him on March 23, 2005, to pages 1, 36, and to the title page of the bill.

Senator McCoy offered amendment [S-3050](#), filed by him on March 23, 2005, to pages 8 and 9 and to the title page of the bill.

Senator Wieck offered amendment [S-3062](#), filed by him on March 29, 2005, to page 1 of amendment [S-3050](#), and moved its adoption.

Amendment [S-3062](#) was adopted by a voice vote.

Senator McCoy moved the adoption of amendment [S-3050](#), as amended, which motion prevailed by a voice vote.

Senator Gronstal offered amendment [S-3081](#), filed by him from the floor to page 16 of the bill, and moved its adoption.

Amendment [S-3081](#) was adopted by a voice vote.

Senator Gronstal offered amendment [S-3054](#), filed by him on March 23, 2005, to page 35 of the bill, and moved its adoption.

Amendment [S-3054](#) was adopted by a voice vote.

Senator McCoy 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. 360](#)), 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, as amended, was agreed to.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 11](#).

[Senate Resolution 11](#)

On motion of Senator Angelo, [Senate Resolution 11](#), a resolution honoring and celebrating the life of Iowa's own Johnny Carson, with report of committee recommending passage, was taken up for consideration.

Senator Angelo moved the adoption of [Senate Resolution 11](#), which motion prevailed by a voice vote.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Thomas Engelmann, Accountancy Examining Board
Marianne Mickelson, Accountancy Examining Board

Charlotte Westerhaus, Commission on the Status of African-Americans

James Clayton, Alcoholic Beverages Commission

Terry Allers, Architectural Examining Board
Teresa Petrzalek, Architectural Examining Board

Mark Coberley, Board of Athletic Training Examiners

Thomas Gronstal, Superintendent of Banking

Clark (Sam) Kauffman, Board of Barber Examiners

Elizabeth Shannahan, Board of Behavioral Science Examiners

Julia Scurr, Commission for the Blind

Robert Brecke, Boiler and Pressure Vessel Board

Eugene Blanshan, Iowa Capital Investment Board

Joseph DeHart, Child Advocacy Board
Michael Isaacson, Child Advocacy Board
Katherine Kaminsky, Child Advocacy Board

Kathleen Doohen, Board of Chiropractic Examiners
Steven Kraus, Board of Chiropractic Examiners
Karen Whalen, Board of Chiropractic Examiners

Nancy Witt, Iowa State Civil Rights Commission

Amy Peiffer, Commission on Community Action Agencies

Johnie Hammond, Board of Corrections

Becky Brockmann, Board of Cosmetology Arts and Sciences Examiners
Lois Leytem, Board of Cosmetology Arts and Sciences Examiners
Mary Beth Myers, Board of Cosmetology Arts and Sciences Examiners

Jill Marlow, County Finance Committee
Kay Swanson, County Finance Committee

Don Gettings, Credit Union Review Board

David Jones, Commission on the Deaf

Alan Hathaway, Board of Dental Examiners
Suzan Stewart, Board of Dental Examiners

Christine O'Brien, Board of Dietetic Examiners
Robert Schweers, Board of Dietetic Examiners

Peggy Armstrong-Gustafson, Iowa Economic Development Board
Jerry Courtney, Iowa Economic Development Board
Arvind Dandekar, Iowa Economic Development Board
Jack (Doug) Sickler, Iowa Economic Development Board

John Aboud, Board of Educational Examiners
Ying Ying Chen, Board of Educational Examiners
Jeffrey Henderson, Board of Educational Examiners
Thomas Paulsen, Board of Educational Examiners
Jean Seeland, Board of Educational Examiners

Lisa Carlson, Commission of Elder Affairs
Yvonne Minton, Commission of Elder Affairs
Robert Neumann, Commission of Elder Affairs

Kristine Kesterson, Elevator Safety Board
Wayne Sims, Elevator Safety Board
Siobhan Workman, Elevator Safety Board

Susan Albright, Engineering and Land Surveying Examining Board
Gary Benjamin, Engineering and Land Surveying Examining Board
Lyle TeKippe, Engineering and Land Surveying Examining Board

Patricia Harper, Iowa Ethics and Campaign Disclosure Board
Gerald Sullivan, Iowa Ethics and Campaign Disclosure Board

Bret Mills, Executive Director of the Iowa Finance Authority

Virginia Bordwell, Iowa Finance Authority
Douglas Walter, Iowa Finance Authority

Sandy Simpson, Iowa Grain Indemnity Fund Board

Karen Foster, Grape and Wine Development Commission
Linda Larson-Melin, Grape and Wine Development Commission

Charles Follett, Health Facilities Council
Karen Hope, Health Facilities Council (appointment and reappointment)

Susan Salter, Healthy and Well Kids in Iowa (HAWK-I) Board

Robert Fleming, Iowa Higher Education Loan Authority

Mark Peltan, Council on Human Services
Sylvia Schoer, Council on Human Services

Joanne Stockdale, Investment Board of the IPERS

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

Randy Krukow, Iowa Law Enforcement Academy Council

Judith Heath, Board of Examiners for Massage Therapy

Susan Johnson, Board of Medical Examiners
Sally Schroeder, Board of Medical Examiners

Shelly Chandler, Mental Health, Mental Retardation, Developmental
Disabilities, and Brain Injury Commission

Linda Kellen, Mental Health, Mental Retardation, Developmental
Disabilities, and Brain Injury Commission

Patricia Penning, Mental Health, Mental Retardation, Developmental
Disabilities, and Brain Injury Commission

Rebecca Eskildsen, Mental Health Risk Pool Board
William Gorman, Mental Health Risk Pool Board
Karen Strawn, Mental Health Risk Pool Board

Karen Thomsen, Board of Mortuary Science Examiners

John Connors, Board of Nursing Examiners
Mary Jacobus, Board of Nursing Examiners

Larry Hertel, State Board of Examiners for Nursing Home Administrators
Michael Van Sickle, State Board of Examiners for Nursing Home
Administrators

Terry Brown, Board of Optometry Examiners
Edwina O'Farrell, Board of Optometry Examiners
Michael Ohlson, Board of Optometry Examiners

Barbara Binnie, Board of Parole
Curtis Jenkins, Board of Parole

Paul Abramowitz, Board of Pharmacy Examiners
Vernon Benjamin, Board of Pharmacy Examiners

Lisabeth Kestel, Board of Physical and Occupational Therapy Examiners
Theodore Peterson, Board of Physical and Occupational Therapy Examiners
Armando Rosales, Board of Physical and Occupational Therapy Examiners

Patsy Hastings, Board of Podiatry Examiners

Jennifer Lock Oman, Board of Psychology Examiners

Kathryne Cutler, State Racing and Gaming Commission

Michael Lara, Real Estate Appraiser Examining Board
Amy Thorne, Real Estate Appraiser Examining Board

Patricia Daniels, Real Estate Commission
James O'Neill, Real Estate Commission

Rose Vasquez, State Board of Regents

Craig Bainbridge, State Board for Respiratory Care
Kathelene Semke, State Board for Respiratory Care

Connie Cook, School Budget Review Committee

John Cullen, Small Business Advisory Council
Dana Ingerslev, Small Business Advisory Council
Paul Tabor, Small Business Advisory Council
Stanley Thompson, Small Business Advisory Council

W. Robert Schmidt, Board of Social Work Examiners

Keith Lau, State Soil Conservation Committee
Duane Sand, State Soil Conservation Committee
John Sellers, Jr., State Soil Conservation Committee

Jeannette Adamski, Board of Speech Pathology and Audiology Examiners
Christine Donner-Tiernan, Board of Speech Pathology and Audiology
Examiners

Frank Stork, State Board of Tax Review

Daniel Steen, Commandant of the Iowa Veterans Home

Sarah Garst, Iowa Board of Veterinary Medicine
Michael Stein, Iowa Board of Veterinary Medicine

Andrew Anderson, Chair of the Vision Iowa Board

Charles Graf, Vision Iowa Board
 Carolyn Rants, Vision Iowa Board

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" 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 appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 332](#).

[House File 332](#)

On motion of Senator Zaun, [House File 332](#), a bill for an act allowing certain abstractors to request a mortgage release, with report of committee recommending passage, was taken up for consideration.

Senator Zaun 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. 332](#)), 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 Ward asked and received unanimous consent that [Senate File 322](#) be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 373](#).

[House File 373](#)

On motion of Senator Beall, [House File 373](#), 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, with

report of committee recommending passage, 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?" ([H.F. 373](#)), 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.

HOUSE AMENDMENT CONSIDERED

[Senate File 74](#)

Senator Kettering called up for consideration [Senate File 74](#), a bill for an act relating to financial institutions, by prohibiting the deceptive use of name, and providing remedies and penalties, amended by the House in House amendment [S-3073](#), filed March 30, 2005.

Senator Kettering moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Kettering moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 74](#)), 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.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 325](#).

[Senate File 325](#)

On motion of Senator Gronstal, [Senate File 325](#), a bill for an act relating to the procedures and duties of the judicial branch, and making an appropriation to the enhanced court collections fund, was taken up for consideration.

Senator Angelo offered amendment [S-3074](#), filed by the committee on Appropriations on March 30, 2005, to pages 1 and 2 and to the title page of the bill.

Senator Angelo offered amendment [S-3078](#), filed by Senators Angelo and Dvorsky from the floor to page 1 of amendment [S-3074](#), and moved its adoption.

Amendment [S-3078](#) was adopted by a voice vote.

Senator Angelo moved the adoption of amendment [S-3074](#), as amended, which motion prevailed by a voice vote.

With the adoption of amendment [S-3074](#), the Chair ruled amendment [S-3049](#), filed by Senator Larson on March 22, 2005, to pages 1 and 2 and to the title page of the bill, out of order.

Senator Angelo 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. 325](#)), 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, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 74, 325, and 360** and **House Files 332 and 373** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 344](#).

[Senate File 344](#)

On motion of Senator Hahn, [Senate File 344](#), a bill for an act relating to the required fuel efficiency of newly purchased state vehicles, was taken up for consideration.

Senator Behn asked and received unanimous consent that action on [Senate File 344](#) be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 336](#).

[Senate File 336](#)

On motion of Senator Wood, [Senate File 336](#), a bill for an act limiting causes of action against veterinary practitioners who provide care to animals suffering distress, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on [Senate File 336](#) be **deferred**.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that [House File 583](#) be referred from the Regular Calendar to the committee on **State Government**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:08 p.m. until 8:30 a.m., Tuesday, April 5, 2005.

APPENDIX — 2

SUBCOMMITTEE ASSIGNMENTS

[House File 619](#)

JUDICIARY: Dvorsky and Larson, Co-chairs; Boettger, Fraise, Horn, and McKibben

[House File 777](#)

JUDICIARY: Hancock and Tinsman, Co-chairs; Kreiman and Larson

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: [HOUSE FILE 478](#), a bill for an act relating to the Iowa commission on volunteer service.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Ragan, Seymour, Behn, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Quirnbach, Tinsman, and Wood. Nays, none. Absent, 2: Boettger and Kreiman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 617](#), a bill for an act relating to inclusion of assisted living services under the medical assistance home and community-based services waiver for the elderly.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3082](#).

Final Vote: Ayes, 12: Ragan, Seymour, Behn, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Quirnbach, Tinsman, and Wood. Nays, none. Absent, 2: Boettger and Kreiman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 784](#), a bill for an act to establish an advanced practice registered nurse compact and including a future repeal.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Ragan, Seymour, Behn, Bolkcom, Dotzler, Gaskill, Hatch, Houser, Johnson, Quirnbach, Tinsman, and Wood. Nays, none. Absent, 2: Boettger and Kreiman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**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:

HUMAN RESOURCES

Kathy Beauchamp – Commission on Community Action Agencies
Merl McFarlane – Commission on Community Action Agencies

Jacquelyn Fletcher – Commission on the Deaf

Barbara Brown – Iowa Empowerment Board
John Calhoun – Iowa Empowerment Board
Terri Christoffersen – Iowa Empowerment Board
Mary Odell – Iowa Empowerment Board

James Yeast – Healthy and Well Kids in Iowa (HAWK-I) Board

Donald Wright – Council on Human Services

Patricia Moreland – Prevention of Disabilities Policy Council

Christopher Squier – Commission on Tobacco Use Prevention and Control

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which [House File 466](#) passed the Senate on April 4, 2005.

MICHAEL E. GRONSTAL

AMENDMENTS FILED

<u>S-3075</u>	<u>S.F. 246</u>	House
<u>S-3076</u>	<u>S.F. 379</u>	House
<u>S-3077</u>	<u>S.F. 378</u>	Larry McKibben
<u>S-3078</u>	<u>S.F. 325</u>	Jeff Angelo
		Robert E. Dvorsky
<u>S-3079</u>	<u>S.F. 390</u>	David Miller
		Joe Bolkom
<u>S-3080</u>	<u>H.F. 742</u>	Frank B. Wood
<u>S-3081</u>	<u>S.F. 360</u>	Michael E. Gronstal
<u>S-3082</u>	<u>H.F. 617</u>	Human Resources