

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, APRIL 14, 2005

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JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 14, 2005

The Senate met in regular session at 8:35 a.m., President Kibbie presiding.

Prayer was offered by the Reverend Mario Lara, pastor of the Lifebridge Christian Church in Des Moines, Iowa. He was the guest of Senator Shull.

The Journal of Wednesday, April 13, 2005, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lundby, until she arrives, on request of Senator Dvorsky.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House File 587](#).

[House File 587](#)

On motion of Senator Bolkcom, [House File 587](#), a bill for an act relating to adult day services regulation and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bolkcom offered amendment [S-3098](#), filed by the committee on Human Resources on April 7, 2005, to pages 11 and 15 of the bill, and moved its adoption.

Amendment [S-3098](#) was adopted by a voice vote.

Senator Bolkcom 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. 587](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Larson	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	Kreiman	Seng	

Nays, none.

Absent, 1:

Lundby

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

RECESS

On motion of Senator Iverson, the Senate recessed at 8:55 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:04 a.m., President Kibbie presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 36](#), a resolution recognizing April 15, 2005, as "National Youth Service Day."

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Resolution 36](#).

[Senate Resolution 36](#)

On motion of Senator Warnstadt, [Senate Resolution 36](#), a resolution recognizing April 15, 2005, as "National Youth Service Day," with report of committee recommending passage, was taken up for consideration.

Senator Warnstadt moved the adoption of [Senate Resolution 36](#), which motion prevailed by a voice vote.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House Files 532 and 613.

[House File 532](#)

On motion of Senator Ward, [House File 532](#), a bill for an act relating to the administrative functions of the department of cultural affairs, including the board of trustees of the state historical society of Iowa and the state records commission, with report of committee recommending passage, 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?" ([H.F. 532](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Larson	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	Kreiman	Seng	

Nays, none.

Absent, 1:

Lundby

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

[House File 613](#)

On motion of Senator Danielson, [House File 613](#), a bill for an act relating to the regulation of hot water heating boilers for swimming pools and spas, with report of committee recommending passage, was taken up for consideration.

Senator Danielson 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. 613](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Larson	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	Kreiman	Seng	

Nays, none.

Absent, 1:

Lundby

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 532, 587, and 613** 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 757 and 616.

[House File 757](#)

On motion of Senator Hahn, [House File 757](#), a bill for an act relating to the disposition of abandoned vehicles, with report of committee recommending passage, was taken up for consideration.

Senator Hahn 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. 757](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Larson	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	Kreiman	Seng	

Nays, none.

Absent, 1:

Lundby

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

[House File 616](#)

On motion of Senator Tinsman, [House File 616](#), a bill for an act revising requirements applicable to county and multicounty decategorization of child welfare and juvenile justice funding projects, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman asked and received unanimous consent that action on [House File 616](#) be **deferred**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [House File 757](#) 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 617, 620, and 641.

House File 617

On motion of Senator Tinsman, **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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Ragan offered amendment **S-3082**, filed by the committee on Human Resources on April 4, 2005, to page 1 of the bill, and moved its adoption.

Amendment **S-3082** was adopted by a voice vote.

Senator Tinsman 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. 617**), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Larson	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	Kreiman	Seng	

Nays, none.

Absent, 1:

Lundby

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

House File 620

On motion of Senator Johnson, **House File 620**, a bill for an act relating to the volunteer health care provider program and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Johnson 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. 620**), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Larson	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	Kreiman	Seng	

Nays, none.

Absent, 1:

Lundby

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

[House File 641](#)

On motion of Senator Danielson, [House File 641](#), a bill for an act concerning the determination of state regulatory fees on excursion gambling boats relating to the number of gaming enforcement officers on larger excursion gambling boats, with report of committee recommending passage, was taken up for consideration.

Senator Danielson 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. 641](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Larson	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	Kreiman	Seng	

Nays, none.

Absent, 1:

Lundby

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 617, 620, and 641** 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 708, 710, and 754.

House File 708

On motion of Senator Ragan, **House File 708**, a bill for an act relating to the establishment of rural improvement zones, 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?" (**H.F. 708**), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Larson	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	Kreiman	Seng	

Nays, none.

Absent, 1:

Lundby

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

House File 710

On motion of Senator Tinsman, **House File 710**, a bill for an act relating to the regulation of elder group homes and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Tinsman offered amendment **S-3099**, filed by the committee on Human Resources on April 7, 2005, to page 5 of the bill, and moved its adoption.

Amendment **S-3099** was adopted by a voice vote.

Senator Tinsman offered amendment **S-3120**, filed by her on April 13, 2005, to page 16 of the bill, and moved its adoption.

Amendment **S-3120** was adopted by a voice vote.

Senator Tinsman 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. 710**), 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 File 754

On motion of Senator Stewart, **House File 754**, a bill for an act relating to a homestead exemption waiver notice contained in a written contract affecting agricultural land, with report of committee recommending passage, was taken up for consideration.

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?" (**H.F. 754**), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	Seymour
Beall	Gaskill	Larson	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	Kreiman	Seng	

Nays, 1:

Lundby

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 708, 710, and 754** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House File 760](#).

[House File 760](#)

On motion of Senator Boettger, [House File 760](#), a bill for an act relating to dependent adults and the provision of protective services, with report of committee recommending passage, 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?" ([H.F. 760](#)), 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 April 13, 2005)

House File 772

The Senate resumed consideration of **House File 772**, a bill for an act relating to violations of the open meetings and open records law by a member of a governmental body, the lawful custodian of a public record, or any other appropriate person, deferred April 13, 2005.

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?" (**H.F. 772**), the vote was:

Yeas, 47:

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

Nays, 3:

Brunkhorst	Courtney	Fraise
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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 **House File 768**.

House File 768

On motion of Senator Black, **House File 768**, a bill for an act relating to the publishing of notice of recommendations to grant permits for diversion, storage, and withdrawal of water, with committee recommending passage, was taken up for consideration.

Senator Black 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. 768**), 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 760, 768, and 772** 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 781, 784, and 787.

House File 781

On motion of Senator Dotzler, **House File 781**, a bill for an act relating to the establishment of a direct care worker task force, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler 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. 781**), 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 File 784

On motion of Senator Seymour, **House File 784**, a bill for an act to establish an advanced practice registered nurse compact and including a future repeal, with report of committee recommending passage, was taken up for consideration.

Senator Seymour 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. 784**), 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 File 787

On motion of Senator Dotzler, **House File 787**, a bill for an act relating to information to be reported regarding an induced termination of pregnancy performed on a minor, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler asked and received unanimous consent that action on [House File 787](#) be **deferred**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 781 and 784** be **immediately messaged** to the House.

RECESS

On motion of Senator Iverson, the Senate recessed at 10:42 a.m. until 11:00 a.m.

RECONVENED

The Senate reconvened at 11:13 a.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 April 14, 2005, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 260](#), a bill for an act relating to debt collection disclosure requirements for certain financial institution affiliates.

[Senate File 304](#), a bill for an act relating to the provisions of the elder Iowans Act.

[Senate File 352](#), a bill for an act relating to confidentiality and liability provisions involving the child advocacy board and the programs associated with the board and making a penalty applicable.

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House Files 789 and 797.

[House File 789](#)

On motion of Senator Wood, [House File 789](#), a bill for an act relating to programs and functions under the purview of the Iowa department of public health, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Wood offered amendment [S-3100](#), filed by the committee on Human Resources on April 7, 2005, to pages 1 and 13 of the bill, and moved its adoption.

Amendment [S-3100](#) was adopted by a voice vote.

Senator Hancock asked and received unanimous consent that action on [House File 789](#) be **deferred**.

[House File 797](#)

On motion of Senator Shull, [House File 797](#), a bill for an act relating to the establishment of a promotional program for national historic landmarks and certified cultural and entertainment districts, with report of committee recommending passage, was taken up for consideration.

Senator Shull 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. 797](#)), 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
(Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House File 809](#).

[House File 809](#)

On motion of Senator Dotzler, [House File 809](#), a bill for an act relating to and making appropriations to the department of economic development, certain board of regents institutions, the department of workforce development, and the public employment relations board and related matters, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Ward offered amendment [S-3093](#), filed by the committee on Appropriations on April 6, 2005, to pages 11 and 12 and to the title page of the bill, and moved its adoption.

Amendment [S-3093](#) was adopted by a voice vote.

Senator Brunkhorst offered amendment [S-3123](#), filed by Senators Brunkhorst, Ward, and McKinley from the floor to page 4 of the bill, and moved its adoption.

Amendment [S-3123](#) was adopted by a voice vote.

Senator Dotzler 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. 809](#)), 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.

BUSINESS PENDING

[House File 789](#)

The Senate resumed consideration of [House File 789](#), a bill for an act relating to programs and functions under the purview of the Iowa department of public health, previously deferred.

Senator Wood 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. 789](#)), 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 789 and 797** 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 646, 682, and 712.

[House File 646](#)

On motion of Senator Wood, [House File 646](#), a bill for an act concerning social and charitable gambling, including the regulation of cash raffles at fairs, prohibiting raffles at annual game nights, establishing a permanent electrical and mechanical amusement devices special fund and providing an appropriation, prohibiting certain electrical or mechanical amusement devices and bona fide contests, and providing for the denial, suspension, and revocation of certain gambling licenses by the department of inspections and

appeals, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Horn offered amendment [S-3106](#), filed by the committee on State Government on April 11, 2005, to pages 2 and 5 and to the title page of the bill, and moved its adoption.

Amendment [S-3106](#) was adopted by a voice vote.

Senator McCoy offered amendment [S-3124](#), filed by him from the floor to page 3 of the bill, and moved its adoption.

Amendment [S-3124](#) was adopted by a voice vote.

Senator Wood 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. 646](#)), 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.

House File 712

On motion of Senator Rielly, [House File 712](#), a bill for an act allowing counties to share the services of certain elective county officers, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Quirnbach offered amendment [S-3104](#), filed by the committee on Local Government on April 11, 2005, to page 1 of the bill, and moved its adoption.

Amendment [S-3104](#) was adopted by a voice vote.

Senator Rielly offered amendment [S-3116](#), filed by him on April 13, 2005, to pages 1 and 2 and to the title page of the bill.

Senator Lundby asked and received unanimous consent that action on amendment [S-3116](#) and [House File 712](#) be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House Files 718 and 724.

House File 718

On motion of Senator McCoy, [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, with report of committee recommending passage, was taken up for consideration.

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?" ([H.F. 718](#)), the vote was:

Yeas, 26:

Angelo	Gronstal	McCoy	Seymour
Behn	Horn	McKinley	Tinsman
Boettger	Houser	Miller	Ward
Connolly	Iverson	Quirnbach	Wood
Danielson	Kibbie	Rielly	Zieman
Dearden	Larson	Schoenjahn	
Fraise	Lundby	Seng	

Nays, 24:

Beall	Dvorsky	Kettering	Ragan
Black	Gaskill	Kreiman	Shull
Bolkcom	Hahn	Lamberti	Stewart
Brunkhorst	Hancock	McKibben	Warnstadt
Courtney	Hatch	Mulder	Wieck
Dotzler	Johnson	Putney	Zaun

Absent, none.

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

[House File 724](#)

On motion of Senator Johnson, [House File 724](#), a bill for an act creating a prescription drug donation repository program, with report of committee recommending passage, was taken up for consideration.

Senator Johnson 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. 724](#)), 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 718 and 724** 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 753, 774, and 776.

[House File 753](#)

On motion of Senator Kreiman, [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, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman asked and received unanimous consent that action on [House File 753](#) be **deferred**.

[House File 774](#)

On motion of Senator Quirnbach, [House File 774](#), a bill for an act relating to the petition and vote requirements for increasing or reducing board of supervisors membership in certain counties, with report of committee recommending passage, was taken up for consideration.

Senator Lundby asked and received unanimous consent that action on [House File 774](#) be **deferred**.

House File 776

On motion of Senator Danielson, **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, with report of committee recommending passage, was taken up for consideration.

Senator Danielson 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. 776**), 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.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

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

Holly Healey, Board of Athletic Training Examiners

Barbara Oliver-Hall, Credit Union Review Board

Senator Iverson 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.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [House File 776](#) be **immediately messaged** to the House.

The Senate stood at ease at 12:34 p.m. until the fall of the gavel.

The Senate resumed session at 12:45 p.m., President Pro Tempore Dvorsky 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 14, 2005, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 335](#), a bill for an act relating to access to dependent adult abuse information and unemployment compensation claims.

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

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

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

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Iverson asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar:

[S.F. 374](#)
[S.F. 381](#)
[H.F. 222](#)
[H.F. 253](#)
[H.F. 275](#)
[H.F. 312](#)
[H.F. 374](#)
[H.F. 398](#)
[H.F. 420](#)

[H.F. 423](#)
[H.F. 538](#)
[H.F. 540](#)
[H.F. 610](#)
[H.F. 616](#)
[H.F. 619](#)
[H.F. 644](#)
[H.F. 682](#)
[H.F. 712](#)

[H.F. 729](#)
[H.F. 737](#)
[H.F. 739](#)
[H.F. 740](#)
[H.F. 748](#)
[H.F. 753](#)
[H.F. 761](#)
[H.F. 774](#)
[H.F. 787](#)

BILLS REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that the following bills on the Senate Calendar, no longer eligible under Senate Rule 60, be referred to committee:

S.F. 195/att. H.F. 741	Transportation
S.F.266 /att. H.F. 537	Commerce
S.F. 332	Judiciary
S.F. 337	Agriculture
S.F. 338	State Government
S.F.348 /att. H.F. 686	State Government
S.F. 349	Business and Labor Relations
S.F. 357	Judiciary
S.F. 364	State Government
S.F. 373	Natural Resources and Environment
S.F. 377	Natural Resources and Environment
S.F. 378	Business and Labor Relations

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 12:46 p.m. until 1:00 p.m., Monday, April 18, 2005.

APPENDIX**CERTIFICATES OF RECOGNITION**

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

Jennifer Axness, Southeast Webster Elementary School—For receiving the Golden Apple Award. Senator Beall (4/14/05).

James Dick, Dayton—For being nominated for the 2005 Iowa Elementary Principal of the Year Award. Senator Beall (4/14/05).

Diane Flaherty, Phillips Middle School—For receiving the Golden Apple Award. Senator Beall (4/14/05).

Coach Chris Hanafan and the Lewis Central High School Girls' Basketball Team—For an outstanding 2004–2005 22-win season, including an appearance in the State Tournament. Senator Gronstal (4/14/05).

Sheriff Tom Heater, Greene County—For participating in the prevention of domestic violence. Senator Beall (4/14/05).

Gary Lauterbach, Fair Oaks Middle School—For receiving the Golden Apple Award. Senator Beall (4/14/05).

Pam Nelson, Prairie Valley Elementary School—For receiving the Golden Apple Award. Senator Beall (4/14/05).

Marilynne Robinson, Iowa City—For winning the Pulitzer Prize for fiction. Senator Dvorsky (4/14/05).

Bernie Rosch, Fort Dodge Senior High School—For receiving the Golden Apple Award. Senator Beall (4/14/05).

Bruce Strutzenburg, Prairie Valley Middle School—For receiving the Golden Apple Award. Senator Beall (4/14/05).

Bev Totten, Feelhaver Elementary School—For receiving the Golden Apple Award. Senator Beall (4/14/05).

Barb Wall, Community Christian School—For receiving the Golden Apple Award. Senator Beall (4/14/05).

REPORTS OF COMMITTEE MEETINGS**GOVERNMENT OVERSIGHT**

Convened: April 14, 2005, 10:45 a.m.

Members Present: Courtney and Lundby, Co-chairs; and Connolly.

Members Absent: Wieck (excused).

Committee Business: Passed [HF 814](#) and approved [SSB 1308](#).

Adjourned: 10:50 a.m.

RULES AND ADMINISTRATION

Members Present: April 14, 2005, 8:55 a.m.

Members Absent: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Committee Business: Passed SRs 20, 35, 36, 37, and 40.

Adjourned: 9:00 a.m.

INTRODUCTION OF BILL

[Senate File 406](#), by committee on Government Oversight, a bill for an act relating to the establishment of state and school antiharassment or antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

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

STUDY BILL RECEIVED

[SSB 1311](#) Ways and Means

Exempting from the state sales and use taxes tangible personal property representing services furnished for the production of certain master audio, video, film, or digital tape recordings or similar media and including effective and retroactive applicability date provisions.

SUBCOMMITTEE ASSIGNMENTS

[House File 331](#)

WAYS AND MEANS: Connolly and Zaun, Co-chairs; Stewart and Wieck

[House File 832](#)

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

[House File 834](#)

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

[House File 835](#)

WAYS AND MEANS: Dotzler and Wieck, Co-chairs; Bolkcom and Zieman

[House File 839](#)

APPROPRIATIONS: Putney and Stewart, Co-chairs; Angelo and Dvorsky

[SSB 1311](#)

WAYS AND MEANS: Hahn and Quirmbach, Co-chairs; Dotzler and Zaun

FINAL COMMITTEE REPORTS OF BILL ACTION

GOVERNMENT OVERSIGHT

Bill Title: [SENATE FILE 406 \(SSB 1308\)](#), a bill for an act relating to the establishment of state and school antiharassment or antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 3: Courtney, Lundby, and Connolly. Nays, none. Absent, 1: Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 814](#), a bill for an act relating to electronic notices of bidding opportunities for state purchases.

Recommendation: DO PASS.

Final Vote: Ayes, 3: Courtney, Lundby, and Connolly. Nays, none. Absent, 1: Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 20](#), a resolution urging the United States Congress to take action to maintain the United States Veterans Medical Center at Knoxville.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 35](#), a resolution honoring the city of Sac City on its sesquicentennial.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 37](#), a resolution honoring the city of Riceville on its sesquicentennial.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 40](#), a resolution to recognize Child Passenger Safety Day.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which [House File 646](#) passed the Senate on April 14, 2005.

STEWART E. IVERSON, JR.

MR. PRESIDENT: I move to reconsider the vote by which [House File 809](#) passed the Senate on April 14, 2005.

MICHAEL E. GRONSTAL

WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on April 14, 2005:

I submitted the name of Wayne Sawtelle to serve on the Transportation Commission on January 7, 2005. I am withdrawing his name from further consideration by the Senate.

Sincerely,
THOMAS J. VILSACK
Governor

GOVERNOR'S DEFERRAL LETTER

The following letter from the Governor was received in the office of the Secretary of the Senate on April 14, 2005:

Pursuant to Iowa Code section 2.34(4), the appointment for the Transportation Commission vacancy, formerly held by Wayne Sawtelle, is being deferred because no appropriate candidate has been found for this position at this time.

Sincerely,
THOMAS J. VILSACK
Governor

AMENDMENTS FILED

S-3123	H.F. 809	Bob Brunkhorst Pat Ward Paul McKinley
S-3124	H.F. 646	Matt McCoy
S-3125	H.F. 616	Keith A. Kreiman Maggie Tinsman

<u>S-3126</u>	<u>H.F. 753</u>	Keith A. Kreiman
<u>S-3127</u>	<u>H.F. 374</u>	Steve Warnstadt
<u>S-3128</u>	<u>H.F. 787</u>	David Johnson
<u>S-3129</u>	<u>H.F. 729</u>	Mark Ziemann