

PROOF

STATE OF IOWA

Senate Journal

MONDAY, APRIL 25, 2005

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JOURNAL OF THE SENATE

ONE HUNDRED SIXTH CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 25, 2005

The Senate met in regular session at 1:07 p.m., President Kibbie presiding.

Prayer was offered by the Reverend Bob Kunz, pastor of the Marion Christian Church in Marion, Iowa. He was the guest of Senator Lundby.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Kevin Hamer.

The Journal of Thursday, April 21, 2005, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 21, 2005, **passed** the following bill in which the concurrence of the Senate is asked:

House File 847, a bill for an act relating to property taxation by modifying property assessment guidelines and notification requirements, creating a property assessment appeal board to hear appeals of the actions of local boards of review, tying together the assessment limitations of certain classes of property, and including a retroactive applicability date provision.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lundby, until she arrives, on request of Senator Wieck; Senator Gaskill, until he arrives, on request of Senator Putney; and Senator McKinley, until he arrives, on request of Senator Ziemann.

RECESS

On motion of Senator Iverson, the Senate recessed at 1:14 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:20 p.m., President Kibbie presiding.

WITHDRAWN

Senator Iverson asked and received unanimous consent that [Senate Resolution 22](#) be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Resolution 41](#).

[Senate Resolution 41](#)

On motion of Senator Larson, [Senate Resolution 41](#), a resolution to recognize the life and accomplishments of Colonel Virgil D. Olson, United States Marine Corps-Retired, with report of committee recommending passage, was taken up for consideration.

Senator Larson moved the adoption of [Senate Resolution 41](#), which motion prevailed by a voice vote.

SPECIAL GUEST

Senator Larson introduced Colonel Virgil D. Olson, who addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 45](#), a resolution honoring actress Annette Bening and her Iowa roots.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Gronstal, Iverson, Angelo, Boettger, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, 2: Courtney and Dvorsky.

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 45](#).

[Senate Resolution 45](#)

On motion of Senator Ward, [Senate Resolution 45](#), a resolution honoring actress Annette Bening and her Iowa roots, with report of committee recommending passage, was taken up for consideration.

Senator Ward moved the adoption of [Senate Resolution 45](#), which motion prevailed by a voice vote.

The Senate stood at ease at 1:35 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:12 p.m., President Kibbie presiding.

QUORUM CALL

Senator Johnson requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent, and a quorum present.

MOTIONS TO RECONSIDER WITHDRAWN

House File 614

Senators Behn and Connolly withdrew the motions to reconsider **House File 614**, a bill for an act relating to the transmission, installation, and use of computer software through deceptive or unauthorized means and providing for penalties, filed by Senators Behn and Connolly on April 13, 2005, and found on page 875 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House File 614** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **House File 857** be referred from the Regular Calendar to the committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 3:28 p.m. until 8:30 a.m., Tuesday, April 26, 2005.

APPENDIX

CERTIFICATE OF RECOGNITION

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

Bill Moore, Danville—For celebrating your 90th birthday. Senator Courtney (4/25/05).

PRESENTATION OF VISITORS

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

Students from Hoover Elementary School in Dubuque, Iowa, and their parents, accompanied by teacher Randy Lyon. Senator Connolly.

Three 6th grade students from St. Patrick's Catholic School in Sheldon, Iowa, accompanied by teacher Pam Wehmeyer. Senator Johnson.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: April 25, 2005, 1:15 p.m.

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

Members Absent: Courtney and Dvorsky (both excused).

Committee Business: Passed [SR 45](#).

Adjourned: 1:20 p.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 46](#), by Houser, a resolution relating to Iowa's contribution to a hydrogen-powered economy.

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

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 45**

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

House File 847

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

House File 857

WAYS AND MEANS: Dotzler and Zaun, Co-chairs; McCoy and McKinley

House File 862

APPROPRIATIONS: Bolkcom and Seymour, Co-chairs; Dvorsky and Johnson

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 340](#), the following correction was made:

1. Page 2, line 9: delete 0 in front of fine.

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS 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 bills have 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 25th day of April, 2005:

Senate Files 340, 352, 363, 365, and 370.

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 22, 2005, the Governor approved and transmitted to the Secretary of State the following bills:

[S.F. 260](#) – Relating to debt collection disclosure requirements for certain financial institution affiliates.

[S.F. 304](#) – Relating to the provisions of the elder Iowans Act.

[S.F. 335](#) – Relating to access to dependent adult abuse information and unemployment compensation claims.

AMENDMENTS FILED

S-3164	H.F. 740	Herman C. Quirnbach
S-3165	S.F. 408	Steve Warnstadt
S-3166	H.F. 840	Bob Brunkhorst
		Roger Stewart
		Steve Kettering
		William A. Dotzler, Jr.
		Mark Zieman
		Tom Rielly
S-3167	H.F. 540	John Putney