

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, APRIL 27, 2005

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JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 27, 2005

The Senate met in regular session at 8:36 a.m., President Kibbie presiding.

Prayer was offered by the Reverend Alan Hatner, pastor of the St. James Lutheran Church in Victor, Iowa. He was the guest of Senator Rielly.

The Journal of Tuesday, April 26, 2005, was approved.

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 26, 2005, **passed** the following bill in which the concurrence of the House was asked:

Senate File 395, a bill for an act relating to the activities of the grape and wine development commission, and providing for the transfer of wine gallonage tax revenues to the grape and wine development fund.

ALSO: That the House has on April 26, 2005, **concurred** in the Senate amendment to the House amendment, and **passed** the following bill in which the concurrence of the House was asked:

Senate File 206, a bill for an act relating to deer population management and providing penalties and appropriations.

ALSO: That the House has on April 26, 2005, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 272](#), a bill for an act relating to the council with which the director of human services consults regarding the medical assistance program. ([S-3183](#))

ALSO: That the House has on April 26, 2005, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 828](#), a bill for an act relating to aquatic regulations and activities, including aquatic invasive species, the regulation and registration of certain vessels, the operation of certain vessels by minors, inspections of certain vessels, the operation of vessels for hire or commercial vessels, providing for penalties, and appropriating the moneys collected from certain registration fee increases to the state fish and game protection fund.

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

[House File 860](#), a bill for an act establishing a tax credit certificate transfer program.

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

[House File 864](#), a bill for an act providing an exemption from and a refund of sales and use taxes on materials and services used in the construction of a building or addition to a building to be used as a collaborative educational facility and including effective and applicability date provisions.

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

[House File 866](#), a bill for an act relating to a sales tax holiday for purchases of certain computers during certain times.

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

[House File 871](#), a bill for an act providing for income tax credits for the cost of purchasing health insurance coverage by certain small employers and providing effective and retroactive applicability dates.

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

[House File 875](#), a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first fund, tobacco settlement trust fund, vertical infrastructure fund, general fund of the state, and related matters, and including effective and retroactive applicability date provisions.

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

MOTIONS TO RECONSIDER WITHDRAWN

[House File 646](#)

Senator Iverson withdrew the motion to reconsider **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, filed by him on April 14, 2005, found on page 911 of the Senate Journal.

[House File 809](#)

Senator Gronstal withdrew the motion to reconsider **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, filed by him on April 14, 2005, found on page 911 of the Senate Journal.

[House File 840](#)

Senators Brunkhorst and Dotzler withdrew the motions to reconsider [House File 840](#), a bill for an act authorizing the rebate of state sales tax to the owner or operator of a sanctioned automobile racetrack facility, filed by Senators Brunkhorst and Dotzler on April 26, 2005, found on page 1024 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 646, 809, and 840** 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 [House File 857](#).

[House File 857](#)

On motion of Senator Zaun, [House File 857](#), a bill for an act relating to eligible housing businesses under the enterprise zone program, was taken up for consideration.

Senator Zieman offered amendment [S-3180](#), filed by the committee on Ways and Means on April 26, 2005, to page 1 of the bill, and moved its adoption.

A nonrecord roll call was requested.

The ayes were 36, nays 5.

Amendment [S-3180](#) was adopted.

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. 857](#)), 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

House File 540

On motion of Senator Zaun, [House File 540](#), a bill for an act relating to reports of traffic accidents involving certified law enforcement officers, placed on the Unfinished Business Calendar on April 14, 2005, with report of committee recommending passage, was taken up for consideration.

Senator Putney offered amendment [S-3167](#), filed by him on April 25, 2005, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment [S-3167](#) was adopted by a voice vote.

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. 540](#)), 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 540** and **857** be **immediately messaged** to the House.

The Senate stood at ease at 9:10 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:10 a.m., President Kibbie presiding.

UNFINISHED BUSINESS

[House File 619](#)

On motion of Senator Dvorsky, [House File 619](#), a bill for an act relating to persons convicted of criminal offenses requiring registration on the sex offender registry or requiring an additional indeterminate sentence, establishing a sex offender registry database task force, and providing penalties, placed on the Unfinished Business Calendar on April 14, 2005, with report of committee recommending passage, was taken up for consideration.

Senator McKibben offered amendment [S-3182](#), filed by Senator McKibben, et al., on April 26, 2005, striking and replacing everything after the enacting clause of the bill.

Senator McKibben offered amendment [S-3184](#), filed by him from the floor to pages 9, 12, 22, 29, 36, and 37 of amendment [S-3182](#), and moved its adoption.

Amendment [S-3184](#) was adopted by a voice vote.

Senator Miller offered amendment [S-3186](#), filed by Senators Miller and Behn from the floor to pages 13 and 14 of amendment [S-3182](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3186](#) to amendment [S-3182](#) be adopted?” ([H.F. 619](#)), the vote was:

Yeas, 42:

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

Nays, 8:

Bolkcom	Dvorsky	Hatch	Kreiman
Dearden	Fraise	Kibbie	Quirmbach

Absent, none.

Amendment [S-3186](#) was adopted.

Senator Gronstal raised the point of order that amendment [S-3182](#), as amended, was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3182](#), as amended, out of order.

Senator Iverson asked and received unanimous consent that action on [House File 619](#) be deferred.

RECESS

On motion of Senator Iverson, the Senate recessed at 10:53 a.m. until 3:00 p.m.

APPENDIX — 1**CERTIFICATE OF RECOGNITION**

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

Annie Shuppy, Wilton—For receiving the University of Iowa School of Journalism and Mass Communications Laurence Fairall Scholarship. Senator Hahn (4/27/05).

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS**

Convened: April 27, 2005, 1:05 p.m.

Members Present: Angelo and Dvorsky, Co-chairs; Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt.

Members Absent: None.

Committee Business: Passed HFs 837 and 862.

Recessed: 1:10 p.m.

Reconvened: 1:30 p.m.

Adjourned: 1:45 p.m.

WAYS AND MEANS

Convened: April 27, 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 HFs 801, 833, 835, 856, 859, and 869.

Adjourned: 12:20 p.m.

INTRODUCTION OF RESOLUTIONS

[Senate Resolution 50](#), by Dvorsky and Bolkcom, a resolution honoring the University of Iowa football team and Coach Kirk Ferentz.

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

[Senate Resolution 51](#), by Miller and Kreiman, a resolution recognizing May 1, 2005, as Law Day.

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

[Senate Resolution 52](#), by Stewart, a resolution honoring the city of Clinton on its sesquicentennial.

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

INTRODUCTION OF BILL

[Senate File 414](#), by committee on Ways and Means, a bill for an act providing for income tax credits for the cost of purchasing life insurance coverage by certain members of the national guard and the reserves, providing for death benefits for certain deceased members of the national guard and the reserves, making appropriations, and providing for effective and retroactive applicability dates.

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

SUBCOMMITTEE ASSIGNMENTS

[Senate Resolution 47](#)

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

Senate Resolution 48

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

Senate Resolution 49

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

Senate Resolution 50

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

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 27, 2005, the Governor approved and transmitted to the Secretary of State the following bills:

S.F. 340 – Relating to motor vehicle registration and driver licensing services provided by county treasurers and providing for the collection of certain fees, fines, and penalties.

S.F. 352 – Relating to confidentiality and liability provisions involving the child advocacy board and the programs associated with the board and making a penalty applicable.

S.F. 363 – Providing for the regulation of persons engaged in soliciting business opportunities, including franchises.

S.F. 365 – Relating to the application deadline for certification of enterprise zones.

S.F. 370 – Relating to the duration of a no-contact order in a criminal case.

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: **SENATE FILE 414** (formerly **SF 400**), a bill for an act providing for income tax credits for the cost of purchasing life insurance coverage by certain members of the national guard and the reserves, providing for death benefits for certain deceased members of the national guard and the reserves, making appropriations, and providing for effective and retroactive applicability dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Bolkcom, Zieman, Connolly, Danielson, Dotzler, Hahn, Larson, McCoy, McKinley, Miller, Quirnbach, Seng, Stewart, and Zaun. Nays, none. Absent, 2: McKibben and Wieck.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 3:08 p.m., President Kibbie presiding.

RECESS

On motion of Senator Iverson, the Senate recessed at 3:10 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 3:19 p.m., President Kibbie presiding.

UNFINISHED BUSINESS

[House File 610](#)

On motion of Senator McKinley, [House File 610](#), a bill for an act relating to the transmission of electronic mail including the transmission of unsolicited bulk electronic mail, and the sale or offer for direct sale of prescription drugs and the sale of adulterated or misbranded drugs through the use of electronic mail or the internet, and providing for penalties, placed on the Unfinished Business Calendar on April 14, 2005, with report of committee recommending passage, was taken up for consideration.

Senator McKinley 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. 610](#)), 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 Iverson asked and received unanimous consent that [Senate File 410](#) be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House File 836](#).

[House File 836](#)

On motion of Senator Dotzler, [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, 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. 836](#)), 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 21, 2005)

[Senate File 408](#)

The Senate resumed consideration of [Senate File 408](#), a bill for an act relating to the exemption from property taxation of certain low-rent housing and including effective date and applicability date provisions, deferred April 21, 2005.

Senator Lundby called up the following motion to reconsider filed by her from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment [S-3160](#) to [Senate File 408](#) was adopted by the Senate on April 21, 2005.

The motion prevailed by a voice vote, and amendment [S-3160](#), by Senator Lundby, was taken up for reconsideration.

Senator Lundby offered amendment [S-3175](#), filed by her on April 26, 2005, to page 1 of amendment [S-3160](#), and moved its adoption.

Amendment [S-3175](#) was adopted by a voice vote.

Senator Lundby moved the adoption of amendment [S-3160](#), as amended, which motion prevailed by a voice vote.

Senator Warnstadt offered amendment [S-3178](#), filed by him on April 26, 2005, to page 1 of the bill, and moved its adoption.

Amendment [S-3178](#) was adopted by a voice vote.

With the adoption of amendment [S-3178](#), the Chair ruled amendment [S-3165](#), filed by Senator Warnstadt on April 25, 2005, to page 1 of the bill, out of order.

Senator Iverson offered amendment [S-3188](#), filed by him from the floor to page 1 and to the title page of the bill.

Senator Connolly raised the point of order that amendment [S-3188](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3188](#) out of order.

Senator Connolly 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. 408](#)), 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.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 50](#), a resolution honoring the University of Iowa football team and Coach Kirk Ferentz.

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 50](#).

[Senate Resolution 50](#)

On motion of Senator Dvorsky, [Senate Resolution 50](#), a resolution honoring the University of Iowa football team and Coach

Kirk Ferentz, with report of committee recommending passage, was taken up for consideration.

Senator Dvorsky moved the adoption of [Senate Resolution 50](#), which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Dvorsky introduced University of Iowa football team members and coaches, who were present in the Senate chamber. Team member Warren Holloway addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

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 27, 2005, **adopted** the following resolution in which the concurrence of the House was asked:

[Senate Concurrent Resolution 13](#), a concurrent resolution relating to cervical cancer awareness, and recognizing efforts by the Iowa Department of Public Health and the Iowa Consortium for Comprehensive Cancer Control in promoting that awareness.

ALSO: That the House has on April 27, 2005, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 78](#), a bill for an act relating to the exemption from city taxes of land included in an application for voluntary annexation or in a city's involuntary annexation petition and including effective and applicability date provisions.

[Senate File 210](#), a bill for an act relating to specified requirements applicable to a real estate broker or attorney providing services in connection with a real estate auction.

ALSO: That the House has on April 27, 2005, **concurred** in the Senate amendment and **passed** the following bills in which the concurrence of the House was asked:

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.

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.

House File 646, a bill for an act concerning social and charitable gambling, including the regulation of cash raffles, 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, and providing an effective date.

House File 739, a bill for an act relating to education technology, including the creation of an Iowa learning technology commission and pilot programs, and the establishment of a research triangle and clearinghouse, and providing for contingent effectiveness.

House File 840, a bill for an act authorizing the rebate of state sales tax to the owner or operator of a sanctioned automobile racetrack facility.

ALSO: That the House has on April 27, 2005, **concurred** in the Senate amendment to the House amendment, and **passed** the following bill in which the concurrence of the House was asked:

Senate File 350, a bill for an act relating to child support recovery including access to information for the purposes of recovery, provisions relating to failure to withhold income or to pay the amounts withheld, and to the suspension of a child support obligation, the satisfaction of support payments, nullifying related administrative rules and providing penalties.

ALSO: That the House has on April 27, 2005, **amended** the Senate amendment, **concurred** in the Senate amendment as amended, and **passed** the following bills in which the concurrence of the Senate is asked:

House File 374, a bill for an act relating to veterans by providing for the compensation of members of a county commission of veteran affairs, providing for the issuance of combined hunting and fishing licenses to certain veterans, establishing a hepatitis C awareness program for veterans, concerning funds in an account for a state veterans cemetery, and providing an effective date. ([S-3194](#))

House File 716, a bill for an act relating to the military division and the homeland security and emergency management division of the department of public defense concerning the activation and use of the civil air patrol, the authority of the adjutant general to enter into interstate agreements for use of national guard personnel, and the use of the national incident management system for state emergencies. ([S-3195](#))

ALSO: That the House has on April 27, 2005, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 245, a bill for an act relating to a secondary school core curriculum, including requiring the state board of education to determine a model core curriculum and set a statewide core curriculum completion rate goal, requiring school districts to report student core curriculum progress annually, requiring school districts and schools to report core curriculum completion percentages annually, and providing for the coordination of an educational data definitions working group. ([S-3196](#))

Senate File 403, a bill for an act providing for the receipt of and costs relating to public records requests. ([S-3197](#))

ALSO: That the House has on April 27, 2005, **passed** the following bills in which the concurrence of the Senate is asked:

House File 845, a bill for an act relating to appointments by members of the general assembly to statutory boards, commissions, councils, and committees, abolishing certain related entities, and including effective date and applicability provisions.

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

House File 870, a bill for an act relating to the applicability of motor vehicle financial responsibility provisions to special mobile equipment and providing an effective date.

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

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 4:12 p.m. until 8:30 a.m., Thursday, April 28, 2005.

APPENDIX — 2**CERTIFICATE OF RECOGNITION**

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

Josephine Stark, Waterloo—For celebrating your 100th birthday. Senator Dotzler (4/27/05).

REPORTS OF COMMITTEE MEETINGS**COMMERCE**

Convened: April 27, 2005, 2:00 p.m.

Members Present: Behn and Warnstadt, Co-chairs; Angelo, Bolkcom, Courtney, Gronstal, Kettering, Larson, McCoy, McKinley, Rielly, Stewart, Wieck, and Ziemann.

Members Absent: Beall and Zaun (both excused).

Committee Business: Passed [SF 411](#).

Adjourned: 2:10 p.m.

RULES AND ADMINISTRATION

Convened: April 27, 2005, 3:10 p.m.

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

Members Absent: None.

Committee Business: Passed SRs 47, 48, 49, and 50.

Adjourned: 3:15 p.m.

STATE GOVERNMENT

Convened: April 27, 2005, 2:30 p.m.

Members Present: Horn and McKibben, Co-chairs; Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Ziemann.

Members Absent: None.

Committee Business: Passed [HF 644](#).

Adjourned: 2:55 p.m.

SUBCOMMITTEE ASSIGNMENTS

[Senate Resolution 51](#)

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

[Senate Resolution 52](#)

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

[House File 828](#)

WAYS AND MEANS: Bolkcom and Wieck, Co-chairs; McCoy and Miller

[House File 860](#)

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

[House File 864](#)

WAYS AND MEANS: Quirnbach and Zieman, Co-chairs; Danielson and Zaun

[House File 866](#)

WAYS AND MEANS: Bolkcom and McKinley, Co-chairs; Connolly and Larson

[House File 871](#)

WAYS AND MEANS: Connolly and McKinley, Co-chairs; Larson and Seng

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: [HOUSE FILE 837](#), a bill for an act relating to state government financial matters concerning charter agencies, the state appeal board, and reinvention initiatives of the department of management, and making appropriations.

Recommendation: DO PASS.

Final Vote: Ayes, 24: Angelo, Dvorsky, Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 862](#), a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3192](#).

Final Vote: Ayes, 24: Angelo, Dvorsky, Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: [SENATE FILE 411](#), a bill for an act relating to the applicability of motor vehicle financial responsibility provisions to special mobile equipment and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Behn, Warnstadt, Angelo, Bolkcom, Courtney, Gronstal, Kettering, Larson, McCoy, McKinley, Rielly, Stewart, Wieck, and Zieman. Nays, none. Absent, 2: Beall and Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 47](#), a resolution to recognize and honor Johnny Talbot of Centerville for his service as a navy fighter pilot in the Battle of Midway.

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 48](#), a resolution honoring Iowa's Amana Colonies 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 49](#), a resolution honoring the Bettendorf High School boys basketball team for its 2005 4A State Championship.

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.

WAYS AND MEANS

Bill Title: [HOUSE FILE 801](#), a bill for an act providing a deduction in computing the individual income tax for certain unreimbursed expenses relating to a human organ transplant and including a retroactive applicability date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Bolkcom, Zieman, Connolly, Danielson, Dotzler, Hahn, McCoy, McKinley, Miller, Quirnbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 2: Larson and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 833](#), a bill for an act making changes relating to the practice of pharmacy, providing for the creation of an electronic drug database, establishing and appropriating fees, providing penalties, and providing an effective date.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3190](#).

Final Vote: Ayes, 13: Bolkcom, Zieman, Connolly, Danielson, Hahn, Larson, McCoy, McKinley, Miller, Seng, Stewart, Wieck, and Zaun. Nays, none. Present, 2: Dotzler and Quirnbach. Absent, 1: McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 835](#), a bill for an act relating to the port authorities including providing for the establishment, control, and dissolution of port authorities and providing for certain powers, limitations, and requirements including issuing revenue bonds and pledge orders, charging fees, entering into contracts and agreements, employing persons and peace officers, and providing for the use of revenues and exemption from property taxes.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3189](#).

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: [HOUSE FILE 856](#), a bill for an act providing a sales and use tax exemption for certain nonprofit organizations that build or repair low-income dwellings.

Recommendation: DO PASS.

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: [HOUSE FILE 859](#), a bill for an act relating to the establishment of a form of business association referred to as a cooperative, and providing for fees and tax credits, providing penalties, and providing an effective date.

Recommendation: DO PASS.

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: [HOUSE FILE 869](#), a bill for an act relating to tax credits provided for purposes of acquiring agricultural assets by beginning farmers, and providing effective and applicability dates.

Recommendation: DO PASS.

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.

AMENDMENTS FILED

S-3183	S.F. 272	House
S-3184	H.F. 619	Larry McKibben

<u>S-3185</u>	<u>H.F. 619</u>	Robert E. Dvorsky Charles W. Larson, Jr. Nancy J. Boettger Gene Fraise Wally E. Horn Keith A. Kreiman Larry McKibben David Miller
<u>S-3186</u>	<u>H.F. 619</u>	David Miller Jerry Behn
<u>S-3187</u>	<u>H.F. 619</u>	Robert E. Dvorsky
<u>S-3188</u>	<u>S.F. 408</u>	Stewart E. Iverson, Jr.
<u>S-3189</u>	<u>H.F. 835</u>	Ways and Means
<u>S-3190</u>	<u>H.F. 833</u>	Ways and Means
<u>S-3191</u>	<u>H.F. 833</u>	Charles W. Larson, Jr. Matt McCoy
<u>S-3192</u>	<u>H.F. 862</u>	Appropriations
<u>S-3193</u>	<u>H.F. 740</u>	Nancy J. Boettger
<u>S-3194</u>	<u>H.F. 374</u>	House
<u>S-3195</u>	<u>H.F. 716</u>	House
<u>S-3196</u>	<u>S.F. 245</u>	House
<u>S-3197</u>	<u>S.F. 403</u>	House