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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, APRIL 28, 2005**

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# JOURNAL OF THE SENATE

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ONE HUNDRED NINTH CALENDAR DAY  
SIXTY-FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, April 28, 2005

The Senate met in regular session at 8:37 a.m., President Kibbie presiding.

Prayer was offered by the Honorable Carmine Boal, member of the House of Representatives from Polk County, Ankeny, Iowa.

The Journal of Wednesday, April 27, 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 27, 2005, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 868**, a bill for an act relating to economic development, business, workforce, and regulatory assistance and tax credits, and to state developmental, research, and regulatory oversight, and including effective date and retroactive applicability provisions.

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

## IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 408** and **House Files 610** and **836** be **immediately messaged** to the House.

## RECESS

On motion of Senator Iverson, the Senate recessed at 8:40 a.m. until the completion of a meeting of the committee on Rules and Administration.

## RECONVENED

The Senate reconvened at 8:45 a.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Resolution 47](#).

[Senate Resolution 47](#)

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

Senator Kreiman moved the adoption of [Senate Resolution 47](#), which motion prevailed by a voice vote.

## SPECIAL GUEST

Senator Kreiman introduced Johnny Talbot of Centerville, a Navy fighter pilot who served during World War II.

The Senate rose and expressed its welcome and appreciation of his military service.

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Resolution 49](#).

**Senate Resolution 49**

On motion of Senator Tinsman, **Senate Resolution 49**, a resolution honoring the Bettendorf High School boys basketball team for its 2005 4A State Championship, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman moved the adoption of **Senate Resolution 49**, which motion prevailed by a voice vote.

The Senate stood at ease at 9:36 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:49 a.m., President Kibbie presiding.

RECESS

On motion of Senator Iverson, the Senate recessed at 10:50 a.m. until 1:30 p.m.

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

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

Lois Kroeger—For celebrating your 80th birthday. Senator Wood (4/28/05).

Matthew Zeien, Alta Vista—For achieving the rank of Eagle Scout, Boy Scout Troop 48. Senator Zieman (4/28/05).

**REPORTS OF COMMITTEE MEETINGS****COMMERCE**

**Convened:** April 28, 2005, 10:50 a.m.

**Members Present:** Behn and Warnstadt, Co-chairs; Angelo, Beall, Bolkcom, Courtney, Kettering, McCoy, McKinley, Rielly, Stewart, Wieck, and Zaun.

**Members Absent:** Gronstal, Larson, and Zieman (all excused).

**Committee Business:** Passed [HF 870](#).

**Adjourned:** 10:55 a.m.

**RULES AND ADMINISTRATION**

**Convened:** April 28, 2005, 8:40 a.m.

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

**Members Absent:** Boettger and Lamberti (both excused).

**Committee Business:** Passed SRs 51 and 52.

**Adjourned:** 8:45 a.m.

**SUBCOMMITTEE ASSIGNMENTS****[House File 845](#)**

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

**[House File 870](#)**

**COMMERCE:** McCoy and Wieck, Co-chairs; Kettering and Rielly

## FINAL COMMITTEE REPORTS OF BILL ACTION

## COMMERCE

**Bill Title:** [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.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Behn, Warnstadt, Angelo, Beall, Bolkcom, Courtney, Kettering, McCoy, McKinley, Rielly, Stewart, Wieck, and Zaun. Nays, none. Absent, 3: Gronstal, Larson, and Ziemann.

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

## RULES AND ADMINISTRATION

**Bill Title:** [SENATE RESOLUTION 51](#), a resolution recognizing May 1, 2005, as Law Day.

**Recommendation:** DO PASS.

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

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

## ALSO:

**Bill Title:** [SENATE RESOLUTION 52](#), a resolution honoring the city of Clinton on its sesquicentennial.

**Recommendation:** DO PASS.

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

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

## STATE GOVERNMENT

**Bill Title:** [HOUSE FILE 644](#), a bill for an act relating to elections and voter registration by making certain corrective changes, prohibiting the processing of certain voter registration applications, allowing certain voter registrations to be submitted after the deadline, removing the requirement for separate entrances to buildings where polling places for more than one precinct are located, requiring names of candidates for nonpartisan office to be printed on the ballot in alphabetical order, relating to information printed on a certain portion of the ballot, modifying opening hours of the polls at certain elections, allowing the voter's declaration of eligibility to be printed on the election register, relating to the abstract of votes for county offices, relating to

appointment of observers present when ballots are counted, allowing absentee voting at the commissioner's office for part of the day of the election for certain elections, modifying the time period during which a person may request an absentee ballot, requiring the registered voter's date of birth on the absentee ballot application, clarifying that certain confined persons may vote an absentee ballot in person at the commissioner's office, changing the deadline for challenging an absentee voter's qualifications, relating to persons nominated for city office by write-in votes, repealing the provisions declaring it unlawful for an absentee voter to fail to return the voter's absentee ballot, and including an applicability date provision.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3200](#).

**Final Vote:** Ayes, 16: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kettering, Kibbie, Miller, Tinsman, Ward, Wieck, Wood, and Zieman. Nays, none. Absent, none.

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

### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 28, 2005, the Governor approved and transmitted to the Secretary of State the following bills:

[S.F. 57](#) – Authorizing the appointment of a nine-member city zoning board of adjustment.

[S.F. 321](#) – Relating to the use of moneys deposited into the inmate labor fund.

[S.F. 323](#) – Establishing a uniform mediation Act.

[S.F. 330](#) – Relating to family law provisions including dissolution of marriage and domestic relations and termination of parental rights provisions.

[S.F. 360](#) – 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, insurance applications, 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.

## AFTERNOON SESSION

The Senate reconvened at 1:45 p.m., President Kibbie presiding.

## SPECIAL GUESTS

Senators Gronstal and Iverson welcomed to the Senate chamber Richard Crawford and Marshall Irwin, who serve on the Capitol security force. Mr. Crawford and Mr. Irwin were presented copies of [Senate Resolution 42](#), a resolution honoring America's Vietnam veterans. These two men, along with fellow security force employees Nicholas Brown and Leo Skeffington, served in the Vietnam War.

The Senate rose and expressed its appreciation for their military service.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator McCoy, for the remainder of the day, on request of Senator Gronstal; and Senator Gaskill, for the remainder of the day, on request of Senator Putney.

HOUSE AMENDMENT TO  
SENATE AMENDMENT CONSIDERED[House File 374](#)

Senator Warnstadt called up for consideration [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, amended by the Senate and further amended by the House in House amendment [S-3194](#) to Senate amendment [H-1437](#), filed April 27, 2005.

Senator Warnstadt moved that the Senate concur in the House amendment to the Senate amendment.



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

Senator Warnstadt moved that the bill, as amended by the Senate, further 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?" ([H.F. 374](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Gaskill                      McCoy

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

#### HOUSE AMENDMENT CONSIDERED

#### [Senate File 375](#)

Senator Seng called up for consideration [Senate File 375](#), a bill for an act creating the uniform environmental covenants Act, amended by the House in House amendment [S-3168](#), filed April 26, 2005.

Senator Seng 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 Seng 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. 375](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Gaskill                      McCoy

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 403](#)

Senator Lundby called up for consideration [Senate File 403](#), a bill for an act providing for the receipt of and costs relating to public records requests, amended by the House in House amendment [S-3197](#), filed April 27, 2005.

Senator Lundby 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 Lundby 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. 403](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

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

HOUSE AMENDMENT TO  
SENATE AMENDMENT CONSIDERED

[House File 716](#)

Senator Hancock called up for consideration [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,

amended by the Senate and further amended by the House in House amendment [S-3195](#) to Senate amendment [H-1359](#), filed April 27, 2005.

Senator Hancock moved that the Senate concur in the House amendment to the Senate amendment.

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

Senator Hancock moved that the bill, as amended by the Senate, further 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?" ([H.F. 716](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Gaskill                      McCoy

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

The Senate stood at ease at 2:15 p.m. until the fall of the gavel for the purpose of a Democratic caucus.

The Senate resumed session at 3:10 p.m., President Pro Tempore Dvorsky presiding.

## IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 375 and 403 and House Files 374 and 716** be **immediately messaged** to the House.

## UNFINISHED BUSINESS

[House File 644](#)

On motion of Senator Danielson, [House File 644](#), a bill for an act relating to elections and voter registration by making certain corrective changes, prohibiting the processing of certain voter registration applications, allowing certain voter registrations to be submitted after the deadline, removing the requirement for separate entrances to buildings where polling places for more than one precinct are located, requiring names of candidates for nonpartisan office to be printed on the ballot in alphabetical order, relating to information printed on a certain portion of the ballot, modifying opening hours of the polls at certain elections, allowing the voter's declaration of eligibility to be printed on the election register, relating to the abstract of votes for county offices, relating to appointment of observers present when ballots are counted, allowing absentee voting at the commissioner's office for part of the day of the election for certain elections, modifying the time period during which a person may request an absentee ballot, requiring the registered voter's date of birth on the absentee ballot application, clarifying that certain confined persons may vote an absentee ballot in person at the commissioner's office, changing the deadline for challenging an absentee voter's qualifications, relating to persons nominated for city office by write-in votes, repealing the provisions declaring it unlawful for an absentee voter to fail to return the voter's absentee ballot, and including an applicability date provision, placed on the Unfinished Business Calendar on April 14, 2005, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Danielson offered amendment [S-3200](#), filed by the committee on State Government on April 28, 2005, striking and replacing everything after the enacting clause of the bill.

Senator McKibben offered amendment [S-3201](#), filed by him from the floor to page 12 of amendment [S-3200](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3201](#) to amendment [S-3200](#) be adopted?” ([H.F. 644](#)), the vote was:

Yeas, 24:

Angelo	Houser	Lundby	Seymour
Behn	Iverson	McKibben	Shull
Boettger	Johnson	McKinley	Ward
Brunkhorst	Kettering	Miller	Wieck
Hahn	Lamberti	Mulder	Zaun
Horn	Larson	Putney	Zieman

Nays, 24:

Beall	Dearden	Hatch	Schoenjahn
Black	Dotzler	Kibbie	Seng
Bolkcom	Dvorsky	Kreiman	Stewart
Connolly	Fraise	Quirnbach	Tinsman
Courtney	Gronstal	Ragan	Warnstadt
Danielson	Hancock	Rielly	Wood

Absent, 2:

Gaskill	McCoy
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Amendment [S-3201](#) lost.

Senator Brunkhorst raised the point of order that amendment [S-3200](#) was not germane to the bill.

The Chair ruled the point not well-taken and amendment [S-3200](#) in order.

Senator McKibben asked and received unanimous consent that action on amendment [S-3200](#) and [House File 644](#) be **deferred**.

The Senate stood at ease at 3:46 p.m. until the fall of the gavel for the purpose of a Republican caucus.

The Senate resumed session at 4:06 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 28, 2005, **passed** the following bills in which the concurrence of the House was asked:

**Senate File 389**, a bill for an act providing individual and corporate income tax credits for soy-based cutting tool oil and including an applicability date provision.

**Senate File 404**, 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.

ALSO: That the House has on April 28, 2005, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 858**, a bill for an act establishing a statewide work-based learning intermediary network program and creating a fund.

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

**House File 880**, a bill for an act relating to the disposition of certain real estate transfer tax receipts by the treasurer of state.

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

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lundby, until she returns, on request of Senator Wieck.

## HOUSE AMENDMENT CONSIDERED

Senate File 272

Senator Boettger called up for consideration 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, amended by the House in House amendment S-3183, filed April 27, 2005.

Senator Boettger 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 Boettger 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. 272), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

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



President Kibbie took the chair at 5:15 p.m.

HOUSE AMENDMENT CONSIDERED

**Senate File 245**

Senator Brunkhorst called up for consideration **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, amended by the House in House amendment **S-3196**, filed April 27, 2005.

Senator Connolly asked and received unanimous consent that action on House amendment **S-3196** and **Senate File 245** be **deferred**.

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 28, 2005, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 879**, a bill for an act relating to the regulation of snowmobiles and establishing fees.

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

CONSIDERATION OF BILL  
(Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration **House File 869**.

**House File 869**

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

Senator Hahn offered amendment **S-3205**, filed by him from the floor to pages 1-4 of the bill, and moved its adoption.

Amendment **S-3205** was adopted by a voice vote.

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. 869**), the vote was:

Yeas, 46:

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

Nays, 1:

Dearden

Absent, 3:

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

## IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate File 272](#) and [House File 869](#) be **immediately messaged** to the House.

The Senate stood at ease at 5:44 p.m. until the fall of the gavel.

The Senate resumed session at 6:18 p.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 28, 2005, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 405](#), a bill for an act establishing an interior design examining board, providing for the registration of interior designers, and providing fees and penalties.

ALSO: That the House has on April 28, 2005, **amended** the Senate amendment, **concurred** in the Senate amendment as amended, and **passed** the following bill in which the concurrence of the Senate is asked:

[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. ([S-3210](#))

ALSO: That the House has on April 28, 2005, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 200](#), a bill for an act relating to the administration of the department of agriculture and land stewardship, by providing for its powers and duties. ([S-3208](#))

[Senate File 341](#), a bill for an act relating to the long-term living system in Iowa including establishment of the intent for Iowa's long-term living system. ([S-3206](#))

**Senate File 343**, a bill for an act relating to governmental services involving audit reports and the family investment program. (**S-3207**)

ALSO: That the House has on April 28, 2005, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 873**, a bill for an act relating to recommendations of the education subcommittee of the governor's committee on local governance by providing for the development of a school sharing and efficiencies in operations process, the referral of certain issues to legislative standing committees for further review and consideration, and a study by the department of education concerning certain barriers to effective structure and delivery models that promote optimum student achievement.

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

**House File 876**, a bill for an act relating to mental health, mental retardation, developmental disabilities, and brain injury service requirements and including an effective and applicability date.

Read first time and **passed on file**.

BUSINESS PENDING

**Senate File 245**

The Senate resumed consideration of **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, and House amendment **S-3196**, previously deferred.

Senator Brunkhorst offered amendment **S-3209**, filed by him from the floor to page 1 of House amendment **S-3196**, and moved its adoption.

Amendment [S-3209](#) was adopted by a voice vote.

Senator Brunkhorst moved that the Senate concur in the House amendment, as amended.

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

Senator Brunkhorst moved that the bill, as amended by the House, further amended 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. 245](#)), the vote was:

Yeas, 46:

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

Nays, 1:

Kreiman

Absent, 3:

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

#### IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate File 245](#) be **immediately messaged** to the House.

## ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:26 p.m. until 8:30 a.m., Friday, April 29, 2005.

## APPENDIX — 2

### CERTIFICATES OF RECOGNITION

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

Larry Lewis, Oskaloosa—For becoming the fourth recipient of the Iowa Associations of Track Officials' Outstanding Service and Dedication as a Volunteer Meet Official award. Senator Rielly (4/28/05).

Reverend Jane Sheperd, Gowrie United Methodist Church—For being pastor of the day. Senator Beall (4/28/05).

### REPORT OF COMMITTEE MEETING

#### WAYS AND MEANS

**Convened:** April 28, 2005, 1:05 p.m.

**Members Present:** Bolkcom and Zieman, Co-chairs; Danielson, Hahn, McKibben, McKinley, Quirnbach, Seng, Stewart, Wieck, and Zaun.

**Members Absent:** Connolly, Dotzler, Larson, McCoy, and Miller (all excused).

**Committee Business:** Subcommittee assignments.

**Adjourned:** 1:10 p.m.

### STUDY BILL RECEIVED

#### **SSB 1320 Ways and Means**

Relating to property taxation by making changes relating to assessment of property and to city and county budget and taxation authority, creating an implementation task force, and providing effective and applicability dates.

## SUBCOMMITTEE ASSIGNMENTS

House File 868

WAYS AND MEANS: Dotzler and McKinley, Co-chairs; Hahn and Stewart

SSB 1320

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

## MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which amendment S-3201 to amendment S-3200 to House File 644 failed to be adopted by the Senate on April 28, 2005.

MAGGIE TINSMAN

## AMENDMENTS FILED

<u>S-3198</u>	<u>H.F. 619</u>	Keith A. Kreiman
<u>S-3199</u>	<u>H.F. 619</u>	Bob Brunkhorst
		David Johnson
		Steve Kettering
		Jerry Behn
		Larry McKibben
		Jeff Angelo
		Paul McKinley
		John Putney
		Ron Wieck
		Pat Ward
		Dave Mulder
		Brad Zaun
		Hubert Houser
		James F. Hahn
<u>S-3200</u>	<u>H.F. 644</u>	State Government
<u>S-3201</u>	<u>H.F. 644</u>	Larry McKibben
<u>S-3202</u>	<u>H.F. 774</u>	Wally E. Horn
		Mary Lundby
<u>S-3203</u>	<u>H.F. 619</u>	David Miller
		Jerry Behn
<u>S-3204</u>	<u>H.F. 834</u>	Jeff Danielson
<u>S-3205</u>	<u>H.F. 869</u>	James F. Hahn
<u>S-3206</u>	<u>S.F. 341</u>	House

<u>S-3207</u>	<u>S.F. 343</u>	House
<u>S-3208</u>	<u>S.F. 200</u>	House
<u>S-3209</u>	<u>S.F. 245</u>	Bob Brunkhorst
<u>S-3210</u>	<u>H.F. 809</u>	House



**PROCLAMATION FOR WORKERS' MEMORIAL DAY****STATE OF IOWA**  
*Executive Department*

In The Name And By The Authority Of The State Of Iowa

**P R O C L A M A T I O N**

**Whereas**, every year tens of thousands of American workers are killed by workplace injuries and occupational disease; and

**Whereas**, tens of thousands more are permanently disabled; and

**Whereas**, millions are injured; and

**Whereas**, concerned Americans are determined to prevent these tragedies by:

- Organizing Workers' Memorial Day on April 28, a day chosen by the unions of the AFL-CIO as a day to remember these victims of workplace injuries and disease; and
- Renewing our efforts to seek stronger safety and health protections, better standards and enforcement, and fair and just compensation; and
- Rededicating ourselves to improving safety and health in every American workplace:

**Now, Therefore**, I, Thomas J. Vilsack, Governor of the State of Iowa, do hereby proclaim April 28, 2005, as

**WORKERS' MEMORIAL DAY**

In recognition of workers killed, injured, and disabled on the job in the State of Iowa.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Iowa to be affixed. Done at Des Moines, Iowa, this 28th day of April in the year of our Lord two thousand five.

THOMAS J. VILSACK  
Governor

Attest:

CHESTER J. CULVER  
Secretary of State

## MESSAGE FROM BYRON K. ORTON, LABOR COMMISSIONER

Mourn For The Dead  
Fight For The Living

May this Workers' Memorial Day bring you peace and a renewed commitment to end the senseless pain and tragedy. Let us be ever mindful that the pain and tragedy does not end with the death of a worker. To the surviving loved ones, especially the beautiful children, you are always in our thoughts; you inspire and motivate us as we go about our daily work. God bless and comfort you.

A remembrance of those who lost their lives:

William Augustine	Robert Kluzik
Bradley Berg	Joshua Knowles
Doug Berkenpas	Bradley Korthaus
Ricky Blackburn	Maurice Kunz
Jeffrey Bohr	Stacey Kusel
Gene Boykin	Lee Lawrence
Joseph Brannon	Joan Linder
Robert Bruegge	Dale Loberg
Scott Bryant	Darren Long
Santiago Cano	Jarrold Maher
Ben Carman	T. Wayne McCarty
Jermaine Carpenter	Ryan McCauley
Dustin Colby	Joseph McNeil
Kevin Dahms	Scott McVey
Daryl Davis	Robert Meeve
Bobby Derrickson	Matthew Molacek
Michael Deutsch	Kenneth Nalley
Trace Dossett	James Pattman
Victor Duran	Raul Perez-Rojas
Jesus Escareno-Diaz	Bruce Pollema
Ramon Leon Felix	Kevin Pope
Paul Fisher	Duane Rice
Dale Flint	Warren Risberg
Philo Frey	Elio Rosales
Kurt Frosheiser	Mark Sanderson
Bradley Gooden	Jeremiah Savage
David Hammond	John Sidwell
Benny Jennings	Aaron Sissel
Brian Johnson	Nick Skinner
James Kearney III	Bruce Smith
Merle Keim	Michael Speer
James Kiehl	Brandon Sturdy
David Kirchoff	Neal Voelkers