

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MAY 16, 2005

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JOURNAL OF THE SENATE

ONE HUNDRED TWENTY-SEVENTH CALENDAR DAY
SEVENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, May 16, 2005

The Senate met in regular session at 1:08 p.m., President Lamberti presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa, and the Honorable Doug Shull, member of the Senate from Warren County, Indianola, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by President of the Senate Jeff Lamberti.

The Journal of Thursday, May 12, 2005, was approved.

The Senate stood at ease at 1:12 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:02 p.m., President Lamberti presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Larson, until he arrives, on request of Senator Iverson.

HOUSE AMENDMENT TO
SENATE AMENDMENT CONSIDERED

House File 761

Senator Wood called up for consideration **House File 761**, a bill for an act relating to children's programs by collocating early childhood programs available through the community empowerment initiative and requiring the department of human services to develop and implement a voluntary child care quality rating system, amended by the Senate and further amended by the House in House amendment **S-3320** to Senate amendment **H-1634**, filed May 12, 2005.

Senator Wood 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 Wood 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. 761**), the vote was:

Yeas, 49:

Angelo	Fraise	Lamberti	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	Kreiman	Seng	

Nays, none.

Absent, 1:

Larson

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

SENATE INSISTS

House File 816

Senator Horn called up for consideration House File 816, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of cultural affairs, the department of education, and the state board of regents and providing an effective date, amended by the House, further amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on House File 816 on the part of the Senate: Senators Horn and Boettger, Co-chairs; Gronstal, Iverson, Kibbie, and Lamberti.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **House Files 761 and 816** be **immediately messaged** to the House.

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 May 16, 2005, **passed** the following bill in which the concurrence of the Senate is asked:

House File 883, a bill for an act to legalize actions taken and proceedings conducted by the state of Iowa, Linn county, the city of Cedar Rapids, and three school districts including the Cedar Rapids community school district, the College community school district, and

the Linn-Mar community school district, which relate to erroneously established boundaries, and providing an effective date.

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

RECESS

On motion of Senator Gronstal, the Senate recessed at 2:23 p.m. until 4:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Lamberti presiding.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:31 p.m. until 8:30 a.m., Tuesday, May 17, 2005.

APPENDIX

AGENCY ICN REPORT

Iowa Communications Network (ICN) Usage report for FY 2004, pursuant to Iowa Code section 8D.10, was received from the following agency:

IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION — Report received on May 16, 2005.

CERTIFICATES OF RECOGNITION

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

Ward, Lynn, and Tom Handorf, Gladbrook—For receiving the Good Neighbor Award. Senators McKibben and Putney (5/16/05).

Joyce McDermott, Epworth—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Hancock (5/16/05).

Kay Takes, Cascade—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Hancock (5/16/05).

Tim Riedl, Dubuque—For achieving the rank of Eagle Scout, Boy Scout Troop 48. Senator Connolly (5/16/05).

Megan Srinivas, Fort Dodge—For being selected for the USA Today 2005 All-USA High School Academic Team. Senator Beall (5/16/05).

REPORT OF COMMITTEE MEETING

STATE GOVERNMENT

Convened: May 16, 2005, 4:45 p.m.

Members Present: Horn and McKibben, Co-chairs; Black, Brunkhorst, Connolly, Hancock, Kibbie, Ward, and Wieck.

Members Absent: Danielson, Hatch, Kettering, Miller, Tinsman, Wood, and Zieman (all excused).

Committee Business: Passed [HF 883](#).

Adjourned: 4:50 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 61, by Bolkcom, a resolution honoring Marilynne Robinson for her Pulitzer Prize-winning novel "Gilead."

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

SUBCOMMITTEE ASSIGNMENT

House File 883

STATE GOVERNMENT: Horn and Ward, Co-chairs; McKibben and Wood

PROOF OF PUBLICATION

(House File 883)

Verified proof of publication of **House File 883**, in accordance with Section 585.1 of the Code, was filed with the Secretary of the Senate on May 16, 2005.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 12, 2005, the Governor approved and transmitted to the Secretary of State the following bills:

S.F. 272 – Relating to the council with which the director of human services consults regarding the medical assistance program.

S.F. 343 – Relating to governmental services involving audit reports and the family investment program.

FINAL COMMITTEE REPORT OF BILL ACTION

STATE GOVERNMENT

Bill Title: **HOUSE FILE 883**, a bill for an act to legalize actions taken and proceedings conducted by the state of Iowa, Linn county, the city of Cedar Rapids, and three school districts including the Cedar Rapids community school district, the College community school district, and the Linn-Mar community school district, which relate to erroneously established boundaries, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Horn, McKibben, Black, Brunkhorst, Connolly, Hancock, Kibbie, Ward, and Wieck. Nays, none. Absent, 7: Danielson, Hatch, Kettering, Miller, Tinsman, Wood, and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

[S-3322](#) [H.F. 882](#) Michael Connolly