

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, FEBRUARY 4, 2003

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JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 4, 2003

The Senate met in regular session at 8:28 a.m., President Pro Tempore Angelo presiding.

Prayer was offered by the Reverend Jack Gannett, pastor of St. John's Episcopal Church in Mason City, Iowa. He was the guest of Senator Ragan.

The Journal of Monday, February 3, 2003, was approved.

RECESS

On motion of Senator Iverson, the Senate recessed at 8:32 a.m. until 11:45 a.m.

RECONVENED

The Senate reconvened at 11:45 a.m., President Pro Tempore Angelo presiding.

ADJOURNMENT

On motion of Senator Zieman, the Senate adjourned at 11:46 a.m. until 8:30 a.m. Wednesday, February 5, 2003.

APPENDIX**COMMUNICATION RECEIVED**

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Service Bureau:

February 4, 2003

DEPARTMENT OF NATURAL RESOURCES

Registry of Hazardous Waste or Hazardous Substance Disposal Sites — notification that the report in electronic form is available online.

CERTIFICATES OF RECOGNITION

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

Jeremy Ansel, Dubuque — For achieving the rank of Eagle Scout. Senator Connolly (2/4/03).

Marcia Baumhover, Urbandale — For being named a 2002 Urbandale Citizen of the Year. Senator Holveck (2/4/03).

Michael Boxdleiter, Dubuque — For achieving the rank of Eagle Scout. Senator Connolly (2/4/03).

Sister Ruth Cox, Clinton — For being named recipient of the first Long-Term Nursing Award, recognizing a nurse for outstanding leadership in the care and services for older people. Senator Stewart (2/4/03).

Beth Dennler, Elkader — For achieving the highest award for Senior Girl Scouts, "The Gold Award." Senator Rehberg (2/4/03).

Joshua John Deutmeyer, Dubuque — For achieving the rank of Eagle Scout. Senator Connolly (2/4/03).

Logan Gloss-Ivory, Dubuque — For achieving the rank of Eagle Scout. Senator Connolly (2/4/03).

Kristoffer Griffith, Burlington — For achieving the rank of Eagle Scout. Senator Courtney (2/4/03).

Ryan Johnson, Dubuque — For achieving the rank of Eagle Scout. Senator Connolly (2/4/03).

James Kosar, Dubuque — For achieving the rank of Eagle Scout. Senator Connolly (2/4/03).

Nathan Lacina, Davenport — For achieving the rank of Eagle Scout, Boy Scout Troop 43. Senator Seng (2/4/03).

Elaine Landis, Elkader — For achieving the highest award for Senior Girl Scouts, "The Gold Award." Senator Rehberg (2/4/03).

Ann MacGregor, Mason City — For being named a recipient of the Bob Dutcher Award. Senator Ragan (2/4/03).

Erica McCorkindale, Elkader — For achieving the highest award for Senior Girl Scouts, "The Gold Award." Senator Rehberg (2/4/03).

Matthew Oberhoffer, Dubuque — For achieving the rank of Eagle Scout. Senator Connolly (2/4/03).

Bob Simon, Urbandale — For being named a 2002 Urbandale Citizen of the Year. Senator Holveck (2/4/03).

Theresa Emma Thompson, Elkader — For achieving the highest award for Senior Girl Scouts, "The Gold Award." Senator Rehberg (2/4/03).

Justin Wilson, Dubuque — For achieving the rank of Eagle Scout, Boy Scout Troop 48. Senator Connolly (2/4/03).

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: February 4, 2003, 1:00 p.m.

Members Present: Angelo, Chair; Wieck, Vice Chair; Warnstadt, Ranking Member; Beall, Behn, Bolkcom, Brunkhorst, Gronstal, Kettering, Redfern, Schuerer, Sievers, and Stewart.

Members Absent: Larson and McCoy (both excused).

Committee Business: Presentation by representative of the Iowa Policy Project.

Adjourned: 1:40 p.m.

ECONOMIC GROWTH

Convened: February 4, 2003, 9:55 a.m.

Members Present: Rehberg, Chair; Shull, Vice Chair; Hatch, Ranking Member; Beall, Dotzler, McKinley, Putney, Ragan, Seymour, Stewart, and Veenstra.

Members Absent: Boettger and Larson (both excused).

Committee Business: Presentations by University of Iowa, Iowa State University, and University of Northern Iowa.

Adjourned: 11:10 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: February 4, 2003, 9:55 a.m.

Members Present: Houser, Chair; Johnson, Vice Chair; Seng, Ranking Member; Black, Bolkcom, Brunkhorst, Dearden, Drake, Holveck, Kettering, Kibbie, Lundby, Miller, Wieck, and Ziemann.

Members Absent: None.

Committee Business: Presentation by Jeffrey Vonk, Director of the Department of Natural Resources.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 4, 2003, 3:05 p.m.

Members Present: Ziemann, Chair; Sievers, Vice Chair; Holveck, Ranking Member; Rehberg and Stewart.

Members Absent: None.

Committee Business: Dr. Steven Gleason, Governor's Chief of Staff gave an overview of the office. Budget overview by the Legislative Fiscal Bureau.

Adjourned: 3:40 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: February 4, 2003, 3:05 p.m.

Members Present: Gaskill, Chair; Black, Ranking Member; Seng and Seymour.

Members Absent: Houser, Vice Chair (excused).

Committee Business: Overview of the Governor's budget by Legislative Fiscal Bureau.

Adjourned: 3:20 p.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 7](#), by Black, Behn, Iverson, and McCoy, a resolution supporting a proposal to invite the Republic of China (Taiwan) to participate in the upcoming meeting of the World Health Assembly as an observer.

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

INTRODUCTION OF BILLS

[Senate File 79](#), by Brunkhorst, a bill for an act governing the regulation of elevators and other conveyances and providing penalties.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 80](#), by Hatch, a bill for an act relating to body piercing and providing penalties.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 81](#), by Lundby, a bill for an act prohibiting registration of a motor vehicle pending delivery of the certificate of title for notation of a security interest.

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

[Senate File 82](#), by Rehberg, a bill for an act relating to aviation by creating an aviation investment fund and making an appropriation.

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

[Senate File 83](#), by Rehberg, a bill for an act relating to the elimination of the state inheritance and qualified use inheritance taxes.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 84](#), by Rehberg, a bill for an act requiring annual registration of snowmobiles and establishing a fee.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 85](#), by Connolly, a bill for an act relating to the approval and administration of pilot community education programs, and making an appropriation.

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

[Senate File 86](#), by Zieman, a bill for an act relating to the payment by a county of the agricultural land tax credit and reimbursement to the county of its payment and providing an effective date.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 87](#), by Dearden, Quirnbach, and Dvorsky, a bill for an act relating to smoking prohibitions.

Read first time under Rule 28 and referred to committee on **Human Resources**.

STUDY BILLS RECEIVED

[SSB 1047](#) **Local Government**

Relating to motor vehicle parking violations, and providing a penalty.

SSB 1048 Local Government

Modifying the duties of county recorders.

SSB 1049 Transportation

Relating to the jurisdiction and funding of roads by transferring jurisdiction of and funding for certain primary and farm-to-market roads, raising the level of local effort required to receive and use certain road funds, modifying the procedure for classification of area service "C" roads, and establishing a street construction fund distribution advisory committee, and making appropriations.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 6**

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Kramer

Senate File 59

HUMAN RESOURCES: Ragan, Chair; Hatch and Tinsman

Senate File 66

LOCAL GOVERNMENT: Houser, Chair; Hosch and Kreiman

Senate File 68

WAYS AND MEANS: Angelo, Chair; Hosch and Stewart

Senate File 69

WAYS AND MEANS: Larson, Chair; Hosch and McCoy

Senate File 70

JUDICIARY: Redfern, Chair; Holveck and Lamberti

Senate File 72

APPROPRIATIONS: Lamberti, Chair; Black and Houser

Senate File 76

WAYS AND MEANS: McKinley, Chair; Lamberti and Seng

[Senate File 77](#)

APPROPRIATIONS: McKibben, Chair; Connolly and Lamberti

[Senate File 78](#)

APPROPRIATIONS: Lamberti, Chair; Black and Houser

[Senate File 79](#)

STATE GOVERNMENT: Drake, Chair; Dearden and Johnson

[Senate File 80](#)

STATE GOVERNMENT: Shull, Chair; Ragan and Schuerer

[House File 66](#)

TRANSPORTATION: Putney, Chair; Shull and Warnstadt

[SSB 1047](#)

LOCAL GOVERNMENT: Angelo, Chair; McCoy and Miller

[SSB 1048](#)

LOCAL GOVERNMENT: Houser, Chair; Kreiman and Wieck

[SSB 1049](#)

TRANSPORTATION: Shull, Chair; Drake, McCoy, Warnstadt, and Zieman

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 3, 2003, when the vote was taken on [Senate Joint Resolution 1](#). Had I been present, I would have voted "Yea."

CHARLES W. LARSON, JR.