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**STATE OF IOWA**

**Senate Journal**

**MONDAY, MARCH 24, 2003**

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# JOURNAL OF THE SENATE

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SEVENTY-FIRST CALENDAR DAY  
FORTY-FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, March 24, 2003

The Senate met in regular session at 1:12 p.m., President Kramer presiding.

Prayer was offered by the Reverend Daniel Phillip, pastor of the Christian Fellowship Baptist Church in Waterloo, Iowa. He was the guest of Senator Dotzler.

Miss Joni Carroll, daughter of Representative Danny Carroll, sang "The Star Spangled Banner."

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Pages Kristin Irwin and Eva Sersland.

The Journal of Thursday, March 20, 2003, was approved.

## HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 2003, **passed** the following bill in which the concurrence of the House was asked:

[\*\*Senate File 424\*\*](#), a bill for an act relating to urban renewal indebtedness reporting and providing an effective date.

ALSO: That the House has on March 20, 2003, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 450](#), a bill for an act creating an exception to the statutory rule against perpetuities and making related changes.

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

[House File 455](#), a bill for an act requiring licensed health-related professionals to report certain burn injuries to a law enforcement agency.

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

[House File 457](#), a bill for an act expanding requirements for the transition of an individual from the child welfare services system to adulthood.

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

[House File 479](#), a bill for an act designating advanced registered nurse practitioners as providers of health care services pursuant to managed care or prepaid services contracts under the medical assistance program.

Read first time and **attached to companion** [Senate File 410](#).

[House File 504](#), a bill for an act relating to fraudulent use of a credit card, scanning device, or reencoder, and providing a penalty.

Read first time and **attached to similar** [Senate File 317](#).

[House File 534](#), a bill for an act providing for the reorganization of certain state departments by establishing a department of administrative services, making related changes, providing penalties, making appropriations, and providing an effective date.

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

[House File 545](#), a bill for an act relating to the requirements for newspapers designated for official publication purposes.

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

[House File 551](#), a bill for an act providing for a fee for transporting an inmate for medical or dental care.

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

[House File 557](#), a bill for an act relating to liability of certain health care facilities and health care providers participating in the volunteer health care provider program.

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

[House File 558](#), a bill for an act authorizing the department of human services to disclose information regarding the listing of an individual in the child or dependent abuse registry or the sex offender registry when it is necessary for the protection of a child or a dependent adult.

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

[House File 565](#), a bill for an act relating to the healthy and well kids in Iowa program.

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

[House File 585](#), a bill for an act relating to maintaining a magistrate court in a city other than the county seat.

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

[House File 592](#), a bill for an act relating to economic development-related issues of the universities under the control of the state board of regents by amending the composition of the Iowa economic development board and the Iowa workforce development board, changing the university-based research and economic development Act to address commercialization of research, and creating an Iowa commercialization advisory council.

Read first time and referred to committee on **Economic Growth**.

**House File 601**, a bill for an act relating to campaign finance, including political party committees, campaign disclosure reports, independent expenditures, and income tax checkoff provisions.

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

**House File 603**, a bill for an act providing an exception to licensing requirements for certain bingo occasions conducted by nonprofit organizations.

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

**House File 604**, a bill for an act requiring state government annual reports made to the general assembly to include certain financial information.

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

#### SPECIAL GUEST

Senator Bolkcom welcomed to the Senate chamber 2004 Democratic presidential candidate Howard Dean, former governor of Vermont.

The Senate rose and expressed its welcome.

#### RECESS

On motion of Senator Veenstra, the Senate recessed at 1:26 p.m. until 4:00 p.m.

#### AFTERNOON SESSION

The Senate reconvened at 4:04 p.m., President Kramer presiding.

#### QUORUM CALL

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

The vote revealed 41 present, 9 absent, and a quorum present.

## HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 24, 2003, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 357](#), a bill for an act relating to election or appointment of trustees of a city hospital or health care facility.

[Senate File 376](#), a bill for an act relating to the surcharge for certain dishonored negotiable instruments.

ALSO: That the House has on March 24, 2003, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 505](#), a bill for an act to prohibit unauthorized computer access to operational or support data of a rural water district and a municipal utility and providing a penalty.

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

[House File 584](#), a bill for an act providing for exceptions to municipal tort liability for certain activities.

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

[House File 623](#), a bill for an act relating to registration with the United States selective service system by application for a driver's license or nonoperator's identification card or for renewal of a driver's license or nonoperator's identification card.

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

[House File 636](#), a bill for an act relating to legislative branch consolidation of functions by combining the legislative service bureau, legislative fiscal bureau, and legislative computer support bureau into a single central legislative staff agency, providing for legislative publications procedures, modifying the sales tax exemption for items sold or services provided by the new agency, including related matters, and providing an effective date.

Read first time and **attached to similar [Senate File 365](#)**.

The Senate stood at ease at 4:20 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:40 p.m., President Kramer presiding.

#### BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that **[Senate File 427](#)** be referred from the Regular Calendar to the committee on **Appropriations**.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dearden and McCoy, until they return, on request of Senator Gronstal; and Senator Miller, for the day, on request of Senator Zieman.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 366 and 394.

#### **[Senate File 366](#)**

On motion of Senator Kettering, **[Senate File 366](#)**, a bill for an act relating to the Iowa probate code, including provisions relating to state inheritance, gift taxes, and trusts and including an applicability date provision, was taken up for consideration.

Senator Kettering 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. 366](#)**), the vote was:

Yeas, 47:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Connolly
Courtney	Dotzler	Drake	Dvorsky
Fraise	Gaskill	Gronstal	Hatch
Holveck	Horn	Hosch	Houser
Iverson	Johnson	Kettering	Kibbie
Kramer	Kreiman	Lamberti	Larson
Lundby	McKibben	McKinley	Putney
Quirnbach	Ragan	Redfern	Rehberg
Schuerer	Seng	Seymour	Shull
Sievers	Stewart	Tinsman	Veenstra
Warnstadt	Wieck	Zieman	

Nays, none.

Absent, 3:

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

#### Senate File 394

On motion of Senator Angelo, [Senate File 394](#), a bill for an act relating to the regulation of the grain industry, and making penalties applicable, was taken up for consideration.

Senator Angelo 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. 394](#)), the vote was:

Yeas, 47:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Connolly
Courtney	Dotzler	Drake	Dvorsky
Fraise	Gaskill	Gronstal	Hatch
Holveck	Horn	Hosch	Houser
Iverson	Johnson	Kettering	Kibbie
Kramer	Kreiman	Lamberti	Larson
Lundby	McKibben	McKinley	Putney
Quirnbach	Ragan	Redfern	Rehberg
Schuerer	Seng	Seymour	Shull



Sievers Warnstadt	Stewart Wieck	Tinsman Zieman	Veenstra
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Nays, none.

Absent, 3:

Dearden	McCoy	Miller
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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 Files 366 and 394 be immediately messaged** to the House.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 341 and 359.

#### [Senate File 341](#)

On motion of Senator Zieman, [Senate File 341](#), a bill for an act regulating the balance of competitive forces in swine and beef production by enhancing the welfare of the farming community and by preventing processors from gaining control of beef or swine production, providing for the transfer of provisions, making a penalty applicable, and providing for an effective date, was taken up for consideration.

Senator Zieman 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. 341](#)), the vote was:

Yeas, 47:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Connolly
Courtney	Dotzler	Drake	Dvorsky

Fraise	Gaskill	Gronstal	Hatch
Holveck	Horn	Hosch	Houser
Iverson	Johnson	Kettering	Kibbie
Kramer	Kreiman	Lamberti	Larson
Lundby	McKibben	McKinley	Putney
Quirnbach	Ragan	Redfern	Rehberg
Schuerer	Seng	Seymour	Shull
Sievers	Stewart	Tinsman	Veenstra
Warnstadt	Wieck	Zieman	

Nays, none.

Absent, 3:

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

### **Senate File 359**

On motion of Senator Redfern, **Senate File 359**, a bill for an act relating to landlords, tenants, and actions for forcible entry or detention, was taken up for consideration.

Senator Beall offered amendment **S-3078**, filed by Senators Beall and Warnstadt from the floor to page 1 of the bill, and moved its adoption.

Amendment **S-3078** was adopted by a voice vote.

Senator Redfern offered amendment **S-3079**, filed by him from the floor to pages 1-3 of the bill, and moved its adoption.

Amendment **S-3079** was adopted by a voice vote.

Senator Hatch asked and received unanimous consent that action on **Senate File 359** be **deferred**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate File 341** be **immediately messaged** to the House.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Files 297, 384, and 395.

**Senate File 297**

On motion of Senator Rehberg, **Senate File 297**, a bill for an act relating to the regulation of snowmobiles and all-terrain vehicles, establishing fees, providing penalties, and providing applicability dates, was taken up for consideration.

Senator Black offered amendment **S-3042**, filed by him on March 18, 2003, to pages 22 and 49 of the bill, and moved its adoption.

A nonrecord roll call was requested.

The ayes were 22, nays 26.

Amendment **S-3042** lost.

Senator Rehberg offered amendment **S-3065**, filed by her on March 19, 2003, to pages 28 and 41 of the bill, and moved its adoption.

Amendment **S-3065** was adopted by a voice vote.

Senator Rehberg offered amendment **S-3047**, filed by her on March 18, 2003, to pages 37 and 47 of the bill, and moved its adoption.

Amendment **S-3047** was adopted by a voice vote.

Senator Rehberg 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. 297**), the vote was:

Yeas, 49:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Connolly
Courtney	Dearden	Dotzler	Drake
Dvorsky	Fraise	Gaskill	Gronstal
Hatch	Holveck	Horn	Hosch
Houser	Iverson	Johnson	Kettering
Kibbie	Kramer	Kreiman	Lamberti
Larson	Lundby	McCoy	McKibben
McKinley	Putney	Quirnbach	Ragan
Redfern	Rehberg	Schuerer	Seng
Seymour	Shull	Sievers	Stewart
Tinsman	Veenstra	Warnstadt	Wieck
Zieman			

Nays, none.

Absent, 1:

Miller

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

#### **Senate File 384**

On motion of Senator Larson, **Senate File 384**, a bill for an act relating to the taxation of activities involving out-of-state qualified state tuition programs and including effective and retroactive applicability date provisions, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **Senate File 384** be deferred.

#### **Senate File 395**

On motion of Senator Angelo, **Senate File 395**, a bill for an act relating to assistance services provided to the department of agriculture and land stewardship, including for the filing of documents and the payment of fees and civil penalties, and the authorization to assess additional charges, was taken up for consideration.

Senator Angelo 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. 395](#)), the vote was:

Yeas, 49:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Connolly
Courtney	Dearden	Dotzler	Drake
Dvorsky	Fraise	Gaskill	Gronstal
Hatch	Holveck	Horn	Hosch
Houser	Iverson	Johnson	Kettering
Kibbie	Kramer	Kreiman	Lamberti
Larson	Lundby	McCoy	McKibben
McKinley	Putney	Quirnbach	Ragan
Redfern	Rehberg	Schuerer	Seng
Seymour	Shull	Sievers	Stewart
Tinsman	Veenstra	Warnstadt	Wieck
Zieman			

Nays, none.

Absent, 1:

Miller

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 Files 297 and 395** be **immediately messaged** to the House.

#### HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 24, 2003, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 224**, a bill for an act relating to appeals filed in child in need of assistance and termination of parental rights proceedings.

ALSO: That the House has on March 24, 2003, **amended and adopted** the following resolution in which the concurrence of the House was asked:

**Senate Concurrent Resolution 2**, a concurrent resolution relating to the compensation of chaplains, officers and employees of the eightieth general assembly. (**S-3080**)

ALSO: That the House has on March 24, 2003, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 509**, a bill for an act relating to deer and elk chronic wasting disease by establishing a task force and requiring departmental cooperation in the implementation of a chronic wasting disease administrative strategy, and providing an effective date.

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

**House File 516**, a bill for an act relating to composition and responsibilities of the Iowa comprehensive petroleum underground storage tank fund board.

Read first time and referred to committee on **Natural Resources and Environment**.

**House File 561**, a bill for an act creating the crime of invasion of privacy, and providing a penalty.

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

**House File 575**, a bill for an act providing for offset of certain billings to counties for mental health, mental retardation, and developmental disabilities services and including an applicability provision.

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

**House File 615**, a bill for an act to legalize the proceedings of the City Council of the City of Urbandale relating to the approval of a partial exemption from property taxation of actual value added to

industrial real estate, and providing for effective and applicability dates.

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

**House File 624**, a bill for an act regulating farm deer, providing for penalties, and providing an effective date.

Read first time and **attached to companion Senate File 421**.

#### ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:45 p.m. until 8:30 a.m. Tuesday, March 25, 2003.

**APPENDIX****APPOINTMENTS TO BOARDS AND COMMISSIONS**

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 20, 2003, to investigate the appointment and reappointment of the following appointees:

**AGRICULTURE**

As a member of the Grape and Wine Development Commission:

BENJAMIN JUNG – Gaskill, Chair; Fraise and Ziemann

As members of the State Soil Conservation Committee:

JEAN EELLS – Johnson, Chair; Putney and Seng  
TODD SCOTT – Hosch, Chair; Johnson and Ragan  
JAMES TOBIN – Angelo, Chair; Black and Houser

**BUSINESS AND LABOR RELATIONS**

As Workers' Compensation Commissioner:

MICHAEL TRIER – Johnson, Chair; Dearden and McKibben

As members of the Iowa Workforce Development Board:

BENJAMIN DUEHR – Kettering, Chair; Courtney and Lundby  
SARAH FALB – Seymour, Chair; Dotzler and Wieck

**COMMERCE**

As Consumer Advocate:

JOHN R. PERKINS – McCoy, Chair; Redfern and Wieck

As members of the Credit Union Review Board:

LORRAINE GROVES – Warnstadt, Chair; Redfern and Wieck  
MICHAEL HARVEY – Redfern, Chair; Beall and Sievers  
ROGER REISER – Bolkcom, Chair; Schuerer and Sievers

As Commissioner of Insurance:

THERESE VAUGHAN – Wieck, Chair; Angelo and Warnstadt



As Executive Director of the Iowa Telecommunications and Technology Commission:

JOHN P. GILLISPIE – Warnstadt, Chair; Angelo and Wieck

As a member of the Title Guaranty Division Board:

WALTER MURPHY – Stewart, Chair; Behn and Brunkhorst

As Chair of the Utilities Board:

DIANE MUNNS – Brunkhorst, Chair; Angelo and Warnstadt

As a member of the Utilities Board:

DIANE MUNNS – Brunkhorst, Chair; Angelo and Warnstadt

#### **ECONOMIC GROWTH**

As a member of the Iowa Capital Investment Board:

CAROL GARRETT – Larson, Chair; Beall and Putney

As members of the Iowa Economic Development Board:

LINDA BLOODSWORTH – Rehberg, Chair; Stewart and Veenstra

ROBERT BOCKEN – Seymour, Chair; Boettger and Ragan

CYNTHIA KEITHLEY – McKinley, Chair; Rehberg and Stewart

#### **EDUCATION**

As members of the Board of Educational Examiners:

BILL HAIGH – Rehberg, Chair; Quirnbach and Redfern

VERONICA STALKER – Quirnbach, Chair; Redfern and Rehberg

JACQUELINE WELLBORN – Dvorsky, Chair; Angelo and McKinley

As a member of the Iowa Higher Education Loan Authority:

JOHN HARTUNG – McKinley, Chair; Angelo and Dvorsky

As members of the State Board of Regents:

NEALA ARNOLD – Redfern, Chair; Quirnbach and Rehberg

ROBERT DOWNER – Behn, Chair; Boettger and Connolly

JOHN FORSYTH – Angelo, Chair; Dvorsky and McKinley

As a member of the School Budget Review Committee:

WAYNE DREXLER – Connolly, Chair; Behn and Boettger

**HUMAN RESOURCES**

As a member of the Board of Athletic Training Examiners:

TERRI CRAFT – Seymour, Chair; Hosch and Ragan

As members of the Board of Behavioral Science Examiners:

THORALD DAVIDSON – Boettger, Chair; Kreiman and Veenstra

BARBARA O'ROURKE – Boettger, Kreiman and Veenstra

TIMOTHY RUPPERT – Boettger, Kreiman and Veenstra

As a member of the Commission for the Blind:

ROBERT MARTIN – Horn, Chair; Behn and Schuerer

As a member of the Child Advocacy Board:

LIONEL FOSTER – Tinsman, Chair; Holveck and McKinley

As Administrator of the Division of Community Action Agencies:

WILLIAM BRAND – Behn, Chair; Boettger and Hatch

As a member of the Commission on Community Action Agencies:

THOMAS LETSCHE – Behn, Chair; Boettger and Hatch

As a member of the Commission on the Deaf:

JOHN MATTHEWS – Horn, Chair; Behn and Schuerer

As Director of the Department of Elder Affairs:

MARK HAVERLAND – Tinsman, Chair; Ragan and Veenstra

As members of the Commission of Elder Affairs:

JOHN LOWE – Holveck, Chair; Ragan and Tinsman

JANE PAULSEN – Holveck, Chair; Ragan and Tinsman

As members of the Iowa Empowerment Board:

MICHAEL BERGAN – Boettger, Chair; Hatch and Veenstra

REBECCA BURGART – Boettger, Chair; Hatch and Veenstra

ELAINE SZYMONIAK – Boettger, Chair; Hatch and Veenstra

THOMAS WILSON – Boettger, Chair; Hatch and Veenstra

C. ARTHUR WITTMACK – Boettger, Chair; Hatch and Veenstra

As Director of the Department of Human Services:

KEVIN CONCANNON – Tinsman, Chair; Kreiman and Veenstra

As a member of the Council on Human Services:

RUTH MOSHER – Behn, Chair; Holveck and McKinley

As a member of the Mental Health and Developmental Disabilities Commission:

CHRISTINE LOUSCHER – Ragan, Chair; Hosch and Veenstra

As members of the Board of Physician Assistant Examiners:

DIANE CARDWELL – Seymour, Chair; Holveck and Schuerer

MARA SWANSON – Seymour, Chair; Holveck and Schuerer

RITA TAYLOR – Seymour, Chair; Holveck and Schuerer

As members of the Prevention of Disabilities Policy Council:

KIMBERLY BRANGOCCIO – Ragan, Chair; Horn and Tinsman

JAMES GROVER – Ragan, Chair; Horn and Tinsman

MICKEY McDANIEL – Ragan, Chair; Horn and Tinsman

As Director of Public Health:

MARY MINCER HANSEN – Boettger, Chair; Tinsman and Veenstra

As members of the Commission on Tobacco Use Prevention and Control:

ANNETTE BAIR – Kreiman, Chair; Behn and Ragan

SCOTT HAVENS – Kreiman, Chair; Behn and Ragan

MARVIN JENKINS – Kreiman, Chair; Behn and Ragan

As Administrator of the Division on the Status of Women:

CHARLOTTE NELSON – Tinsman, Chair; Holveck and Hosch

#### **JUDICIARY**

As members of the Iowa State Civil Rights Commission:

ALICIA CLAYPOOL – Holveck, Chair; Lamberti and Larson

DAVID LESHTZ – Horn, Chair; Miller and Tinsman

DINH VANLO – McCoy, Chair; Boettger and Kettering

As Director of the Department of Corrections:

GARY MAYNARD – Redfern, Chair; Kreiman and Larson

As members of the Board of Corrections:

ROBYN MILLS – Larson, Chair; Holveck and Putney  
 ARTHUR NEU – Kettering, Chair; Fraise and McKibben  
 WALTER REED, JR. – Redfern, Chair; Putney and Quirnbach  
 RENEE SNEITZER – Larson, Chair; Horn and Tinsman

As members of the Iowa Drug Policy Advisory Council:

ARTHUR SCHUT – Horn, Chair; Larson and Miller  
 DIANE THOMAS – Tinsman, Chair; Horn and Putney

As members of the State Judicial Nominating Commission:

MARY ELGAR – Fraise, Chair; Boettger and Miller  
 CHARLES FOLLETT – Lamberti, Chair; Holveck and Kettering  
 ARTHUR SILVA – Kettering, Chair; McKibben and Quirnbach

As members of the Commission on Judicial Qualifications:

MONROE COLSTON – McCoy, Chair; McKibben and Tinsman (Appointment)  
 MONROE COLSTON – McCoy, Chair; McKibben and Tinsman (Reappointment)  
 MARY RUSSELL-CURRAN – Larson, Chair; Horn and Tinsman

**LOCAL GOVERNMENT**

As members of the City Development Board:

BARBARA BROWN – Rehberg, Chair; Hosch and McCoy  
 ANN HUTCHINSON – Miller, Chair; Kreiman and Wieck

As members of the County Finance Committee:

DENISE DOLAN – Hosch, Chair; Houser and Stewart  
 RICHARD HEIDLOFF – Wieck, Chair; Angelo and Hatch  
 BEN LACEY – Miller, Chair; Hatch and Seymour  
 KEVIN WYNN – Angelo, Chair; Kreiman and Seymour

As members of the Iowa Lewis and Clark Bicentennial Commission:

MARK MONSON – Wieck, Chair; Houser and McCoy  
 WYNEMA MORRIS – Houser, Chair; Quirnbach and Wieck  
 MICHELE WALKER – Angelo, Chair; Hatch and Seymour

As members of the Mental Health Risk Pool Board:

JACQUELINE KIBBIE-WILLIAMS – Wieck, Chair; Houser and Quirnbach  
 (Appointment)  
 JACQUELINE KIBBIE-WILLIAMS – Wieck, Chair; Houser and Quirnbach  
 (Reappointment)  
 RALPH KREMER – Rehberg, Chair; Hosch and Stewart  
 ANDY NIELSEN – Miller, Chair; McCoy and Seymour

DAVID VAN NINGEN – Wieck, Chair; Houser and Quirmbach (Appointment)  
DAVID VAN NINGEN – Wieck, Chair; Houser and Quirmbach (Reappointment)

#### **NATURAL RESOURCES AND ENVIRONMENT**

As members of the Environmental Protection Commission:

DONNA BUELL – Johnson, Chair; Kibbie and Wieck  
LISA DAVIS COOK – Kettering, Chair; Holveck and Lundby  
JERRY PECKUMN – Kettering, Chair; Kibbie and Wieck  
FRANCIS THICKE – Miller, Chair; Bolkcom and Drake  
HEIDI VITTETOE – Miller, Chair; Bolkcom and Drake

As members of the Natural Resource Commission:

RANDY DUNCAN – Johnson, Chair; Dearden and Drake  
RICHARD FRANCISCO – Miller, Chair; Bolkcom and Drake

As a member of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board:

CATHY ROTTINGHAUS – Brunkhorst, Chair; Black and Ziemann

As members of the Renewable Fuels and Coproducts Advisory Committee:

KAREN ANDERSEN-SCHANK – Brunkhorst, Chair; Dearden and Lundby  
GREG HAYES – Wieck, Chair; Miller and Seng

#### **STATE GOVERNMENT**

As members of the Accountancy Examining Board:

SUSAN BOE – Ziemann, Chair; Kibbie and Sievers  
RICHARD JOHNSON – Sievers, Chair; Black and Drake  
TELFORD LODDEN – Drake, Chair; Connolly and Johnson

As a member of the Alcoholic Beverages Commission:

SCOTT DOLL – Johnson, Chair; Courtney and Lamberti

As members of the Architectural Examining Board:

MARTHA GREEN – Schuerer, Chair; Dearden and Shull  
JEFFREY MORGAN – Shull, Chair; Ragan and Tinsman

As members of the Board of Barber Examiners:

MARY GRAN – Tinsman, Chair; Kibbie and Veenstra  
BARBARA MARTIN – Veenstra, Chair; Kibbie and Ziemann

As members of the Board of Chiropractic Examiners:

ALISON FOUGHTY – Kibbie, Chair; Drake and Johnson  
KATHLEEN KENNEDY – Connolly, Chair; Sievers and Zieman  
MICHAEL POWELL – Black, Chair; Drake and Johnson  
DIANE PUTHOFF – Courtney, Chair; Lamberti and Schuerer

As a member of the Board of Cosmetology Arts and Sciences Examiners:

JERRY TALBOTT – Dearden, Chair; Shull and Tinsman

As members of the Board of Dental Examiners:

ELIZABETH BRENNAN – Ragan, Chair; Veenstra and Zieman  
EILEEN CACIOPPO – Sievers, Chair; Drake and Kibbie  
GARY ROTH – Drake, Chair; Black and Johnson

As members of the Board of Dietetic Examiners:

RACHEL DUNN – Johnson, Chair; Connolly and Lamberti  
JOSEPH RODRIGUEZ – Schuerer, Chair; Dearden and Shull

As members of the Iowa Emergency Response Commission:

JULIE BELL – Shull, Chair; Ragan and Tinsman  
DANIEL ROGERS – Tinsman, Chair; Kibbie and Veenstra

As members of the Engineering and Land Surveying Examining Board:

FORREST HOLLY – Veenstra, Chair; Black and Zieman  
SUSAN LONG – Sievers, Chair; Connolly and Zieman

As members of the Iowa Ethics and Campaign Disclosure Board:

JAMES ALBERT – Zieman, Chair; Courtney and Drake  
JANET CARL – Sievers, Chair; Dearden and Veenstra

As a member of the Board for the Licensing and Regulation of Hearing Aid Dispensers:

LESLIE WHIPPEN – Drake, Chair; Johnson and Ragan

As members of the Information Technology Council:

DIANE KOLMER – Johnson, Chair; Kibbie and Tinsman  
MARY WEGNER – Schuerer, Chair; Black and Zieman

As members of the IowAccess Advisory Council:

QUENTIN BOYKEN – Shull, Chair; Connolly and Drake  
GAIL FLAGEL – Tinsman, Chair; Courtney and Johnson  
DAVID REDLAWSK – Veenstra, Chair; Dearden and Sievers

As Chief Executive Officer of the Iowa Public Employees Retirement System:

DONNA M. MUELLER – Kibbie, Chair; Drake and Zieman

As a member of the Investment Board of IPERS:

DAVID CREIGHTON, SR. – Zieman, Chair; Ragan and Veenstra

As a member of the Landscape Architectural Examining Board:

DAVID BIEHL – Black, Chair; Drake and Veenstra

As Commissioner of the Iowa Lottery:

ED STANEK – Lamberti, Chair; Courtney and Shull

As members of the Iowa Lottery Board:

ELAINE BAXTER – Dearden, Chair; Drake and Tinsman

MICHAEL McCOY – Drake, Chair; Connolly and Johnson

As Director of the Department of Management:

CYNTHIA EISENHAUER – Zieman, Chair; Courtney and Veenstra

As members of the Board of Medical Examiners:

CAROLE FRIER – Connolly, Chair; Johnson and Schuerer

BRUCE HUGHES – Tinsman, Chair; Dearden and Shull

SALLY SCHROEDER – Veenstra, Chair; Kibbie and Lamberti

JANECE VALENTINE – Courtney, Chair; Johnson and Schuerer

As a member of the Board of Mortuary Science Examiners:

RUTH OHDE – Courtney, Chair; Drake and Shull

As a member of the Board of Nursing Examiners:

M. ANN AULWES-ALLISON – Kibbie, Chair; Drake and Tinsman

As members of the State Board of Examiners for Nursing Home Administrators:

TERRY COOPER – Black, Chair; Tinsman and Veenstra

SUSAN FREY – Connolly, Chair; Schuerer and Sievers

DANIEL LARMORE – Courtney, Chair; Lamberti and Zieman

MARY NIELSEN – Dearden, Chair; Johnson and Tinsman

AUDRAE ZOECKLER – Ragan, Chair; Shull and Zieman

As members of the Board of Optometry Examiners:

BARBARA SCHEETZ – Johnson, Chair; Ragan and Sievers

ROBERT WEILAND – Ragan, Chair; Drake and Johnson

As Director of the Department of Personnel:

MOLLIE ANDERSON – Schuerer, Chair; Courtney and Drake

As members of the Board of Pharmacy Examiners:

KATHERINE LINDER – Kibbie, Chair; Veenstra and Ziemann  
LEMAN OLSON – Shull, Chair; Black and Tinsman

As a member of the Board of Physical and Occupational Therapy Examiners:

HELEN McNURLEN – Black, Chair; Lamberti and Schuerer

As members of the Board of Podiatry Examiners:

ETHEL CAMPBELL – Shull, Chair; Connolly and Tinsman  
RICKEY SALOCKER – Tinsman, Chair; Johnson and Ragan

As members of the Board of Psychology Examiners:

GERALD JORGENSEN – Black, Chair; Drake and Johnson  
ANA LOPEZ-DAWSON – Connolly, Chair; Lamberti and Veenstra

As members of the State Racing and Gaming Commission:

DIANE HAMILTON – Sievers, Chair; Kibbie and Lamberti  
JOYCE JARDING – Drake, Chair; Courtney and Tinsman

As members of the Real Estate Appraiser Examining Board:

DAVID ERICKSON – Connolly, Chair; Johnson and Shull  
BARBARA LEESTAMPER – Courtney, Chair; Veenstra and Ziemann  
KAREN OBERMAN – Dearden, Chair; Schuerer and Veenstra

As members of the Real Estate Commission:

LAURIE DAWLEY – Ragan, Chair; Tinsman and Veenstra  
JAMES HUGHES – Johnson, Chair; Black and Shull

As members of the State Board for Respiratory Care:

SALLY STEFFEN – Sievers, Chair; Dearden and Tinsman  
ROBERT ZEMAN – Drake, Chair; Ragan and Veenstra

As members of the Board of Social Work Examiners:

THOMAS CAPSHEW – Schuerer, Chair; Black and Lamberti  
JOAN HESTER – Shull, Chair; Connolly and Sievers



As members of the Board of Speech Pathology and Audiology Examiners:

BECKY VILDA – Tinsman, Chair; Courtney and Schuerer  
DOUGLAS WALTER – Veenstra, Chair; Dearden and Drake  
KENT WEBB – Drake, Chair; Ragan and Shull

As members of the Commission of Veterans Affairs:

MILDRED DAWSON – Drake, Chair; Kibbie and Veenstra  
LAUREL PHIPPS – Courtney, Chair; Johnson and Shull

As members of the Iowa Board of Veterinary Medicine:

ANNE DUFFY – Connolly, Chair; Drake and Schuerer  
LESLIE HEMMINGSON – Dearden, Chair; Johnson and Ziemann

As Chair of the Vision Iowa Board:

MICHAEL GARTNER – Ziemann, Chair; Drake and Ragan

As members of the Vision Iowa Board:

MARVIN BERENSTEIN – Tinsman, Chair; Courtney and Veenstra  
LORNA BURNSIDE – Veenstra, Chair; Black and Shull  
LIBBY SLAPPEY – Johnson, Chair; Dearden and Drake

#### **TRANSPORTATION**

As a member of the Iowa Law Enforcement Academy Council:

JAMES ROMAR – Fraise, Chair; Drake and Kettering

As a member of the State Transportation Commission:

JEFFREY DANIELSON – Drake, Chair; Dearden and Ziemann

#### **WAYS AND MEANS**

As members of the Iowa Finance Authority:

KAY ANDERSON – Rehberg, Chair; Dotzler and McKinley  
CARMELA BROWN – Stewart, Chair; Angelo and Shull

As a member of the State Board of Tax Review:

STEVEN RICHARDSON – Dotzler, Chair; Larson and Miller

## COMMUNICATIONS RECEIVED

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

March 24, 2003

### BOARD OF REGENTS

Five Year Capital Building Program — notification that the report in electronic form is available online.

### INFORMATION TECHNOLOGY DEPARTMENT

Revolving Fund Sources and Uses Report — notification that the report in electronic form is available online.

### DEPARTMENT OF PUBLIC HEALTH

Adolescent Pregnancy Prevention Report — notification that the report in electronic form is available online.

### SUPREME COURT OF IOWA

Clerk of Court Study Committee Report, Proposed Court Rules for Records Management, and Proposed Statutory Amendments for Records Rule — notification that the report in electronic form is available online.

## REPORTS OF COMMITTEE MEETINGS

### APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

**Convened:** March 20, 2003, 3:10 p.m.

**Members Present:** Miller, Chair; Angelo, Vice Chair; Fraise, Ranking Member; Hosch and Kreiman.

**Members Absent:** None.

**Committee Business:** Passed the committee appropriations bill for the justice system (as amended).

**Adjourned:** 4:25 p.m.

### EDUCATION

**Convened:** March 24, 2003, 3:40 p.m.

**Members Present:** Boettger, Chair; McKinley, Vice Chair; Connolly, Ranking Member; Angelo, Beall, Behn, Brunkhorst, Dvorsky, Holveck, Hosch, Kreiman, Larson, Redfern, and Rehberg.

**Members Absent:** Quirnbach (excused).

**Committee Business:** Passed HFs 180 and 341.

**Adjourned:** 4:05 p.m.

#### HUMAN RESOURCES

**Convened:** March 24, 2003, 2:10 p.m.

**Members Present:** Veenstra, Chair; Seymour, Vice Chair; Ragan, Ranking Member; Behn, Boettger, Hatch, Holveck, Horn, Hosch, Kreiman, McKinley, and Tinsman.

**Members Absent:** Schuerer (excused).

**Committee Business:** Subcommittee assignments and presentation regarding autism.

**Adjourned:** 3:10 p.m.

#### JUDICIARY

**Convened:** March 24, 2003, 3:05 p.m.

**Members Present:** Redfern, Chair; Larson, Vice Chair; Kreiman, Ranking Member; Boettger, Fraise, Holveck, Horn, Kettering, McCoy, McKibben, Putney, and Tinsman.

**Members Absent:** Lamberti, Miller, and Quirnbach (all excused).

**Committee Business:** Subcommittee assignments. Approved Governor's appointees and passed HFs 216 (as amended) and 249.

**Adjourned:** 3:35 p.m.

#### TRANSPORTATION

**Convened:** March 24, 2003, 2:05 p.m.

**Members Present:** Drake, Chair; Putney, Vice Chair; McCoy, Ranking Member; Beall, Dearden, Fraise, Houser, Johnson, Kettering, Rehberg, Shull, Warnstadt, and Zieman.

**Members Absent:** None.

**Committee Business:** Passed [HF 339](#).

**Adjourned:** 2:10 p.m.

## INTRODUCTION OF RESOLUTION

[Senate Resolution 25](#), by Lundby, a resolution honoring the town of Troy Mills on its sesquicentennial year.

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

## INTRODUCTION OF BILLS

[Senate File 428](#), by Dvorsky, a bill for an act creating a military family relief fund and providing an income tax checkoff for deposit in the fund, making an appropriation, and providing a retroactive applicability date.

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

[Senate File 429](#), by Dvorsky, Warnstadt, Beall, Holveck, Hatch, Quirnbach, Ragan, Black, Kibbie, Gronstal, Connolly, Stewart, Horn, Dearden, Courtney, Kreiman, Fraise, Seng, Bolkcom, Dotzler, and McCoy, a bill for an act exempting active duty pay of members of the national guard and armed forces reserve from the individual income tax and including effective and retroactive applicability date provisions.

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

## STUDY BILLS RECEIVED

**[SSB 1179](#) Appropriations**

Relating to and making appropriations to the department of economic development, certain board of regents institutions, department of workforce development, and the public employment relations board and related matters.

**SSB 1180 Appropriations**

Relating to and making appropriations to the justice system and providing an effective date.

**SSB 1181 Appropriations**

Relating to and making appropriations to the judicial branch.

**SSB 1182 Appropriations**

Providing for an annual increase in specified state aid to nonpublic schools under prescribed circumstances.

**SSB 1183 Ways and Means**

Exempting from state individual income tax the active duty pay of a member of the Iowa national guard or armed forces reserve units for service performed during Operation Iraqi Freedom and including effective and applicability date provisions.

**SSB 1184 Government Oversight**

Relating to concrete mixtures used for paving highways and including an applicability provision.

**SUBCOMMITTEE ASSIGNMENTS****House File 234**

NATURAL RESOURCES AND ENVIRONMENT: Houser, Chair; Kibbie and Wieck

**House File 412**

NATURAL RESOURCES AND ENVIRONMENT: Lundby, Chair; Drake and Seng

**House File 489**

HUMAN RESOURCES: McKinley, Chair; Ragan and Tinsman

**House File 549**

EDUCATION: Boettger, Chair; Connolly and McKinley

[House File 574](#)

STATE GOVERNMENT: Tinsman, Chair; Dearden and Sievers

[SSB 1179](#)

APPROPRIATIONS: McKinley, Chair; Dotzler and Lamberti

[SSB 1180](#)

APPROPRIATIONS: Miller, Chair; Fraise and Lamberti

[SSB 1181](#)

APPROPRIATIONS: Miller, Chair; Fraise and Lamberti

[SSB 1182](#)

APPROPRIATIONS: McKinley, Chair; Dvorsky and Lamberti

[SSB 1183](#)

WAYS AND MEANS: Larson, Chair; McKibben and Stewart

[SSB 1184](#)

GOVERNMENT OVERSIGHT: Lundby, Chair; Brunkhorst and Dvorsky

## COMMITTEE REPORTS

### EDUCATION

**Final Bill Action:** [HOUSE FILE 180](#), a bill for an act relating to character education and service learning in Iowa's elementary and secondary schools.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Boettger, McKinley, Connolly, Beall, Behn, Brunkhorst, Dvorsky, Holveck, Hosch, Kreiman, Larson, Redfern, and Rehberg. Nays, none. Absent, 2: Angelo and Quirmbach.

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

**ALSO:**

**Final Bill Action:** [HOUSE FILE 341](#), a bill for an act relating to personnel and instructors employed by community colleges.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Boettger, McKinley, Connolly, Beall, Behn, Brunkhorst, Dvorsky, Holveck, Hosch, Kreiman, Larson, Redfern, and Rehberg. Nays, none. Absent, 2: Angelo and Quirmbach.

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

#### JUDICIARY

**Final Bill Action:** \*[HOUSE FILE 216](#), a bill for an act relating to intelligence data and intelligence assessment dissemination to an agency, organization, or person.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3081](#).

**Final Vote:** Ayes, 11: Redfern, Larson, Kreiman, Boettger, Fraise, Horn, Kettering, McCoy, McKibben, Putney, and Tinsman. Nays, none. Present, 1: Holveck. Absent, 3: Lamberti, Miller, and Quirmbach.

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

\*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on [House File 216](#), and they were attached to the committee report.

#### ALSO:

**Final Bill Action:** [HOUSE FILE 249](#), a bill for an act relating to the manufacture, delivery, possession with the intent to manufacture or deliver, or conspiring to manufacture, deliver, or possess with the intent to manufacture or deliver flunitrazepam, and providing a penalty.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Redfern, Larson, Kreiman, Boettger, Fraise, Holveck, Horn, Kettering, McCoy, McKibben, Putney, and Tinsman. Nays, none. Absent, 3: Lamberti, Miller, and Quirmbach.

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

#### TRANSPORTATION

**Final Bill Action:** [HOUSE FILE 339](#), a bill for an act relating to snowmobile franchises by requiring the repurchase of certain inventory upon termination of a franchise and providing effective and retroactive applicability dates.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Drake, Putney, McCoy, Beall, Dearden, Fraise, Houser, Johnson, Kettering, Rehberg, Shull, Warnstadt, and Zieman. Nays, none. Absent, none.

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

## AMENDMENTS FILED

<u>S-3075</u>	<u>S.F. 354</u>	Steven H. Warnstadt
<u>S-3076</u>	<u>S.F. 416</u>	Maggie Tinsman
<u>S-3077</u>	<u>S.F. 422</u>	Donald B. Redfern
<u>S-3078</u>	<u>S.F. 359</u>	Daryl Beall
		Steven H. Warnstadt
<u>S-3079</u>	<u>S.F. 359</u>	Donald B. Redfern
<u>S-3080</u>	<u>S.C.R. 2</u>	House
<u>S-3081</u>	<u>H.F. 216</u>	Judiciary
<u>S-3082</u>	<u>S.F. 327</u>	David Johnson