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**STATE OF IOWA**

**Senate Journal**

**WEDNESDAY, APRIL 2, 2003**

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## JOURNAL OF THE SENATE

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EIGHTIETH CALENDAR DAY  
FORTY-SEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, April 2, 2003

The Senate met in regular session at 8:31 a.m., President Pro Tempore Angelo presiding.

Prayer was offered by the Reverend Duane Marburger, pastor of the Good Samaritan Rehabilitation and Health Center in Ottumwa, Iowa. He was the guest of Senator Kreiman.

The Journal of Tuesday, April 1, 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 April 1, 2003, **passed** the following bill in which the concurrence of the House was asked:

**Senate File 436**, a bill for an act making a supplemental appropriation to the environment first fund from the cash reserve fund and including an effective date.

ALSO: That the House has on April 1, 2003, **adopted** the following resolutions in which the concurrence of the Senate is asked:

**House Concurrent Resolution 8**, a concurrent resolution relating to a biennial memorial session.

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

[House Concurrent Resolution 9](#), a concurrent resolution relating to Pioneer Lawmakers.

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

ALSO: That the House has on April 1, 2003, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 493](#), a bill for an act relating to the powers and duties of the department of agriculture and land stewardship by providing for the elimination of administrative requirements.

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

[House File 594](#), a bill for an act relating to the registration of electrical and mechanical amusement devices and the registration of manufacturers and distributors thereof, making penalties applicable, and providing an effective date.

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

[House File 600](#), a bill for an act regulating organic agricultural products, providing for fees and penalties, and providing an effective date.

Read first time and **attached to similar** [Senate File 403](#).

[House File 631](#), a bill for an act relating to the apportionment of judgeships and the voluntary transfer of a district judge among the judicial election districts.

Read first time and **attached to similar** [Senate File 418](#).

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Holveck, until he arrives, on request of Senator Dearden; and Senator McCoy, until he arrives, on request of Senator Gronstal.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 63](#).

[Senate File 63](#)

On motion of Senator Drake, [Senate File 63](#), a bill for an act relating to the use of sick leave by certain members of the Iowa department of public safety peace officers' retirement, accident, and disability system who are temporarily incapacitated for duty, with report of committee recommending passage, was taken up for consideration.

Senator Drake offered amendment [S-3029](#), filed by him on March 10, 2003, to page 1 and to the title page of the bill, and moved its adoption.

Amendment [S-3029](#) was adopted by a voice vote.

Senator Drake asked and received unanimous consent that [House File 342](#) be substituted for [Senate File 63](#).

[House File 342](#)

On motion of Senator Drake, [House File 342](#), a bill for an act relating to the use of sick leave by certain members of the Iowa department of public safety peace officers' retirement, accident, and disability system who are temporarily incapacitated for duty and providing an effective date, was taken up for consideration.

Senator Drake 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. 342](#)), the vote was:

Yeas, 48:

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

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

Nays, none.

Absent, 2:

Holveck                      McCoy

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

#### WITHDRAWN

Senator Drake asked and received unanimous consent that [Senate File 63](#) be **withdrawn** from further consideration of the Senate.

#### SPECIAL GUESTS

Senator McKinley welcomed to the Senate chamber Queen Ashley Braun and representatives from Pella's Sixty-eighth Annual Tulip Time Festival.

Queen Braun and her court appeared before the rostrum. Queen Braun introduced the following members of her court: Elizabeth Terborg, Tiffany Pol, Amy Laug, and Katie Kniff.

Queen Braun presented President Kramer a package of the famous Pella Dutch pastries and invited the Senate chamber to attend the Tulip Time Festival in Pella on May 1, 2, and 3, 2003.

The Queen, her attendants, and their parents distributed pastries to the senators and staff.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 344](#).

[Senate File 344](#)

On motion of Senator Wieck, [Senate File 344](#), a bill for an act concerning regulatory and statutory requirements impacting business relating to liability reform, unemployment compensation benefits eligibility and employer contributions, workers' compensation, occupational safety and health administration training and compliance requirements, financial services and restrictions on property rights, environmental regulatory requirements, and public project contractor requirements, was taken up for consideration.

Senator Wieck asked and received unanimous consent that action on [Senate File 344](#) be **deferred**.

RECESS

On motion of Senator Boettger, the Senate recessed at 8:59 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:03 a.m., President Pro Tempore Angelo presiding.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:05 a.m. until 1:00 p.m.

**APPENDIX — 1****REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS**

**Convened:** April 1, 2003, 4:05 p.m.

**Members Present:** Lamberti, Chair; Kramer, Vice Chair; Dvorsky, Ranking Member; Behn, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Houser, McKibben, McKinley, Miller, Schuerer, Seng, Seymour, Shull, Sievers, Tinsman, Veenstra, Warnstadt, and Zieman.

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

**Committee Business:** Approved [SSB 1180](#) (as amended). Passed [SF 427](#) (as amended) and HFs 472, 652, 655, and 656.

**Adjourned:** 4:55 p.m.

**EDUCATION**

**Convened:** April 2, 2003, 11:05 a.m.

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

**Members Absent:** None.

**Committee Business:** Passed [HF 549](#) and approved the Governor's appointee.

**Adjourned:** 11:25 a.m.

**JUDICIARY**

**Convened:** April 1, 2003, 3:05 p.m.

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

**Members Absent:** None.

**Committee Business:** Passed HFs 65, 170, 404, 505, and 584 (as amended). Approved Governor's appointees and assigned subcommittees.

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

**NATURAL RESOURCES AND ENVIRONMENT**

**Convened:** April 2, 2003, 10:15 a.m.

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

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

**Committee Business:** Passed [HF 567](#).

**Adjourned:** 10:40 a.m.

**RULES AND ADMINISTRATION**

**Convened:** April 2, 2003, 9:00 a.m.

**Members Present:** Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Boettger, Courtney, Drake, Dvorsky, Gaskill, and Sievers.

**Members Absent:** Putney and Ragan (both excused).

**Committee Business:** Approved [SR 28](#).

**Adjourned:** 9:05 a.m.

**INTRODUCTION OF RESOLUTION**

[Senate Resolution 29](#), by Dotzler and Redfern, a resolution honoring the East Waterloo High School Boys' Basketball Team.

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

**INTRODUCTION OF BILLS**

[Senate File 438](#), by committee on Appropriations, a bill for an act relating to the establishment of the office of grants enterprise management in the department of management to assist the state in receiving more nonstate funds and providing a standing limited appropriation.

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



**[Senate File 439](#)**, by committee on Appropriations, a bill for an act relating to and making appropriations to the justice system and providing an effective date.

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

## SUBCOMMITTEE ASSIGNMENTS

### **[Senate Resolution 28](#)**

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Kramer

### **[Senate File 437](#)**

WAYS AND MEANS: Shull, Chair; Miller and Stewart

### **[House File 525](#)**

NATURAL RESOURCES AND ENVIRONMENT: Johnson, Chair; Seng and Wieck

### **[House File 586](#)**

COMMERCE: Bolkcom, Chair; Kettering and Redfern

### **[House File 599](#)**

COMMERCE: Kettering, Chair; Beall and Brunkhorst

### **[House File 647](#)**

COMMERCE: Wieck, Chair; Kettering and Warnstadt

## COMMITTEE REPORTS

### APPROPRIATIONS

**Final Bill Action:** \***[SENATE FILE 438](#)** (formerly **[SF 427](#)**), a bill for an act relating to the establishment of the office of grants enterprise management in the department of management to assist the state in receiving more nonstate funds and providing a standing limited appropriation.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 24: Lamberti, Kramer, Dvorsky, Behn, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Houser, McKibben, McKinley, Miller, Schuerer, Seng, Seymour, Shull, Sievers, Tinsman, Veenstra, Warnstadt, and Zieman. Nays, none. Absent, 1: Black.

**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 Appropriations Committee on [Senate File 438](#), and they were attached to the committee report.

**ALSO:**

**Final Bill Action:** \*[SENATE FILE 439 \(SSB 1180\)](#), a bill for an act relating to and making appropriations to the justice system and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Lamberti, Kramer, Behn, Gaskill, Houser, McKibben, McKinley, Miller, Schuerer, Seymour, Shull, Sievers, Tinsman, Veenstra, and Zieman. Nays, 9: Dvorsky, Bolkcom, Connolly, Dotzler, Fraise, Hatch, Horn, Seng, and Warnstadt. Absent, 1: Black.

**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 Appropriations Committee on [Senate File 439](#), and they were attached to the committee report.

**ALSO:**

**Final Bill Action:** [HOUSE FILE 472](#), a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 24: Lamberti, Kramer, Dvorsky, Behn, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Houser, McKibben, McKinley, Miller, Schuerer, Seng, Seymour, Shull, Sievers, Tinsman, Veenstra, Warnstadt, and Zieman. Nays, none. Absent, 1: Black.

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

**ALSO:**

**Final Bill Action:** [HOUSE FILE 652](#), a bill for an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund, and providing for the nonreversion of certain moneys.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 24: Lamberti, Kramer, Dvorsky, Behn, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Houser, McKibben, McKinley, Miller, Schuerer, Seng,

Seymour, Shull, Sievers, Tinsman, Veenstra, Warnstadt, and Zieman. Nays, none. Absent, 1: Black.

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

**ALSO:**

**Final Bill Action:** [HOUSE FILE 655](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 15: Lamberti, Kramer, Behn, Gaskill, Houser, McKibben, McKinley, Miller, Schuerer, Seymour, Shull, Sievers, Tinsman, Veenstra, and Zieman. Nays, 9: Dvorsky, Bolkcom, Connolly, Dotzler, Fraise, Hatch, Horn, Seng, and Warnstadt. Absent, 1: Black.

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

**ALSO:**

**Final Bill Action:** [HOUSE FILE 656](#), a bill for an act relating to fees charged for special fire fighter motor vehicle registration plates.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 24: Lamberti, Kramer, Dvorsky, Behn, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Houser, McKibben, McKinley, Miller, Schuerer, Seng, Seymour, Shull, Sievers, Tinsman, Veenstra, Warnstadt, and Zieman. Nays, none. Absent, 1: Black.

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

#### **RULES AND ADMINISTRATION**

**Final Bill Action:** [SENATE RESOLUTION 28](#), a resolution supporting the nomination of federal court of appeals judicial nominee Miguel A. Estrada.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 6: Iverson, Kramer, Boettger, Drake, Gaskill, and Sievers. Nays, 3: Gronstal, Courtney, and Dvorsky. Absent, 2: Putney and Ragan.

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

## AFTERNOON SESSION

The Senate reconvened at 1:04 p.m., Senator Brunkhorst presiding.

## QUORUM CALL

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

The vote revealed 35 present, 15 absent, and a quorum present.

## IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [House File 342](#) be **immediately messaged** to the House.

## BUSINESS PENDING

[Senate File 344](#)

The Senate resumed consideration of [Senate File 344](#), a bill for an act concerning regulatory and statutory requirements impacting business relating to liability reform, unemployment compensation benefits eligibility and employer contributions, workers' compensation, occupational safety and health administration training and compliance requirements, financial services and restrictions on property rights, environmental regulatory requirements, and public project contractor requirements, previously deferred.

Senator Drake withdrew amendment [S-3101](#), filed by him on March 27, 2003, to page 1 of the bill.

Senator Wieck offered amendment [S-3108](#), filed by him on March 31, 2003, to pages 1-20 of the bill, and moved its adoption.

Amendment [S-3108](#) was adopted by a voice vote.

Senator Wieck offered amendment [S-3118](#), filed by him on April 1, 2003, to pages 21, 23, and 25 of the bill, and moved its adoption.

Amendment [S-3118](#) was adopted by a voice vote.

Senator Wieck offered amendment [S-3115](#), filed by him on April 1, 2003, to pages 26 and 30 of the bill, and moved its adoption.

Amendment [S-3115](#) was adopted by a voice vote.

Senator Wieck offered amendment [S-3120](#), filed by him on April 1, 2003, to page 41 and to the title page of the bill, and moved its adoption.

Amendment [S-3120](#) was adopted by a voice vote.

Senator Wieck offered amendment [S-3129](#), filed by him from the floor to pages 41 and 42 of the bill, and moved its adoption.

Amendment [S-3129](#) was adopted by a voice vote.

Senator Wieck offered amendment [S-3114](#), filed by him on April 1, 2003, to pages 43, 44, and to the title page of the bill, and moved its adoption.

Amendment [S-3114](#) was adopted by a voice vote.

Senator Wieck offered amendment [S-3121](#), filed by him on April 1, 2003, to pages 44, 46, and 47 of the bill.

Senator Sievers offered amendment [S-3131](#), filed by Senators Sievers and Brunkhorst from the floor to page 1 of amendment [S-3121](#), and moved its adoption.

Amendment [S-3131](#) was adopted by a voice vote.

Senator Wieck moved the adoption of amendment [S-3121](#), as amended.

Amendment [S-3121](#) was adopted by a voice vote.

Senator Wieck offered amendment [S-3130](#), filed by him from the floor to page 44 of the bill, and moved its adoption.

Amendment [S-3130](#) was adopted by a voice vote.

Senator Wieck offered amendment [S-3116](#), filed by Senators Wieck and Drake on April 1, 2003, to pages 47 and 48 of the bill, and moved its adoption.

Amendment [S-3116](#) was adopted by a voice vote.

Senator Wieck offered amendment [S-3117](#), filed by him on April 1, 2003, to page 49 and to the title page of the bill, and moved its adoption.

Amendment [S-3117](#) was adopted by a voice vote.

Senator Wieck 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. 344](#)), the vote was:

Yeas, 26:

Angelo	Behn	Boettger	Brunkhorst
Drake	Gaskill	Hosch	Houser
Iverson	Johnson	Kettering	Kramer
Lamberti	Larson	McKibben	McKinley
Putney	Rehberg	Schuerer	Seymour
Shull	Sievers	Tinsman	Veenstra
Wieck	Zieman		

Nays, 24:

Beall	Black	Bolkcom	Connolly
Courtney	Dearden	Dotzler	Dvorsky
Fraise	Gronstal	Hatch	Holveck
Horn	Kibbie	Kreiman	Lundby
McCoy	Miller	Quirnbach	Ragan
Redfern	Seng	Stewart	Warnstadt

Absent, none.

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

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Angelo asked and received unanimous consent to take up for consideration [Senate File 372](#).

[Senate File 372](#)

On motion of Senator Warnstadt, [Senate File 372](#), a bill for an act relating to the licensing of persons providing money transmission and currency exchange services, providing penalties, and providing an effective date, was taken up for consideration.

Senator Warnstadt offered amendment [S-3123](#), filed by him from the floor to pages 2, 5, 6, 9, 12, 16, 17, and 18 of the bill, and moved its adoption.

Amendment [S-3123](#) was adopted by a voice vote.

Senator Warnstadt offered amendment [S-3132](#), filed by him from the floor to page 4 of the bill, and moved its adoption.

Amendment [S-3132](#) was adopted by a voice vote.

Senator Angelo asked and received unanimous consent that action on [Senate File 372](#) be **deferred**.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate File 344](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House File 289](#).

**House File 289**

On motion of Senator Angelo, **House File 289**, a bill for an act relating to electronic financial transactions with county treasurers, with report of committee recommending passage, 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?" (**H.F. 289**), the vote was:

Yeas, 50:

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	Miller	Putney	Quirmbach
Ragan	Redfern	Rehberg	Schuerer
Seng	Seymour	Shull	Sievers
Stewart	Tinsman	Veenstra	Warnstadt
Wieck	Zieman		

Nays, none.

Absent, none.

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

**CONSIDERATION OF BILL  
(Regular Calendar)**

Senator Iverson asked and received unanimous consent to take up for consideration **House File 341**.

**House File 341**

On motion of Senator Redfern, **House File 341**, a bill for an act relating to personnel and instructors employed by community



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

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

Yeas, 50:

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	Miller	Putney	Quirnbach
Ragan	Redfern	Rehberg	Schuerer
Seng	Seymour	Shull	Sievers
Stewart	Tinsman	Veenstra	Warnstadt
Wieck	Zieman		

Nays, none.

Absent, none.

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

#### IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 289 and 341** be **immediately messaged** to the House.

#### RECESS

On motion of Senator Iverson, the Senate recessed at 1:54 p.m. until the completion of a meeting of the committee on Rules and Administration.

## RECONVENED

The Senate reconvened at 2:02 p.m., President Kramer presiding.

UNFINISHED BUSINESS  
(Deferred March 26, 2003)

House File 479

The Senate resumed consideration of 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, deferred March 26, 2003.

Senator Brunkhorst offered amendment S-3128, filed by Senators Brunkhorst, Lamberti, and Holveck from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3128 be adopted?" (H.F. 479), the vote was:

Yeas, 14:

Black	Brunkhorst	Dearden	Gronstal
Hatch	Holveck	Johnson	Kettering
Kramer	Lamberti	Larson	Quirmbach
Rehberg	Seng		

Nays, 36:

Angelo	Beall	Behn	Boettger
Bolkcom	Connolly	Courtney	Dotzler
Drake	Dvorsky	Fraise	Gaskill
Horn	Hosch	Houser	Iverson
Kibbie	Kreiman	Lundby	McCoy
McKibben	McKinley	Miller	Putney
Ragan	Redfern	Schuerer	Seymour
Shull	Sievers	Stewart	Tinsman
Veenstra	Warnstadt	Wieck	Zieman

Absent, none.

Amendment S-3128 lost.

Senator Brunkhorst asked and received unanimous consent to withdraw amendment [S-3111](#), filed by Senator Brunkhorst, et al., on March 31, 2003, to page 1 of the bill.

Senator Holveck offered amendment [S-3112](#), filed by Senator Holveck, et al., on March 31, 2003, to page 1 of the bill, and moved its adoption.

Amendment [S-3112](#) lost by a voice vote.

Senator Veenstra 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. 479](#)), the vote was:

Yeas, 38:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Connolly	Courtney
Dearden	Dotzler	Drake	Dvorsky
Fraise	Gaskill	Hatch	Horn
Hosch	Houser	Kibbie	Kreiman
Lundby	McCoy	McKinley	Miller
Putney	Quirnbach	Ragan	Redfern
Schuerer	Seymour	Shull	Sievers
Stewart	Tinsman	Veenstra	Warnstadt
Wieck	Zieman		

Nays, 12:

Brunkhorst	Gronstal	Holveck	Iverson
Johnson	Kettering	Kramer	Lamberti
Larson	McKibben	Rehberg	Seng

Absent, none.

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

#### WITHDRAWN

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

## IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [House File 479](#) be **immediately messaged** to the House.

The Senate stood at ease at 2:44 p.m. until the fall of the gavel for the purpose of a Republican caucus.

The Senate resumed session at 3:45 p.m., President Kramer presiding.

## BUSINESS PENDING

[Senate File 372](#)

The Senate resumed consideration of [Senate File 372](#), a bill for an act relating to the licensing of persons providing money transmission and currency exchange services, providing penalties, and providing an effective date, previously deferred.

Senator Warnstadt 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. 372](#)), the vote was:

Yeas, 50:

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	Miller	Putney	Quirmbach
Ragan	Redfern	Rehberg	Schuerer
Seng	Seymour	Shull	Sievers
Stewart	Tinsman	Veenstra	Warnstadt
Wieck	Zieman		

Nays, none.

Absent, none.

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

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Redfern asked and received unanimous consent to take up for consideration Senate Files 412 and 392.

**Senate File 412**

On motion of Senator Tinsman, **Senate File 412**, a bill for an act relating to the management of elder group homes, was taken up for consideration.

Senator Tinsman 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. 412**), the vote was:

Yeas, 50:

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	Miller	Putney	Quirnbach
Ragan	Redfern	Rehberg	Schuerer
Seng	Seymour	Shull	Sievers
Stewart	Tinsman	Veenstra	Warnstadt
Wieck	Zieman		

Nays, none.

Absent, none.

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

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schuerer, until he returns, on request of Senator Behn.

**Senate File 392**

On motion of Senator Ziemann, **Senate File 392**, a bill for an act relating to the animal agriculture compliance Act, and providing for penalties, was taken up for consideration.

Senator Ziemann offered amendment **S-3133**, filed by him from the floor striking everything after the enacting clause and to the title page of the bill, and moved its adoption.

Amendment **S-3133** was adopted by a voice vote.

Senator Ziemann 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. 392**), 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	Miller	Putney	Quirnbach
Ragan	Redfern	Rehberg	Seng
Seymour	Shull	Sievers	Stewart
Tinsman	Veenstra	Warnstadt	Wieck
Ziemann			

Nays, none.

Absent, 1:

Schuerer

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

#### IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 372, 392, and 412** be **immediately messaged** to the House.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House Files 319 and 339.

#### [House File 319](#)

On motion of Senator Behn, [House File 319](#), a bill for an act permitting written demand via regular mail prior to an action under the uniform commercial code for recovery of civil damages for a dishonored check, draft, or order, when supported by an affidavit of service, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Angelo offered amendment [S-3092](#), filed by the committee on Commerce on March 25, 2003, to page 1 of the bill, and moved its adoption.

Amendment [S-3092](#) was adopted by a voice vote.

With the adoption of amendment [S-3092](#), the Chair ruled amendment [S-3063](#), filed by Senator Warnstadt on March 18, 2003, to page 1 of the bill, out of order.

Senator Holveck asked and received unanimous consent that action on [House File 319](#) be **deferred**.

#### [House File 339](#)

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

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?" ([H.F. 339](#)), the vote was:

Yeas, 50:

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	Miller	Putney	Quirnbach
Ragan	Redfern	Rehberg	Schuerer
Seng	Seymour	Shull	Sievers
Stewart	Tinsman	Veenstra	Warnstadt
Wieck	Zieman		

Nays, none.

Absent, none.

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

#### IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [House File 339](#) be **immediately messaged** to the House.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Redfern, for the remainder of the day, on request of Senator McKibben.



CONSIDERATION OF BILL  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 354](#).

[Senate File 354](#)

On motion of Senator Veenstra, [Senate File 354](#), a bill for an act implementing the federal Indian Child Welfare Act, was taken up for consideration.

Senator Warnstadt offered amendment [S-3075](#), filed by him on March 24, 2003, to pages 1–6, 8, 10, 11, 15, 17, 19, and 25 of the bill.

Senator Warnstadt offered amendment [S-3107](#), filed by him on March 31, 2003, to page 1 of amendment [S-3075](#), and moved its adoption.

Amendment [S-3107](#) was adopted by a voice vote.

Senator Warnstadt moved the adoption of amendment [S-3075](#), as amended.

Amendment [S-3075](#) was adopted by a voice vote.

President Pro Tempore Angelo took the chair at 4:47 p.m.

Senator Veenstra 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. 354](#)), the vote was:

Yeas, 47:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Connolly
Courtney	Dearden	Dotzler	Drake
Dvorsky	Fraise	Gaskill	Gronstal
Hatch	Horn	Hosch	Houser
Iverson	Johnson	Kettering	Kibbie
Kramer	Lamberti	Larson	Lundby
McCoy	McKibben	McKinley	Miller

Putney	Quirnbach	Ragan	Rehberg
Schuerer	Seng	Seymour	Shull
Sievers	Stewart	Tinsman	Veenstra
Warnstadt	Wieck	Zieman	

Nays, 2:

Holveck                      Kreiman

Absent, 1:

Redfern

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

#### 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 April 2, 2003, **adopted** the following resolution in which the concurrence of the House was asked:

**Senate Joint Resolution 1**, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

ALSO: That the House has on April 2, 2003, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 659**, a bill for an act relating to ownership of alternate energy production facilities by public utilities, making related changes, and providing an effective date.

Read first time and **attached to similar Senate File 432**.

#### IMMEDIATELY MESSAGED

Senator McKinley asked and received unanimous consent that **Senate File 354** be **immediately messaged** to the House.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator McKinley asked and received unanimous consent to take up for consideration [Senate File 432](#).

[Senate File 432](#)

On motion of Senator Brunkhorst, [Senate File 432](#), a bill for an act relating to ownership of alternate energy production facilities by public utilities, making related changes, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

The Senate stood at ease at 5:04 p.m. until the fall of the gavel for the purpose of a Democratic caucus.

The Senate resumed session at 5:47 p.m., President Pro Tempore Angelo presiding.

Senator Brunkhorst offered amendment [S-3110](#), filed by the committee on Commerce on March 31, 2003, to pages 3 and 4 of the bill, and moved its adoption.

Amendment [S-3110](#) was adopted by a voice vote.

President Kramer took the chair at 5:55 p.m.

Senator Lundby offered amendment [S-3135](#), filed by Senator Lundby, et al., from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3135](#) be adopted?" ([S.F. 432](#)), the vote was:

Yeas, 22:

Beall	Black	Bolkcom	Connolly
Dvorsky	Fraise	Hatch	Holveck
Horn	Hosch	Houser	Johnson
Kettering	Kibbie	Kreiman	Lundby

Miller Schuerer	Putney Seymour	Quirnbach	Rehberg
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Nays, 27:

Angelo	Behn	Boettger	Brunkhorst
Courtney	Dearden	Dotzler	Drake
Gaskill	Gronstal	Iverson	Kramer
Lamberti	Larson	McCoy	McKibben
McKinley	Ragan	Seng	Shull
Sievers	Stewart	Tinsman	Veenstra
Warnstadt	Wieck	Zieman	

Absent, 1:

Redfern

Amendment [S-3135](#) lost.

Senator Bolkcom offered amendment [S-3137](#), filed by Senator Bolkcom, et al., from the floor to pages 2 and 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3137](#) be adopted?" ([S.F. 432](#)), the vote was:

Yeas, 15:

Beall	Black	Bolkcom	Connolly
Dvorsky	Fraise	Hatch	Holveck
Horn	Kibbie	Kreiman	Lundby
Miller	Quirnbach	Ragan	

Nays, 34:

Angelo	Behn	Boettger	Brunkhorst
Courtney	Dearden	Dotzler	Drake
Gaskill	Gronstal	Hosch	Houser
Iverson	Johnson	Kettering	Kramer
Lamberti	Larson	McCoy	McKibben
McKinley	Putney	Rehberg	Schuerer
Seng	Seymour	Shull	Sievers
Stewart	Tinsman	Veenstra	Warnstadt
Wieck	Zieman		

Absent, 1:

Redfern

Amendment [S-3137](#) lost.

Senator Brunkhorst asked and received unanimous consent that [House File 659](#) be substituted for [Senate File 432](#).

**[House File 659](#)**

On motion of Senator Brunkhorst, [House File 659](#), a bill for an act relating to ownership of alternate energy production facilities by public utilities, making related changes, and providing an effective date, was taken up for consideration.

Senator Brunkhorst 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. 659](#)), 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	Miller	Putney	Quirnbach
Ragan	Rehberg	Schuerer	Seng
Seymour	Shull	Sievers	Stewart
Tinsman	Veenstra	Warnstadt	Wieck
Zieman			

Nays, none.

Absent, 1:

Redfern

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

## WITHDRAWN

Senator Brunkhorst asked and received unanimous consent that [Senate File 432](#) be **withdrawn** from further consideration of the Senate.

## IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [House File 659](#) be **immediately messaged** to the House.

## ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 6:42 p.m. until 8:30 a.m. Thursday, April 3, 2003.

**APPENDIX — 2****PRESENTATION OF VISITORS**

The Chair welcomed the following visitors who were present in the Senate gallery:

Twelfth grade students from Tripoli High School in Tripoli, accompanied by Ray Carlson and Pat Finder. Senator Brunkhorst.

**REPORT OF COMMITTEE MEETING****RULES AND ADMINISTRATION**

**Convened:** April 2, 2003, 1:50 p.m.

**Members Present:** Iverson, Chair; Kramer, Vice Chair; Gronstal, Ranking Member; Boettger, Courtney, Drake, Dvorsky, Putney, and Ragan.

**Members Absent:** Gaskill and Sievers (both excused).

**Committee Business:** Passed [SR 29](#), HCRs 8 and 9. Referred a Governor's appointee to the State Government committee.

**Adjourned:** 1:55 p.m.

**INTRODUCTION OF RESOLUTIONS**

[Senate Resolution 30](#), by Iverson, a resolution relating to the shortage of nursing home administrators and requesting the State Board of Examiners for Nursing Home Administrators to make recommendations for addressing the shortage.

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

[Senate Resolution 31](#), by Redfern and Dotzler, a resolution congratulating the University of Northern Iowa Panthers Women's Volleyball Team.

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

## STUDY BILLS RECEIVED

**SSB 1186**      **Ways and Means**

Updating the Iowa Code references to the Internal Revenue Code, providing for decoupling with the Internal Revenue Code for a certain bonus depreciation provision, and providing retroactive applicability dates and an effective date.

**SSB 1187**      **Ways and Means**

Proposing an amendment to the Constitution of the State of Iowa requiring a state referendum before certain taxation of fee increases take effect.

## SUBCOMMITTEE ASSIGNMENTS

**Senate Resolution 29**

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Kramer

**Senate Resolution 30**

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Kramer

**Senate Resolution 31**

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Kramer

**House Concurrent Resolution 8**

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Kramer

**House Concurrent Resolution 9**

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Kramer

**House File 576**

ECONOMIC GROWTH: Shull, Chair; Beall and Veenstra

**House File 594**

STATE GOVERNMENT: Shull, Chair; Drake and Kibbie

**SSB 1186**

WAYS AND MEANS: McKibben, Chair; Hosch and McCoy



**SSB 1187**

WAYS AND MEANS: Larson, Chair; McKibben and Seng

**COMMITTEE REPORTS****EDUCATION**

**Final Bill Action:** [HOUSE FILE 549](#), a bill for an act relating to the duties and operations of the department of education and school boards.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Boettger, McKinley, Connolly, Angelo, Beall, Behn, Brunkhorst, Dvorsky, Hosch, Quirnbach, Redfern, and Rehberg. Nays, 1: Kreiman. Absent, 2: Holveck and Larson.

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

**JUDICIARY**

**Final Bill Action:** [HOUSE FILE 65](#), a bill for an act relating to motor vehicle operating while intoxicated offenses.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Redfern, Larson, Kreiman, Boettger, Fraise, Holveck, Kettering, Lamberti, McCoy, McKibben, Miller, Putney, Quirnbach, and Tinsman. Nays, 1: Horn. Absent, none.

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

**ALSO:**

**Final Bill Action:** [HOUSE FILE 170](#), a bill for an act relating to the criminal offense of identity theft by making changes in the elements of the offense.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 15: Redfern, Larson, Kreiman, Boettger, Fraise, Holveck, Horn, Kettering, Lamberti, McCoy, McKibben, Miller, Putney, Quirnbach, and Tinsman. Nays, none. Absent, none.

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

**ALSO:**

**Final Bill Action:** [HOUSE FILE 404](#), a bill for an act authorizing a sentencing court to issue no-contact orders against persons arrested for any public offense.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 15: Redfern, Larson, Kreiman, Boettger, Fraise, Holveck, Horn, Kettering, Lamberti, McCoy, McKibben, Miller, Putney, Quirnbach, and Tinsman. Nays, none. Absent, none.

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

**ALSO:**

**Final Bill Action:** [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.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 15: Redfern, Larson, Kreiman, Boettger, Fraise, Holveck, Horn, Kettering, Lamberti, McCoy, McKibben, Miller, Putney, Quirnbach, and Tinsman. Nays, none. Absent, none.

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

**ALSO:**

**Final Bill Action:** [HOUSE FILE 584](#), a bill for an act providing for exceptions to municipal tort liability for certain activities.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3127](#).

**Final Vote:** Ayes, 13: Redfern, Larson, Kreiman, Boettger, Fraise, Horn, Kettering, Lamberti, McCoy, McKibben, Miller, Putney, and Tinsman. Nays, 2: Holveck and Quirnbach. Absent, none.

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

#### NATURAL RESOURCES AND ENVIRONMENT

**Final Bill Action:** [HOUSE JOINT RESOLUTION 5](#), a joint resolution to nullify administrative rules of the department of natural resources concerning methods of taking wild turkey and deer and providing an effective date.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Houser, Johnson, Seng, Brunkhorst, Drake, Kettering, Lundby, Miller, Wieck, and Zieman. Nays, 4: Bolcom, Dearden, Holveck, and Kibbie. Absent, 1: Black.

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

**ALSO:**

**Final Bill Action:** [HOUSE FILE 85](#), a bill for an act relating to tip-up fishing in the waters of the Missouri and Big Sioux rivers and subjecting violators to an existing penalty.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Houser, Johnson, Seng, Bolkcom, Brunkhorst, Dearden, Drake, Holveck, Kettering, Kibbie, Lundby, Miller, Wieck, and Ziemann. Nays, none. Absent, 1: Black.

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

**ALSO:**

**Final Bill Action:** [HOUSE FILE 411](#), a bill for an act providing resident license fees for hunting, fishing, trapping, and related activities to certain persons in the armed forces of the United States.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Houser, Johnson, Seng, Bolkcom, Brunkhorst, Dearden, Drake, Holveck, Kettering, Kibbie, Lundby, Miller, Wieck, and Ziemann. Nays, none. Absent, 1: Black.

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

**ALSO:**

**Final Bill Action:** [HOUSE FILE 412](#), a bill for an act relating to the amount of mussels and shells which may be taken pursuant to a sport fishing license.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Houser, Johnson, Seng, Bolkcom, Brunkhorst, Dearden, Drake, Holveck, Kettering, Kibbie, Lundby, Miller, Wieck, and Ziemann. Nays, none. Absent, 1: Black.

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

**ALSO:**

**Final Bill Action:** \*[HOUSE FILE 516](#), a bill for an act relating to composition and responsibilities of the Iowa comprehensive petroleum underground storage tank fund board.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3126](#).

**Final Vote:** Ayes, 14: Houser, Johnson, Seng, Bolkcom, Brunkhorst, Dearden, Drake, Holveck, Kettering, Kibbie, Lundby, Miller, Wieck, and Ziemann. Nays, none. Absent, 1: Black.

**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 Natural Resources and Environment Committee on [House File 516](#), and they were attached to the committee report.

**ALSO:**

**Final Bill Action:** [HOUSE FILE 567](#), a bill for an act relating to powers of county environmental health specialists and providing a penalty.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Houser, Johnson, Seng, Black, Bolkcom, Brunkhorst, Dearden, Drake, Holveck, Kettering, Kibbie, Lundby, Wieck, and Ziemann. Nays, none. Absent, 1: Miller.

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

**RULES AND ADMINISTRATION**

**Final Bill Action:** [SENATE RESOLUTION 29](#), a resolution honoring the East Waterloo High School Boys' Basketball Team.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Iverson, Kramer, Gronstal, Boettger, Courtney, Drake, Dvorsky, Putney, and Ragan. Nays, none. Absent, 2: Gaskill and Sievers.

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

**ALSO:**

**Final Bill Action:** [HOUSE CONCURRENT RESOLUTION 8](#), a concurrent resolution relating to a biennial memorial session.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Iverson, Kramer, Gronstal, Boettger, Courtney, Drake, Dvorsky, Putney, and Ragan. Nays, none. Absent, 2: Gaskill and Sievers.

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

**ALSO:**

**Final Bill Action:** [HOUSE CONCURRENT RESOLUTION 9](#), a concurrent resolution relating to Pioneer Lawmakers.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Iverson, Kramer, Gronstal, Boettger, Courtney, Drake, Dvorsky, Putney, and Ragan. Nays, none. Absent, 2: Gaskill and Sievers.

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

## REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing [Senate File 354](#), the following corrections were made:

1. Page 7, line 33, the word and number "subsection 3" were changed to the word and number "subsection 4".
2. Page 10, line 29, the word and number "subsection 9" were changed to the word and number "subsection 10".
3. Page 11, line 2, the word and number "subsection 9" were changed to the word and number "subsection 10".
4. Page 11, line 14, the word and number "subsection 9" were changed to the word and number "subsection 10".
5. Page 11, line 31, the word and number "subsection 9" were changed to the word and number "subsection 10".
6. Page 20, line 5, the words and numbers "subsection 1, 2, or 3" were changed to the words and numbers "subsection 1, 2, or 5".

MICHAEL E. MARSHALL  
Secretary of the Senate

## EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 2, 2003, when the vote was taken on [Senate File 392](#). Had I been present, I would have voted "Yea."

NEAL SCHUERER

## WITHDRAWAL OF GOVERNOR'S APPOINTEE

The following letter from the Governor was received in the office of the Secretary of the Senate on April 2, 2003:

I submitted the name of Alison Foughty to serve on the Board of Chiropractic Examiners on March 15, 2003. I am withdrawing her name from further consideration by the Senate.

Sincerely,  
THOMAS J. VILSACK  
Governor

### APPOINTMENT

The following appointee was submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

#### BY GOVERNOR

BOARD OF CHIROPRACTIC EXAMINERS (Sec. 147.14(8))  
Valorie Prah, Delhi

#### TERM

05/01/2003 – 04/30/2006

The appointment was referred to the committee on **Rules and Administration**.

### REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointment to state boards, commissions, and departments to a Senate standing committee, as indicated for investigation on April 2, 2003:

#### STATE GOVERNMENT

Valorie Prah – Board of Chiropractic Examiners

### APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to a subcommittee of a standing committee on April 2, 2003, to investigate the appointment of the following appointee:

#### STATE GOVERNMENT

As a member of the Board of Chiropractic Examiners:

Valorie Prah – Kibbie, Chair; Drake and Lamberti

**GOVERNOR'S APPOINTEES PLACED ON  
EN BLOC CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation:

**EDUCATION**

Bill Haigh – Board of Educational Examiners  
Jacqueline Wellborn – Board of Educational Examiners  
Veronica Stalker – Board of Educational Examiners

John Hartung – Iowa Higher Education Loan Authority

Robert Downer – State Board of Regents  
John Forsyth – State Board of Regents

Wayne Drexler – School Budget Review Committee

**JUDICIARY**

Alicia Claypool – Iowa State Civil Rights Commission

Walter Reed, Jr. – Board of Corrections

Mary Elgar – State Judicial Nominating Commission  
Charles Follett – State Judicial Nominating Commission

**AMENDMENTS FILED**

<a href="#"><u>S-3123</u></a>	<a href="#"><u>S.F. 372</u></a>	Steve Warnstadt
<a href="#"><u>S-3124</u></a>	<a href="#"><u>S.F. 407</u></a>	Nancy J. Boettger
<a href="#"><u>S-3125</u></a>	<a href="#"><u>H.F. 454</u></a>	Nancy J. Boettger
<a href="#"><u>S-3126</u></a>	<a href="#"><u>H.F. 516</u></a>	Natural Resources and Environment
<a href="#"><u>S-3127</u></a>	<a href="#"><u>H.F. 584</u></a>	Judiciary
<a href="#"><u>S-3128</u></a>	<a href="#"><u>H.F. 479</u></a>	Bob Brunkhorst
		Jeff Lamberti
		Jack Holveck
<a href="#"><u>S-3129</u></a>	<a href="#"><u>S.F. 344</u></a>	Ron Wieck
<a href="#"><u>S-3130</u></a>	<a href="#"><u>S.F. 344</u></a>	Ron Wieck
<a href="#"><u>S-3131</u></a>	<a href="#"><u>S.F. 344</u></a>	Bryan J. Sievers
		Bob Brunkhorst
<a href="#"><u>S-3132</u></a>	<a href="#"><u>S.F. 372</u></a>	Steve Warnstadt
<a href="#"><u>S-3133</u></a>	<a href="#"><u>S.F. 392</u></a>	Mark Zieman
<a href="#"><u>S-3134</u></a>	<a href="#"><u>S.F. 434</u></a>	Steve Warnstadt

<u>S-3135</u>	<u>S.F. 432</u>	Mary A. Lundby Hubert Houser David Johnson Neal Schuerer James Seymour David Miller Kitty Rehberg Julie Hosch Steve Kettering
<u>S-3136</u>	S.C.R. 13	John P. Kibbie
<u>S-3137</u>	<u>S.F. 432</u>	Joe Bolkcom Jack Hatch John P. Kibbie Daryl Beall Keith A. Kreiman Jack Holveck Robert E. Dvorsky Mike Connolly Mary A. Lundby