

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, APRIL 10, 2003

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JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 10, 2003

The Senate met in regular session at 8:34 a.m., President Kramer presiding.

Prayer was offered by the Reverend Allan Thoreson, visitation pastor of the Memorial Lutheran Church in Nevada, Iowa. He was the guest of Senator McKibben.

The Journal of Wednesday, April 9, 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 9, 2003, **passed** the following bill in which the concurrence of the House was asked:

Senate File 272, a bill for an act relating to conflicts of interest in public contracts.

ALSO: That the House has on April 9, 2003, **amended and passed** the following bills in which the concurrence of the House was asked:

Senate File 433, a bill for an act 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. (**S-3183**)

Senate File 435, a bill for an act relating to and making appropriations to the judicial branch. (**S-3184**)

SPECIAL GUEST

Senator Iverson welcomed to the Senate chamber the Honorable H. Kay Hedge, former member of the Senate from Mahaska County.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Iverson, the Senate recessed at 8:41 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Redfern, until he arrives, on request of Senator Iverson; Senator McKibben, until he arrives, on request of Senator Gaskill; Senator Holveck, until he arrives, on request of Senator Dearden; and Senator McCoy, until he arrives, on request of Senator Gronstal.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Iverson called up the following eligible appointees on the En Bloc Confirmation Calendar:

Robert Martin, Commission for the Blind

Carol Garrett, Iowa Capital Investment Board

Lionel Foster, Child Advocacy Board

Thomas Letsche, Commission on Community Action Agencies

Michael Harvey, Credit Union Review Board

John Matthews, Commission on the Deaf

Linda Bloodsworth, Iowa Economic Development Board

John Lowe, Commission of Elder Affairs

Kay Anderson, Iowa Finance Authority

David Biehl, Landscape Architectural Examining Board

Cathy Rottinghaus, Iowa Comprehensive Petroleum Underground Storage Tank Fund Board

Ana Lopez-Dawson, Board of Psychology Examiners

Kent Webb, Board of Speech Pathology and Audiology Examiners

Diane Munns, Chair of Utilities Board

Diane Munns, Utilities Board

Mildred Dawson, Commission of Veterans Affairs

Senator Iverson moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

Holveck	McCoy	McKibben	Redfern
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The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Resolution 24](#).

[Senate Resolution 24](#)

On motion of Senator Iverson, [Senate Resolution 24](#), a resolution reaffirming Iowa's commitment to freedom and democracy and calling for an end to terrorism, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved the adoption of [Senate Resolution 24](#), which motion prevailed by a voice vote.

RECESS

On motion of Senator Iverson, the Senate recessed at 9:53 a.m. until 3:00 p.m.

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

Convened: April 10, 2003, 1:05 p.m.

Members Present: Behn, Chair; Hosch, Vice Chair; Fraise, Ranking Member; Angelo, Black, Courtney, Gaskill, Houser, Johnson, Kibbie, Putney, Ragan, Seng, Veenstra, and Zieman.

Members Absent: None.

Committee Business: Passed HF's 492, 493, 617, and 644 and approved [SSB 1197](#).

Recessed: 1:10 p.m.

Reconvened: 1:45 p.m.

Adjourned: 2:10 p.m.

HUMAN RESOURCES

Convened: April 10, 2003, 9:30 a.m.

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

Members Absent: None.

Committee Business: Passed HF's 565 (as amended), 628, and 641.

Adjourned: 10:00 a.m.

RULES AND ADMINISTRATION

Convened: April 10, 2003, 8:40 a.m.

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

Members Absent: Sievers (excused).

Committee Business: Passed [SCR 15](#) and SRs 30 and 31.

Adjourned: 8:45 a.m.

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: [HOUSE FILE 225](#), a bill for an act modifying workers' compensation laws and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Schuerer, Dearden, Courtney, Horn, Johnson, Kettering, Seymour, and Wieck. Nays, none. Absent, 3: Lundby, Dotzler, and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: [HOUSE FILE 565](#), a bill for an act relating to the healthy and well kids in Iowa program.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3194](#).

Final Vote: Ayes, 13: Veenstra, Seymour, Ragan, Behn, Boettger, Hatch, Holveck, Horn, Hosch, Kreiman, McKinley, Schuerer, and Tinsman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: [HOUSE FILE 628](#), a bill for an act relating to physician assistant licensure, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Veenstra, Seymour, Ragan, Behn, Boettger, Hatch, Holveck, Horn, Hosch, Kreiman, McKinley, Schuerer, and Tinsman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: [HOUSE FILE 641](#), a bill for an act providing for changes relating to programs under the purview of the Iowa department of public health.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Veenstra, Seymour, Ragan, Behn, Boettger, Hatch, Holveck, Horn, Hosch, Kreiman, McKinley, Schuerer, and Tinsman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: [SENATE CONCURRENT RESOLUTION 15](#), a concurrent resolution supporting the widening, improvement, and enhancement of U.S. Highway 30 across central Iowa and requesting federal assistance.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Iverson, Kramer, Gronstal, Boettger, Courtney, Drake, Dvorsky, Gaskill, Putney, and Ragan. Nays, none. Absent, 1: Sievers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: [SENATE RESOLUTION 30](#), 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.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Iverson, Kramer, Gronstal, Boettger, Courtney, Drake, Dvorsky, Gaskill, Putney, and Ragan. Nays, none. Absent, 1: Sievers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: [SENATE RESOLUTION 31](#), a resolution congratulating the University of Northern Iowa Panthers Women's Volleyball Team.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Iverson, Kramer, Gronstal, Boettger, Courtney, Drake, Dvorsky, Gaskill, Putney, and Ragan. Nays, none. Absent, 1: Sievers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL ENROLLED, SIGNED, AND SENT TO GOVERNOR**The Secretary of the Senate submitted the following report:**

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 10th day of April, 2003:

[Senate File 237](#).

MICHAEL E. MARSHALL
Secretary of the Senate

AFTERNOON SESSION

The Senate reconvened at 3:08 p.m., President Kramer presiding.

BILL REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that [House File 650](#) be referred from the Regular Calendar to the committee on **Ways and Means**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Miller, for the remainder of the day, on request of Senator Veenstra; and Senator Connolly, for the remainder of the day, on request of Senator Horn.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Veenstra called up the appointment of William Brand, as Administrator of the Division of Community Action Agencies, placed on the Individual Confirmation Calendar on April 8, 2003, and found on page 836 of the Senate Journal.

Senator Behn moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 48:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	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, 2:

Connolly Miller

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Veenstra called up the appointment of Mark Haverland, as Director of the Department of Elder Affairs, placed on the Individual Confirmation Calendar on April 8, 2003, and found on page 836 of the Senate Journal.

Senator Tinsman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 47:

Angelo	Beall	Behn	Boettger
Bolkcom	Brunkhorst	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, 1:

Black

Absent, 2:

Connolly Miller

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Veenstra asked and received unanimous consent to take up for consideration [House File 662](#).

[House File 662](#)

On motion of Senator Schuerer, [House File 662](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of cultural affairs, the department of education, and the state board of regents and including an effective date and retroactive applicability date provision, with report of committee recommending passage, was taken up for consideration.

Senator Quirnbach offered amendment [S-3188](#), filed by Senator Quirnbach, et al., from the floor to pages 1 and 2 of the bill.

Senator Quirnbach asked and received unanimous consent that action on amendment [S-3188](#) be deferred.

Senator Bolkcom offered amendment [S-3189](#), filed by Senator Bolkcom, 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-3189](#) be adopted?” ([H.F. 662](#)), the vote was:

Yeas, 22:

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

Nays, 26:

Angelo	Behn	Boettger	Brunkhorst
Drake	Gaskill	Hosch	Houser

Iverson	Johnson	Kettering	Kramer
Lamberti	Larson	McKibben	McKinley
Putney	Redfern	Rehberg	Schuerer
Seymour	Shull	Sievers	Veenstra
Wieck	Zieman		

Absent, 2:

Connolly Miller

Amendment [S-3189](#) lost.

Senator Gronstal asked and received unanimous consent to withdraw amendment [S-3187](#), filed by Senator Connolly, et al., from the floor to page 10 of the bill.

Senator Dvorsky offered amendment [S-3186](#), filed by Senator Dvorsky, et al., from the floor to page 10 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3186](#) be adopted?” ([H.F. 662](#)), the vote was:

Yeas, 20:

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

Nays, 28:

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

Absent, 2:

Connolly Miller

Amendment [S-3186](#) lost.

Senator Holveck offered amendment [S-3191](#), filed by Senator Holveck, et al., from the floor to pages 10 and 11 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3191](#) be adopted?” ([H.F. 662](#)), the vote was:

Yeas, 23:

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

Nays, 25:

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

Absent, 2:

Connolly	Miller
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Amendment [S-3191](#) lost.

Senator Kibbie offered amendment [S-3190](#), filed by Senator Kibbie, et al., from the floor to page 11 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3190](#) be adopted?” ([H.F. 662](#)), the vote was:

Yeas, 21:

Beall	Black	Boettger	Bolkcom
Courtney	Dearden	Dotzler	Dvorsky

Fraise	Gronstal	Hatch	Holveck
Horn	Kibbie	Kreiman	McCoy
Quirnbach	Ragan	Seng	Stewart
Warnstadt			

Nays, 27:

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

Absent, 2:

Connolly	Miller
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Amendment [S-3190](#) lost.

The Senate resumed consideration of amendment [S-3188](#), previously deferred.

Senator Quirnbach moved the adoption of amendment [S-3188](#).

A record roll call was requested.

On the question “Shall amendment [S-3188](#) be adopted?” ([H.F. 662](#)), the vote was:

Yeas, 20:

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

Nays, 28:

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

Absent, 2:

Connolly Miller

Amendment [S-3188](#) lost.

Senator Schuerer 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. 662](#)), the vote was:

Yeas, 29:

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

Nays, 19:

Beall	Black	Bolkcom	Courtney
Dearden	Dotzler	Fraise	Gronstal
Hatch	Holveck	Horn	Houser
Kibbie	Kreiman	McCoy	Quirmbach
Ragan	Seng	Stewart	

Absent, 2:

Connolly Miller

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 Iverson asked and received unanimous consent to take up for consideration House Files 516 and 404.

House File 516

On motion of Senator Brunkhorst, **House File 516**, a bill for an act relating to composition and responsibilities of the Iowa comprehensive petroleum underground storage tank fund board, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Houser offered amendment **S-3126**, filed by the committee on Natural Resources and Environment on April 2, 2003, to page 2 of the bill, and moved its adoption.

Amendment **S-3126** was adopted by a voice vote.

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. 516**), the vote was:

Yeas, 48:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	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, 2:

Connolly Miller

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

House File 404

On motion of Senator Boettger, **House File 404**, a bill for an act authorizing a sentencing court to issue no-contact orders against persons arrested for any public offense, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman offered amendment **S-3154**, filed by him on April 8, 2003, to page 1 of the bill, and moved its adoption.

Amendment **S-3154** was adopted by a voice vote.

Senator Boettger 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. 404**), the vote was:

Yeas, 48:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	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, 2:

Connolly Miller

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

**CONFIRMATION OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)**

Senator Veenstra called up the appointment of Ruth Mosher, as a member of the Council on Human Services, placed on the Individual Confirmation Calendar on April 8, 2003, and found on page 837 of the Senate Journal.

Senator Behn moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 48:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	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, 2:

Connolly Miller

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 404 and 516** 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 411 and 412.

House File 411

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

Senator Johnson 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. 411**), the vote was:

Yeas, 47:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Courtney
Dearden	Dotzler	Drake	Dvorsky
Fraise	Gaskill	Gronstal	Hatch
Holveck	Horn	Hosch	Houser
Iverson	Johnson	Kettering	Kibbie
Kramer	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, 3:

Connolly	Kreiman	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.

House File 412

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

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

Yeas, 48:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	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, 2:

Connolly Miller

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 505**.

House File 505

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

Senator Putney 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. 505**), the vote was:

Yeas, 48:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	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, 2:

Connolly 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 **House Files 411, 412, and 505** 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 567](#).

[House File 567](#)

On motion of Senator Black, [House File 567](#), a bill for an act relating to powers of county environmental health specialists and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Wieck offered amendment [S-3168](#), filed by him on April 8, 2003, to page 1 of the bill, and moved its adoption.

Amendment [S-3168](#) was adopted by a voice vote.

Senator Black offered amendment [S-3181](#), filed by him on April 9, 2003, to page 1 and to the title page of the bill, and moved its adoption.

Amendment [S-3181](#) was adopted by a voice vote.

Senator Black 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. 567](#)), the vote was:

Yeas, 48:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	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, 2:

Connolly Miller

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 [House File 567](#) be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 2003, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 541](#), a bill for an act relating to the fee and use of fee for a certificate of birth.

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

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Iverson asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar:

[S.F. 352](#)

[S.F. 369](#)

[S.F. 370](#)

[S.F. 387](#)

[S.F. 408](#)

[S.F. 421](#)

[S.F. 434](#)

[S.F. 440](#)

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 5:05 p.m. until 1:00 p.m. Monday, April 14, 2003.

APPENDIX —2

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: April 10, 2003, 10:35 a.m.

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

Members Absent: Redfern (excused).

Committee Business: Passed HF's 543 (as amended), 599, and 647.

Adjourned: 10:50 a.m.

GOVERNMENT OVERSIGHT

Convened: April 10, 2003, 2:00 p.m.

Members Present: Lundby, Chair; Brunkhorst, Vice Chair; Courtney, Ranking Member; Dvorsky and Wieck.

Members Absent: None.

Committee Business: Approved [SSB 1195](#) (as amended).

Adjourned: 2:15 p.m.

WAYS AND MEANS

Convened: April 10, 2003, 2:15 p.m.

Members Present: McKibben, Chair; Shull, Vice Chair; Bolkcom, Ranking Member; Angelo, Dotzler, Hosch, Lamberti, Larson, McCoy, McKinley, Quirnbach, Rehberg, Seng, Sievers, and Stewart.

Members Absent: Connolly and Miller (both excused).

Committee Business: Passed [SF 314](#) (as amended) and approved SSBs 1186, 1188, 1193, and 1194.

Adjourned: 2:50 p.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 33](#), by Ragan, a resolution honoring the city of St. Ansgar and the First Lutheran Church on their sesquicentennial year.

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

INTRODUCTION OF BILLS

[Senate File 441](#), by committee on Ways and Means, a bill for an act relating to the transfer of certain property-related tax credits.

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

[Senate File 442](#), by committee on Ways and Means, a bill for an act 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.

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

[Senate File 443](#), by committee on Ways and Means, a bill for an act relating to criteria for community-based seed capital funds and providing a retroactive applicability date.

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

[Senate File 444](#), by committee on Ways and Means, a bill for an act relating to the requirements for receiving a property tax exemption for open prairies and wildlife habitats and including an applicability date provision.

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

STUDY BILL RECEIVED

SSB 1199 Ways and Means

Relating to economic development by creating a position of technology transfer advisor, creating a loan and credit guarantee program and fund, creating an economic development marketing board, providing for a business start-up information internet web site, creating a grow Iowa fund, making appropriations and related tax changes, making changes to urban renewal law and related taxes, and including effective date and retroactive applicability date provisions.

SUBCOMMITTEE ASSIGNMENT

SSB 1199

WAYS AND MEANS: McKinley, Chair; Rehberg and Seng

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: [HOUSE FILE 492](#), a bill for an act relating to soil conservation by providing for the acquisition of land by soil and water conservation districts, and eliminating certain reporting requirements.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Behn, Hosch, Fraise, Angelo, Black, Courtney, Gaskill, Houser, Johnson, Kibbie, Putney, Ragan, Seng, Veenstra, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: [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.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Behn, Hosch, Fraise, Angelo, Black, Courtney, Gaskill, Houser, Johnson, Kibbie, Putney, Ragan, Seng, Veenstra, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: [HOUSE FILE 617](#), a bill for an act requiring that dealers of certain swine file evidence of financial responsibility with the department of agriculture and land stewardship.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Behn, Hosch, Fraise, Courtney, Gaskill, Houser, Johnson, Kibbie, Putney, Ragan, Seng, Veenstra, and Zieman. Nays, none. Absent, 2: Angelo and Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: [HOUSE FILE 644](#), a bill for an act providing for manure application requirements, providing for fees, making penalties applicable, and providing an effective date.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3195](#).

Final Vote: Ayes, 15: Behn, Hosch, Fraise, Angelo, Black, Courtney, Gaskill, Houser, Johnson, Kibbie, Putney, Ragan, Seng, Veenstra, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: [HOUSE FILE 543](#), a bill for an act relating to the provision of certain information for insureds regarding external review of health care coverage decisions.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3196](#).

Final Vote: Ayes, 13: Angelo, Wieck, Warnstadt, Beall, Behn, Bolkom, Brunkhorst, Gronstal, Kettering, McCoy, Schuerer, Sievers, and Stewart. Nays, none. Absent, 2: Larson and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: [HOUSE FILE 599](#), a bill for an act relating to property insurance, including establishment of a mandatory plan to assure fair access to insurance requirements, and providing for an effective date and retroactive applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Angelo, Wieck, Warnstadt, Beall, Behn, Bolkcom, Brunkhorst, Gronstal, Kettering, Larson, Schuerer, Sievers, and Stewart. Nays, none. Absent, 2: McCoy and Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: [HOUSE FILE 647](#), a bill for an act relating to insurance, including various filing and information privacy requirements throughout the insurance code, calculation of assessments by the Iowa individual health benefit reinsurance association, payment of certain insurance fees, certain self-funded insurance plans by school corporations or political subdivisions, designation of the commissioner of insurance as process agent for various entities conducting insurance business in this state, notification provisions relating to the effective date of cancellation of insurance, beneficial stock ownership filings, funding agreements, creating an insurable interest in active or retired employee lives for the benefit of an employer, providing for an interstate insurance product regulation compact, and providing for retroactive applicability and an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Angelo, Wieck, Warnstadt, Beall, Behn, Bolkcom, Brunkhorst, Gronstal, Kettering, Larson, McCoy, Schuerer, Sievers, and Stewart. Nays, none. Absent, 1: Redfern.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: [SENATE FILE 441 \(SSB 1193\)](#), a bill for an act relating to the transfer of certain property-related tax credits.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKibben, Shull, Bolkcom, Angelo, Dotzler, Hosch, Lamberti, Larson, McCoy, McKinley, Quirnbach, Rehberg, Seng, Sievers, and Stewart. Nays, none. Absent, 2: Connolly and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: [SENATE FILE 442 \(SSB 1186\)](#), a bill for an act 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKibben, Shull, Bolkcom, Angelo, Dotzler, Hosch, Lamberti, Larson, McCoy, McKinley, Quirnbach, Rehberg, Seng, Sievers, and Stewart. Nays, none. Absent, 2: Connolly and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: [SENATE FILE 443 \(SSB 1188\)](#), a bill for an act relating to criteria for community-based seed capital funds and providing a retroactive applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKibben, Shull, Bolkcom, Angelo, Dotzler, Hosch, Lamberti, Larson, McCoy, McKinley, Quirnbach, Rehberg, Seng, Sievers, and Stewart. Nays, none. Absent, 2: Connolly and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: [SENATE FILE 444 \(SSB 1194\)](#), a bill for an act relating to the requirements for receiving a property tax exemption for open prairies and wildlife habitats and including an applicability date provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: McKibben, Shull, Bolkcom, Angelo, Dotzler, Hosch, Lamberti, Larson, McCoy, McKinley, Quirnbach, Rehberg, Seng, Sievers, and Stewart. Nays, none. Absent, 2: Connolly and Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER FILED

MADAM PRESIDENT: I move to reconsider the vote by which [House File 662](#) passed the Senate on April 10, 2003.

JEFF LAMBERTI

AMENDMENTS FILED

S-3183	S.F. 433	House
S-3184	S.F. 435	House
S-3185	H.F. 534	Bob Brunkhorst Robert E. Dvorsky
S-3186	H.F. 662	Robert E. Dvorsky Daryl Beall Dennis H. Black

Joe Bolkcom
 Mike Connolly
 Thomas G. Courtney
 Dick L. Dearden
 William Dotzler
 Gene Fraise
 Michael E. Gronstal
 Jack Hatch
 Jack Holveck
 Wally E. Horn
 John P. Kibbie
 Keith A. Kreiman
 Matt McCoy
 Herman C. Quirnbach
 Amanda Ragan
 Joe M. Seng
 Roger Stewart
 Steve Warnstadt

[S-3187](#)

[H.F. 662](#)

Mike Connolly
 Daryl Beall
 Dennis H. Black
 Joe Bolkcom
 Thomas G. Courtney
 Dick L. Dearden
 William Dotzler
 Robert E. Dvorsky
 Gene Fraise
 Michael E. Gronstal
 Jack Hatch
 Jack Holveck
 Wally E. Horn
 John P. Kibbie
 Keith A. Kreiman
 Matt McCoy
 Herman C. Quirnbach
 Amanda Ragan
 Joe M. Seng
 Roger Stewart
 Steve Warnstadt

[S-3188](#)

[H.F. 662](#)

Herman C. Quirnbach
 Daryl Beall

Dennis H. Black
 Joe Bolkcom
 Mike Connolly
 Thomas G. Courtney
 Dick L. Dearden
 William Dotzler
 Robert E. Dvorsky
 Gene Fraise
 Michael E. Gronstal
 Jack Hatch
 Jack Holveck
 Wally E. Horn
 John P. Kibbie
 Keith A. Kreiman
 Matt McCoy
 Amanda Ragan
 Joe M. Seng
 Roger Stewart
 Steve Warnstadt

S-3189

H.F. 662

Joe Bolkcom
 Daryl Beall
 Dennis H. Black
 Mike Connolly
 Thomas G. Courtney
 Dick L. Dearden
 William Dotzler
 Robert E. Dvorsky
 Gene Fraise
 Michael E. Gronstal
 Jack Hatch
 Jack Holveck
 Wally E. Horn
 John P. Kibbie
 Keith A. Kreiman
 Matt McCoy
 Herman C. Quirnbach
 Amanda Ragan
 Joe M. Seng
 Roger Stewart
 Steve Warnstadt

[S-3190](#)[H.F. 662](#)

John P. Kibbie
Daryl Beall
Dennis H. Black
Joe Bolkcom
Mike Connolly
Thomas G. Courtney
Dick L. Dearden
William Dotzler
Robert E. Dvorsky
Gene Fraise
Michael E. Gronstal
Jack Hatch
Jack Holveck
Wally E. Horn
Keith A. Kreiman
Matt McCoy
Herman C. Quirnbach
Amanda Ragan
Joe M. Seng
Roger Stewart
Steve Warnstadt

[S-3191](#)[H.F. 662](#)

Jack Holveck
Daryl Beall
Dennis H. Black
Joe Bolkcom
Mike Connolly
Thomas G. Courtney
Dick L. Dearden
William Dotzler
Robert E. Dvorsky
Gene Fraise
Michael E. Gronstal
Jack Hatch
Wally E. Horn
John P. Kibbie
Keith A. Kreiman
Matt McCoy
Herman C. Quirnbach
Amanda Ragan
Joe M. Seng

<u>S-3192</u>	<u>H.F. 595</u>	Roger Stewart
<u>S-3193</u>	<u>S.F. 434</u>	Steve Warnstadt
<u>S-3194</u>	<u>H.F. 565</u>	Jeff Angelo
<u>S-3195</u>	<u>H.F. 644</u>	Steve Warnstadt
<u>S-3196</u>	<u>H.F. 543</u>	Human Resources
		Agriculture
		Commerce