

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, APRIL 17, 2003

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JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 17, 2003

The Senate met in regular session at 8:38 a.m., President Pro Tempore Angelo presiding.

Prayer was offered by the Reverend Kevin Korver, pastor of the Third Reformed Church in Pella, Iowa. He was the guest of Senator McKinley.

The Journal of Wednesday, April 16, 2003, was approved.

QUORUM CALL

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

The vote revealed 38 present, 12 absent, and a quorum present.

The Senate stood at ease at 9:05 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:12 a.m., President Kramer presiding.

CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House File 394](#).

House File 394

On motion of Senator Shull, **House File 394**, a bill for an act relating to the purposes of the community attraction and tourism program, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 394** be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schuerer, until he arrives, on request of Senator Boettger.

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Iverson asked and received unanimous consent to take up for consideration **House File 560**.

House File 560

On motion of Senator Tinsman, **House File 560**, a bill for an act relating to medical assistance home and community-based services waivers, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman offered amendment **S-3228**, filed by her on April 15, 2003, to page 1 of the bill, and moved its adoption.

Amendment **S-3228** was adopted by a voice vote.

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?" (**H.F. 560**), 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 | Quirmbach |
| Ragan | Redfern | Rehberg | Seng |
| Seymour | Shull | Sievers | Stewart |
| Tinsman | Veenstra | Warnstadt | Wieck |
| Zieman | | | |

Nays, none.

Absent, 1:

Schuerer

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 644 and 594.

House File 644

On motion of Senator Angelo, House File 644, a bill for an act providing for manure application requirements, providing for fees, making penalties applicable, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Angelo offered amendment S-3195, filed by the committee on Agriculture on April 10, 2003, to pages 3 and 6 of the bill, and moved its adoption.

Amendment S-3195 was adopted by a voice vote.

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. 644](#)), 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 | Quirmbach |
| Ragan | Redfern | Rehberg | Seng |
| Seymour | Shull | Sievers | Stewart |
| Tinsman | Veenstra | Warnstadt | Wieck |
| Zieman | | | |

Nays, none.

Absent, 1:

Schuerer

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 Beall, until he returns, on request of Senator Gronstal.

President Pro Tempore Angelo took the chair at 10:35 a.m.

[House File 594](#)

On motion of Senator Shull, [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,

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

Senator Zieman offered amendment [S-3180](#), filed by the committee on State Government on April 9, 2003, to page 2 and to the title page of the bill, and moved its adoption.

Amendment [S-3180](#) was adopted by a voice vote.

Senator Shull offered amendment [S-3248](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-3248](#) was adopted by a voice vote.

Senator Dotzler offered amendment [S-3249](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-3249](#) was adopted by a voice vote.

Senator Shull 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. 594](#)), the vote was:

Yeas, 37:

| | | | |
|----------|------------|-----------|----------|
| Angelo | Behn | Black | Boettger |
| Bolkcom | Brunkhorst | Connolly | Courtney |
| Dearden | Dotzler | Dvorsky | Fraise |
| Gaskill | Gronstal | Hatch | Holveck |
| Horn | Hosch | Iverson | Kibbie |
| Kramer | Lundby | McCoy | McKibben |
| McKinley | Putney | Quirnbach | Ragan |
| Redfern | Seng | Seymour | Shull |
| Stewart | Tinsman | Warnstadt | Wieck |
| Zieman | | | |

Nays, 11:

| | | | |
|---------|----------|----------|-----------|
| Drake | Houser | Johnson | Kettering |
| Kreiman | Lamberti | Larson | Miller |
| Rehberg | Sievers | Veenstra | |

Absent, 2:

| | |
|-------|----------|
| Beall | Schuerer |
|-------|----------|

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

BUSINESS PENDING

House File 394

The Senate resumed consideration of **House File 394**, a bill for an act relating to the purposes of the community attraction and tourism program, previously deferred.

Senator Warnstadt offered amendment **S-3235**, filed by him on April 16, 2003, to page 1 of the bill.

Senator Warnstadt withdrew amendment **S-3235**.

Senator Shull 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. 394**), the vote was:

Yeas, 44:

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

Nays, 5:

| | | | |
|--------|------------|--------|----------|
| Black | Brunkhorst | Houser | Lamberti |
| Miller | | | |

Absent, 1:

Schuerer

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

President Kramer took the chair at 11:15 a.m.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 394, 560, 594, and 644** be **immediately messaged** to the House.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lamberti and McKinley, until they return, on request of Senator Behn.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House Joint Resolution 5](#).

[House Joint Resolution 5](#)

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

Senator Johnson moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

[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.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. 571 Iowa administrative code, rule 98.2, subrule 1, paragraph b, subparagraph (2), last sentence, is nullified.

Sec. 2. 571 Iowa administrative code, rule 106.7, subrule 1, paragraph b, last sentence, is nullified.

Sec. 3. EFFECTIVE DATE. This joint resolution, being deemed of immediate importance, takes effect upon enactment.

On the question "Shall the resolution be adopted?" ([H.J.R. 5](#)), the vote was:

Yeas, 39:

| | | | |
|-----------|------------|----------|-----------|
| Beall | Behn | Black | Boettger |
| Bolkcom | Brunkhorst | Connolly | Courtney |
| Dotzler | Drake | Fraise | Gaskill |
| Gronstal | Hatch | Horn | Hosch |
| Houser | Iverson | Johnson | Kettering |
| Kibbie | Kramer | Kreiman | Larson |
| McCoy | McKibben | Miller | Putney |
| Quirnbach | Ragan | Rehberg | Seng |
| Shull | Sievers | Stewart | Veenstra |
| Warnstadt | Wieck | Zieman | |

Nays, 8:

| | | | |
|--------|---------|---------|---------|
| Angelo | Dearden | Dvorsky | Holveck |
| Lundby | Redfern | Seymour | Tinsman |

Absent, 3:

| | | |
|----------|----------|----------|
| Lamberti | McKinley | Schuerer |
|----------|----------|----------|

The resolution, having received a constitutional majority, was declared to have been adopted by 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 565](#).

[House File 565](#)

On motion of Senator Tinsman, [House File 565](#), a bill for an act relating to the healthy and well kids in Iowa program, with report of

committee recommending amendment and passage, was taken up for consideration.

Senator Tinsman offered amendment [S-3194](#), filed by the committee on Human Resources on April 10, 2003, to pages 1–3 of the bill, and moved its adoption.

Amendment [S-3194](#) was adopted by a voice vote.

Senator Hatch offered amendment [S-3221](#), filed by him on April 15, 2003, to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3221](#) be adopted?” ([H.F. 565](#)), the vote was:

Yeas, 21:

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

Nays, 29:

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

Absent, none.

Amendment [S-3221](#) lost.

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?” ([H.F. 565](#)), 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.

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 17, 2003, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 180](#), a bill for an act relating to the procedures for handling abandoned property and property presumed to be abandoned.

[Senate File 352](#), a bill for an act relating to the training of an individual who intends to become certified as a law enforcement officer.

[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.

ALSO: That the House has on April 17, 2003, **amended and passed** the following bills in which the concurrence of the House was asked:

[Senate File 359](#), a bill for an act relating to landlords, tenants, and actions for forcible entry or detention. ([S-3251](#))

[Senate File 386](#), a bill for an act requiring the insurance division of the department of commerce to establish a school health insurance reform team study and to make recommendations to the general assembly. ([S-3250](#))

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [House Joint Resolution 5](#) and [House File 565](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Iverson, the Senate recessed at 11:48 a.m. until 1:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:39 p.m., Senator Veenstra presiding.

QUORUM CALL

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

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

President Pro Tempore Angelo took the chair at 1:47 p.m.

CONSIDERATION OF BILL (Regular Calendar)

Senator Houser asked and received unanimous consent to take up for consideration [House File 206](#).

House File 206

On motion of Senator Veenstra, [House File 206](#), a bill for an act increasing the child age applicable to mandatory reporting of suspected child sexual abuse perpetrated by a person other than the person responsible for the care of the child, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman asked and received unanimous consent that action on [House File 206](#) be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy, until he returns, on request of Senator Kibbie.

HOUSE AMENDMENT CONSIDERED

Senate File 230

Senator Miller called up for consideration [Senate File 230](#), a bill for an act relating to the procedure for reducing the number of members of a city council from five to three in certain cities, amended by the House, and moved that the Senate concur in House amendment [S-3151](#), filed April 7, 2003.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Miller moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 230](#)), 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 | McKibben | McKinley |
| Miller | Putney | Quirnbach | Ragan |
| Redfern | Rehberg | Schuerer | Seng |
| Seymour | Shull | Sievers | Stewart |
| Tinsman | Veenstra | Warnstadt | Wieck |
| Zieman | | | |

Nays, none.

Absent, 1:

McCoy

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

HOUSE AMENDMENT CONSIDERED

[Senate File 392](#)

Senator Zieman called up for consideration **[Senate File 392](#)**, a bill for an act relating to the animal agriculture compliance Act, providing for penalties, and providing an effective date, amended by the House, and moved that the Senate concur in House amendment **[S-3243](#)**, filed April 16, 2003.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Zieman moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by 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, 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 Veenstra asked and received unanimous consent that **Senate Files 230 and 392** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

[Senate File 435](#)

Senator Miller called up for consideration [Senate File 435](#), a bill for an act relating to and making appropriations to the judicial branch, amended by the House, and moved that the Senate refuse to concur in House amendment [S-3184](#), filed April 10, 2003.

The motion prevailed by a voice vote and the Senate **refused to concur** in the House amendment.

CONSIDERATION OF BILL (Regular Calendar)

Senator Veenstra asked and received unanimous consent to take up for consideration [House File 387](#).

[House File 387](#)

On motion of Senator Tinsman, [House File 387](#), a bill for an act relating to mental health and developmental disabilities by revising life safety requirements for intermediate care facilities for persons

with mental retardation, expanding an exemption to health care licensing requirements for certain residential programs that receive funding under a medical assistance home and community-based services waiver and approval from the department of human services, and revising membership requirements for the mental health and developmental disabilities commission, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Tinsman offered amendment [S-3149](#), filed by the committee on Human Resources on April 7, 2003, to pages 1, 3, and to the title page of the bill.

Senator Tinsman offered amendment [S-3252](#), filed by her from the floor to page 1 of amendment [S-3149](#), and moved its adoption.

Amendment [S-3252](#) was adopted by a voice vote.

Senator Tinsman moved the adoption of amendment [S-3149](#), as amended.

Amendment [S-3149](#) was adopted by a voice vote.

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?" ([H.F. 387](#)), 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, as amended, was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 439

Senator Miller called up for consideration Senate File 439, a bill for an act relating to and making appropriations to the justice system and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S-3242, filed April 16, 2003.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Miller moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 439), the vote was:

Yeas, 31:

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

Nays, 19:

| | | | |
|---------|----------|-----------|----------|
| Bolkcom | Connolly | Courtney | Dearden |
| Dotzler | Dvorsky | Fraise | Gronstal |
| Hatch | Holveck | Horn | Kibbie |
| Kreiman | McCoy | Quirnbach | Ragan |
| Seng | Stewart | Warnstadt | |

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 Veenstra asked and received unanimous consent that [Senate File 435](#) and [House File 387](#) and be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

[Senate File 351](#)

Senator Tinsman called up for consideration [Senate File 351](#), a bill for an act relating to child care requirements involving prohibitions against involvement with child care, record checks and evaluations performed by the department of human services, eligibility for state assistance, and child care fraud program sanctions, and making penalties applicable, amended by the House, and moved that the Senate concur in House amendment [S-3219](#), filed April 15, 2003.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Tinsman moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 351](#)), 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.

President Kramer took the chair at 2:25 p.m.

HOUSE AMENDMENT CONSIDERED

[Senate File 393](#)

Senator Gaskill called up for consideration [Senate File 393](#), a bill for an act relating to the agricultural development authority by providing for its organization and administration, amended by the House, and moved that the Senate concur in House amendment [S-3225](#), filed April 15, 2003.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Gaskill moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 393](#)), 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.

HOUSE AMENDMENT CONSIDERED

Senate File 379

Senator Miller called up for consideration Senate File 379, a bill for an act relating to certain agricultural liens, amended by the House, and moved that the Senate concur in House amendment S-3220, filed April 15, 2003.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Miller moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 379), 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 **Senate Files 351, 379, and 393** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 396

Senator Houser called up for consideration **Senate File 396**, a bill for an act providing for the animal unit capacity of pullets for purposes of regulation under the animal agriculture compliance Act, amended by the House, and moved that the Senate concur in House amendment **S-3224**, filed April 15, 2003.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Houser moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (**S.F. 396**), 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, as amended, was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 172

Senator Angelo called up for consideration Senate File 172, a bill for an act relating to the establishment of a public charter school pilot program and providing effective and applicability dates, amended by the House, and moved that the Senate concur in House amendment S-3211, filed April 14, 2003.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Angelo moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 172), the vote was:

Yeas, 40:

| | | | |
|----------|------------|-----------|-----------|
| Angelo | Beall | Behn | Black |
| Boettger | Brunkhorst | Connolly | Drake |
| Gaskill | Holveck | Horn | Hosch |
| Houser | Iverson | Johnson | Kettering |
| Kramer | Kreiman | Lamberti | Larson |
| Lundby | McCoy | McKibben | McKinley |
| Miller | Putney | Quirnbach | Ragan |
| Redfern | Rehberg | Schuerer | Seng |
| Seymour | Shull | Sievers | Tinsman |
| Veenstra | Warnstadt | Wieck | Zieman |

Nays, 10:

| | | | |
|---------|----------|----------|---------|
| Bolkcom | Courtney | Dearden | Dotzler |
| Dvorsky | Fraise | Gronstal | Hatch |
| Kibbie | Stewart | | |

Absent, none.

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

HOUSE AMENDMENT CONSIDERED

Senate File 416

Senator Tinsman called up for consideration Senate File 416, a bill for an act relating to an emergency shelter and support services demonstration project relating to dependent adults, amended by the House, and moved that the Senate concur in House amendment S-3223, filed April 15, 2003.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Tinsman moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 416), 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, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 172, 396, and 416** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

[Senate File 433](#)

Senator McKinley called up for consideration [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, amended by the House in House amendment [S-3183](#), filed April 10, 2003.

Senator Quirnbach offered amendment [S-3241](#), filed by him on April 16, 2003, to page 1 of House amendment [S-3183](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3241](#) to House amendment [S-3183](#) be adopted?" ([S.F. 433](#)), the vote was:

Yeas, 16:

| | | | |
|-----------|---------|----------|-----------|
| Black | Bolkcom | Connolly | Courtney |
| Dearden | Dotzler | Dvorsky | Hatch |
| Holveck | Horn | Kreiman | McCoy |
| Quirnbach | Seng | Stewart | Warnstadt |

Nays, 34:

| | | | |
|------------|-----------|----------|----------|
| Angelo | Beall | Behn | Boettger |
| Brunkhorst | Drake | Fraise | Gaskill |
| Gronstal | Hosch | Houser | Iverson |
| Johnson | Kettering | Kibbie | Kramer |
| Lamberti | Larson | Lundby | McKibben |
| McKinley | Miller | Putney | Ragan |
| Redfern | Rehberg | Schuerer | Seymour |
| Shull | Sievers | Tinsman | Veenstra |
| Wieck | Zieman | | |

Absent, none.

Amendment [S-3241](#) lost.

Senator McKinley moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator McKinley moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 433](#)), the vote was:

Yeas, 48:

| | | | |
|----------|-----------|------------|-----------|
| 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 | Lamberti | Larson |
| McCoy | McKibben | McKinley | Miller |
| Putney | Quirnbach | Ragan | Redfern |
| Rehberg | Schuerer | Seng | Seymour |
| Shull | Sievers | Stewart | Tinsman |
| Veenstra | Warnstadt | Wieck | Zieman |

Nays, 2:

| | |
|---------|--------|
| Kreiman | Lundby |
|---------|--------|

Absent, none.

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

HOUSE AMENDMENT CONSIDERED

[Senate File 397](#)

Senator Brunkhorst called up for consideration [Senate File 397](#), a bill for an act relating to the issuance of free hunting licenses for antlerless deer, providing for the disposition of harvested deer meat

to public institutions, and providing a penalty, amended by the House, and moved that the Senate concur in House amendment [S-3210](#), filed April 14, 2003.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Brunkhorst moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 397](#)), 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 [Senate File 397](#) be **immediately messaged** to the House.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

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

| | | |
|-----------------|-----------------|-----------------|
| <u>S.F. 117</u> | <u>H.F. 225</u> | <u>H.F. 585</u> |
| S.F. 147 | H.F. 329 | <u>H.F. 592</u> |
| S.F. 209 | H.F. 400 | <u>H.F. 593</u> |
| S.F. 327 | H.F. 401 | <u>H.F. 595</u> |
| S.F. 332 | H.F. 450 | <u>H.F. 599</u> |
| S.F. 381 | <u>H.F. 455</u> | <u>H.F. 650</u> |
| S.F. 388 | <u>H.F. 457</u> | |
| S.F. 403 | <u>H.F. 492</u> | |
| <u>S.F. 404</u> | <u>H.F. 543</u> | |
| <u>S.F. 407</u> | <u>H.F. 549</u> | |
| <u>S.F. 418</u> | <u>H.F. 558</u> | |
| <u>S.F. 446</u> | <u>H.F. 576</u> | |

BILLS REFERRED TO COMMITTEE

Senator Iverson asked and received unanimous consent that the following bills on the Senate Calendar, no longer eligible under Senate Rule 60, be referred to committee:

| | |
|-----------------|-----------------------------------|
| S.F. 39 | Ways and Means |
| S.F. 191 | Agriculture |
| S.F. 197 | Local Government |
| <u>S.F. 200</u> | Local Government |
| S.F. 204 | State Government |
| S.F. 223 | Commerce |
| S.F. 238 | Natural Resources and Environment |
| S.F. 242 | Ways and Means |
| S.F. 270 | Education |
| S.F. 318 | State Government |
| <u>S.F. 319</u> | State Government |
| <u>S.F. 334</u> | Local Government |
| S.F. 356 | Local Government |
| S.F. 358 | State Government |
| S.F. 364 | State Government |

| | | |
|------|-----|-----------------------------------|
| S.F. | 373 | Natural Resources and Environment |
| S.F. | 374 | Judiciary |
| S.F. | 377 | State Government |
| S.F. | 385 | Education |
| S.F. | 398 | Natural Resources and Environment |
| S.F. | 400 | Commerce |
| S.F. | 406 | Education |
| S.F. | 411 | Human Resources |
| S.F. | 413 | Human Resources |
| S.F. | 414 | Human Resources |
| S.F. | 415 | Human Resources |
| H.F. | 586 | Commerce |

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 3:10 p.m. until 1:00 p.m. Monday, April 21, 2003.

APPENDIX

PRESENTATION OF VISITORS

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

Students from River Valley Middle School in Correctionville, accompanied by Mr. Mike Nugent. Senators Seymour and Wieck.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 17, by Sievers, Behn, Kettering, Putney, Angelo, Hosch, Larson, Boettger, Seymour, Schuerer, Iverson, McKibben, Stewart, Beall, Bolkcom, Quirmbach, Seng, Dvorsky, Horn, Warnstadt, Black, and Courtney, a concurrent resolution supporting the widening, improvement, and enhancement of U.S. Highway 30 across central Iowa and requesting federal assistance.

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

INTRODUCTION OF BILL

Senate File 451, by committee on Appropriations, a bill for an act providing for the jurisdiction and funding of roads by transferring funding for and jurisdiction of certain primary and farm-to-market roads, modifying the procedure for classification of area service "C" roads, and establishing a street construction fund distribution advisory committee, and making appropriations.

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

STUDY BILL RECEIVED

SSB 1202 **Ways and Means**

Relating to the issuance of tax credit certificates and related tax credits to designated investors in the Iowa fund of funds.

SUBCOMMITTEE ASSIGNMENT

SSB 1202

WAYS AND MEANS: McKibben, Chair; Connolly and Rehberg

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: *[SENATE FILE 451 \(SSB 1196\)](#), bill for an act providing for the jurisdiction and funding of roads by transferring funding for and jurisdiction of certain primary and farm-to-market roads, modifying the procedure for classification of area service "C" roads, and establishing a street construction fund distribution advisory committee, and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Lamberti, Kramer, Dvorsky, Behn, Connolly, Dotzler, Gaskill, Hatch, Horn, McKibben, Miller, Schuerer, Seng, Seymour, Shull, Sievers, Tinsman, Veenstra, Warnstadt, and Ziemann. Nays, 4: Bolckcom, Fraise, Houser, and McKinley. 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 451](#), and they were attached to the committee report.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing [Senate File 155](#), the following correction was made:

1. Page 2, line 5, the words and numbers "Code 2003, subsection 2" were changed to the words and numbers "subsection 2, Code 2003".

MICHAEL E. MARSHALL
Secretary of the Senate

MOTIONS TO RECONSIDER FILED

MADAM PRESIDENT: I move to reconsider the votes by which Senate Files 433 and 439 passed the Senate on April 17, 2003.

JEFF LAMBERTI

BILLS 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 bills have 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 17th day of April, 2003:

Senate Files 3, 119, 155, 201, 236, 303, and 395.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

| | | |
|-------------------------------|---------------------------------|-----------------|
| <u>S-3248</u> | <u>H.F. 594</u> | Doug Shull |
| <u>S-3249</u> | <u>H.F. 594</u> | William Dotzler |
| <u>S-3250</u> | <u>S.F. 386</u> | House |
| <u>S-3251</u> | <u>S.F. 359</u> | House |
| <u>S-3252</u> | <u>H.F. 387</u> | Maggie Tinsman |