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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, MAY 1, 2003**

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## JOURNAL OF THE SENATE

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ONE HUNDRED NINTH CALENDAR DAY  
SIXTY-FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, May 1, 2003

The Senate met in regular session at 8:42 a.m., President Kramer presiding.

Prayer was offered by the Reverend Donald Bramschreiber, pastor of the First Baptist Church in Ottumwa, Iowa. He was the guest of Senator Kreiman.

The Journal of Wednesday, April 30, 2003, was approved.

### 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 30, 2003, **passed** the following bill in which the concurrence of the Senate is asked:

**House File 683**, a bill for an act relating to economic development by creating an Iowa values board and Iowa values fund, providing for the issuance of tax-exempt bonds, modifying the value-added agricultural products and processes financial assistance program, providing endow Iowa seed grants and endow Iowa tax credits, providing funding and tax credits for economic development regions, creating workforce training and economic development funds for community colleges, establishing a school financing program for school infrastructure purposes, creating a cultural and entertainment district certification program, increasing the availability of rehabilitation project tax credits, eliminating a small business advisory council, providing for a streamlined sales and use tax law,

making appropriations, and including effective date and retroactive applicability provisions.

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

President Pro Tempore Angelo took the chair at 9:12 a.m.

Senator Boettger took the chair at 9:28 a.m.

#### RECESS

On motion of Senator Angelo, the Senate recessed at 10:07 a.m. until the completion of a meeting of the committee on Appropriations.

#### AFTERNOON SESSION

The Senate reconvened at 12:00 p.m., Senator McKibben presiding.

#### QUORUM CALL

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

The vote revealed 43 present, 7 absent, and a quorum present.

President Kramer took the chair at 12:20 p.m.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Miller, until he returns, on request of Senator Hosch; Senator Redfern, until he returns, on request of Senator Lamberti; and Senator McCoy, until he returns, on request of Senator Gronstal.

#### HOUSE AMENDMENT CONSIDERED

#### [Senate File 452](#)

Senator McKibben called up for consideration [Senate File 452](#), a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund,

environment first fund, and tobacco settlement trust fund, relating to the capitol complex parking structure, and authorizing fees, amended by the House in House amendment [S-3347](#), filed April 30, 2003.

Senator Lamberti withdrew amendment [S-3363](#), filed by him from the floor to page 1 of House amendment [S-3347](#).

Senator Lamberti asked and received unanimous consent to withdraw amendment [S-3352](#), filed by Senators Lamberti and McKibben on April 30, 2003, to pages 1 and 2 of House amendment [S-3347](#).

Senator Lamberti offered amendment [S-3362](#), filed by him from the floor to pages 1 and 2 of House amendment [S-3347](#), and moved its adoption.

Amendment [S-3362](#) was adopted by a voice vote.

Senator Kibbie offered amendment [S-3374](#), filed by Senators Kibbie and Warnstadt from the floor to page 1 of House amendment [S-3347](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3374](#) to House amendment [S-3347](#) be adopted?" ([S.F. 452](#)), the vote was:

Yeas, 20:

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

Nays, 27:

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

Absent, 3:

McCoy                      Miller                      Redfern

Amendment [S-3374](#) lost.

Senator McKibben moved that the Senate concur in the House amendment, as amended.

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

Senator McKibben moved that the bill, as amended by the House, further amended 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. 452](#)), 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	Kreiman	Lamberti
Larson	Lundby	McCoy	McKibben
McKinley	Putney	Quirnbach	Ragan
Rehberg	Schuerer	Seng	Seymour
Shull	Sievers	Stewart	Tinsman
Veenstra	Warnstadt	Wieck	Zieman

Nays, none.

Absent, 2:

Miller                      Redfern

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

CONSIDERATION OF BILL  
(Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 458](#).

[Senate File 458](#)

On motion of Senator Lamberti, [Senate File 458](#), a bill for an act relating to public expenditure and regulatory matters, compensating public employees, making and reducing appropriations, providing for related matters, making penalties applicable, and providing effective dates, was taken up for consideration.

President Pro Tempore Angelo took the chair at 12:55 p.m.

Senator Houser withdrew amendment [S-3343](#), filed by him on April 30, 2003, to page 1 of the bill.

Senator Houser asked and received unanimous consent to withdraw amendment [S-3346](#), filed by Senators Houser and Tinsman on April 30, 2003, to page 1 of the bill.

Senator Houser offered amendment [S-3353](#), filed by Senators Houser, Tinsman, and Dvorsky on April 30, 2003, to page 1 of the bill, and moved its adoption.

Amendment [S-3353](#) was adopted by a voice vote.

Senator Connolly offered amendment [S-3345](#), filed by Senator Connolly, et al., on April 30, 2003, to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3345](#) be adopted?" ([S.F. 458](#)), the vote was:

Yeas, 23:

Beall	Black	Bolkcom	Brunkhorst
Connolly	Courtney	Dearden	Dotzler
Dvorsky	Fraise	Gronstal	Hatch

Holveck	Horn	Kibbie	Kreiman
McCoy	Quirnbach	Ragan	Seng
Stewart	Tinsman	Warnstadt	

Nays, 26:

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

Absent, 1:

Miller

Amendment [S-3345](#) lost.

Senator Connolly asked and received unanimous consent to withdraw amendment [S-3369](#), filed by Senator Connolly, et al., from the floor to pages 3, 31, and 32 of the bill.

Senator Lamberti offered amendment [S-3364](#), filed by him from the floor to pages 5–10, 21, 22, 27, 28, 31, 35–37, 39, 42–44, and to the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3364](#) be adopted?” ([S.F. 458](#)), the vote was:

Yeas, 49:

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

Nays, none.

Absent, 1:

Miller

Amendment [S-3364](#) was adopted.

Senator Kibbie offered amendment [S-3372](#), filed by Senator Kibbie, et al., from the floor to pages 5 and 9 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3372](#) be adopted?" ([S.F. 458](#)), 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-3372](#) lost.

Senator Schuerer offered amendment [S-3361](#), filed by him from the floor to pages 6, 7, and 9 of the bill, and moved its adoption.

Amendment [S-3361](#) was adopted by a voice vote.

Senator Lamberti offered amendment [S-3367](#), filed by him from the floor to pages 6, 15-18, 20, 21, and to the title page of the bill, and moved its adoption.

Amendment [S-3367](#) was adopted by a voice vote.

Senator Lamberti offered amendment [S-3359](#), filed by him from the floor to page 6 of the bill, and moved its adoption.

Amendment [S-3359](#) was adopted by a voice vote.

Senator Redfern offered amendment [S-3357](#), filed by Senators Redfern and Lamberti on April 30, 2003, to pages 8 and 31 of the bill, and moved its adoption.

Amendment [S-3357](#) was adopted by a voice vote.

Senator Lamberti offered amendment [S-3358](#), filed by him from the floor to pages 9 and 10 of the bill.

Senator Lamberti asked and received unanimous that action on amendment [S-3358](#) be deferred.

Senator Gronstal offered amendment [S-3368](#), filed by Senators Gronstal and Lamberti from the floor to page 11 of the bill, and moved its adoption.

Amendment [S-3368](#) was adopted by a voice vote.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Iverson and Kramer, until they return, on request of Senator Lamberti.

#### BUSINESS PENDING

#### [Senate File 458](#)

The Senate resumed consideration of [Senate File 458](#).

Senator Holveck offered amendment [S-3373](#), filed by Senator Holveck, 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-3373](#) be adopted?" ([S.F. 458](#)), the vote was:

Yeas, 23:

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

Nays, 25:

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

Absent, 2:

Iverson	Kramer
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Amendment [S-3373](#) lost.

The Senate resumed consideration of amendment [S-3358](#), previously deferred.

Senator Lamberti moved the adoption of amendment [S-3358](#), which motion prevailed by a voice vote.

Senator Dvorsky offered amendment [S-3371](#), filed by Senators Dvorsky, Connolly, and Kreiman from the floor to pages 28 and 42 of the bill, and moved its adoption.

A nonrecord roll call was requested.

The ayes were 21, nays 26.

Amendment [S-3371](#) lost.

Senator Sievers offered amendment [S-3350](#), filed by him on April 30, 2003, to page 35 of the bill, and moved its adoption.

Amendment [S-3350](#) was adopted by a voice vote.

Senator Lundby offered amendment [S-3376](#), filed by her from the floor to page 38 of the bill, and moved its adoption.

Amendment [S-3376](#) lost by a voice vote.

Senator Bolcom offered amendment [S-3356](#), filed by him on April 30, 2003, to page 38 of the bill, and moved its adoption.

Amendment [S-3356](#) was adopted by a voice vote.

Senator Zieman withdrew amendment [S-3365](#), filed by him from the floor to pages 39 and 40 of the bill.

Senator Warnstadt offered amendment [S-3370](#), filed by Senator Warnstadt, et al., from the floor to page 42 of the bill, and moved its adoption.

Amendment [S-3370](#) lost by a voice vote.

Senator Sievers offered amendment [S-3366](#), filed by him from the floor to page 43 of the bill, and moved its adoption.

Amendment [S-3366](#) was adopted by a voice vote.

Senator Kramer offered amendment [S-3375](#), filed by Senators Kramer and Tinsman from the floor to page 46 of the bill, and moved its adoption.

Amendment [S-3375](#) was adopted by a voice vote.

President Kramer took the chair at 2:00 p.m.

Senator Lamberti offered amendment [S-3360](#), filed by him from the floor to page 48 of the bill, and moved its adoption.

Amendment [S-3360](#) was adopted by a voice vote.

Senator Dvorsky asked and received unanimous consent to withdraw amendment [S-3381](#), filed by him from the floor to page 6 of the bill.

Senator Lamberti offered amendment [S-3380](#), filed by him from the floor to page 8 of the bill, and moved its adoption.

Amendment [S-3380](#) was adopted by a voice vote.

Senator Dvorsky asked and received unanimous consent that action on amendment [S-3379](#) be deferred.

Senator Courtney offered amendment [S-3383](#), filed by him from the floor to page 28 of the bill.

Senator Lamberti raised the point of order that amendment [S-3383](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3383](#) out of order.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Iverson, until he returns, on request of Senator Lamberti.

#### BUSINESS PENDING

#### [Senate File 458](#)

The Senate resumed consideration of [Senate File 458](#).

Senator Dotzler offered amendment [S-3384](#), filed by him from the floor to pages 28 and 43 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3384](#) be adopted?” ([S.F. 458](#)), 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, 28:

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

Absent, 1:

Iverson

Amendment [S-3384](#) lost.

Senator Lamberti offered amendment [S-3382](#), filed by him from the floor to pages 35 and 44 of the bill.

Senator Dearden raised the point of order that amendment [S-3382](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-3382](#) out of order.

Senator Connolly offered amendment [S-3379](#), filed by him from the floor to pages 28 and 43 of the bill, previously deferred.

Senator Connolly moved the adoption of amendment [S-3379](#).

Amendment [S-3379](#) lost by a voice vote.

Senator Lamberti called up the following motion to reconsider filed by him from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment [S-3364](#) to [Senate File 458](#) was adopted by the Senate on May 1, 2003.

The motion prevailed by a voice vote and amendment [S-3364](#), by Senator Lamberti to pages 5-10, 21, 22, 27, 28, 31, 35-37, 39, 42-44, and to the title page of the bill, was taken up for reconsideration.

Senator Lamberti offered amendment [S-3385](#), filed by him from the floor to page 10 of amendment [S-3364](#), and moved its adoption.

Amendment [S-3385](#) was adopted by a voice vote.

Senator Lamberti moved the adoption of amendment [S-3364](#), as amended.

Amendment [S-3364](#) was adopted by a voice vote.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

#### BUSINESS PENDING

#### [Senate File 458](#)

The Senate resumed consideration of [Senate File 458](#).

Senator Lamberti 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. 458](#)), the vote was:

Yeas, 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			

Nays, 20:

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

Absent, 1:

Fraise

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

The Senate stood at ease at 2:50 p.m. until the fall of the gavel.

The Senate resumed session at 4:20 p.m., President Kramer presiding.

The Senate stood at ease at 4:21 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed at 4:47 p.m., President Pro Tempore Angelo presiding.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator McCoy, until he arrives, on request of Senator Bolkcom; Senator Miller, until he arrives, on request of Senator Hosch; and Senator Lundby, until she arrives, on request of Senator Iverson.

#### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House File 689](#).

**House File 689**

On motion of Senator Rehberg, **House File 689**, a bill for an act relating to ethanol blended gasoline, by providing for tax credits and for their retroactive applicability, providing for refunds, and providing for an effective date, 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. 689**), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

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

UNFINISHED BUSINESS

**Senate File 434**

On motion of Senator Larson, **Senate File 434**, a bill for an act exempting from state individual income tax the active duty pay of a member of the Iowa national guard or armed forces reserve units for service performed during Operation Iraqi Freedom and including

effective and applicability date provisions, placed on the Unfinished Business Calendar on April 10, 2003, was taken up for consideration.

Senator Warnstadt offered amendment [S-3386](#), 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-3386](#) was adopted by a voice vote.

With the adoption of amendment [S-3386](#), the Chair ruled the following amendments out of order:

[S-3134](#), filed by Senator Warnstadt on April 2, 2003, to page 1 and to the title page of the bill;

[S-3193](#), filed by Senator Warnstadt on April 10, 2003, to pages 1 and 2 of amendment [S-3134](#); and

[S-3313](#), filed by Senator Warnstadt on April 24, 2003, to page 1 of the bill.

Senator Larson asked and received unanimous consent that [House File 674](#) be substituted for [Senate File 434](#).

#### [House File 674](#)

On motion of Senator Larson, [House File 674](#), a bill for an act relating to income tax deductions and exemptions for military service personnel and organizations, and including effective and applicability date provisions, was taken up for consideration.

Senator Larson 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. 674](#)), 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 was agreed to.

#### WITHDRAWN

Senator Iverson asked and received unanimous consent that [Senate File 434](#) be **withdrawn** from further consideration of the Senate.

President Kramer took the chair at 5:17 p.m.

#### COMMITTEE REPORT

##### APPROPRIATIONS

**Final Bill Action:** [HOUSE FILE 676](#), a bill for an act establishing a veterans trust fund under the control of the commission of veterans affairs and providing a contingent appropriation.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 22: Lamberti, Dvorsky, Behn, Black, Bolkom, Connolly, Dotzler, Fraise, Hatch, Horn, Houser, McKibben, McKinley, Schuerer, Seng, Seymour, Shull, Sievers, Tinsman, Veenstra, Warnstadt, and Zieman. Nays, none. Absent, 3: Kramer, Gaskill, and Miller.

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

#### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House File 676](#).

**House File 676**

On motion of Senator McKibben, **House File 676**, a bill for an act establishing a veterans trust fund under the control of the commission of veterans affairs and providing a contingent appropriation, with report of committee recommending passage, was taken up for consideration.

Senator McKibben 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. 676**), 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 was agreed to.

**IMMEDIATELY MESSAGED**

Senator Iverson asked and received unanimous consent that **House Files 674, 676, and 689** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Resolution 33](#).

**[Senate Resolution 33](#)**

On motion of Senator Ragan, [Senate Resolution 33](#), a resolution honoring the city of St. Ansgar and the First Lutheran Church on their sesquicentennial year, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved the adoption of [Senate Resolution 33](#), which motion prevailed by a voice vote.

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Concurrent Resolution 17](#).

**[Senate Concurrent Resolution 17](#)**

On motion of Senator Sievers, [Senate Concurrent Resolution 17](#), a concurrent resolution supporting the widening, improvement, and enhancement of U.S. Highway 30 across central Iowa and requesting federal assistance, with report of committee recommending passage, was taken up for consideration.

Senator Sievers moved the adoption of [Senate Concurrent Resolution 17](#), which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Veenstra asked and received unanimous consent that [Senate Concurrent Resolution 17](#) be **immediately messaged** to the House.

UNFINISHED BUSINESS  
(Deferred April 30, 2003)

**Senate Resolution 28**

The Senate resumed consideration of **Senate Resolution 28**, a resolution supporting the nomination of federal court of appeals judicial nominee Miguel A. Estrada, deferred April 30, 2003.

Senator McKibben moved the adoption of **Senate Resolution 28**, which motion prevailed by a voice vote.

COMMITTEE REPORTS

RULES AND ADMINISTRATION

**Final Bill Action:** **SENATE CONCURRENT RESOLUTION 19**, a concurrent resolution relating to federal funding for fire and emergency services and homeland security costs.

**Recommendation:** DO PASS.

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

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

**ALSO:**

**Final Bill Action:** **SENATE CONCURRENT RESOLUTION 20**, a concurrent resolution recognizing Richard and Joyce Lynch, the first recipients of the Good Neighbor Award presented by the Department of Agriculture and Land Stewardship.

**Recommendation:** DO PASS.

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

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

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Veenstra asked and received unanimous consent to take up for consideration **Senate Concurrent Resolution 20**.

### Senate Concurrent Resolution 20

On motion of Senator Hosch, Senate Concurrent Resolution 20, a concurrent resolution recognizing Richard and Joyce Lynch, the first recipients of the Good Neighbor Award presented by the Department of Agriculture and Land Stewardship, with report of committee recommending passage, was taken up for consideration.

Senator Hosch moved the adoption of Senate Concurrent Resolution 20, which motion prevailed by a voice vote.

#### CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 19.

### Senate Concurrent Resolution 19

On motion of Senator Dotzler, Senate Concurrent Resolution 19, a concurrent resolution relating to federal funding for fire and emergency services and homeland security costs, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler moved the adoption of Senate Concurrent Resolution 19, which motion prevailed by a voice vote.

#### IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Concurrent Resolutions 19 and 20** be **immediately messaged** to the House.

#### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Dearden, until he returns, on request of Senator Holveck; and Senator Redfern, until he returns, on request of Senator Lamberti.

President Pro Tempore Angelo took the chair at 5:35 p.m.

## MOTION TO RECONSIDER ADOPTED

**Senate File 458**

Senator Lamberti called up the following motion to reconsider filed by him from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which [Senate File 458](#) passed the Senate on May 1, 2003.

On the question "Shall the motion to reconsider be adopted?" ([S.F. 458](#)), the vote was:

Yeas, 46:

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

Nays, 1:

Lundby

Absent, 3:

Dearden	McCoy	Redfern
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The motion prevailed.

Senator Lamberti moved to reconsider the vote by which [Senate File 458](#) went to its last reading, which motion prevailed by a voice vote.

On motion of Senator Lamberti, [Senate File 458](#), a bill for an act relating to public expenditure and regulatory matters, compensating public employees, making and reducing appropriations, providing for

related matters, making penalties applicable, and providing effective dates, was taken up for reconsideration.

Senator Lamberti offered amendment [S-3388](#), filed by him from the floor to page 48 of the bill, and moved its adoption.

Amendment [S-3388](#) was adopted by a voice vote.

Senator Lamberti 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. 458](#)), the vote was:

Yeas, 27:

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

Nays, 22:

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

Absent, 1:

McCoy

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 458](#) be **immediately messaged** to the House.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Larson, until he arrives, on request of Senator McKibben.

## MOTION TO RECONSIDER ADOPTED

**Senate File 452**

Senator Lamberti called up the following motion to reconsider filed by him from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which [S.F. 452](#) passed the Senate on May 1, 2003.

On the question "Shall the motion to reconsider be adopted?" ([S.F. 452](#)), the vote was:

Yeas, 44:

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	McKibben
McKinley	Miller	Putney	Ragan
Redfern	Rehberg	Schuerer	Seng
Seymour	Shull	Sievers	Stewart
Veenstra	Warnstadt	Wieck	Zieman

Nays, 4:

Kreiman	Lundby	Quirnbach	Tinsman
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Absent, 2:

Larson	McCoy
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The motion prevailed.

Senator Lamberti moved to reconsider the vote by which [Senate File 452](#) went to its last reading, which motion prevailed by a voice vote.

On motion of Senator Lamberti, [Senate File 452](#), a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first fund, and tobacco settlement trust fund, relating to the capitol complex parking structure, and authorizing fees, was taken up for reconsideration.

President Kramer took the chair at 5:50 p.m.

Senator Lamberti called up the following motion to reconsider filed by him from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which House amendment [S-3347](#) to [Senate File 452](#) was adopted by the Senate on May 1, 2003.

The motion prevailed by a voice vote and House amendment [S-3347](#), was taken up for reconsideration.

Senator Lamberti called up the following motion to reconsider filed by him from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment [S-3362](#) to House amendment [S-3347](#) to [Senate File 452](#) was adopted by the Senate on May 1, 2003.

The motion prevailed by a voice vote and amendment [S-3362](#), by Senator Lamberti to pages 1 and 2 of House amendment [S-3347](#), was taken up for reconsideration.

Senator Lamberti offered amendment [S-3387](#), filed by him from the floor, to page 1 of amendment [S-3362](#) to House amendment [S-3347](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3387](#) to amendment [S-3362](#) to House amendment [S-3347](#) be adopted?" ([S.F. 452](#)), the vote was:

Rule 23, requiring all senators present to vote except those who express a conflict of interest, was invoked.

Yeas, 38:

Angelo	Beall	Behn	Boettger
Bolkcom	Brunkhorst	Connolly	Courtney
Drake	Dvorsky	Fraise	Gaskill
Hatch	Holveck	Horn	Hosch
Houser	Johnson	Kettering	Kibbie
Kramer	Lamberti	Larson	Lundby
McKibben	McKinley	Miller	Putney
Redfern	Rehberg	Schuerer	Seymour
Shull	Sievers	Tinsman	Veenstra
Wieck	Zieman		

Nays, 11:

Black	Dearden	Dotzler	Gronstal
Iverson	Kreiman	Quirnbach	Ragan
Seng	Stewart	Warnstadt	

Absent, 1:

McCoy

Amendment [S-3387](#) was adopted.

Senator Lamberti moved the adoption of amendment [S-3362](#), as amended, to House amendment [S-3347](#).

Amendment [S-3362](#) was adopted by a voice vote.

Senator Lamberti moved that the Senate concur in House amendment [S-3347](#), as amended.

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

Senator Lamberti moved that the bill, as amended by the House, further amended 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. 452](#)), 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 was agreed to.

#### IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate File 452](#) be **immediately messaged** to the House.

#### MOTION TO RECONSIDER ADOPTED

Senator Zieman called up the motion to reconsider [House File 614](#), filed by him on April 22, 2003, found on page 1049 of the Senate Journal and moved its adoption.

On the question “Shall the motion to reconsider be adopted?” ([H.F. 614](#)), 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 motion prevailed.

Senator Zieman moved to reconsider the vote by which House File 614 went to its last reading, which motion prevailed by a voice vote.

Senator Zieman asked and received unanimous consent that action on [House File 614](#) be deferred.

## COMMITTEE REPORT

### RULES AND ADMINISTRATION

**Final Bill Action:** [SENATE RESOLUTION 39](#), a resolution recognizing the Iowa Wing of the United States Air Force Auxiliary Civil Air Patrol for its dedication and outstanding performance of duty.

**Recommendation:** DO PASS.

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

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

## CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Resolution 39](#).

### [Senate Resolution 39](#)

On motion of Senator Iverson, [Senate Resolution 39](#), a resolution recognizing the Iowa Wing of the United States Air Force Auxiliary Civil Air Patrol for its dedication and outstanding performance of duty, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved the adoption of [Senate Resolution 39](#), which motion prevailed by a voice vote.

#### INTRODUCTION OF RESOLUTION

[Senate Resolution 40](#), by Iverson, Gaskill, Veenstra, Johnson, Fraise, Kibbie, and Gronstal, a resolution requesting the Department of Economic Development and the department's director to continue efforts to foster and grow the animal life science product industry in Iowa.

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

#### RECESS

On motion of Senator Iverson, the Senate recessed at 6:10 p.m. until the completion of a meeting of the committee on Rules and Administration.

#### RECONVENED

The Senate reconvened at 6:15 p.m., President Kramer presiding.

#### COMMITTEE REPORT

##### RULES AND ADMINISTRATION

**Final Bill Action:** [SENATE RESOLUTION 40](#), a resolution requesting the Department of Economic Development and the department's director to continue efforts to foster and grow the animal life science product industry in Iowa.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Iverson, Kramer, Gronstal, Boettger, Courtney, Drake, Dvorsky, Gaskill, Putney, Ragan, and Sievers. Nays, none. Absent, none.

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

#### CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Resolution 40](#).

### **Senate Resolution 40**

On motion of Senator Iverson, **Senate Resolution 40**, a resolution requesting the Department of Economic Development and the department's director to continue efforts to foster and grow the animal life science product industry in Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved the adoption of **Senate Resolution 40**, which motion prevailed by a voice vote.

The Senate stood at ease at 6:17 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 6:33 p.m., President Kramer presiding.

## COMMITTEE REPORT

### RULES AND ADMINISTRATION

**Final Bill Action:** **SENATE CONCURRENT RESOLUTION 21**, a concurrent resolution to provide for adjournment sine die.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Iverson, Kramer, Gronstal, Boettger, Courtney, Drake, Dvorsky, Gaskill, Putney, Ragan, and Sievers. Nays, none. Absent, none.

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

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 21**, by committee on Rules and Administration, a concurrent resolution to provide for adjournment sine die.

Read first time and **placed on calendar**.

## CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration **Senate Concurrent Resolution 21**.

**Senate Concurrent Resolution 21**

On motion of Senator Iverson, **Senate Concurrent Resolution 21**, a concurrent resolution to provide for adjournment sine die, was taken up for consideration.

Senator Iverson moved the adoption of **Senate Concurrent Resolution 21**.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (**S.C.R. 21**), the vote was:

Yeas, 26:

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

Nays, 20:

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

Absent, 4:

McCoy	McKibben	Redfern	Rehberg
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The motion prevailed and the resolution was adopted.

**IMMEDIATELY MESSAGED**

Senator Iverson asked and received unanimous consent that **Senate Concurrent Resolution 21** be **immediately messaged** to the House.

## HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 1, 2003, **passed** the following bills in which the concurrence of the House was asked:

**Senate File 441**, a bill for an act relating to the transfer of certain property-related tax credits.

**Senate File 459**, a bill for an act relating to Iowa agricultural industry finance corporations, by providing for the assignment of an Iowa agricultural industry finance loan, and providing an effective date.

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

**House Concurrent Resolution 21**, a concurrent resolution relating to federal funding for fire and emergency services and homeland security costs.

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

**APPENDIX****COMMUNICATIONS RECEIVED**

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

May 1, 2003

**DEPARTMENT OF HUMAN SERVICES**

Report regarding requirements pursuant to 2001 Acts, [House File 740](#).

**DEPARTMENT OF PUBLIC HEALTH**

Report pursuant to 2002 Acts, [House File 2627](#) — notification that the report in electronic form is available online.

**CERTIFICATES OF RECOGNITION**

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

Jason Kirk Fiala, Swisher — For achieving the rank of Eagle Scout, Boy Scout Troop 37. Senator Dvorsky (5/1/03).

Richard and Joyce Lynch Farm, Cascade — For receiving the Iowa Good Neighbor Award. Senator Hosch (5/1/03).

Kathleen Miller, Iowa City — For achieving the highest award for Senior Girl Scouts, "The Gold Award." Senator Bolkcom (5/1/03).

**PRESENTATION OF VISITORS**

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

Fifth grade students from Fairfield, accompanied by Laurie Woody. Senator Miller.

**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS**

**Convened:** May 1, 2003, 10:15 a.m.

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

**Members Absent:** Kramer, Vice Chair; Gaskill and Miller (all excused).

**Committee Business:** Passed [HF 676](#).

**Adjourned:** 10:20 a.m.

#### **RULES AND ADMINISTRATION**

**Convened:** May 1, 2003, 10:10 a.m.

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

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

**Committee Business:** Passed SCRs 19 and 20 and [SR 39](#).

**Adjourned:** 10:15 a.m.

#### **ALSO:**

**Convened:** May 1, 2003, 6:10 p.m.

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

**Members Absent:** None.

**Committee Business:** Passed [SCR 21](#) and [SR 40](#).

**Adjourned:** 6:15 p.m.

### **SUBCOMMITTEE ASSIGNMENT**

#### **[House File 697](#)**

WAYS AND MEANS: McKibben, Chair; Bolkcom and Shull

### **REPORT OF THE SECRETARY OF THE SENATE**

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing [Senate File 458](#), the following corrections were made:

1. Page 85, lines 20 and 21, the words and numbers "sections 203 and 204" were changed to the words and numbers "sections 173 and 174".

2. Page 86, line 10, the word and number "section 206" were changed to the word and number "section 176".

MICHAEL E. MARSHALL  
Secretary of the Senate

### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 1, 2003, the Governor approved and transmitted to the Secretary of State the following bills:

[S.F. 102](#) – Relating to the chief executive officer of the Iowa public employees' retirement system and providing an effective and retroactive applicability date.

[S.F. 366](#) – Relating to the Iowa probate code, including provisions relating to state inheritance, gift taxes, and trusts and including an applicability date provision.

[S.F. 372](#) – Relating to the licensing of persons providing money transmission and currency exchange services, providing penalties, and providing an effective date.

[S.F. 375](#) – Relating to enforcement enhancements relative to certain tobacco product manufacturers, providing appropriations and penalties, and providing effective dates.

[S.F. 416](#) – Relating to dependent adult abuse including elder abuse emergency shelter and support services projects.

[S.F. 438](#) – 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.

### AMENDMENTS FILED

<a href="#">S-3358</a>	<a href="#">S.F. 458</a>	Jeff Lamberti
<a href="#">S-3359</a>	<a href="#">S.F. 458</a>	Jeff Lamberti
<a href="#">S-3360</a>	<a href="#">S.F. 458</a>	Jeff Lamberti
<a href="#">S-3361</a>	<a href="#">S.F. 458</a>	Neal Schuerer
<a href="#">S-3362</a>	<a href="#">S.F. 452</a>	Jeff Lamberti
<a href="#">S-3363</a>	<a href="#">S.F. 452</a>	Jeff Lamberti
<a href="#">S-3364</a>	<a href="#">S.F. 458</a>	Jeff Lamberti
<a href="#">S-3365</a>	<a href="#">S.F. 458</a>	Mark Zieman
<a href="#">S-3366</a>	<a href="#">S.F. 458</a>	Bryan J. Sievers
<a href="#">S-3367</a>	<a href="#">S.F. 458</a>	Jeff Lamberti
<a href="#">S-3368</a>	<a href="#">S.F. 458</a>	Michael E. Gronstal
		Jeff Lamberti

<a href="#"><u>S-3369</u></a>	<a href="#"><u>S.F. 458</u></a>	<p> Mike Connolly  Michael E. Gronstal  John P. Kibbie  Dennis H. Black  Jack Hatch  Amanda Ragan  Thomas G. Courtney  Herman C. Quirnbach  Joe M. Seng  William Dotzler  Joe Bolkcom  Steve Warnstadt  Keith Kreiman  Jack Holveck  Daryl Beall  Roger Stewart  Robert E. Dvorsky  Steve Warnstadt  Joe Bolkcom  William Dotzler  Joe M. Seng  Herman C. Quirnbach  Thomas G. Courtney  Amanda Ragan  Jack Hatch  Dennis H. Black  John P. Kibbie  Michael E. Gronstal  Mike Connolly  Robert E. Dvorsky  Mike Connolly  Keith Kreiman  John P. Kibbie  Dennis H. Black  Amanda Ragan  Jack Hatch  Thomas G. Courtney  Herman C. Quirnbach  Joe M. Seng  Mike Connolly  Michael E. Gronstal </p>
<a href="#"><u>S-3370</u></a>	<a href="#"><u>S.F. 458</u></a>	<p> Steve Warnstadt  Joe Bolkcom  William Dotzler  Joe M. Seng  Herman C. Quirnbach  Thomas G. Courtney  Amanda Ragan  Jack Hatch  Dennis H. Black  John P. Kibbie  Michael E. Gronstal  Mike Connolly  Robert E. Dvorsky  Mike Connolly  Keith Kreiman  John P. Kibbie  Dennis H. Black  Amanda Ragan  Jack Hatch  Thomas G. Courtney  Herman C. Quirnbach  Joe M. Seng  Mike Connolly  Michael E. Gronstal </p>
<a href="#"><u>S-3371</u></a>	<a href="#"><u>S.F. 458</u></a>	<p> Robert E. Dvorsky  Mike Connolly  Keith Kreiman  John P. Kibbie  Dennis H. Black  Amanda Ragan  Jack Hatch  Thomas G. Courtney  Herman C. Quirnbach  Joe M. Seng  Mike Connolly  Michael E. Gronstal </p>
<a href="#"><u>S-3372</u></a>	<a href="#"><u>S.F. 458</u></a>	<p> John P. Kibbie  Dennis H. Black  Amanda Ragan  Jack Hatch  Thomas G. Courtney  Herman C. Quirnbach  Joe M. Seng  Mike Connolly  Michael E. Gronstal </p>

		Dick L. Dearden
		Roger Stewart
		William Dotzler
		Joe Bolkcom
		Eugene S. Fraise
		Steve Warnstadt
		Keith Kreiman
		Jack Holveck
		Daryl Beall
		Wally E. Horn
		Robert E. Dvorsky
<a href="#"><u>S-3373</u></a>	<a href="#"><u>S.F. 458</u></a>	Jack Holveck
		William Dotzler
		Daryl Beall
		Joe M. Seng
		Keith Kreiman
		Joe Bolkcom
		Herman C. Quirnbach
		Thomas G. Courtney
		Amanda Ragan
		Jack Hatch
		Dennis H. Black
		John P. Kibbie
		Michael E. Gronstal
		Mike Connolly
		Wally E. Horn
		Eugene S. Fraise
<a href="#"><u>S-3374</u></a>	<a href="#"><u>S.F. 452</u></a>	John P. Kibbie
		Steve Warnstadt
<a href="#"><u>S-3375</u></a>	<a href="#"><u>S.F. 458</u></a>	Mary E. Kramer
		Maggie Tinsman
<a href="#"><u>S-3376</u></a>	<a href="#"><u>S.F. 458</u></a>	Mary A. Lundby
<a href="#"><u>S-3377</u></a>	<a href="#"><u>H.F. 686</u></a>	Mike Connolly
<a href="#"><u>S-3378</u></a>	<a href="#"><u>H.F. 614</u></a>	Mark Zieman
<a href="#"><u>S-3379</u></a>	<a href="#"><u>S.F. 458</u></a>	Mike Connolly
<a href="#"><u>S-3380</u></a>	<a href="#"><u>S.F. 458</u></a>	Jeff Lamberti
<a href="#"><u>S-3381</u></a>	<a href="#"><u>S.F. 458</u></a>	Robert E. Dvorsky
<a href="#"><u>S-3382</u></a>	<a href="#"><u>S.F. 458</u></a>	Jeff Lamberti
<a href="#"><u>S-3383</u></a>	<a href="#"><u>S.F. 458</u></a>	Thomas G. Courtney
<a href="#"><u>S-3384</u></a>	<a href="#"><u>S.F. 458</u></a>	William Dotzler
<a href="#"><u>S-3385</u></a>	<a href="#"><u>S.F. 458</u></a>	Jeff Lamberti

<a href="#">S-3386</a>	<a href="#">S.F. 434</a>	Steve Warnstadt
<a href="#">S-3387</a>	<a href="#">S.F. 452</a>	Jeff Lamberti
<a href="#">S-3388</a>	<a href="#">S.F. 458</a>	Jeff Lamberti

The Senate stood at ease at 6:50 p.m. until the fall of the gavel.

The Senate resumed session, President Kramer presiding.

#### 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 30, 2003, **receded** from the House amendment to the Senate amendment, **and passed** the following bill in which the concurrence of the House was asked:

[House File 685](#), a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund.

ALSO: That the House has on May 1, 2003, **adopted** the following resolutions in which the concurrence of the House was asked:

[Senate Concurrent Resolution 20](#), a concurrent resolution recognizing Richard and Joyce Lynch, the first recipients of the Good Neighbor Award presented by the Department of Agriculture and Land Stewardship.

[Senate Concurrent Resolution 21](#), a concurrent resolution to provide for adjournment sine die.

ALSO: That the House has on May 1, 2003, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 348](#), a bill for an act relating to fishing by establishing fees, allocating fishing license revenue to fish habitat development, modifying trout fishing fee requirements, and providing effective and applicability dates.

[Senate File 390](#), a bill for an act relating to certain alternative forms of county and city government by providing for county

redistricting and representation, charter commission administration, application of various statutory requirements, the manner in which a charter may be proposed and adopted, amendment of a charter, the organization of the governing body, and inclusions in a charter, making technical changes relating to the administration and authority of a city-county consolidated government and a community commonwealth, allowing formation of local government organization review committees, and including effective and applicability date provisions.

**Senate File 425**, a bill for an act relating to and making appropriations involving state government, including provisions affecting agriculture and natural resources.

**Senate File 458**, a bill for an act relating to public expenditure and regulatory matters, compensating public employees, making and reducing appropriations, providing for related matters, making penalties applicable, and providing effective dates.

ALSO: That the House has on May 1, 2003, **receded** in the House amendment to the Senate amendment, **and passed** the following bill in which the concurrence of the House was asked:

**Senate File 435**, a bill for an act relating to and making appropriations to the judicial branch.

ALSO: That the House has on May 1, 2003, **concurred** in the Senate amendment to the House amendment, **and passed** the following bill in which the concurrence of the House was asked:

**Senate File 452**, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first fund, and tobacco settlement trust fund, relating to the capitol complex parking structure, and authorizing fees.

ALSO: That the House has on May 1, 2003, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

**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.

[House File 549](#), a bill for an act relating to the duties and operations of the department of education and school boards.

[House File 595](#), a bill for an act relating to certain voluntary annexations and to involuntary annexations and providing an effective date.

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

[House File 490](#), a bill for an act relating to the right of condemnation of owners of certain land and including effective and applicability date provisions.

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

[House File 701](#), a bill for an act relating to the individual income tax by reducing the tax rates and number of tax brackets and including a contingent effective and applicability date provision.

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

#### REPORTS OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 390](#), the following correction was made:

1. Page 6, line 10, the word and number "subsection 1," were removed.

ALSO:

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 452](#), the following corrections were made:

1. Page 12, line 14, the number "(1)" was changed to the letter "a."
2. Page 12, line 17, the number "(2)" was changed to the letter "b."
3. Page 12, line 18, the number "(3)" was changed to the letter "c."
4. Page 12, line 20, the number "(4)" was changed to the letter "d."

**ALSO:**

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 458](#), the following corrections were made:

1. Page 11, line 8, the period after the word "positions" was changed to a colon.
2. Page 34, line 14, after the number "2003", the word "Iowa" was added.
3. Page 38, line 6, the number "1." was changed to the number "2."
4. Page 38, line 10, the number "2." was changed to the number "3."
5. Page 38, line 16, the number "3." was changed to the number "4."
6. Page 53, line 2, a hyphen was added between the words "vocational technical".
7. Page 89, line 14, the word "is" was changed to the word "are".

**ALSO:**

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 459](#), the following correction was made:

1. Page 1, line 1, after "paragraph b," the following was added: "Code 2003,".

MICHAEL E. MARSHALL  
Secretary of the Senate

**RESOLUTION ENROLLED, SIGNED, AND SENT  
TO THE SECRETARY OF STATE**

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following resolution has been enrolled, signed by the President of the Senate and the Speaker of the House, and submitted to the Secretary of State for deposit on this 1st day of May, 2003:

[Senate Joint Resolution 5.](#)

MICHAEL E. MARSHALL  
Secretary of the Senate

## 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 1st day of May, 2003:

Senate Files 94, 173, 341, 343, 348, 354, 359, 390, 393, 396, 405, 417, 422, 425, 433, 435, 439, 441, 442, 444, 445, 451, 452, 453, 458, and 459.

MICHAEL E. MARSHALL  
Secretary of the Senate

## BILLS REFERRED TO COMMITTEE FROM CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 4, the following resolutions and bills remaining on the Senate calendar upon adjournment of the 2003 Regular Session will be removed from the calendar and referred back to the committee to which they were originally assigned:

S.C.R.	7	Government Oversight
S.C.R.	11	Rules and Administration
S.C.R.	13	Rules and Administration
S.C.R.	15	Rules and Administration
S.C.R.	16	Agriculture
S.R.	37	Rules and Administration
<a href="#">S.F.</a>	<a href="#">117</a>	Commerce
<a href="#">S.F.</a>	<a href="#">130</a>	Local Government
<a href="#">S.F.</a>	<a href="#">150</a>	State Government
<a href="#">S.F.</a>	<a href="#">209</a>	Local Government
<a href="#">S.F.</a>	<a href="#">327</a>	State Government
<a href="#">S.F.</a>	<a href="#">332</a>	State Government
<a href="#">S.F.</a>	<a href="#">369</a>	Natural Resources and Environment
<a href="#">S.F.</a>	<a href="#">387</a>	Economic Growth
<a href="#">S.F.</a>	<a href="#">388</a>	Economic Growth
<a href="#">S.F.</a>	<a href="#">404</a>	Ways and Means
<a href="#">S.F.</a>	<a href="#">446</a>	Government Oversight
<a href="#">S.F.</a>	<a href="#">447</a>	Ways and Means
<a href="#">S.F.</a>	<a href="#">450</a>	Ways and Means
<a href="#">S.F.</a>	<a href="#">455</a>	Ways and Means
<a href="#">S.F.</a>	<a href="#">456</a>	Ways and Means

MICHAEL E. MARSHALL  
Secretary of the Senate

FINAL DISPOSITION OF  
MOTIONS TO RECONSIDER

Pursuant to Senate Rule 24, the following motions to reconsider, which remained on the Senate calendar upon the adjournment of the 2003 Regular Session of the Eightieth General Assembly, were determined to have **failed**:

[Senate File 409](#), a bill for an act providing for premarital and marital mediation agreements. (Failed to pass Senate on March 31, 2003.) Motion filed by Senator Shull on March 31, 2003.

[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. (Passed Senate on April 17, 2003.) Motion filed by Senator Lamberti on April 17, 2003.

[Senate File 439](#), a bill for an act relating to and making appropriations to the justice system and providing an effective date. (Passed Senate on April 17, 2003.) Motion filed by Senator Lamberti on April 17, 2003.

[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. (Passed Senate on April 10, 2003.) Motion filed by Senator Lamberti on April 10, 2003.

[House File 667](#), a bill for an act relating to and making appropriations for health and human services to the department of elder affairs, the Iowa department of public health, the department of inspections and appeals, the department of human services, and the commission of veterans affairs, and providing effective dates. (Passed Senate on April 22, 2003.) Motion filed by Senator Lamberti on April 22, 2003.

SECRETARY TO NOTIFY THE  
GOVERNOR AND THE HOUSE

Senator Angelo moved that Secretary of the Senate be directed to send a written message to the Governor and the House of Representatives informing them that the Senate was ready to adjourn in accordance with [Senate Concurrent Resolution 21](#).

The motion prevailed by a voice vote.

FINAL ADJOURNMENT

By virtue of [Senate Concurrent Resolution 21](#), duly adopted, the day of May 1, 2003, having arrived, President Kramer declared the 2003 Regular Session of the Eightieth General Assembly adjourned sine die.

## MESSAGE FROM THE GOVERNOR

May 1, 2003

The Honorable Mary Kramer  
President of the Senate  
State Capitol  
LOCAL

The Honorable Christopher Rants  
Speaker of the House  
State Capitol  
LOCAL

Dear President Kramer and Speaker Rants:

Throughout our state's history, Iowans have valued education, hard work, self-reliance, community involvement, generosity to our neighbors, and responsible stewardship of the land, air, and water. Challenging times give us an opportunity to assess our values, and to make changes that will support those values.

This, the first session of the Eightieth General Assembly, gave us the opportunity to address these shared Iowa values. Even in these difficult economic times that have most states reeling from budget cuts and shortfalls, we have a unique opportunity to make the bold changes necessary to grow Iowa, preserve our values, and strengthen the quality of life that has long sustained our state.

Developing and drafting consensus language that creates the Iowa Values Fund has been a historic achievement accomplished by both the majority and minority members of the House of Representatives during the regular session. I look forward to working with the State Senate to act on the Iowa Values Fund.

Two pieces of significant legislation that were accomplished during the regular session were to lower the level of alcohol needed in a person's blood to be presumed drunk from .10 to .08 BAC, and the proposal to reorganize and streamline state government.

This was the third consecutive legislative session that I have called for a bill to lower the blood alcohol rate to .08. The tougher standard corresponds with a projected 10-16 lives saved in Iowa per year. This has always been an issue of safety.

I had called on the legislature to create the Department of Administrative Services (DAS) last session and am pleased that this session DAS was sent to me. DAS will streamline services, improve services to customers, enhance resource flexibility, and save money.

I intend to continue to work with legislators to lay the foundation for a more prosperous future for our state. When the people of Iowa work together on a common goal, we can accomplish anything.

Sincerely,  
TOM VILSACK  
Governor