

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, JANUARY 15, 2004

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JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 15, 2004

The Senate met in regular session at 8:37 a.m., President Lamberti presiding.

Prayer was offered by the Reverend Steve Hayden, pastor of the Mt. Calvary Lutheran Church in Indianola, Iowa. He was the guest of Senator Shull.

The Journal of Wednesday, January 14, 2004, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hatch, until he arrives, on request of Senator Seng.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:44 a.m. until 9:00 a.m., Friday, January 16, 2004.

APPENDIX**STANDING COMMITTEES APPOINTED**

The Majority and Minority Leaders announced the following appointments to the standing committees of the Senate for the 2004 Session of the Eightieth General Assembly:

*Vice Chair
**Ranking Member

AGRICULTURE—15 Members

Johnson, Chair	Behn	Houser	Seng
Hosch*	Black	Kibbie	Veenstra
Fraise**	Courtney	Putney	Zieman
Angelo	Gaskill	Ragan	

APPROPRIATIONS—25 Members

Angelo, Chair	Dotzler	McKibben	Shull
Lamberti*	Fraise	McKinley	Sievers
Dvorsky**	Gaskill	Miller	Tinsman
Behn	Hatch	Schuerer	Veenstra
Black	Horn	Seng	Warnstadt
Bolkcom	Houser	Seymour	Zieman
Cannolly			

BUSINESS AND LABOR RELATIONS—11 Members

Schuerer, Chair	Courtney	Johnson	Seymour
Lundby*	Dotzler	Kettering	Wieck
Dearden**	Horn	McKibben	

COMMERCE—15 Members

Behn, Chair	Bolkcom	Lundby	Schuerer
Wieck*	Brunkhorst	McCoy	Sievers
Warnstadt**	Gronstal	Putney	Stewart
Beall	Kettering	Redfern	

ECONOMIC GROWTH—13 Members

Rehberg, Chair	Boettger	McKinley	Seymour
Shull*	Dotzler	Putney	Stewart
Hatch**	Lamberti	Ragan	Veenstra
Beall			

EDUCATION—15 Members

Boettger, Chair	Beall	Holveck	Quirnbach
McKinley*	Behn	Hosch	Redfern
Connolly**	Brunkhorst	Iverson	Rehberg
Angelo	Dvorsky	Kreiman	

ETHICS—6 Members

Drake, Chair	Kibbie**	Dearden	McKibben
Redfern*	Connolly		

GOVERNMENT OVERSIGHT—5 Members

Lundby, Chair	Courtney**	Dvorsky	Wieck
Brunkhorst*			

HUMAN RESOURCES—13 Members

Veenstra, Chair	Boettger	Horn	McKinley
Seymour*	Hatch	Hosch	Schuerer
Ragan**	Holveck	Kreiman	Tinsman
Behn			

JUDICIARY—15 Members

Redfern, Chair	Brunkhorst	Horn	Miller
Kettering*	Fraise	Lamberti	Quirnbach
Kreiman**	Gaskill	McCoy	Tinsman
Boettger	Holveck	McKibben	

LOCAL GOVERNMENT—13 Members

Gaskill, Chair	Hatch	Kettering	Rehberg
Miller*	Hosch	Kreiman	Seymour
Quirnbach**	Houser	McCoy	Stewart
Angelo			

NATURAL RESOURCES AND ENVIRONMENT—15 Members

Houser, Chair	Bolkcom	Holveck	Miller
Johnson*	Brunkhorst	Kettering	Redfern
Seng**	Dearden	Kibbie	Zieman
Black	Drake	Lundby	

RULES AND ADMINISTRATION—11 Members

Iverson, Chair	Boettger	Dvorsky	Sievers
Lamberti*	Courtney	Gaskill	Wieck
Gronstal**	Drake	Ragan	

STATE GOVERNMENT—15 Members

Zieman, Chair	Connolly	Johnson	Shull
Sievers*	Courtney	Lamberti	Tinsman
Kibbie**	Dearden	Ragan	Veenstra
Black	Drake	Schuerer	

TRANSPORTATION—13 Members

Drake, Chair	Dearden	Iverson	Shull
Putney*	Fraise	Johnson	Warnstadt
McCoy**	Houser	Rehberg	Zieman
Beall			

WAYS AND MEANS—17 Members

McKibben, Chair	Dotzler	Miller	Seng
Shull*	Hosch	Putney	Sievers
Bolkcom**	McCoy	Quirnbach	Stewart
Angelo	McKinley	Rehberg	Wieck
Connolly			

SENATE APPROPRIATIONS SUBCOMMITTEESADMINISTRATION AND REGULATION

Sievers, Chair	Holveck**	Stewart
Zieman*	Rehberg	

AGRICULTURE AND NATURAL RESOURCES

Gaskill, Chair	Black**	Seymour
Houser*	Seng	

ECONOMIC DEVELOPMENT

McKinley, Chair	Dotzler**	Quirnbach
Behn*	Putney	

EDUCATION

Shull, Chair	Horn**	Schuerer
Boettger*	Kibbie	

HEALTH AND HUMAN SERVICES

Tinsman, Chair	Hatch**	Veenstra
Johnson*	Bolkcom	

JUSTICE SYSTEM

Miller, Chair	Fraise**	Kreiman
Angelo*	Hosch	

TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Kettering, Chair	Warnstadt**	Lamberti
McKibben*	Beall	

SENATORS AND THEIR RESPECTIVE COMMITTEES

ANGELO, Jeff	Agriculture Appropriations, Chair Education Local Government Ways and Means Justice System Appropriations Subcommittee, Vice Chair
BEALL, Daryl	Commerce Economic Growth Education Transportation Transportation, Infrastructure, and Capitals Appropriations Subcommittee
BEHN, Jerry	Agriculture Appropriations Commerce, Chair Education Human Resources Economic Development Appropriations Subcommittee, Vice Chair
BLACK, Dennis H.	Agriculture Appropriations Natural Resources and Environment State Government Agriculture and Natural Resources Appropriations Subcommittee, Ranking Member
BOETTGER, Nancy J.	Economic Growth Education, Chair Human Resources Judiciary Rules and Administration Education Appropriations Subcommittee, Vice Chair

BOLKCOM, Joe	Appropriations Commerce Natural Resources and Environment Ways and Means, Ranking Member Health and Human Services Appropriations Subcommittee
BRUNKHORST, Bob	Commerce Education Government Oversight, Vice Chair Judiciary Natural Resources and Environment
CONNOLLY, Mike	Appropriations Education, Ranking Member Ethics State Government Ways and Means
COURTNEY, Thomas G.	Agriculture Business and Labor Relations Government Oversight, Ranking Member Rules and Administration State Government
DEARDEN, Dick L.	Business and Labor Relations, Ranking Member Ethics Natural Resources and Environment State Government Transportation
DOTZLER, William A., Jr.	Appropriations Business and Labor Relations Economic Growth Ways and Means Economic Development Appropriations Subcommittee, Ranking Member
DRAKE, Richard F.	Ethics, Chair Natural Resources and Environment Rules and Administration State Government Transportation, Chair
DVORSKY, Robert E.	Appropriations, Ranking Member Education Government Oversight Rules and Administration

FRAISE, Gene	Agriculture, Ranking Member Appropriations Judiciary Transportation Justice System Appropriations Subcommittee, Ranking Member
GASKILL, E. Thurman	Agriculture Appropriations Judiciary Local Government, Chair Rules and Administration Agriculture and Natural Resources Appropriations Subcommittee, Chair
GRONSTAL, Michael E.	Commerce Rules and Administration, Ranking Member
HATCH, Jack	Appropriations Economic Growth, Ranking Member Human Resources Local Government Health and Human Services Appropriations Subcommittee, Ranking Member
HOLVECK, Jack	Education Human Resources Judiciary Natural Resources and Environment Administration and Regulation Appropriations Subcommittee, Ranking Member
HORN, Wally E.	Appropriations Business and Labor Relations Human Resources Judiciary Education Appropriations Subcommittee, Ranking Member
HOSCH, Julie M.	Agriculture, Vice Chair Education Human Resources Local Government Ways and Means Justice System Appropriations Subcommittee
HOUSER, Hubert	Agriculture Appropriations Local Government Natural Resources and Environment, Chair Transportation Agriculture and Natural Resources Appropriations Subcommittee, Vice Chair

IVERSON, Stewart E., Jr.	Education Rules and Administration, Chair Transportation
JOHNSON, David	Agriculture, Chair Business and Labor Relations Natural Resources and Environment, Vice Chair State Government Transportation Health and Human Services Appropriations Subcommittee, Vice Chair
KETTERING, Steve	Business and Labor Relations Commerce Judiciary, Vice Chair Local Government Natural Resources and Environment Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Chair
KIBBIE, John P. (Jack)	Agriculture Ethics, Ranking Member Natural Resources and Environment State Government, Ranking Member Education Appropriations Subcommittee
KREIMAN, Keith A.	Education Human Resources Judiciary, Ranking Member Local Government Justice System Appropriations Subcommittee
LAMBERTI, Jeff	Appropriations, Vice Chair Economic Growth Judiciary Rules and Administration, Vice Chair State Government Transportation, Infrastructure, and Capitals Appropriations Subcommittee
LARSON, Charles W., Jr.	Currently serving with U.S. Armed Forces in Iraq.
LUNDBY, Mary	Business and Labor Relations, Vice Chair Commerce Government Oversight, Chair Natural Resources and Environment
McCOY, Matt	Commerce Judiciary Local Government Transportation, Ranking Member Ways and Means

McKIBBEN, Larry	Appropriations Business and Labor Relations Ethics Judiciary Ways and Means, Chair Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Vice Chair
McKINLEY, Paul	Appropriations Economic Growth Education, Vice Chair Human Resources Ways and Means Economic Development Appropriations Subcommittee, Chair
MILLER, David	Appropriations Judiciary Local Government, Vice Chair Natural Resources and Environment Ways and Means Justice System Appropriations Subcommittee, Chair
PUTNEY, John	Agriculture Commerce Economic Growth Transportation, Vice Chair Ways and Means Economic Development Appropriations Subcommittee
QUIRMBACH, Herman C.	Education Judiciary Local Government, Ranking Member Ways and Means Economic Development Appropriations Subcommittee
RAGAN, Amanda	Agriculture Economic Growth Human Resources, Ranking Member Rules and Administration State Government
REDFERN, Donald B.	Commerce Education Ethics, Vice Chair Judiciary, Chair Natural Resources and Environment

REHBERG, Kitty	Economic Growth, Chair Education Local Government Transportation Ways and Means Administration and Regulation Appropriations Subcommittee
SCHUERER, Neal	Appropriations Business and Labor Relations, Chair Commerce Human Resources State Government Education Appropriations Subcommittee
SENG, Joe M.	Agriculture Appropriations Natural Resources and Environment, Ranking Member Ways and Means Agriculture and Natural Resources Appropriations Subcommittee
SEYMOUR, James A.	Appropriations Business and Labor Relations Economic Growth Human Resources, Vice Chair Local Government Agriculture and Natural Resources Appropriations Subcommittee
SHULL, Doug	Appropriations Economic Growth, Vice Chair State Government Transportation Ways and Means, Vice Chair Education Appropriations Subcommittee, Chair
SIEVERS, Bryan J.	Appropriations Commerce Rules and Administration State Government, Vice Chair Ways and Means Administration and Regulation Appropriations Subcommittee, Chair
STEWART, Roger	Commerce Economic Growth Local Government Ways and Means Administration and Regulation Appropriations Subcommittee

TINSMAN, Maggie	Appropriations Human Resources Judiciary State Government Health and Human Services Appropriations Subcommittee, Chair
VEENSTRA, Ken	Agriculture Appropriations Economic Growth Human Resources, Chair State Government Health and Human Services Appropriations Subcommittee
WARNSTADT, Steve	Appropriations Commerce, Ranking Member Transportation Transportation, Infrastructure, and Capitals Appropriations Subcommittee, Ranking Member
WIECK, Ron	Business and Labor Relations Commerce, Vice Chair Government Oversight Rules and Administration Ways and Means
ZIEMAN, Mark	Agriculture Appropriations Natural Resources and Environment State Government, Chair Transportation Administration and Regulation Appropriations Subcommittee, Vice Chair

COMMUNICATIONS RECEIVED

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

January 15, 2004

BOARD OF REGENTS

2003 Annual Report on Minority and Women Educators, pursuant to Iowa Code sections 262.82, and 262.93.

Annual Report for Telemedicine in the University of Iowa Hospitals and Clinics Indigent Patient Care Program—notification that the report in electronic form is available online.

IOWA CHILD ADVOCACY BOARD

FY 2003 Annual Report.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Progress report on the job retention component of the Grow Iowa Values Fund.

Report on the provision of ongoing efforts to assist businesses through the coordination of regulatory assistance, pursuant to Iowa Code section 15E.19.

DEPARTMENT OF JUSTICE

Report on the Iowa Prosecutor Intern Program for 2003, pursuant to Iowa Code section 13.2(12).

CERTIFICATES OF RECOGNITION

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

Phil Gunderson, Fort Dodge—For being named a Governor's "Above and Beyond" mentor. Senator Beall (1/16/04).

Sue Hewett, Fort Dodge—For being named a Governor's "Above and Beyond" mentor. Senator Beall (1/16/04).

James Terence Mathews, Bellevue—For achieving the rank of Eagle Scout, Boy Scout Troop 86. Senator Stewart (2/1/04).

Bruce Murman, Fort Dodge—For being named a Governor's "Above and Beyond" mentor. Senator Beall (1/16/04).

Clark Richardson, Ankeny—For winning the Iowa High School Speech Association Student Congress Debate. Senator Warnstadt (1/13/04).

Bob Schieffer, CBS News, Washington, D.C.—For being recognized as an honorary Iowan. Senator Beall (1/15/04).

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: January 15, 10:05 a.m.

Members Present: Schuerer, Chair; Lundby, Vice Chair; Dearden, Ranking Member; Courtney, Dotzler, Horn, Johnson, Kettering, McKibben, and Seymour.

Members Absent: Wieck (excused).

Committee Business: Organizational meeting and subcommittee assignments.

Adjourned: 10:10 a.m.

EDUCATION

Convened: January 15, 10:05 a.m.

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

Members Absent: Angelo, Brunkhorst, Iverson, and Redfern (all excused).

Committee Business: Presentation by Daniel K. Miller, executive director and general manager of Iowa Public Television.

Adjourned: 10:40 a.m.

HUMAN RESOURCES

Convened: January 15, 11:10 a.m.

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

Members Absent: Hatch, Holveck, and McKinley (all excused).

Committee Business: Presentation on the Iowa Medicaid Enterprise by Gene Gessow, Medicaid director.

Adjourned: 12:10 p.m.

INTRODUCTION OF RESOLUTION

[Senate Joint Resolution 2002](#), by Veenstra, a joint resolution proposing an amendment to the Constitution of the State of Iowa regarding marriage in the State of Iowa.

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

INTRODUCTION OF BILLS

[Senate File 2011](#), by Kreiman, a bill for an act relating to the interest rates charged against delinquent property taxes and providing an applicability date.

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

[Senate File 2012](#), by Tinsman, a bill for an act adding an Iowa history requirement to the secondary education program.

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

[Senate File 2013](#), by Veenstra, a bill for an act relating to the liability derived from human cloning, and providing civil remedies.

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

STUDY BILL RECEIVED

[SSB 3004](#) **Human Resources**

Providing for the elimination of an examination requirement as a prerequisite for being designated a registered dental assistant.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2004](#)

LOCAL GOVERNMENT: Kettering, Chair; Kreiman and Rehberg

[Senate File 2009](#)

HUMAN RESOURCES: Tinsman, Chair; Hosch and Kreiman

[SSB 3004](#)

HUMAN RESOURCES: Seymour, Chair; Ragan and Tinsman