

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, JANUARY 29, 2004

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 29, 2004

The Senate met in regular session at 8:35 a.m., President Lamberti presiding.

Prayer was offered by Pastor Richard Sorrentino of New Hope in Christ Ministries in Davenport, Iowa. He was the guest of Senator Sievers.

The Journal of Wednesday, January 28, 2004, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 28, 2004, **adopted** the following resolution in which the concurrence of the Senate is asked:

[House Concurrent Resolution 104](#), a concurrent resolution urging state employee unions and the Governor to renegotiate and establish a pay freeze for the fiscal year beginning July 1, 2004.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Resolution 108](#).

Senate Resolution 108

On motion of Senator Dvorsky, Senate Resolution 108, a resolution honoring the Kirkwood Community College Women's Volleyball Team, with report of committee recommending passage, was taken up for consideration.

Senator Dvorsky moved the adoption of Senate Resolution 108, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Dvorsky welcomed to the Senate chamber Eagles Head Coach DeAnn Woodin and members of the Kirkwood Community College Women's Volleyball Team.

The Senate rose and expressed its welcome.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lundby, for the day, on request of Senator Iverson.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:05 a.m. until 1:00 p.m., Monday, February 2, 2004.

APPENDIX**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 29, 2004

DEPARTMENT OF TRANSPORTATION

Biodiesel Fuel Revolving Fund Expenditures for FY 2003—notification that the report in electronic form is available online.

Office of Contracts Letting Highway Construction Expenditures for July 1, 2002, through June 30, 2003—notification that the report in electronic form is available online.

AGENCY ICN REPORT**DEPARTMENT OF TRANSPORTATION**

Iowa Communications Network (ICN) Usage for FY 2003, pursuant to Iowa Code section 8D.10.

CERTIFICATES OF RECOGNITION

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

Cassie Beattie, Runnells—For supporting the Leukemia and Lymphoma Society by completing the 2004 Walt Disney Marathon in Orlando, Florida. Senator Black (1/29/04).

Theresa Cleveringa, Sioux Center—For being a Kensey Elementary foster grandparent. Senator Veenstra (2/5/04).

Sara Coleman, Norwalk—For receiving the 2003 National Educator Award. Senator Shull (1/29/04).

Alice Koele, Hull—For being a Rock Valley High School foster grandparent. Senator Veenstra (2/5/04).

Mardelle Ploeger, Sioux Center—For being a West Sioux Elementary foster grandparent. Senator Veenstra (2/5/04).

Dottie Van Berkum, Rock Valley—For being a Starkweather Elementary foster grandparent. Senator Veenstra (2/5/04).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: January 28, 2004, 4:10 p.m.

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

Members Absent: Black and Houser (both excused).

Committee Business: Approved [SSB 3003](#). Removed bills from further consideration of committee. Subcommittee assignments.

Adjourned: 4:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: January 28, 2004, 3:10 p.m.

Members Present: Tinsman, Chair; Johnson, Vice Chair; Hatch, Ranking Member; Bolkcom and Veenstra.

Members Absent: None.

Committee Business: Review of Department of Human Services programs and funding.

Adjourned: 4:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 28, 2004, 3:05 p.m.

Members Present: Miller, Chair; Fraise, Ranking Member; Hosch, and Kreiman.

Members Absent: Angelo, Vice Chair (excused).

Committee Business: David K. Boyd, State Court Administrator, gave an update on the current status of the judicial branch.

Adjourned: 3:50 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS

Convened: January 28, 2004, 3:05 p.m.

Members Present: Kettering, Chair; McKibben, Vice Chair; Warnstadt, Ranking Member; and Beall.

Members Absent: Lamberti (excused).

Committee Business: Discussion regarding the transportation appropriations bill draft.

Adjourned: 3:30 p.m.

AGRICULTURE

Convened: January 29, 2004, 11:10 a.m.

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

Members Absent: Angelo (excused).

Committee Business: Donna Gwinn, Grain Warehouse Bureau Chief, gave an update on the state of the grain industry and the federal warehouse issue.

Adjourned: 11:40 a.m.

COMMERCE

Convened: January 29, 2004, 1:05 p.m.

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

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

Committee Business: Presentation on natural gas.

Adjourned: 2:15 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: January 29, 2004, 2:35 p.m.

Members Present: Houser, Chair; Johnson, Vice Chair; Seng, Ranking Member; Black, Dearden, Holveck, Kettering, Kibbie, Redfern, and Zieman.

Members Absent: Bolkcom, Brunkhorst, Drake, Lundby, and Miller (all excused).

Committee Business: Presentation on water quality of Iowa lakes and rivers.

Adjourned: 2:55 p.m.

INTRODUCTION OF RESOLUTION

[Senate Joint Resolution 2005](#), by Schuerer, Rehberg, Zieman, Wieck, McKibben, Behn, Angelo, Miller, Hosch, Seymour, Kettering, Johnson, McKinley, Veenstra, Sievers, Boettger, and Houser, a joint resolution petitioning Congress to propose an amendment to the Constitution of the United States defining marriage as the legal union between one man and one woman as husband and wife.

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

INTRODUCTION OF BILLS

[Senate File 2057](#), by committee on Government Oversight, a bill for an act requiring the lottery authority to submit budget information to the legislature.

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

[Senate File 2058](#), by Tinsman, Dvorsky, Lundby, Putney, Sievers, Shull, Boettger, Seymour, Bolkom, Ragan, and Lamberti, a bill for an act relating to payment of health care coverage costs for state employees for biologically based mental illness treatment services.

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

[Senate File 2059](#), by committee on Appropriations, a bill for an act relating to and making appropriations of birth certificate fees for the birth defects registry and child abuse prevention programs, and providing an effective date.

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

[Senate File 2060](#), by Angelo, a bill for an act authorizing a county to contract for the performance of certain veterans affairs and general assistance duties.

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

STUDY BILL RECEIVED

SSB 3044 **Agriculture**

Relating to assessments imposed on cattle for purposes of promotion, education, and research, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2004

STATE GOVERNMENT: Sievers, Chair; Courtney and Drake

Senate File 2042

STATE GOVERNMENT: Veenstra, Chair; Ragan and Schuerer

Senate File 2046

STATE GOVERNMENT: Schuerer, Chair; Black and Shull

Senate File 2047

STATE GOVERNMENT: Johnson, Chair; Kibbie and Veenstra

Senate File 2051

STATE GOVERNMENT: Schuerer, Chair; Black and Shull

Senate File 2053

STATE GOVERNMENT: Shull, Chair; Courtney and Sievers

Senate File 2055

LOCAL GOVERNMENT: Miller, Chair; Houser and Kreiman

SSB 3044

AGRICULTURE: Houser, Chair; Kibbie and Putney

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: [SENATE FILE 2059 \(SSB 3003\)](#), a bill for an act relating to and making appropriations of birth certificate fees for the birth defects registry and child abuse prevention programs, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: Angelo, Lamberti, Dvorsky, Behn, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, McKibben, McKinley, Miller, Schuerer, Seng, Seymour, Shull, Sievers, Tinsman, Veenstra, Warnstadt, and Zieman. Nays, none. Absent, 2: Black and Houser.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNMENT OVERSIGHT

Bill Title: [SENATE FILE 2057 \(SSB 3005\)](#), a bill for an act requiring the lottery authority to submit budget information to the legislature.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 5: Lundby, Brunkhorst, Courtney, Dvorsky, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.