

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, APRIL 30, 2003

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JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 30, 2003

The Senate met in regular session at 8:40 a.m., Senator Putney presiding.

Prayer was offered by the Honorable David Johnson, member of the Senate from Osceola County, Ocheyedan, Iowa.

The Journal of Tuesday, April 29, 2003, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 29, 2003, **passed** the following bills in which the concurrence of the House was asked:

Senate File 442, a bill for an act updating the Iowa Code references to the Internal Revenue Code, providing for decoupling with the Internal Revenue Code for a certain bonus depreciation provision, and providing retroactive applicability dates and an effective date.

Senate File 444, a bill for an act relating to the requirements for receiving a property tax exemption for open prairies and wildlife habitats and including an applicability date provision.

ALSO: That the House has on April 29, 2003, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

[House File 675](#), a bill for an act relating to the regulation of elder family homes, elder group homes, and assisted living programs, providing for fees, and providing penalties.

ALSO: That the House has on April 29, 2003, **passed** the following bills in which the concurrence of the Senate is asked:

[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.

Read first time and **attached to similar [Senate File 434](#)**.

[House File 696](#), a bill for an act relating to the payment of taxes and payment of financial consideration on a contractual basis to the state from adjusted gross receipts from gambling games at racetrack enclosures and providing an effective date.

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

QUORUM CALL

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

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

President Kramer took the chair at 8:58 a.m.

The Senate stood at ease at 9:00 a.m. for the purpose of party caucuses.

The Senate resumed session at 11:34 a.m., President Pro Tempore Angelo presiding.

RECESS

On motion of Senator Sievers, the Senate recessed at 11:35 a.m. until 1:00 p.m.

APPENDIX —1**BILL ASSIGNED TO COMMITTEE**

President Kramer announced that [House File 676](#) was assigned to the **Appropriations** committee.

REPORT OF COMMITTEE MEETING**APPROPRIATIONS**

Convened: April 30, 2003, 12:05 p.m.

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

Members Absent: Connolly, Sievers, and Tinsman (all excused).

Committee Business: Approved [SSB 1208](#).

Adjourned: 12:10 p.m.

INTRODUCTION OF RESOLUTIONS

[Senate Concurrent Resolution 19](#), by Dotzler, Rehberg, Hosch, Seymour, McKinley, Warnstadt, Dvorsky, McKibben, Gaskill, Courtney, Stewart, and Beall, a concurrent resolution relating to federal funding for fire and emergency services and homeland security costs.

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

[Senate Concurrent Resolution 20](#), by Hosch, 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.

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

INTRODUCTION OF BILL

Senate File 459, by committee on Appropriations, 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.

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

SUBCOMMITTEE ASSIGNMENT

House File 696

WAYS AND MEANS: Lamberti, Chair; McKibben and Seng

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: [SENATE FILE 459 \(SSB 1208\)](#), 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.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: [HOUSE FILE 679](#), a bill for an act relating to economic development by modifying the new jobs and income program and the enterprise zone program and providing a tax credit, and providing effective and retroactive applicability dates.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3344](#).

Final Vote: Ayes, 16: McKibben, Shull, Bolkcom, Angelo, Connolly, Dotzler, Hosch, Lamberti, Larson, McKinley, Miller, Quirnbach, Rehberg, Seng, Sievers, and Stewart. Nays, none. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 1:20 p.m., President Kramer presiding.

SPECIAL PRESENTATION TO SENATE PAGES

The Senate Pages were invited to the well of the Senate for a special presentation and thanked by Senators Iverson and Gronstal for their service to the Senate.

A Certificate of Excellence for serving with honor and distinction as a Senate Page during the 2003 Regular Session of the Eightieth General Assembly and individual and group pictures were presented to each of the following Pages:

Erica Barbour, Lucas Beenken, Michelle Burns, Craig Buske, Kenneth Doss, Daniel Harders (LFB), Kristina Hauge, Susan Hildebrand, Kristin Irwin, Abigail Kiernan, Jenna Kovacevich, Hannah Mahan, Emily Nieman (LSB), Kristy Palmer, Jaron Rosien, Jake Schaben (LSB), Matthew Schwieger, Eva Sersland, Brea Tschopp, Chelsea White, and JoAnna Woodley.

The Senate rose and expressed its appreciation.

The Senate stood at ease at 1:35 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:53 p.m., President Kramer presiding.

HOUSE AMENDMENT CONSIDERED

[Senate File 445](#)

Senator Angelo called up for consideration **[Senate File 445](#)**, a bill for an act relating to the establishment of a school infrastructure financing program by providing for the sharing of revenues from local option sales and services taxes for school infrastructure purposes and providing for the use of the revenues from the local option tax for school infrastructure or property tax relief purposes and including an

effective date, amended by the House in House amendment [S-3324](#), filed April 28, 2003.

Senator Warnstadt offered amendment [S-3339](#), filed by him on April 29, 2003, to page 1 of House amendment [S-3324](#), and moved its adoption.

Amendment [S-3339](#) lost by a voice vote.

Senator Connolly asked and received unanimous consent that action on House amendment [S-3324](#) and [Senate File 445](#) be **deferred**.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House File 665](#).

[House File 665](#)

On motion of Senator Connolly, [House File 665](#), a bill for an act relating to property taxation of certain lands leased to others by the department of corrections or department of human services and providing for the Act's applicability, with report of committee recommending passage, was taken up for consideration.

Senator Connolly 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. 665](#)), 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.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Veenstra asked and received unanimous consent to take up for consideration [House File 677](#).

[House File 677](#)

On motion of Senator Angelo, [House File 677](#), a bill for an act relating to new capital investment for businesses and new jobs by creating a new capital investment program, creating tax incentives, and amending the new jobs and income program, with report of committee recommending passage, was taken up for consideration.

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. 677](#)), 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
Wieck

Tinsman
Zieman

Veenstra

Warnstadt

Nays, none.

Absent, none.

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

SPECIAL GUEST

The Chair welcomed to the Senate chamber the Honorable Mark Shearer, former member of the Senate from Washington County.

The Senate rose and expressed its welcome.

President Pro Tempore Angelo took the chair at 3:20 p.m.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

[House File 685](#)

Senator Kramer called up for consideration [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, amended by the Senate, further amended by the House, and moved that the Senate refuse to concur in House amendment [S-3340](#) to Senate amendment [H-1495](#), filed April 29, 2003.

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

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, **amended 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. ([S-3347](#))

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Veenstra asked and received unanimous consent to take up for consideration [Senate Resolution 28](#).

[Senate Resolution 28](#)

On motion of Senator McKibben, [Senate Resolution 28](#), a resolution supporting the nomination of federal court of appeals judicial nominee Miguel A. Estrada, with report of committee recommending passage, was taken up for consideration.

President Kramer took the chair at 3:30 p.m.

Senator Gronstal asked and received unanimous consent that action on [Senate Resolution 28](#) be deferred.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Veenstra asked and received unanimous consent to take up for consideration [Senate File 459](#).

[Senate File 459](#)

On motion of Senator Zieman, [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, was taken up for consideration.

Senator Zieman 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. 459](#)), the vote was:

Yeas, 48:

Angelo	Beall	Behn	Black
Boettger	Bolkcom	Brunkhorst	Connolly
Courtney	Dearden	Dotzler	Drake
Dvorsky	Fraise	Gaskill	Gronstal
Hatch	Holveck	Horn	Houser
Iverson	Johnson	Kettering	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.

Present, 2:

Hosch	Kibbie
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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 459](#) and **House Files 665, 677, and 685** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred April 21, 2003)

[House File 543](#)

The Senate resumed consideration of [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, and amendment [S-3196](#), deferred April 21, 2003.

Senator Lundby withdrew amendment [S-3290](#), filed by her on April 23, 2003, to page 1 and to the title provisions of amendment [S-3196](#).

Senator Angelo moved the adoption of amendment [S-3196](#).

Amendment [S-3196](#) was adopted by a voice vote.

With the adoption of amendment [S-3196](#), the Chair ruled amendment [S-3291](#), filed by Senator Lundby on April 23, 2003, striking everything after the enacting clause and to the title page of the bill, out of order.

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. 543](#)), 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.

IMMEDIATELY MESSAGED

Senator Veenstra asked and received unanimous consent that [House File 543](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Veenstra asked and received unanimous consent to take up for consideration [House File 679](#).

[House File 679](#)

On motion of Senator Angelo, [House File 679](#), a bill for an act relating to economic development by modifying the new jobs and income program and the enterprise zone program and providing a tax credit, and providing effective and retroactive applicability dates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator McKibben offered amendment [S-3344](#), filed by the committee on Ways and Means to page 4 of the bill, and moved its adoption.

Amendment [S-3344](#) was adopted by a voice vote.

Senator Angelo offered amendment [S-3348](#), filed by Senators Angelo, Beall, and Iverson from the floor to page 5 of the bill, and moved its adoption.

Amendment [S-3348](#) 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. 679](#)), 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 [House File 679](#) be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Concurrent Resolution 12](#).

[Senate Concurrent Resolution 12](#)

On motion of Senator Iverson, [Senate Concurrent Resolution 12](#), a concurrent resolution supporting the United Nations' recognition of the Republic of China on Taiwan, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved the adoption of [Senate Concurrent Resolution 12](#), which motion prevailed by a voice vote.

Senator Putney took the chair at 4:04 p.m.

BUSINESS PENDING

[Senate File 445](#)

The Senate resumed consideration of [Senate File 445](#), a bill for an act relating to the establishment of a school infrastructure financing program by providing for the sharing of revenues from local option sales and services taxes for school infrastructure purposes and providing for the use of the revenues from the local option tax for school infrastructure or property tax relief purposes and including an effective date, and House amendment [S-3324](#), previously deferred.

Senator Connolly offered amendment [S-3351](#), filed by him from the floor to page 1 of House amendment [S-3324](#).

(Action on amendment [S-3351](#) to House amendment [S-3324](#), House amendment [S-3324](#), and [Senate File 445](#) was deferred).

The Senate stood at ease at 4:25 p.m. until the fall of the gavel for the purpose of a Democratic caucus.

The Senate resumed session at 5:30 p.m., Senator Hosch presiding.

RECESS

On motion of Senator Tinsman, the Senate recessed at 5:32 p.m. until 7:15 p.m.

EVENING SESSION

The Senate reconvened at 7:48 p.m., 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, **adopted** the following resolution in which the concurrence of the House was asked:

[Senate Joint Resolution 5](#), a joint resolution nullifying amendments to administrative rules of the environmental protection commission of the department of natural resources relating to ammonia and hydrogen sulfide ambient air regulations and providing an effective date.

ALSO: That the House has on April 30, 2003, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 697](#), a bill for an act relating to the administration of the tax and related laws by the department of revenue and finance, including administration of state individual income, sales, property, motor fuel, special fuel, cigarette, tobacco, inheritance taxes, and local hotel and motel taxes, and the premiums tax on mutual insurance associations, and including effective and retroactive applicability date provisions.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McKinley, until he returns, on request of Senator Behn.

BUSINESS PENDING

[Senate File 445](#)

The Senate resumed consideration of [Senate File 445](#), a bill for an act relating to the establishment of a school infrastructure financing program by providing for the sharing of revenues from local option sales and services taxes for school infrastructure purposes and providing for the use of the revenues from the local option tax for school infrastructure or property tax relief purposes and including an effective date, House amendment [S-3324](#), and amendment [S-3351](#) to House amendment [S-3324](#), previously deferred.

Senator Connolly moved the adoption of amendment [S-3351](#).

A record roll call was requested.

On the question “Shall amendment [S-3351](#) to House amendment [S-3324](#) be adopted?” ([S.F. 445](#)), the vote was:

Yeas, 20:

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

Nays, 29:

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

Absent, 1:

McKinley

Amendment [S-3351](#) lost.

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

A record roll call was requested.

On the question “Shall the motion to concur be adopted?” ([S.F. 445](#)), the vote was:

Yeas, 36:

Angelo	Beall	Black	Boettger
Brunkhorst	Courtney	Dearden	Dotzler
Fraise	Gaskill	Holveck	Hosch
Houser	Johnson	Kettering	Kibbie
Kramer	Kreiman	Lamberti	Lundby
McKibben	McKinley	Miller	Putney
Quirnbach	Ragan	Redfern	Schuerer
Seng	Seymour	Shull	Stewart
Tinsman	Veenstra	Wieck	Zieman

Nays, 14:

Behn	Bolkcom	Connolly	Drake
Dvorsky	Gronstal	Hatch	Horn
Iverson	Larson	McCoy	Rehberg
Sievers	Warnstadt		

Absent, none.

The motion prevailed 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. 445](#)), the vote was:

Yeas, 34:

Angelo	Beall	Black	Boettger
Brunkhorst	Connolly	Courtney	Drake
Fraise	Gaskill	Horn	Hosch
Houser	Johnson	Kettering	Kibbie
Kramer	Kreiman	Lundby	McKibben
McKinley	Miller	Putney	Ragan
Rehberg	Schuerer	Seng	Seymour
Shull	Sievers	Stewart	Veenstra
Wieck	Zieman		

Nays, 16:

Behn	Bolkcom	Dearden	Dotzler
Dvorsky	Gronstal	Hatch	Holveck
Iverson	Lamberti	Larson	McCoy
Quirnbach	Redfern	Tinsman	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 Concurrent Resolution 12](#) and [Senate File 445](#) be **immediately messaged** to the House.

UNFINISHED BUSINESS

[House File 549](#)

On motion of Senator Boettger, [House File 549](#), a bill for an act relating to the duties and operations of the department of education and school boards, placed on the Unfinished Business Calendar on April 17, 2003, with report of committee recommending passage, was taken up for consideration.

Senator Boettger offered amendment [S-3332](#), filed by her on April 28, 2003, to pages 1, 3, 10-12, 16, 18-21, and to the title page of the bill.

Senator Connolly offered amendment [S-3354](#), filed by him from the floor to pages 2-4, 6-11, 13, 16-18, and 19 of amendment [S-3332](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3354](#) to amendment [S-3332](#) be adopted?" ([H.F. 549](#)), 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-3354](#) lost.

Senator Boettger offered amendment [S-3342](#), filed by her on April 29, 2003, to pages 2 and 3 of amendment [S-3332](#), and moved its adoption.

Amendment [S-3342](#) was adopted by a voice vote.

Senator Connolly offered amendment [S-3355](#), filed by him from the floor to page 6 of amendment [S-3332](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3355](#) to amendment [S-3332](#) be adopted?" ([H.F. 549](#)), the vote was:

Yeas, 23:

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

Nays, 27:

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

Absent, none.

Amendment [S-3355](#) lost.

Senator Boettger offered amendment [S-3341](#), filed by her on April 29, 2003, to page 6 of amendment [S-3332](#), and moved its adoption.

Amendment [S-3341](#) was adopted by a voice vote.

Senator Boettger moved the adoption of amendment [S-3332](#), as amended.

Amendment [S-3332](#) was adopted by a voice vote.

Senator Connolly withdrew amendment [S-3264](#), filed by him on April 22, 2003, to page 1 of the bill.

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

On the question "Shall the bill pass?" ([H.F. 549](#)), the vote was:

Yeas, 32:

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

Nays, 18:

Beall	Black	Bolkcom	Connolly
Dearden	Dotzler	Dvorsky	Gronstal
Hatch	Holveck	Horn	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, as amended, was agreed to.

IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [House File 549](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House File 680](#).

[House File 680](#)

On motion of Senator Dotzler, [House File 680](#), a bill for an act relating to licenses for bait dealers by creating resident and nonresident wholesale bait dealer licenses, providing reciprocity, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler 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. 680](#)), 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	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, 1:

Johnson

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 [House File 680](#) be **immediately messaged** to the House.

HOUSE AMENDMENT TO
SENATE AMENDMENT CONSIDERED

[House File 534](#)

Senator Brunkhorst called up for consideration [House File 534](#), a bill for an act providing for the reorganization of certain state departments by establishing a department of administrative services, making related changes, providing penalties, making appropriations, and providing an effective date, amended by the Senate, further amended by the House, and moved that the Senate concur in House amendment [S-3263](#) to Senate amendment [H-1336](#), filed April 21, 2003.

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

Senator Brunkhorst moved that the bill, as amended by the Senate, further 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?" ([H.F. 534](#)), 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.

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

Senator Iverson asked and received unanimous consent to take up for consideration [House File 671](#).

[House File 671](#)

On motion of Senator Stewart, [House File 671](#), a bill for an act relating to the recycling property exemption from property tax and including an applicability date, with report of committee recommending passage, was taken up for consideration.

Senator Stewart 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. 671](#)), 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 **House Files 534 and 671** be **immediately messaged** to the House.

UNFINISHED BUSINESS

[House File 595](#)

On motion of Senator Angelo, **[House File 595](#)**, a bill for an act relating to certain voluntary annexations and to involuntary annexations and providing an effective date, placed on the Unfinished Business Calendar on April 17, 2003, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman withdrew amendment **[S-3236](#)**, filed by him on April 16, 2003, to page 1 of the bill.

Senator Kreiman offered amendment **[S-3275](#)**, filed by him on April 22, 2003, to page 1 of the bill, and moved its adoption.

Amendment **[S-3275](#)** lost by a voice vote.

Senator Angelo offered amendment **[S-3192](#)**, filed by him on April 10, 2003, to page 2 of the bill, and moved its adoption.

Amendment **[S-3192](#)** was adopted by a voice vote.

Senator Wieck withdrew amendment **[S-3310](#)**, filed by him on April 24, 2003, to page 4 of the bill.

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. 595](#)**), the vote was:

Yeas, 42:

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

Nays, 8:

Dearden	Gronstal	Hatch	Holveck
Larson	Lundby	McCoy	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 Iverson asked and received unanimous consent that [House File 595](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:40 p.m. until 8:30 a.m. Thursday, May 1, 2003.

APPENDIX — 2**COMMUNICATION RECEIVED**

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

April 30, 2003

OFFICE OF THE CITIZENS' AIDE/OMBUDSMAN

Annual Report for 2002 — notification that the report in electronic form is available online.

CERTIFICATE OF RECOGNITION

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

Levi Lehman, Brandon — For achieving the rank of Eagle Scout. Senator Rehberg (4/30/03).

COMMITTEE APPOINTMENTS

Senator Iverson announced that the following senators have been appointed to the Administrative Rules Review Committee: Senator Jeff Angelo, Senator Mike Connolly, Senator Jack Kibbie, Senator Paul McKinley, and Senator Donald B. Redfern.

INTRODUCTION OF RESOLUTION

Senate Resolution 39, by Iverson, a resolution recognizing the Iowa Wing of the United States Air Force Auxiliary Civil Air Patrol for its dedication and outstanding performance of duty.

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

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 19**

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Kramer

Senate Concurrent Resolution 20

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Kramer

Senate Resolution 39

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Kramer

Senate File 457

EDUCATION: Boettger, Chair; Angelo, Connolly, Dvorsky, and Rehberg

House File 676

APPROPRIATIONS: McKibben, Chair; Seymour and Warnstadt

AMENDMENTS FILED

<u>S-3343</u>	<u>S.F. 458</u>	Hubert Houser
<u>S-3344</u>	<u>H.F. 679</u>	Ways and Means
<u>S-3345</u>	<u>S.F. 458</u>	Mike Connolly
		John P. Kibbie
		Robert E. Dvorsky
		Roger Stewart
		Daryl Beall
		Keith Kreiman
		Steve Warnstadt
		Jack Hatch
		Amanda Ragan
		Thomas G. Courtney
		William Dotzler
		Jack Holveck
		Herman C. Quirnbach
		Dennis H. Black
<u>S-3346</u>	<u>S.F. 458</u>	Hubert Houser
		Maggie Tinsman
<u>S-3347</u>	<u>S.F. 452</u>	House
<u>S-3348</u>	<u>H.F. 679</u>	Jeff Angelo
		Daryl Beall
		Stewart Iverson, Jr.
<u>S-3349</u>	<u>S.F. 344</u>	Ron Wieck
		Jerry Behn
		Hubert Houser
		Kitty Rehberg

<u>S-3350</u>	<u>S.F. 458</u>	James Seymour
<u>S-3351</u>	<u>S.F. 445</u>	Charles W. Larson, Jr.
<u>S-3352</u>	<u>S.F. 452</u>	Bryan J. Sievers
		Mike Connolly
		Jeff Lamberti
		Larry McKibben
<u>S-3353</u>	<u>S.F. 458</u>	Hubert Houser
		Maggie Tinsman
		Robert E. Dvorsky
<u>S-3354</u>	<u>H.F. 549</u>	Mike Connolly
<u>S-3355</u>	<u>H.F. 549</u>	Mike Connolly
<u>S-3356</u>	<u>S.F. 458</u>	Joe Bolkom
<u>S-3357</u>	<u>S.F. 458</u>	Donald B. Redfern
		Jeff Lamberti