

PROOF

STATE OF IOWA

Senate Journal

MONDAY, FEBRUARY 2, 2004

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JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 2, 2004

The Senate met in regular session at 1:05 p.m., President Lamberti presiding.

Prayer was offered by the Honorable Ken Veenstra, member of the Senate from Sioux County, Orange City, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Pages Maddison Sieck and Laura Thomas.

The Journal of Thursday, January 29, 2004, was approved.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:10 p.m. until 8:30 a.m., Tuesday, February 3, 2004.

APPENDIX

APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

BY THE GOVERNOR

TERM

ADMINISTRATOR OF THE DIVISION ON THE STATUS OF AFRICAN-AMERICANS (Sec. 216A.2)	
Kimberly Baxter, Altoona	08/01/2003 – Pleasure of the Governor
COMMISSION ON THE STATUS OF AFRICAN-AMERICANS (Sec. 216A.142)	
Michael Blackwell, Cedar Falls	06/23/2003 – 04/30/2006
BOARD OF ATHLETIC TRAINING EXAMINERS (Sec. 147.14(18))	
Daniel McGuire, Des Moines	05/01/2003 – 04/30/2006
CITY DEVELOPMENT BOARD (Sec. 368.9)	
Jay Howe, Greenfield	10/27/2003 – 04/30/2009
CRIMINAL AND JUVENILE JUSTICE PLANNING ADVISORY COUNCIL (216A.132)	
Paul Fitzgerald, Colo	10/30/2003 – 04/30/2006
Daniel Hoeger, Cedar Rapids	10/21/2003 – 04/30/2006
BOARD OF TRUSTEES OF THE IOWA CULTURAL TRUST (Sec. 303A.5)	
Willard Boyd, Iowa City	09/15/2003 – 04/30/2006
Catherine Gallagher, Waterloo	09/15/2003 – 04/30/2005
Mary Kelly, Des Moines	09/15/2003 – 04/30/2005
Kim Poam Logan, Des Moines	09/15/2003 – 04/30/2006
Henry Neuman, Le Claire	09/15/2003 – 04/30/2005
ECONOMIC DEVELOPMENT MARKETING BOARD (Sec. 15G.109)	
David Bernstein, Sioux City	07/01/2003 – 04/30/2004
Mary Chapman, Des Moines	07/01/2003 – 04/30/2005
Teri Goodmann, Dubuque	07/01/2003 – 04/30/2006
Chris Harshbarger, Cedar Falls	07/01/2003 – 04/30/2004
Craig Lang, Brooklyn	07/01/2003 – 04/30/2005
Mary O'Keefe, Cumming	07/01/2003 – 04/30/2006
Gary Wells, Le Mars	07/01/2003 – 04/30/2005
IOWA EMPOWERMENT BOARD (Sec. 28.3)	
Darshini Jayawardena, Mason City	10/20/2003 – 04/30/2004
Floyd Winter, Cedar Falls	10/20/2003 – 04/30/2006
IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD (Sec. 68B.32)	
Janet Carl, Grinnell	06/10/2003 – 04/30/2009
Gerald Sullivan, Cedar Rapids	06/10/2003 – 04/30/2005

IOWA FINANCE AUTHORITY (Sec. 16.2)	
Douglas Walter, Bettendorf	10/29/2003 – 04/30/2005
IOWA GRAIN INDEMNITY FUND BOARD (Sec. 203D.4)	
Sandy Simpson, Onawa	11/20/2003 – 04/30/2005
GROW IOWA VALUES BOARD (Sec 15G.102)	
Kathy Alden, Dougherty	07/01/2003 – 04/30/2005
Bonnie Barney, Tiffin	07/01/2003 – 04/30/2006
Mary Chapman, Des Moines	07/01/2003 – 04/30/2005
Nancy Dunkel, Dyersville	07/01/2003 – 04/30/2006
James Hancock, Davenport	10/15/2003 – 04/30/2006
Gerald Kirke, West Des Moines	07/01/2003 – 04/30/2004
Craig Lang, Brooklyn	07/01/2003 – 04/30/2005
John Lisle, Clarinda	07/01/2003 – 04/30/2004
Marcia Nichols, Johnston	07/01/2003 – 04/30/2005
Henry Royer, Cedar Rapids	07/01/2003 – 04/30/2006
Toby Shine, Wahpeton	07/01/2003 – 04/30/2004
GROW IOWA VALUES REVIEW COMMISSION (Sec. 15G.105)	
Harvey Siegelman, Des Moines	07/01/2003 – 04/30/2005
HEALTH FACILITIES COUNCIL (Sec. 135.62)	
Sidney Scott, Dubuque	05/01/2003 – 04/30/2009
COUNCIL ON HUMAN SERVICES (Sec. 217.2)	
Roberta Yoder, Urbandale	08/29/2003 – 04/30/2009
IOWACCESS ADVISORY COUNCIL (Sec. 14B.201)	
Mary Maloney, Des Moines	08/29/2003 – 04/30/2007
INVESTMENT BOARD OF IPERS (Sec. 97B.8A)	
Lorie Bennett, Humboldt	12/09/2003 – 04/30/2007
Lana Dettbarn, Blue Grass	04/15/2003 – 04/30/2005
LANDSCAPE ARCHITECTURAL EXAMINING BOARD (Sec. 544B.3)	
Jack Leaman, Mason City	06/23/2003 – 04/30/2005
Paul Popelka, Ames	06/10/2003 – 04/30/2006
ADMINISTRATOR OF THE DIVISION OF LATINO AFFAIRS (Sec. 216A.2)	
John-Paul Chaisson-Cardenas, Iowa City	08/11/2003 – Pleasure of the Governor
LOAN AND CREDIT GUARANTEE ADVISORY BOARD (Sec. 15E.226)	
Robin Anderson, Mason City	07/01/2003 – 04/30/2005
Martha Jane Bell, Atlantic	07/01/2003 – 04/30/2004
Jose Laracuente, Ankeny	07/01/2003 – 04/30/2005
William Logan, Keokuk	07/01/2003 – 04/30/2006
Donna Sorensen, Iowa City	07/01/2003 – 04/30/2006
John Stavnes, Bettendorf	07/01/2003 – 04/30/2004
Gary Streit, Cedar Rapids	07/01/2003 – 04/30/2006
BOARD OF MEDICAL EXAMINERS (Sec. 147.14(2))	
Yasyn Lee, Dubuque	11/17/2003 – 04/30/2004

MENTAL HEALTH AND DEVELOPMENTAL DISABILITIES COMMISSION

(Sec. 225C.5(1))

Patricia Penning, Le Mars 08/14/2003 – 04/30/2005

BOARD OF MORTUARY SCIENCE EXAMINERS (Sec. 147.14(16))

Paul Johnson, West Des Moines 05/16/2003 – 04/30/2006

IOWA COMPREHENSIVE PETROLEUM UNDERGROUND STORAGE TANK FUND BOARD (Sec. 455G.4)

Douglas Beech, Ankeny 10/29/2003 – 04/30/2005

Delia Meier, Bettendorf 11/05/2003 – 04/30/2007

BOARD OF PHYSICIAN ASSISTANT EXAMINERS (Sec. 147.14(12))

Peter Peterson, Davenport 04/15/2003 – 04/30/2005

PREVENTION OF DISABILITIES POLICY COUNCIL (Sec. 225B.3)

Christopher Atchison, Iowa City 06/06/2003 – 04/30/2006

BOARD OF PSYCHOLOGY EXAMINERS (Sec. 147.14(7))

Sandra Dirks, Grimes 11/12/2003 – 04/30/2004

STATE RACING AND GAMING COMMISSION (Sec. 99D.5)

Gerald Bair, Ankeny 08/20/2003 – 04/30/2005

STATE BOARD OF REGENTS (Sec. 262.1-2)

Jenny Rokes, Dike 01/22/2004 – 04/30/2009

RENEWABLE FUELS AND COPRODUCTS ADVISORY COMMITTEE (Sec. 159A.4)

John Ryan, Underwood 05/01/2003 – 04/30/2006

The appointments were referred to the committee on **Rules and Administration**.

COMMUNICATION RECEIVED

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

January 30, 2004

DEPARTMENT OF HUMAN RIGHTS

2003 Annual Report of the Commission on the Status of Woman—notification that the report in electronic form is available online.

CERTIFICATES OF RECOGNITION

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

Samuel A. Hickman, Orange City—For achieving the rank of Eagle Scout, Boy Scout Troop 208. Senator Veenstra (2/1/04).

Andrew Lundgren, Orange City—For achieving the rank of Eagle Scout, Boy Scout Troop 208. Senator Veenstra (2/1/04).

Henry James Marquard—For achieving the rank of Eagle Scout, Boy Scout Troop 783. Senator Drake (1/29/04).

Anthony Otten, Orange City—For achieving the rank of Eagle Scout, Boy Scout Troop 208. Senator Veenstra (2/1/04).

Brandon Punt, Orange City—For achieving the rank of Eagle Scout, Boy Scout Troop 208. Senator Veenstra (2/1/04).

Lloyd Vorwald, Holy Cross—For 40 years of service as a volunteer firefighter. Senator Hosch (2/2/04).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: January 29, 2004, 3:05 p.m.

Members Present: Johnson, Vice Chair.

Members Absent: Tinsman, Chair; Hatch, Ranking Member; Bolkom, and Veenstra (all excused).

Committee Business: Continued discussion of Department of Human Services programs and funding.

Adjourned: 3:45 p.m.

EDUCATION

Convened: February 2, 2004, 1:35 p.m.

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

Members Absent: Angelo, Behn, Dvorsky, and Iverson (all excused).

Committee Business: Presentations by UNI's college of education regarding Iowa teaching standards and by Ted Stilwell, Dept. of Education, regarding teacher compensation.

Adjourned: 2:40 p.m.

HUMAN RESOURCES

Convened: February 2, 2004, 2:45 p.m.

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

Members Absent: Behn (excused).

Committee Business: Discussion on upcoming committee bills.

Adjourned: 3:10 p.m.

TRANSPORTATION

Convened: February 2, 2004, 2:35 p.m.

Members Present: Drake, Chair; Putney, Vice Chair; McCoy, Ranking Member; Beall, Dearden, Fraise, Houser, Johnson, Rehberg, Shull, and Ziemann.

Members Absent: Iverson and Warnstadt (both excused).

Committee Business: Passed [SF 2029](#). Subcommittee assignments.

Adjourned: 2:45 p.m.

INTRODUCTION OF RESOLUTIONS

[Senate Concurrent Resolution 102](#), by Gronstal, Kibbie, McCoy, Courtney, Ragan, Hatch, Dotzler, Seng, Bolkcom, Warnstadt, Kreiman, Quirnbach, Beall, Stewart, Dvorsky, Connolly, Fraise, Horn, Dearden, Black, and Holveck, a concurrent resolution requiring the House Speaker and Senate Majority Leader to cease the litigation against the Governor regarding certain item vetoes of legislation.

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

[Senate Resolution 109](#), by Rehberg, a resolution declaring February 12, 2004, Marriage and Family Day.

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

INTRODUCTION OF BILLS

[Senate File 2061](#), by Beall, a bill for an act relating to child restraint requirements for motor vehicle operators and making a penalty applicable.

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

[Senate File 2062](#), by Miller, a bill for an act relating to county management plans for mental health, mental retardation, and developmental disabilities services by limiting financial responsibility under certain circumstances for an individual's county of legal settlement for services authorized by the individual's county of residence and providing an applicability date.

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

[Senate File 2063](#), by Beall, Courtney, Ragan, Stewart, Hatch, Bolkom, Seng, Kibbie, Black, Connolly, Dvorsky, Dearden, Horn, Holveck, Dotzler, Warnstadt, Kreiman, and Fraise, a bill for an act prohibiting a state agency from awarding a state contract to, or transacting business with, a nonresident alien and providing for related matters.

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

[Senate File 2064](#), by Beall, Kreiman, and Hatch, a bill for an act requiring consent of the parent of a minor to obtain body piercing and providing a penalty.

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

[Senate File 2065](#), by Beall, Courtney, Ragan, Stewart, Hatch, Quirnbach, Kreiman, Bolkom, Seng, Kibbie, Black, Gronstal,

Connolly, Dvorsky, Dearden, Horn, Holveck, Dotzler, Warnstadt, Putney, Kettering, Seymour, Miller, Fraise, and Shull, a bill for an act relating to waiver of penalties for late motor vehicle registration for activated national guard and reserve forces members.

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

STUDY BILLS RECEIVED

[SSB 3045](#) **Agriculture**

Relating to agricultural contracts and providing penalties.

[SSB 3046](#) **Transportation**

Relating to duties and activities of the state department of transportation, including the registration and titling of motor vehicles and issuance of commercial driver's licenses, and providing effective dates.

SUBCOMMITTEE ASSIGNMENTS

[Senate Joint Resolution 2005](#)

HUMAN RESOURCES: Schuerer, Chair; Kreiman and Veenstra

[Senate File 411](#)

HUMAN RESOURCES: Veenstra, Chair; Boettger and Hatch

[Senate File 2030](#)

HUMAN RESOURCES: Veenstra, Chair; Behn and Horn

[Senate File 2044](#)

STATE GOVERNMENT: Tinsman, Chair; Courtney and Shull

[Senate File 2045](#)

JUDICIARY: Kreiman, Chair; McKibben and Miller

[Senate File 2048](#)

NATURAL RESOURCES AND ENVIRONMENT: Johnson, Chair; Black and Kettering

[Senate File 2049](#)

JUDICIARY: Gaskill, Chair; Holveck and Tinsman

[Senate File 2052](#)

STATE GOVERNMENT: Schuerer, Chair; Black and Johnson

[SSB 3045](#)

AGRICULTURE: Houser, Chair; Courtney and Zieman

[SSB 3046](#)

TRANSPORTATION: Putney, Chair; Dearden, Drake, Johnson, and Warnstadt