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**STATE OF IOWA**

**Senate Journal**

**MONDAY, MARCH 29, 2004**

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## JOURNAL OF THE SENATE

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SEVENTY-EIGHTH CALENDAR DAY  
FORTY-FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, March 29, 2004

The Senate met in regular session at 10:06 a.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 Page Ashley Wilson.

The Journal of Thursday, March 25, 2004, was approved.

### RECESS

On motion of Senator Iverson, the Senate recessed at 10:15 a.m. until 1:30 p.m.

**APPENDIX — 1****GOVERNOR'S APPOINTEES PLACED ON  
INDIVIDUAL CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the Individual Confirmation Calendar without recommendations for confirmation:

**EDUCATION**

Frederick (Ted) Stilwill – Director of the Department of Education

Jonathan Wilson – State Board of Education

**JUDICIARY**

Thomas Becker – State Public Defender

**GOVERNOR'S APPOINTEES PLACED ON  
EN BLOC CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendations for confirmation:

**EDUCATION**

Rosemarie Hussey – State Board of Education

Stephanie Savage – Iowa Higher Education Loan Authority

Clark Yeager – School Budget Review Committee

**JUDICIARY**

Ralph Rosenberg – Executive Director of the Iowa State Civil Rights Commission

Ed Barnes – Iowa Drug Policy Advisory Council

Douglas Book – Iowa Drug Policy Advisory Council

Richard Bordwell – Board of Parole

**STATE GOVERNMENT**

Susan Loy – Accountancy Examining Board

Carol Schuster – Accountancy Examining Board

Wesley Stille – Accountancy Examining Board

Gilbert "Ron" Dardis – State of Iowa Adjutant General

Beverly Allen – Commission on the Status of African-Americans  
Jamie Howard – Commission on the Status of African-Americans  
Thomas Simmons – Commission on the Status of African-Americans  
Loretha Teggatz – Commission on the Status of African-Americans  
Jerome Thomas – Commission on the Status of African-Americans

Carolyn Cavitt – Alcoholic Beverages Commission

Dale McKinney – Architectural Examining Board  
Susan McKinney – Architectural Examining Board

Stuart Preston – Board of Barber Examiners

Rod Rebarcak – Board of Chiropractic Examiners

Becky Brockmann – Board of Cosmetology Arts and Sciences Examiners  
Jack Morlan – Board of Cosmetology Arts and Sciences Examiners

Deena Kuempel – Board of Dental Examiners  
Richard Reay – Board of Dental Examiners  
Peter Vidal – Board of Dental Examiners

Jean Anderson – Board of Dietetic Examiners

Susan Lagneaux – Iowa Emergency Response Commission

Patricia Heagel – Engineering and Land Surveying Examining Board  
Dennis Osipowicz – Engineering and Land Surveying Examining Board

Betsy Roe – Iowa Ethics and Campaign Disclosure Board  
John Walsh – Iowa Ethics and Campaign Disclosure Board

Gregory Hoyman – Board for the Licensing and Regulation of Hearing Aid  
Dispensers  
Gregory Moore – Board for the Licensing and Regulation of Hearing Aid Dispensers

Mary Elizabeth Brandsgard – Information Technology Council  
Sandra Glenn – Information Technology Council  
Timothy Lapointe – Information Technology Council

Sheila Castaneda – IowaAccess Advisory Council  
Kelly Hayworth – IowaAccess Advisory Council  
Richard Neri – IowaAccess Advisory Council  
Herbert Strentz – IowaAccess Advisory Council

Phyllis Peterson – Investment Board of the IPERS

Jon Crose – Landscape Architectural Examining Board  
Julie Westerheim – Landscape Architectural Examining Board

Timothy Clausen – Iowa Lottery Authority Board of Directors

Mary Belieu – Board of Massage Therapy Examiners  
Cindy Pancratz – Board of Massage Therapy Examiners

Blaine Houmes – Board of Medical Examiners  
Russell Lee – Board of Medical Examiners  
Yasyn Lee – Board of Medical Examiners  
Paul Thurlow – Board of Medical Examiners

Margaret Eicher – Board of Mortuary Science Examiners  
Eugene Siegert – Board of Mortuary Science Examiners

Clyde Bradley – Board of Nursing Examiners  
Jane Hasek – Board of Nursing Examiners  
William Miller – Board of Nursing Examiners

Margaret Beaty – State Board of Examiners for Nursing Home Administrators  
Judy Weller – State Board of Examiners for Nursing Home Administrators

Connie Connolly – Board of Optometry Examiners  
Christopher Olson – Board of Optometry Examiners

Terrance Lillis – Peace Officers' Retirement, Accident, and Disability System  
Trustee

Kathleen Halloran – Board of Pharmacy Examiners  
Michael Seifert – Board of Pharmacy Examiners

Cheryl Stewart – Board of Physical and Occupational Therapy Examiners  
Martin Unga – Board of Physical and Occupational Therapy Examiners  
Kurt Walderbach – Board of Physical and Occupational Therapy Examiners

Eric Jensen – Board of Podiatry Examiners  
Jill Scholz – Board of Podiatry Examiners  
Matthew Wilber – Board of Podiatry Examiners

Francisco Barrios – Board of Psychology Examiners  
Sandra Dirks – Board of Psychology Examiners

Michael Mahaffey – State Racing and Gaming Commission

Richard DeHeer – Real Estate Appraiser Examining Board  
Richard Koestner – Real Estate Appraiser Examining Board

Donald Marple – Real Estate Commission

Kerry George – State Board for Respiratory Care

Lance Clemsen – Board of Social Work Examiners  
Ken Zimmerman – Board of Social Work Examiners

Jason Aird – Board of Speech Pathology and Audiology Examiners  
Coral Jud – Board of Speech Pathology and Audiology Examiners

Arthur Dayton – Commission of Veterans Affairs  
Darlene McMartin – Commission of Veterans Affairs  
Steven Mulcahy – Commission of Veterans Affairs

Earl Goerdts – Iowa Board of Veterinary Medicine

Lorna Burnside – Vision Iowa Board  
Gregg Connell – Vision Iowa Board  
Mike Edwards – Vision Iowa Board  
Cathy Reece – Vision Iowa Board

### CERTIFICATES OF RECOGNITION

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

Zak Clark, Fort Dodge—For being named Saint Edmond's boys' basketball all-time career scoring leader with 1,513 points. Senator Beall (3/20/04).

Mr. and Mrs. Richard Crawford, Hampton—For celebrating your 50th wedding anniversary. Senator Iverson (3/29/04).

The Dunkerton Boys' Basketball Team—For winning the 2004 State Championship. Senator Rehberg (3/25/04).

Tim Flattery, Saint Edmond High School, Fort Dodge—For being selected for the Iowa boys' basketball 2A All-Tournament Team and for receiving the boys' basketball Student-Athlete Achievement Award. Senator Beall (3/20/04).

Jill Johnson, Rockwell City-Lytton High School—For being selected for the Iowa All-Tournament Girls' Basketball Team. Senator Beall (3/12/04).

Benjamin Alan Lamfers, Sioux Center—For achieving the rank of Eagle Scout, Boy Scout Troop 211. Senator Veenstra (4/18/04).

Afton Ringgenberg, Rockwell City-Lytton High School—For being selected for the Iowa All-Tournament Girls' Basketball Team. Senator Beall (3/12/04).

Rockwell City-Lytton Girls' Basketball Team—For winning the Class 1A State Championship. Senator Beall (3/12/04).

Rockwell City-Lytton School District—For receiving the Farm Bureau Financial Services Good Sportsmanship Award. Senator Beall (3/12/04).

Saint Edmond Gaels, Fort Dodge—For being the Iowa state boys' basketball 2A runner-up champions. Senator Beall (3/20/04).

Saint Edmond fans and cheerleaders, Fort Dodge—For receiving the boys' basketball 2A Sportsmanship Award. Senator Beall (3/20/04).

Nick Sandvig, Saint Edmond High School, Fort Dodge—For being selected for the Iowa boys' basketball 2A All-Tournament Team. Senator Beall (3/20/04).

Megan Srinivas, Fort Dodge—For winning the Sports Illustrated All-American Teen Award. Senator Beall (3/21/04).

Mr. and Mrs. James Whitney, Sheffield—For celebrating your 60th wedding anniversary. Senator Iverson (3/29/04).

## REPORT OF COMMITTEE MEETING

### GOVERNMENT OVERSIGHT

**Convened:** March 29, 2004, 12:10 p.m.

**Members Present:** Lundby, Chair; Brunkhorst, Vice Chair; Courtney, Ranking Member; Dvorsky and Wieck.

**Members Absent:** None.

**Committee Business:** Passed SFs 261 (as amended) and 2178.

**Adjourned:** 12:20 p.m.

## INTRODUCTION OF RESOLUTION

[Senate Resolution 141](#), by Lundby, a resolution honoring the town of Center Point and its surrounding community on the town's sesquicentennial year.

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

## SUBCOMMITTEE ASSIGNMENTS

### [Senate Resolution 140](#)

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Lamberti

### [SSB 3014](#)

(Reassignment)

GOVERNMENT OVERSIGHT: Wieck, Chair; Brunkhorst, Courtney, Dvorsky, and Lundby

## FINAL COMMITTEE REPORTS OF BILL ACTION

## COMMERCE

**Bill Title:** [HOUSE FILE 2243](#), a bill for an act regarding notice requirements by customers of and limitations on liability for liquefied petroleum gas suppliers, retailers, handlers, and transports, and making a penalty applicable.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5155](#).

**Final Vote:** Ayes, 14: Behn, Wieck, Warnstadt, Beall, Bolkcom, Brunkhorst, Gronstal, Kettering, Lundby, Putney, Redfern, Schuerer, Sievers, and Stewart. Nays, none. Absent, 1: McCoy.

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

## ALSO:

**Bill Title:** [HOUSE FILE 2269](#), a bill for an act providing for the regulation of business entities, including businesses providing for cemetery and funeral merchandising and services, business promotions and contracts, and businesses providing continuing care or adult congregate living services, and providing penalties

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5153](#).

**Final Vote:** Ayes, 14: Behn, Wieck, Warnstadt, Beall, Bolkcom, Brunkhorst, Gronstal, Kettering, Lundby, Putney, Redfern, Schuerer, Sievers, and Stewart. Nays, none. Absent, 1: McCoy.

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

## ALSO:

**Bill Title:** [HOUSE FILE 2434](#), a bill for an act to update and modify the enhanced 911 emergency telephone communications system.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5154](#).

**Final Vote:** Ayes, 14: Behn, Wieck, Warnstadt, Beall, Bolkcom, Brunkhorst, Gronstal, Kettering, Lundby, Putney, Redfern, Schuerer, Sievers, and Stewart. Nays, none. Absent, 1: McCoy.

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

## ALSO:

**Bill Title:** [HOUSE FILE 2489](#), a bill for an act relating to the regulation of various industries by the insurance division, including modifications related to the interstate insurance product regulation compact; investigations and penalties; procedures and contempt orders; insurance company investments; insurance producer licensing; individual health insurance programs; coverage obligations of the Iowa comprehensive



health insurance association; coverage of federal Trade Adjustment Act recipients; penalties and discipline applicable to holders of establishment and sales permits for cemetery and funeral merchandise and services; and providing and applying penalties.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5156](#).

**Final Vote:** Ayes, 14: Behn, Wieck, Warnstadt, Beall, Bolkcom, Brunkhorst, Gronstal, Kettering, Lundby, Putney, Redfern, Schuerer, Sievers, and Stewart. Nays, none. Absent, 1: McCoy.

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

#### JUDICIARY

**Bill Title:** \*[HOUSE FILE 2259](#), a bill for an act relating to the selling and purchasing of products containing pseudoephedrine, and providing penalties

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5151](#).

**Final Vote:** Ayes, 15: Redfern, Kettering, Kreiman, Boettger, Brunkhorst, Fraise, Gaskill, Holveck, Horn, McCoy, McKibben, Miller, Quirnbach, Tinsman, and Ward. Nays, none. Absent, none.

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

\*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [House File 2259](#), and they were attached to the committee report.

#### BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following resolution and 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 25th day of March, 2004:

[Senate Joint Resolution 2007](#) and Senate Files 2070, 2118, 2167, and 2199.

ALSO:

MR. 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 29th day of March, 2004:

Senate Files 2188 and 2230.

MICHAEL E. MARSHALL  
Secretary of the Senate

### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 29, 2004, the Governor approved and transmitted to the Secretary of State the following bills:

[S.J.R. 2007](#) – Authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

[S.F. 2070](#) – Relating to duties and activities of the state department of transportation, including the registration and titling of motor vehicles, regulation of electric personal assistive mobility devices, and issuance of commercial driver's licenses, and providing effective dates.

[S.F. 2118](#) – Regarding public utility rights-of-way and providing an effective date.

[S.F. 2167](#) – Relating to the Iowa probate code, including provisions relating to estate recovery of medical assistance benefits, the power to disclaim property interests, and trusts.

[S.F. 2199](#) – Relating to residential landlord-tenant law, by making certain changes concerning family violence and domestic abuse.

### AFTERNOON SESSION

The Senate reconvened at 1:34 p.m., President Lamberti presiding.

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 3:11 p.m., Senator McKibben presiding.

### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Dvorsky, until he returns, on request of Senator Gronstal; and Senators McKinley and Miller, for the day, on request of Senator Veenstra.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House Files 2042 and 2170.

#### [House File 2042](#)

On motion of Senator Kreiman, [House File 2042](#), a bill for an act relating to the donation of blood by persons sixteen years of age, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman 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. 2042](#)), the vote was:

Yeas, 46:

Angelo	Fraise	Kreiman	Seymour
Beall	Gaskill	Lamberti	Shull
Behn	Gronstal	Lundby	Sievers
Black	Hatch	McCoy	Stewart
Boettger	Holveck	McKibben	Tinsman
Bolkcom	Horn	Putney	Veenstra

Brunkhorst	Hosch	Quirnbach	Ward
Connolly	Houser	Ragan	Warnstadt
Courtney	Iverson	Redfern	Wieck
Dearden	Johnson	Rehberg	Zieman
Dotzler	Kettering	Schuerer	
Drake	Kibbie	Seng	

Nays, none.

Absent, 4:

Dvorsky	Larson	McKinley	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.

### [House File 2170](#)

On motion of Senator Ward, [House File 2170](#), a bill for an act relating to product liability actions, with report of committee recommending passage, was taken up for consideration.

Senator Ward 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. 2170](#)), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

Dvorsky	Larson	McKinley	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.

CONSIDERATION OF BILL  
(Appropriations Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2288](#).

[Senate File 2288](#)

On motion of Senator Seymour, [Senate File 2288](#), a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated, was taken up for consideration.

Senator Seymour offered amendment [S-5162](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

Amendment [S-5162](#) was adopted by a voice vote.

Senator Seymour 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. 2288](#)), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

Dvorsky                      Larson                      McKinley                      Miller

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 2288](#) and **House Files 2042** and **2170** be **immediately messaged** to the House.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration House Files 2241, 2281, and 2318.

#### [House File 2241](#)

On motion of Senator Hosch, [House File 2241](#), a bill for an act authorizing school districts and nonpublic schools to apply credit under the state education program for successful completion of military basic training, with report of committee recommending passage, was taken up for consideration.

Senator Hosch 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. 2241](#)), the vote was:

Yeas, 46:

Angelo	Fraise	Kreiman	Seymour
Beall	Gaskill	Lamberti	Shull
Behn	Gronstal	Lundby	Sievers
Black	Hatch	McCoy	Stewart
Boettger	Holveck	McKibben	Tinsman
Bolkcom	Horn	Putney	Veenstra
Brunkhorst	Hosch	Quirnbach	Ward
Connolly	Houser	Ragan	Warnstadt

Courtney	Iverson	Redfern	Wieck
Dearden	Johnson	Rehberg	Zieman
Dotzler	Kettering	Schuerer	
Drake	Kibbie	Seng	

Nays, none.

Absent, 4:

Dvorsky	Larson	McKinley	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.

### [House File 2281](#)

On motion of Senator Brunkhorst, [House File 2281](#), a bill for an act relating to licensing of nonresident bait dealers, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Houser offered amendment [S-5103](#), filed by the committee on Natural Resources and Environment on March 16, 2004, to page 1 and to the title page of the bill, and moved its adoption.

Amendment [S-5103](#) was adopted by a voice vote.

Senator Brunkhorst 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. 2281](#)), the vote was:

Yeas, 46:

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





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

#### IMMEDIATELY MESSAGED

Senator Gaskill asked and received unanimous consent that **House Files 2241, 2281, and 2318** be **immediately messaged** to the House.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gaskill asked and received unanimous consent to take up for consideration House Files 2358, 2282, and 2381.

#### [House File 2358](#)

On motion of Senator Hosch, [House File 2358](#), a bill for an act providing for technical and substantive changes relating to the practice of cosmetology, establishing penalties, and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Hosch 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. 2358](#)), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

Dvorsky                      Larson                      McKinley                      Miller

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

### House File 2282

On motion of Senator Brunkhorst, [House File 2282](#), a bill for an act relating to the selling of bait by an aquaculture unit licensee, with report of committee recommending passage, was taken up for consideration.

Senator Brunkhorst 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. 2282](#)), the vote was:

Yeas, 45:

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

Nays, 1:

McCoy

Absent, 4:

Dvorsky                      Larson                      McKinley                      Miller

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

**House File 2381**

On motion of Senator Seymour, **House File 2381**, a bill for an act changing the budget certification deadline for county hospital budgets, with report of committee recommending passage, was taken up for consideration.

Senator Seymour 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. 2381**), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Larson	McKinley	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.

**IMMEDIATELY MESSAGED**

Senator Gaskill asked and received unanimous consent that **House Files 2282, 2358, and 2381** be **immediately messaged** to the House.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Gaskill asked and received unanimous consent to take up for consideration [House File 2383](#).

[House File 2383](#)

On motion of Senator Putney, [House File 2383](#), a bill for an act relating to rural improvement zones, with report of committee recommending passage, was taken up for consideration.

Senator Putney 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. 2383](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Larson	McKinley	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  
(Deferred February 24, 2004)

[House File 2187](#)

The Senate resumed consideration of [House File 2187](#), a bill for an act providing for the elimination of an examination requirement as

a prerequisite for being designated a registered dental assistant, with report of committee on State Government recommending passage, deferred February 24, 2004.

Senator Connolly asked and received unanimous consent that action on [House File 2187](#) be **deferred**.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Gaskill asked and received unanimous consent to take up for consideration [House File 2431](#).

[House File 2431](#)

On motion of Senator Seymour, [House File 2431](#), a bill for an act relating to educational institutions under the university-based research utilization program, with report of committee recommending passage, was taken up for consideration.

Senator Seymour 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. 2431](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Larson	McKinley	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.

#### IMMEDIATELY MESSAGED

Senator Gaskill asked and received unanimous consent that **House Files 2383** and **2431** be **immediately messaged** to the House.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gaskill asked and received unanimous consent to take up for consideration House Files 2450, 2362, and 2464.

#### [House File 2450](#)

On motion of Senator Kettering, [House File 2450](#), a bill for an act relating to real property, including acknowledgments of real property conveyances and limitations on causes of action concerning real property, with report of committee recommending passage, was taken up for consideration.

Senator Kettering 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. 2450](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Larson                      McKinley                      Miller

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

**[House File 2362](#)**

On motion of Senator Hosch, **[House File 2362](#)**, a bill for an act relating to the duties of the birth defects institute by providing for a work group to study stillbirths and renaming the institute, with report of committee recommending passage, was taken up for consideration.

Senator Hosch 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. 2362](#)**), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Larson                      McKinley                      Miller

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

[House File 2464](#)

On motion of Senator Ragan, [House File 2464](#), a bill for an act providing for the establishment and funding of an automated external defibrillator grant program, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Ragan 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. 2464](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Larson	McKinley	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.

IMMEDIATELY MESSAGED

Senator Gaskill asked and received unanimous consent that **House Files 2362, 2450, and 2464** be **immediately messaged** to the House.



CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gaskill asked and received unanimous consent to take up for consideration House Files 2506, 2479, and 2490.

**House File 2506**

On motion of Senator Seymour, **House File 2506**, a bill for an act relating to electronic and facsimile prescriptions and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Seymour 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. 2506**), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Larson	McKinley	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.

President Lamberti took the chair at 4:40 p.m.

### [House File 2479](#)

On motion of Senator Fraise, [House File 2479](#), a bill for an act relating to the regulation and zoning of commercial canine operations, with report of committee recommending passage, was taken up for consideration.

Senator Fraise 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. 2479](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Larson	McKinley	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.

### [House File 2490](#)

On motion of Senator Schuerer, [House File 2490](#), a bill for an act relating to the uniform electronic transactions Act, with report of committee recommending passage, was taken up for consideration.

Senator Schuerer 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. 2490](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Larson	McKinley	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.

#### IMMEDIATELY MESSAGED

Senator Gaskill asked and received unanimous consent that **House Files 2479, 2490, and 2506** be **immediately messaged** to the House.

#### CONSIDERATION OF BILL (Regular Calendar)

Senator Gaskill asked and received unanimous consent to take up for consideration [House File 2134](#).

#### [House File 2134](#)

On motion of Senator Tinsman, [House File 2134](#), a bill for an act relating to the medical assistance and state supplementary assistance programs, providing an effective date, and providing for retroactive applicability, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Tinsman offered amendment [S-5094](#), filed by the committee on Human Resources on March 15, 2004, to pages 1 and 2 of the bill.

Senator Tinsman offered amendment [S-5161](#), filed by her from the floor to page 1 of amendment [S-5094](#), and moved its adoption.

Amendment [S-5161](#) was adopted by a voice vote.

Senator Tinsman moved the adoption of amendment [S-5094](#), as amended.

Amendment [S-5094](#) was adopted by a voice vote.

Senator Tinsman 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. 2134](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Larson	McKinley	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.

## FINAL COMMITTEE REPORT OF BILL ACTION

### STATE GOVERNMENT

**Bill Title:** [HOUSE FILE 2497](#), a bill for an act providing for a sick leave and vacation incentive program for state employees and providing an effective date.

**Recommendation:** AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5163](#).

**Final Vote:** Ayes, 15: Zieman, Sievers, Kibbie, Black, Connolly, Courtney, Dearden, Drake, Johnson, Ragan, Schuerer, Shull, Tinsman, Veenstra, and Ward. Nays, none. Absent, none.

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

### CONSIDERATION OF BILL (Regular Calendar)

Senator Gaskill asked and received unanimous consent to take up for consideration [House File 2497](#).

#### [House File 2497](#)

On motion of Senator Shull, [House File 2497](#), a bill for an act providing for a sick leave and vacation incentive program for state employees and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Zieman offered amendment [S-5163](#), filed by the committee on State Government to pages 2 and 3 of the bill, and moved its adoption.

Amendment [S-5163](#) was adopted by a voice vote.

Senator Shull 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. 2497](#)), the vote was:

Yeas, 47:

Angelo	Dvorsky	Kibbie	Seng
Beall	Fraise	Kreiman	Seymour

Behn	Gaskill	Lamberti	Shull
Black	Gronstal	Lundby	Sievers
Boettger	Hatch	McCoy	Stewart
Bolkcom	Holveck	McKibben	Tinsman
Brunkhorst	Horn	Putney	Veenstra
Connolly	Hosch	Quirnbach	Ward
Courtney	Houser	Ragan	Warnstadt
Dearden	Iverson	Redfern	Wieck
Dotzler	Johnson	Rehberg	Zieman
Drake	Kettering	Schuerer	

Nays, none.

Absent, 3:

Larson	McKinley	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.

#### IMMEDIATELY MESSAGED

Senator Gaskill asked and received unanimous consent that **House Files 2134** and **2497** be **immediately messaged** to the House.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gaskill asked and received unanimous consent to take up for consideration House Files 2496 and 2269.

#### [House File 2496](#)

On motion of Senator Ragan, [House File 2496](#), a bill for an act relating to the use of titles pertaining to physical therapy and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Ragan 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. 2496](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Larson	McKinley	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.

### [House File 2269](#)

On motion of Senator Schuerer, [House File 2269](#), a bill for an act providing for the regulation of business entities, including businesses providing for cemetery and funeral merchandising and services, business promotions and contracts, and businesses providing continuing care or adult congregate living services, and providing penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Schuerer offered amendment [S-5153](#), filed by the committee on Commerce to pages 1 and 2 of the bill, and moved its adoption.

Amendment [S-5153](#) was adopted by a voice vote.

Senator Schuerer 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. 2269](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Larson	McKinley	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.

#### IMMEDIATELY MESSAGED

Senator Gaskill asked and received unanimous consent that **House Files 2269** and **2496** be **immediately messaged** to the House.

#### SPECIAL GUESTS

Senator Boettger welcomed to the Senate chamber a group of visiting dignitaries from Nigeria:

Governor Attahiru Baffarana of the state of Sokoto and his wife Mrs. J. Baffarana; former Governor Mohammed Lawal of the state of Kwar; Mr. Hamzat Isa, Head of Education in Sokoto; and Mr. Ahmad Abubakar of the Nigerian Embassy.

The Senate rose and expressed its welcome.



## LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Gaskill asked and received unanimous consent to take up for consideration House Files 2243, 2520, and 2350.

### [House File 2243](#)

On motion of Senator Sievers, [House File 2243](#), a bill for an act regarding notice requirements by customers of and limitations on liability for liquefied petroleum gas suppliers, retailers, handlers, and transports, and making a penalty applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Behn offered amendment [S-5155](#), filed by the committee on Commerce to page 1 and to the title page of the bill.

Senator Sievers offered amendment [S-5169](#), filed by him from the floor to page 1 of amendment [S-5155](#), and moved its adoption.

Amendment [S-5169](#) was adopted by a voice vote.

Senator Sievers moved the adoption of amendment [S-5155](#), as amended.

Amendment [S-5155](#) was adopted by a voice vote.

Senator Sievers 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. 2243](#)), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

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

### [House File 2520](#)

On motion of Senator Seymour, [House File 2520](#), a bill for an act relating to purchasing preferences for Iowa-based products and services, with report of committee recommending passage, was taken up for consideration.

Senator Seymour 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. 2520](#)), the vote was:

Yeas, 46:

Angelo	Dvorsky	Kibbie	Seymour
Beall	Fraise	Kreiman	Shull
Behn	Gaskill	Lamberti	Sievers
Black	Gronstal	Lundby	Stewart
Boettger	Hatch	McCoy	Tinsman
Bolkcom	Holveck	McKibben	Veenstra
Brunkhorst	Horn	Putney	Ward
Cconnolly	Hosch	Quirnbach	Warnstadt
Courtney	Houser	Ragan	Wieck

Dearden	Iverson	Rehberg	Zieman
Dotzler	Johnson	Schuerer	
Drake	Kettering	Seng	

Nays, none.

Absent, 4:

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

### House File 2350

On motion of Senator Behn, [House File 2350](#), a bill for an act relating to family investment program eligibility requirements involving motor vehicle equity, family investment plans, limited benefit plans, and required school attendance and including an applicability provision, with report of committee recommending passage, was taken up for consideration.

Senator Behn 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. 2350](#)), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

Larson

McKinley

Miller

Redfern

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

#### IMMEDIATELY MESSAGED

Senator Gaskill asked and received unanimous consent that **House Files 2243, 2350, and 2520** be **immediately messaged** to the House.

#### HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 29, 2004, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2148](#), a bill for an act relating to the motor vehicle operating privileges of a person convicted of motor fuel theft from a retail dealer.

[Senate File 2202](#), a bill for an act relating to meningococcal disease vaccination information for students who are enrolled in an institution of higher learning that has an on-campus dormitory or residence hall, and providing for related matters.

[Senate File 2257](#), a bill for an act relating to the use of credit information for underwriting or rating risks for personal insurance and providing an applicability date.

[Senate File 2274](#), a bill for an act relating to the revised Iowa nonprofit corporation Act and providing penalties and effective and applicability dates.

ALSO: That the House has on March 29, 2004, **amended and passed** the following bill in which the concurrence of the House was asked:

[Senate File 371](#), a bill for an act relating to formatting standards for recording documents or instruments by a county recorder, specifying a recording fee for certain documents or instruments, and providing an effective date. ([S-5172](#))

ALSO: That the House has on March 29, 2004, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2544](#), a bill for an act requiring identification numbers for all parcels of real estate, additional real estate transaction recordings, and making a fee applicable.

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

[House File 2552](#), a bill for an act relating to the issuance of special motor vehicle registration plates and providing effective and retroactive applicability dates.

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

[House File 2553](#), a bill for an act relating to technical and substantive changes regarding the Iowa educational savings plan trust and the establishment of an additional optional program by a specified date, and providing an effective date.

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

#### ADJOURNMENT

On motion of Senator Gaskill, the Senate adjourned at 5:52 p.m. until 8:30 a.m., Tuesday, March 30, 2004.

**APPENDIX — 2**

## INTRODUCTION OF RESOLUTIONS

[Senate Concurrent Resolution 116](#), by McKibben, a concurrent resolution requesting the congressional delegation of the State of Iowa to work to make the federal tax cuts permanent.

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

[Senate Resolution 142](#), by Boettger, a resolution urging the federal government to establish a National Center for Rural and Agricultural Behavioral Health in Iowa.

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

## INTRODUCTION OF BILLS

[Senate File 2299](#), by committee on Government Oversight, a bill for an act establishing a planning group for unifying state administration of services utilized by elderly Iowans.

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

[Senate File 2300](#), by committee on Government Oversight, a bill for an act providing for energy performance-based contracts for certain public entities and public educational facilities.

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

[Senate File 2301](#), by Iverson, a bill for an act relating to crimes against members of the species homo sapiens at any stage of development and making penalties applicable.

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

## SUBCOMMITTEE ASSIGNMENTS

[Senate Resolution 141](#)

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Lamberti

[Senate File 2271](#)

APPROPRIATIONS: Houser, Chair; Bolkcom and Miller

## FINAL COMMITTEE REPORTS OF BILL ACTION

## GOVERNMENT OVERSIGHT

**Bill Title:** \*[SENATE FILE 2299](#) (formerly [SF 261](#)), a bill for an act establishing a planning group for unifying state administration of services utilized by elderly Iowans.

**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.

\*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Government Oversight Committee on [Senate File 2299](#), and they were attached to the committee report.

## ALSO:

**Bill Title:** [SENATE FILE 2300](#) (formerly [SF 2178](#)), a bill for an act providing for energy performance-based contracts for certain public entities and public educational facilities.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 4: Lundby, Courtney, Dvorsky, and Wieck. Nays, 1: Brunkhorst. Absent, none.

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

## AMENDMENTS FILED

<a href="#">S-5151</a>	<a href="#">H.F. 2259</a>	Judiciary
<a href="#">S-5152</a>	<a href="#">S.F. 2298</a>	Herman C. Quirnbach
<a href="#">S-5153</a>	<a href="#">H.F. 2269</a>	Commerce
<a href="#">S-5154</a>	<a href="#">H.F. 2434</a>	Commerce
<a href="#">S-5155</a>	<a href="#">H.F. 2243</a>	Commerce

<a href="#">S-5156</a>	<a href="#">H.F. 2489</a>	Commerce
<a href="#">S-5157</a>	<a href="#">H.F. 2484</a>	Joe Bolkcom Thomas G. Courtney Roger Stewart Herman C. Quirnbach
<a href="#">S-5158</a>	<a href="#">S.F. 2298</a>	Ken Veenstra
<a href="#">S-5159</a>	<a href="#">S.R. 123</a>	Jerry Behn
<a href="#">S-5160</a>	<a href="#">H.F. 2460</a>	Bob Brunkhorst Daryl Beall Keith A. Kreiman
<a href="#">S-5161</a>	<a href="#">H.F. 2134</a>	Maggie Tinsman
<a href="#">S-5162</a>	<a href="#">S.F. 2288</a>	James A. Seymour
<a href="#">S-5163</a>	<a href="#">H.F. 2497</a>	State Government
<a href="#">S-5164</a>	<a href="#">H.F. 2527</a>	Keith A. Kreiman
<a href="#">S-5165</a>	<a href="#">H.F. 2515</a>	Gene Fraise Jeff Angelo
<a href="#">S-5166</a>	<a href="#">S.F. 2291</a>	Herman C. Quirnbach
<a href="#">S-5167</a>	<a href="#">H.F. 2418</a>	Mike Connolly
<a href="#">S-5168</a>	<a href="#">H.F. 2489</a>	Matt W. McCoy
<a href="#">S-5169</a>	<a href="#">H.F. 2243</a>	Bryan J. Sievers
<a href="#">S-5170</a>	<a href="#">S.F. 2296</a>	Herman C. Quirnbach
<a href="#">S-5171</a>	<a href="#">H.F. 686</a>	Mike Connolly
<a href="#">S-5172</a>	<a href="#">S.F. 371</a>	House
<a href="#">S-5173</a>	<a href="#">S.F. 2296</a>	Herman C. Quirnbach
<a href="#">S-5174</a>	<a href="#">S.F. 2260</a>	Nancy J. Boettger