

PROOF

STATE OF IOWA

Senate Journal

FRIDAY, APRIL 16, 2004

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

JOURNAL OF THE SENATE

NINETY-SIXTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 16, 2004

The Senate met in regular session at 8:09 a.m., President Lamberti presiding.

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

The Journal of Thursday, April 15, 2004, was approved.

The Senate stood at ease at 8:15 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:28 a.m., President Lamberti presiding.

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 April 15, 2004, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2306](#), a bill for an act relating to civil action appeal bonds and including monetary limits, and including an effective and applicability date provision.

[Senate File 2308](#), a bill for an act relating to the number of days of payment for expenses of office for members of the general assembly for the 2004 regular session of the Eightieth General Assembly and including effective date and retroactive applicability provisions.

ALSO: That the House has on April 15, 2004, **amended** the Senate amendment, **concurred** in the Senate amendment as amended, **and passed** the following bill in which the concurrence of the Senate is asked:

House File 2302, a bill for an act relating to gambling, concerning the operation, licensure, regulation, fee assessment, and taxation of racetracks and excursion gambling boats, imposing a moratorium for issuance of licenses for certain gambling games and pari-mutuel wagering, including pari-mutuel wagering, horse purses and gambling games at racetracks and on gambling boats, racing and gaming commission employees, gambling treatment fund and county endowment fund appropriations, gambling by minors and others, and providing penalties and including effective and retroactive applicability date provisions. (**S-5382**)

ALSO: That the House has on April 15, 2004, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2455, a bill for an act establishing marriage and domestic relations requirements and providing an effective date.

Read first time and **attached to similar Senate File 2258**.

House File 2578, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first fund, tobacco settlement trust fund, state general fund, road use tax fund, Iowa finance authority surplus moneys, and primary road fund, and making related and corrective changes and providing effective dates.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 9:30 a.m. until the completion of a meeting of the committee on Appropriations.

RECONVENED

The Senate reconvened at 9:37 a.m., President Lamberti presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators McKinley and Miller, for the day, on request of Senator Zieman; and Senator McCoy, until he arrives, on request of Senator Dvorsky.

HOUSE AMENDMENT CONSIDERED

[Senate File 2275](#)

Senator Redfern called up for consideration [Senate File 2275](#), a bill for an act relating to criminal sentencing practice and procedure, amended by the House in House amendment [S-5378](#), filed April 15, 2004.

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

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

Senator Redfern 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 voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2275](#)), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

Larson McCoy McKinley Miller

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

CONSIDERATION OF BILL
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [House File 2571](#).

[House File 2571](#)

On motion of Senator Wieck, [House File 2571](#), a bill for an act relating to agriculture by providing for reporting requirements, with report of committee recommending passage, was taken up for consideration.

Senator Wieck 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. 2571](#)), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

Larson

McCoy

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 2275](#) and [House File 2571](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:56 a.m. until 10:00 a.m., Monday, April 19, 2004.

APPENDIX

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: April 15, 2004, 3:10 p.m.

Members Present: Angelo, Chair; Lamberti, Vice Chair; Dvorsky, Ranking Member; Behn, Black, Fraise, Gaskill, Hatch, Horn, Houser, McKibben, McKinley, Schuerer, Seymour, Shull, Sievers, Tinsman, Veenstra, Warnstadt, and Zieman.

Members Absent: Bolkom, Connolly, Dotzler, Miller, and Seng (all excused).

Committee Business: Passed [SF 2141](#) and HFs 2573 and 2577.

Recessed: 3:30 p.m.

Reconvened: April 16, 2004, 9:32 a.m.

Adjourned: 9:35 a.m.

AMENDMENT FILED

[S-5382](#)

[H.F. 2302](#)

House