

**PROOF**

---

---

**STATE OF IOWA**

**Senate Journal**

**TUESDAY, APRIL 20, 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

---

ONE HUNDREDTH CALENDAR DAY  
FIFTY-NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, April 20, 2004

The Senate met in regular session at 8:39 a.m., Senator McKibben presiding.

Prayer was offered by the Reverend Ron Stein, pastor of the First Baptist Church in Mason City, Iowa. He was the guest of Senator Ragan.

The Journal of Monday, April 19, 2004, was approved.

## 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 19, 2004, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2291](#), a bill for an act relating to local government authority to encourage development and rehabilitation of certain real property and including effective date and applicability date provisions.

ALSO: That the House has on April 19, 2004, **amended** the Senate amendment, **concurred** in the Senate amendment as amended, **and passed** the following bill in which the concurrence of the House was asked:

[House File 2577](#), a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund and providing an effective date. ([S-5385](#))

## RECESS

On motion of Senator Iverson, the Senate recessed at 8:42 a.m. until the completion of a meeting of the committee on Rules and Administration.

## RECONVENED

The Senate reconvened at 8:44 a.m., Senator McKibben presiding.

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Resolution 178](#).

[Senate Resolution 178](#)

On motion of Senator Zieman, [Senate Resolution 178](#), a resolution requesting the general assembly to pass legislation requiring background checks for carnival employees, with report of committee recommending passage, was taken up for consideration.

Senator Zieman moved the adoption of [Senate Resolution 178](#), which motion prevailed by a voice vote.

## FINAL COMMITTEE REPORT OF BILL ACTION

## RULES AND ADMINISTRATION

**Bill Title:** [SENATE RESOLUTION 180](#), a resolution requesting the Senate leadership to establish a blue ribbon elder services planning group to develop a plan for unifying the state administration of services utilized by elderly Iowans who are age sixty or older.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Iverson, Lamberti, Gronstal, Boettger, Courtney, Drake, Dvorsky, Gaskill, Ragan, Sievers, and Wieck. Nays, none. Absent, none.

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

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Resolution 180](#).

[Senate Resolution 180](#)

On motion of Senator Tinsman, [Senate Resolution 180](#), a resolution requesting the Senate leadership to establish a blue ribbon elder services planning group to develop a plan for unifying the state administration of services utilized by elderly Iowans who are age sixty or older, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman moved the adoption of [Senate Resolution 180](#), which motion prevailed by a voice vote.

INTRODUCTION OF RESOLUTION

[Senate Concurrent Resolution 118](#), by committee on Rules and Administration, a concurrent resolution to provide for adjournment sine die.

Read first time and **placed on calendar**.

The Senate stood at ease at 8:54 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:47 a.m., President Lamberti presiding.

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Resolution 179](#).

### Senate Resolution 179

On motion of Senator McKibben, [Senate Resolution 179](#), a resolution designating May 2004 as Huntington's Disease Awareness Month, with report of committee recommending passage, was taken up for consideration.

Senator McKibben moved the adoption of [Senate Resolution 179](#), which motion prevailed by a voice vote.

### SPECIAL GUESTS

Senator McKibben welcomed the to Senate chamber Iowa natives Ben Easter and Billy Aaron Brown, actors who were in Iowa helping to raise awareness for Huntington's Disease research at the Hoop-a-thon free throw shooting event in Des Moines. They were accompanied by the parents of Billy Aaron Brown, Karen and Bill Brown, and Sally Saxen and Vickie Schleisman.

The Senate rose and expressed its welcome.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McKinley, until he arrives, on request of Senator Veenstra.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2310](#).

### Senate File 2310

On motion of Senator Redfern, [Senate File 2310](#), a bill for an act providing for the transfer and apportionment of district associate judges and to the qualifications of magistrates, providing for a study, and providing for a future repeal, with report of committee recommending passage, was taken up for consideration.

Senator Kreiman offered amendment [S-5386](#), filed by him from the floor to page 4 of the bill, and moved its adoption.

Amendment [S-5386](#) was adopted by a voice vote.

Senator Redfern 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. 2310](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Larson                      McKinley

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 2310](#) be **immediately messaged** to the House.

#### HOUSE AMENDMENT CONSIDERED

#### [Senate File 2298](#)

Senator Angelo called up for consideration [Senate File 2298](#), a bill for an act making, reducing, and transferring appropriations,

providing for other properly related matters, and including effective and applicability date provisions, amended by the House in House amendment [S-5383](#), filed April 19, 2004.

Senator Angelo offered amendment [S-5384](#), filed by him on April 19, 2004, to pages 1-9, 12, 13, 28, 30, 42, and to the title provisions of House amendment [S-5383](#).

The Senate stood at ease at 11:14 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 11:42 a.m., President Lamberti presiding.

Senator Stewart offered amendment [S-5394](#), filed by him from the floor to pages 3 and 5 of amendment [S-5384](#) to House amendment [S-5383](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5394](#) to amendment [S-5384](#) to House amendment [S-5383](#) be adopted?" ([S.F. 2298](#)), the vote was:

Yeas, 22:

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

Nays, 26:

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

Absent, 2:

Larson	McKinley
--------	----------

Amendment [S-5394](#) lost.

Senator Warnstadt offered amendment [S-5390](#), filed by him from the floor to pages 7 and 8 of amendment [S-5384](#) to House amendment [S-5383](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5390](#) to amendment [S-5384](#) to House amendment [S-5383](#) be adopted?” ([S.F. 2298](#)), the vote was:

Yeas, 21:

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

Nays, 27:

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

Absent, 2:

Larson	McKinley
--------	----------

Amendment [S-5390](#) lost.

Senator Sievers offered amendment [S-5396](#), filed by Senators Sievers, Brunkhorst, and Kettering from the floor to page 8 of amendment [S-5384](#) to House amendment [S-5383](#).

Senator Sievers asked and received unanimous consent to withdraw amendment [S-5396](#).

Senator Ragan offered amendment [S-5392](#), filed by her from the floor to page 10 of amendment [S-5384](#) to House amendment [S-5383](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5392](#) to amendment [S-5384](#) to House amendment [S-5383](#) be adopted?” ([S.F. 2298](#)), the vote was:

Yeas, 22:

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

Nays, 26:

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

Absent, 2:

Larson	McKinley
--------	----------

Amendment [S-5392](#) lost.

Senator Ragan offered amendment [S-5395](#), filed by her from the floor to page 10 of amendment [S-5384](#) to House amendment [S-5383](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5395](#) to amendment [S-5384](#) to House amendment [S-5383](#) be adopted?” ([S.F. 2298](#)), the vote was:

Yeas, 22:

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

Nays, 26:

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

Absent, 2:

Larson                      McKinley

Amendment [S-5395](#) lost.

Senator Dvorsky offered amendment [S-5391](#), filed by him from the floor to page 19 of amendment [S-5384](#) to House amendment [S-5383](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5391](#) to amendment [S-5384](#) to House amendment [S-5383](#) be adopted?” ([S.F. 2298](#)), the vote was:

Yeas, 22:

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

Nays, 26:

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

Absent, 2:

Larson                      McKinley

Amendment [S-5391](#) lost.

Senator McKibben offered amendment [S-5393](#), filed by him from the floor to pages 28 and 30 of amendment [S-5384](#) to House amendment [S-5383](#), and moved its adoption.

Amendment [S-5393](#) was adopted by a voice vote.

Senator Kettering offered amendment [S-5387](#), filed by him from the floor to page 42 of amendment [S-5384](#) to House amendment [S-5383](#), and moved its adoption.

Amendment [S-5387](#) was adopted by a voice vote.

Senator Quirnbach asked and received unanimous consent to withdraw amendment [S-5397](#), filed by Senators Quirnbach and Bolkcom from the floor to page 1 of amendment [S-5384](#) to House amendment [S-5383](#).

Senator Kreiman offered amendment [S-5399](#), filed by him from the floor to page 19 of amendment [S-5384](#) to House amendment [S-5383](#), and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5399](#) to amendment [S-5384](#) to House amendment [S-5383](#) be adopted?" ([S.F. 2298](#)), the vote was:

Yeas, 19:

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

Nays, 29:

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

Absent, 2:

Larson	McKinley
--------	----------

Amendment [S-5399](#) lost.

Senator Beall offered amendment [S-5400](#), filed by him from the floor to page 19 of amendment [S-5384](#) to House amendment [S-5383](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5400](#) to amendment [S-5384](#) to House amendment [S-5383](#) be adopted?” ([S.F. 2298](#)), the vote was:

Yeas, 21:

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

Nays, 27:

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

Absent, 2:

Larson	McKinley
--------	----------

Amendment [S-5400](#) lost.

Senator Warnstadt withdrew amendment [S-5398](#), filed by him from the floor to pages 42 and 43 of amendment [S-5384](#) to House amendment [S-5383](#).

Senator Angelo asked and received unanimous consent that action on amendment [S-5384](#) to House amendment [S-5383](#) be deferred.

Senator Connolly offered amendment [S-5401](#), filed by Senators Connolly and Dvorsky from the floor to pages 10 and 30 of House amendment [S-5383](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5401](#) to House amendment [S-5383](#) be adopted?” ([S.F. 2298](#)), the vote was:

Yeas, 22:

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

Nays, 26:

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

Absent, 2:

Larson	McKinley
--------	----------

Amendment [S-5401](#) lost.

Senator Black offered amendment [S-5389](#), filed by him from the floor to pages 25 and 26 of House amendment [S-5383](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5389](#) to House amendment [S-5383](#) be adopted?” ([S.F. 2298](#)), the vote was:

Yeas, 21:

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

Nays, 27:

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

Absent, 2:

Larson                      McKinley

Amendment [S-5389](#) lost.

Senator McKibben took the chair at 12:35 p.m.

Senator Dotzler offered amendment [S-5388](#), filed by Senator Dotzler, et al., from the floor to page 28 of House amendment [S-5383](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5388](#) to House amendment [S-5383](#) be adopted?” ([S.F. 2298](#)), the vote was:

Yeas, 22:

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

Nays, 26:

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

Absent, 2:

Larson                      McKinley

Amendment [S-5388](#) lost.

The Senate resumed consideration of amendment [S-5384](#) to House amendment [S-5383](#), previously deferred.

Senator Redfern offered amendment [S-5402](#), filed by him from the floor to page 77 of amendment [S-5384](#) to House amendment [S-5383](#), and moved its adoption.

Amendment [S-5402](#) was adopted by a voice vote.

Senator Quirmbach offered amendment [S-5403](#), filed by Senators Quirmbach and Bolkcom from the floor to page 7 of amendment [S-5384](#) to House amendment [S-5383](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5403](#) to amendment [S-5384](#) to House amendment [S-5383](#) be adopted?” ([S.F. 2298](#)), the vote was:

Yeas, 21:

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

Nays, 27:

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

Absent, 2:

Larson	McKinley
--------	----------

Amendment [S-5403](#) lost.

Senator Angelo moved the adoption of amendment [S-5384](#) to House amendment [S-5383](#), as amended.

Amendment [S-5384](#) was adopted by a voice vote.

Senator Angelo moved that the Senate concur in the House amendment, as amended.

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

Senator Angelo moved that the bill, as amended by the House, further amended 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. 2298](#)), the vote was:

Yeas, 28:

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

Nays, 20:

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

Absent, 2:

Larson	McKinley
--------	----------

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 [Senate File 2298](#) be **immediately messaged** to the House.

HOUSE AMENDMENT TO  
SENATE AMENDMENT CONSIDERED[House File 2577](#)

Senator Houser called up for consideration [House File 2577](#), a bill for an act relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund and providing an effective date, amended by the Senate and further amended by the House in House amendment [S-5385](#) to Senate amendment [H-8608](#), filed April 20, 2004.

Senator Houser moved that the Senate concur in the House amendment to the Senate amendment.

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

Senator Houser 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 voice vote and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 2577](#)), the vote was:

Yeas, 47:

Angelo	Dvorsky	Kibbie	Seng
Beall	Fraise	Lamberti	Seymour
Behn	Gaskill	Lundby	Shull
Black	Gronstal	McCoy	Sievers
Boettger	Hatch	McKibben	Stewart
Bolkcom	Holveck	Miller	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, 1:

Kreiman

Absent, 2:

Larson

McKinley

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 2577](#) be **immediately messaged** to the House.

The Senate stood at ease at 1:03 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 1:39 p.m., President Lamberti presiding.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

#### UNFINISHED BUSINESS

##### [Senate File 2258](#)

On motion of Senator Schuerer, [Senate File 2258](#), a bill for an act relating to requirements related to covenant marriage, placed on the Unfinished Business Calendar on March 25, 2004, was taken up for consideration.

Senator Schuerer offered amendment [S-5404](#), filed by him from the floor striking and replacing everything after the enacting clause and to the title page of the bill, and moved its adoption.

Amendment [S-5404](#) was adopted by a voice vote.

Senator Schuerer asked and received unanimous consent that [House File 2455](#) be **substituted** for [Senate File 2258](#).

[House File 2455](#)

On motion of Senator Schuerer, [House File 2455](#), a bill for an act relating to requirements related to covenant marriage, was taken up for consideration.

Senator McCoy offered amendment [S-5405](#), filed by him from the floor to pages 1–4 of the bill, and moved its adoption.

A nonrecord roll call was requested.

The ayes were 20, nays 26.

Amendment [S-5405](#) lost.

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. 2455](#)), the vote was:

Yeas, 33:

Angelo	Johnson	Quirnbach	Tinsman
Behn	Kettering	Ragan	Veenstra
Boettger	Kibbie	Redfern	Ward
Brunkhorst	Kreiman	Rehberg	Warnstadt
Drake	Lamberti	Schuerer	Wieck
Gaskill	Lundby	Seng	Zieman
Horn	McKibben	Seymour	
Hosch	Miller	Shull	
Iverson	Putney	Sievers	

Nays, 14:

Beall	Courtney	Fraise	McCoy
Black	Dearden	Gronstal	Stewart
Bolkcom	Dotzler	Hatch	
Connolly	Dvorsky	Holveck	

Absent, 3:

Houser	Larson	McKinley
--------	--------	----------

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

#### WITHDRAWN

Senator Schuerer asked and received unanimous consent that [Senate File 2258](#) be **withdrawn** from further consideration of the Senate.

#### IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [House File 2455](#) be **immediately messaged** to the House.

Senator Boettger took the chair at 2:30 p.m.

#### SPECIAL PRESENTATION

Senator Iverson was escorted to the well of the Senate by Senators Drake and Rehberg; Senator Gronstal was escorted to the well of the Senate by Senator Holveck; and Senator Lamberti was escorted to the well of the Senate by Senator Redfern. They were presented gifts on behalf of the members of the Senate in recognition of their leadership during the Eightieth General Assembly.

Senators Drake, Holveck, Redfern, and Rehberg were presented plaques on behalf of the members of the Senate in recognition of their years of service.

President Lamberti took the chair at 2:34 p.m.

Senator Iverson addressed the Senate with brief remarks.

Senator Gronstal addressed the Senate with brief remarks.

President Lamberti addressed the Senate with brief remarks.

The Senate rose and expressed its appreciation.

## FINAL COMMITTEE REPORT OF BILL ACTION

## RULES AND ADMINISTRATION

**Final Bill Action:** [SENATE CONCURRENT RESOLUTION 118](#), a concurrent resolution to provide for adjournment sine die.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Iverson, Lamberti, Gronstal, Boettger, Courtney, Drake, Dvorsky, Gaskill, Ragan, Sievers, and Wieck. Nays, none. Absent, none.

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

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Concurrent Resolution 118](#).

[Senate Concurrent Resolution 118](#)

On motion of Senator Iverson, [Senate Concurrent Resolution 118](#), a concurrent resolution to provide for adjournment sine die, was taken up for consideration.

Senator Iverson moved the adoption of [Senate Concurrent Resolution 118](#), which motion prevailed by a voice vote.

## IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [Senate Concurrent Resolution 118](#) be **immediately messaged** to the House.

## HOUSE MESSAGES RECEIVED

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 20, 2004, **adopted** the following resolution in which the concurrence of the House was asked:

[Senate Concurrent Resolution 118](#), a concurrent resolution to provide for adjournment sine die.

ALSO: That the House has on April 20, 2004, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2215](#), a bill for an act relating to the investment of moneys of the Iowa finance authority in funds within the office of the treasurer of state.

ALSO: That the House has on April 20, 2004, **concurred** in the Senate amendment to the House amendment, and passed the following bill in which the concurrence of the House was asked:

[Senate File 2298](#), a bill for an act making, reducing, and transferring appropriations, providing for government and economic development-related taxation, surcharge, and fee matters, providing for other properly related matters, and including penalty and effective and retroactive and other applicability date provisions.

#### FINAL ADJOURNMENT

By virtue of [Senate Concurrent Resolution 118](#), duly adopted, the day of April 20, 2004, having arrived, President Lamberti declared the 2004 Regular Session of the Eightieth General Assembly adjourned sine die.

#### APPENDIX

##### CERTIFICATES OF RECOGNITION

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

Scott Beall, Waverly—For your gubernatorial appointment and Senate confirmation to the Iowa Empowerment Board. Senator Beall (4/20/04).

Cheri Blauwet, Menlo Park, California—For winning the Boston Marathon with a time of 1 hour, 39 minutes, and 53 seconds. Senator Veenstra (4/20/04).

Coach Gayle Blevins, Coralville—For attaining 1,000 career victories as a college softball coach. Senator Dvorsky (4/20/04).

## REPORT OF COMMITTEE MEETING

### RULES AND ADMINISTRATION

**Convened:** April 20, 2004, 8:40 a.m.

**Members Present:** Iverson, Chair; Lamberti, Vice Chair; Gronstal, Ranking Member; Boettger, Courtney, Drake, Dvorsky, Gaskill, Ragan, Sievers, and Wieck.

**Members Absent:** None.

**Committee Business:** Passed [SCR 118](#) and [SR 180](#).

**Adjourned:** 8:45 a.m.

## SUBCOMMITTEE ASSIGNMENTS

### [Senate Concurrent Resolution 118](#)

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Lamberti

### [Senate Resolution 180](#)

RULES AND ADMINISTRATION: Iverson, Chair; Gronstal and Lamberti

## REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 2291](#), the following correction was made:

1. Page 2, line 35, a period was inserted after the word “percent”.

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing [Senate File 2298](#), the following correction was made to [S-5384](#), amending the House amendment to [SF 2298](#):

1. Page 77, line 5, the operation number “14.” was corrected to “\_\_.”.

MICHAEL E. MARSHALL  
Secretary of the Senate

## BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

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 20th day of April, 2004:

Senate Files 297, 443, 2026, 2066, 2112, 2121, 2153, 2154, 2190, 2209, 2215, 2270, 2275, 2282, 2288, 2291, 2295, 2298, 2303, and 2308.

MICHAEL E. MARSHALL  
Secretary of the Senate

## BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 20, 2004, the Governor approved and transmitted to the Secretary of State the following bills:

[S.F. 2179](#) – Relating to ethics laws and the Iowa ethics and campaign disclosure board.

[S.F. 2289](#) – Relating to various duties of the county treasurer and to certain fees collected by the county treasurer.

[S.F. 2306](#) – Relating to civil action appeal bonds and including monetary limits, and including an effective and applicability date provision.

## FINAL DISPOSITION OF MOTION TO RECONSIDER

Pursuant to Senate Rule 24, the following motion to reconsider, which remained on the Senate calendar upon the adjournment of the 2004 Regular Session of the Eightieth General Assembly, was determined to have **failed**:

[House File 2434](#), a bill for an act to update and modify the enhanced 911 emergency telephone communications system and providing an applicability date. (Conference committee report failed Senate April 15, 2004.) Motion filed by Senator Dotzler on April 15, 2004.

## AMENDMENTS FILED

<u>S-5385</u>	<u>H.F. 2577</u>	House
<u>S-5386</u>	<u>S.F. 2310</u>	Keith A. Kreiman
<u>S-5387</u>	<u>S.F. 2298</u>	Steve Kettering
<u>S-5388</u>	<u>S.F. 2298</u>	William A. Dotzler, Jr. Daryl Beall Dennis H. Black Joe Bolkcom Mike Connolly Thomas G. Courtney Dick L. Dearden Robert E. Dvorsky Gene Fraise Michael E. Gronstal Jack Hatch Jack Holveck Wally E. Horn John P. Kibbie Keith A. Kreiman Matt W. McCoy Herman C. Quirnbach Amanda Ragan Joe M. Seng Roger Stewart Steve Warnstadt
<u>S-5389</u>	<u>S.F. 2298</u>	Dennis H. Black
<u>S-5390</u>	<u>S.F. 2298</u>	Steve Warnstadt
<u>S-5391</u>	<u>S.F. 2298</u>	Robert E. Dvorsky
<u>S-5392</u>	<u>S.F. 2298</u>	Amanda Ragan
<u>S-5393</u>	<u>S.F. 2298</u>	Larry McKibben
<u>S-5394</u>	<u>S.F. 2298</u>	Roger Stewart
<u>S-5395</u>	<u>S.F. 2298</u>	Amanda Ragan
<u>S-5396</u>	<u>S.F. 2298</u>	Bryan J. Sievers Bob Brunkhorst Steve Kettering
<u>S-5397</u>	<u>S.F. 2298</u>	Herman C. Quirnbach Joe Bolkcom
<u>S-5398</u>	<u>S.F. 2298</u>	Steve Warnstadt
<u>S-5399</u>	<u>S.F. 2298</u>	Keith A. Kreiman
<u>S-5400</u>	<u>S.F. 2298</u>	Daryl Beall

<a href="#">S-5401</a>	<a href="#">S.F. 2298</a>	Mike Connolly
		Robert E. Dvorsky
<a href="#">S-5402</a>	<a href="#">S.F. 2298</a>	Donald B. Redfern
<a href="#">S-5403</a>	<a href="#">S.F. 2298</a>	Herman C. Quirnbach
		Joe Bolkcom
<a href="#">S-5404</a>	<a href="#">S.F. 2258</a>	Neal Schuerer
<a href="#">S-5405</a>	<a href="#">H.F. 2455</a>	Matt W. McCoy

RESOLUTION ENROLLED, SIGNED, AND SENT  
TO THE SECRETARY OF STATE

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following resolution has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the office of the Secretary of State for deposit on this 20th day of April, 2004:

[Senate Joint Resolution 2010.](#)

MICHAEL E. MARSHALL  
Secretary of the Senate

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 2298](#), the following corrections were made:

1. Page 21, line 31, "a." was changed to "1."
2. Page 22, line 3, "b." was changed to "2."
3. Page 22, line 3, "paragraph a" was changed to "subsection 1".
4. Page 72, line 18, "takes" was changed to "take".
5. Page 87, line 29, "6A." was changed to "7."
6. Page 87, line 32, "7." was changed to "8."
7. Page 87, line 34, "8." was changed to "9."
8. Page 88, line 1, "9." was changed to "10."
9. Page 88, line 30, "10." was changed to "11."
10. Page 88, line 34, "11." was changed to "12."
11. Page 89, line 3, "12." was changed to "13."
12. Page 90, line 21, "13." was changed to "14."
13. Page 150, line 16, "1st" was changed to "First".
14. Page 165, line 32, "work load" was changed to "workload".
15. Page 217, line 13, the letter "l" in the word "later" was stricken.
16. Page 226, line 31, "section 230" was changed to "section 265".
17. Page 243, line 22, "not withstanding" was changed to "notwithstanding".
18. Page 258, line 16, "subsection" was changed to "section".
19. Page 276, line 26, "follows:" was changed to "follows:".
20. Page 313, line 12, "DIVISION XIV" was changed to "DIVISION XXIV".

MICHAEL E. MARSHALL  
Secretary of the Senate