

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, MARCH 30, 2005

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JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FORTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 30, 2005

The Senate met in regular session at 8:34 a.m., President Kibbie presiding.

Prayer was offered by the Reverend David Ruhe, pastor of Plymouth Congregational United Church of Christ in Des Moines, Iowa. He was the guest of Senator Shull.

The Journal of Tuesday, March 29, 2005, 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 March 29, 2005, **passed** the following bills in which the concurrence of the House was asked:

Senate File 205, a bill for an act providing for life science enterprises authorized to hold agricultural land, making penalties applicable, and providing an effective date.

Senate File 264, a bill for an act relating to the funding of the dual party relay service through assessments on telecommunications carriers providing telephone service.

ALSO: That the House has on March 29, 2005, **amended and passed** the following bill in which the concurrence of the Senate is asked:

Senate File 330, a bill for an act relating to family law provisions including dissolution of marriage and domestic relations and termination of parental rights provisions. (**S-3072**)

ALSO: That the House has on March 29, 2005, **passed** the following bills in which the concurrence of the Senate is asked:

House File 131, a bill for an act relating to the required education and training for dental assistants.

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

House File 536, a bill for an act relating to dual governmental employment by executive branch officials and state employees.

Read first time and referred to committee on **Government Oversight**.

House File 583, a bill for an act limiting causes of action against veterinary practitioners who provide care to animals suffering distress.

Read first time and **attached to similar Senate File 336**.

House File 616, a bill for an act revising requirements applicable to county and multicounty decategorization of child welfare and juvenile justice funding projects.

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

House File 620, a bill for an act relating to the volunteer health care provider program and providing an effective date.

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

House File 711, a bill for an act relating to judicial branch procedures involving the appointment process of certain officers and judges and applications for further review at the appellate level, and providing for temporary delays in filling judgeships.

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

House File 761, a bill for an act relating to children's programs by collocating early childhood programs available through the community empowerment initiative and requiring the department of human

services to develop and implement a voluntary child care quality rating system.

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

[House File 771](#), a bill for an act relating to the timing of a mental competency hearing for a person accused of a criminal offense.

Read first time and **attached to similar** [Senate File 366](#).

[House File 821](#), a bill for an act relating to the establishment of a prescription drug assistance clearinghouse program by the commissioner of insurance, and providing for a contingent appropriation.

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

RECESS

On motion of Senator Iverson, the Senate recessed at 8:42 a.m. until 1:45 p.m.

APPENDIX — 1**CERTIFICATES OF RECOGNITION**

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

Port Beattie, Waterloo—For celebrating your 90th birthday and your wife Ruth Beattie for celebrating her 87th birthday. Senator Dotzler (3/30/05).

Jodi Berns, Friendship Haven—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Beall (3/30/05).

Mr. and Mrs. James and Emma Jean Burton Cartwright—For celebrating your 60th wedding anniversary. Senator Boettger (3/30/05).

Cynthia Kail, Greene County Medical Center—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Beall (3/30/05).

Mr. and Mrs. Sterling and Garnet Knutson, Ames—For celebrating your 50th wedding anniversary. Senator Quirnbach (3/30/05).

Val Larsen—For receiving the prestigious Jay Neubauer Award for your work with Ducks Unlimited and for your contribution to conservation efforts over the years. Senator Dearden (3/30/05).

Evelyn Littlejohn, Albia—For celebrating 18 years of nursing services at Oakwood Nursing and Rehab Center in Albia, Iowa. Senator McKinley (3/30/05).

Rachael Olsem, Edgewood—For receiving the highest award in Girl Scouting, the Gold Award, Girl Scout Troop 95. Senator Schoenjahn (3/30/05).

Vicki Roby, Stewart Memorial Community Hospital—For being a recipient of the 100 Great Iowa Nurses for 2005 Award. Senator Beall (3/30/05).

Kenneth Williams, Waterloo—For celebrating your 90th birthday. Senator Dotzler (3/30/05).

PETITION

The following petition was presented and placed on file:

From 11 residents of Clay and Emmet Counties favoring the passing of mental health parity legislation. Senator Kibbie.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 30, 2005, 9:25 a.m.

Members Present: Behn and Warnstadt, Co-chairs; Angelo, Beall, Bolkcom, Courtney, Gronstal, Kettering, McKinley, Rielly, Stewart, Wieck, and Zaun.

Members Absent: Larson, McCoy, and Zieman (all excused).

Committee Business: Passed HFs 332, 370, 375, and 581. Approved Governor's appointees.

Adjourned: 9:50 a.m.

LOCAL GOVERNMENT

Convened: March 30, 2005, 10:05 a.m.

Members Present: Quirnbach and Shull, Co-chairs; Houser, Kreiman, Lundby, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun.

Members Absent: McCoy (excused).

Committee Business: Passed HFs 512 and 746. Approved Governor's appointees.

Adjourned: 10:30 a.m.

STATE GOVERNMENT

Convened: March 30, 2005, 10:00 a.m.

Members Present: Horn and McKibben, Co-chairs; Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kibbie, Miller, Tinsman, Ward, Wieck, and Wood.

Members Absent: Kettering and Zieman (both excused).

Committee Business: Passed HFs 374 and 613. Approved Governor's appointees. Subcommittee assignments.

Adjourned: 10:25 a.m.

INTRODUCTION OF BILL

Senate File 395, by committee on Ways and Means, a bill for an act relating to the activities of the grape and wine development commission, and providing for the transfer of wine gallonage tax revenues to the grape and wine development fund.

Read first time under Rule 28 and placed on Ways and Means calendar.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 11

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

House File 131

STATE GOVERNMENT: Ward and Wood, Co-chairs; Hancock and McKibben

House File 767

NATURAL RESOURCES AND ENVIRONMENT: Black and Kettering, Co-chairs; Putney and Seng

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: [HOUSE FILE 332](#), a bill for an act allowing certain abstractors to request a mortgage release.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Behn, Warnstadt, Angelo, Beall, Bolkcom, Courtney, Gronstal, Kettering, McKinley, Rielly, Stewart, Wieck, and Zaun. Nays, none. Absent, 3: Larson, McCoy, and Ziemann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 370](#), a bill for an act allowing the Iowa finance authority to issue qualified residential rental project bonds under the private activity bond allocation Act.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Behn, Warnstadt, Angelo, Beall, Bolkcom, Courtney, Gronstal, Kettering, McKinley, Rielly, Stewart, Wieck, and Zaun. Nays, none. Absent, 3: Larson, McCoy, and Ziemann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 375](#), a bill for an act relating to the duties imposed on a real estate broker by a brokerage agreement.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Behn, Warnstadt, Angelo, Beall, Bolkcom, Courtney, Gronstal, Kettering, McKinley, Rielly, Stewart, Wieck, and Zaun. Nays, none. Absent, 3: Larson, McCoy, and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 581](#), a bill for an act relating to interstate natural gas pipelines including requirements regarding construction, operation, and maintenance, applicable penalties and resultant damages, and easements.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Behn, Warnstadt, Angelo, Beall, Bolkcom, Courtney, Gronstal, Kettering, McKinley, Rielly, Stewart, Wieck, and Zaun. Nays, none. Absent, 3: Larson, McCoy, and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: [HOUSE FILE 374](#), a bill for an act relating to veterans by providing for the compensation of members of a county commission of veteran affairs, providing for the issuance of combined hunting and fishing licenses to certain veterans, establishing a hepatitis C awareness program for veterans, concerning funds in an account for a state veterans cemetery, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kibbie, Miller, Tinsman, Ward, Wieck, and Wood. Nays, None. Absent, 2: Kettering and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 613](#), a bill for an act relating to the regulation of hot water heating boilers for swimming pools and spas.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Horn, McKibben, Black, Brunkhorst, Connolly, Danielson, Hancock, Hatch, Kibbie, Miller, Tinsman, Ward, Wieck, and Wood. Nays, None. Absent, 2: Kettering and Zieman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: *[SENATE FILE 395](#) (formerly [SF 368](#)), a bill for an act relating to the activities of the grape and wine development commission, and providing for the transfer of wine gallonage tax revenues to the grape and wine development fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, Zieman, Connolly, Danielson, Dotzler, Hahn, Larson, McCoy, McKinley, Miller, Quirnbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 1: McKibben.

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 Ways and Means Committee on [Senate File 395](#), and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 1:50 p.m., President Kibbie 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 March 30, 2005 **passed** the following bill in which the concurrence of the House was asked:

Senate File 270, a bill for an act relating to identity theft including criminal violations and damages recoverable in a civil action, providing for forfeiture of property and for certain rights of financial institutions, and providing for civil remedies.

ALSO: That the House has on March 30, 2005, **amended and passed** the following bill in which the concurrence of the House was asked:

Senate File 74, a bill for an act relating to financial institutions, by prohibiting the deceptive use of name, and providing remedies and penalties. (**S-3073**)

ALSO: That the House has on March 30, 2005, **passed** the following bill in which the concurrence of the Senate is asked:

House File 614, a bill for an act relating to the transmission, installation, and use of computer software through deceptive or unauthorized means and providing for penalties.

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

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

The Senate proceeded to the House chamber, in accordance with **House Concurrent Resolution 4**, in columns of two led by the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION
PIONEER LAWMAKERS

Fifty-Eighth Biennial Session
House Chamber

In accordance with [House Concurrent Resolution 4](#), duly adopted, the joint convention was called to order at 2:15 p.m., President Kibbie presiding.

President Kibbie declared a quorum present and the joint convention duly organized.

Senator Iverson moved that a committee of eight be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed by a voice vote, and the President appointed as such committee Senators Connolly, Zieman, Tinsman, and Rielly on the part of the Senate and Representatives Greiner, Alons, Mascher, and Mertz on the part of the House.

The committee escorted the Pioneer Lawmakers to seats in the House chamber.

President Kibbie presented the Honorable Robert Dvorsky, President Pro Tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Kibbie presented the Honorable Christopher Rants, Speaker of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House.

President Kibbie presented the Honorable Don Shultz, member of the House of Representatives and President of the Pioneer Lawmakers Association, who responded to the welcome.

Shultz announced the following 1985 class of Pioneer Lawmakers: Linda L. Beatty, Leonard Boswell, Joy Corning, Beverly A. Hannon, Jack Hatch, Joan L. Hester, Paul W. Johnson, Joseph M. Kremer, Janet S. Metcalf, Larry Murphy, Daniel F. Petersen, Michael K. Peterson, James R. Riordon, J. Brent Siegrist, and Jane Teaford.

Honorary members of the 2005 class were the following: Donald G. Hauser, Michael Heller, Kay Henderson, Bernie Koebernick, Todd Schulz, David Smitherman, and Dawn Vance.

Representative Shoultz presented Steven Rapp, Senior Prosecutor for the United Nations at the International Criminal Tribunal for Rwanda, who addressed the joint convention:

Mr. President, Mr. Speaker, colleagues, and friends,

You know that you have truly become an old-timer when you attend one of these biennial meetings and find that there are Pioneer Lawmakers who were first elected after you left office.

I see some of my fellow old-timers from the class of '73, from that year when a majority of legislators were new and many were young.

When we arrived, the handful of veterans in these halls did not know what to expect. Three of us new Democrats, Tom Higgins, Mary O'Halloran, and myself, had originally been assigned to the full appropriations committee. But somebody in the leadership of the Republican majority feared that we would use our positions to push radical ideas, and we were reassigned to the county government committee. This for me turned out to be a blessing in disguise—but at the time, it was very well-disguised.

Being on county government involved early morning meetings with our older rural colleagues, many of whom had already been up for hours. But there was no shortage of bills—stacks of them, most from the associations of counties and county officeholders. Soon I was working on the bills in subcommittee, trying to make constructive changes.

Not that I gave up on radical ideas. I made it my cause to push for the adoption of the three-factor formula for the corporate income tax—a bill that I was to discover had probably less chance of passage than the repeal of the right-to-work law.

But on county government I continued to work, and by March, I had a chance as a minority member to manage a bill on the floor, [House File 175](#), to raise the \$.70 meal allowance paid to sheriffs for the feeding of prisoners in small county jails. But my Republican colleagues knew what they were doing. It was not a “non-con.” Indeed, when it reached the floor, we heard that it would enrich sheriff's wives, while starving the prisoners. I discovered that I had been sent into the battle between the rural and the urban, between “mom and pop” and the bureaucrats, and I was not on the expected side. In the end, we worked out a compromise that was signed into law in May. It ended the possibility of profit, kept the sheriffs happy, and assured the prisoners their three squares a day.

Toward the end of that long session, I made the mistake of playing touch football, after doing nothing more strenuous for five months than lifting the Iowa Code. The result was announced in the House chamber by David Stanley as a “three-factor fracture.” After the ankle was pinned and I was wheeled out of the recovery room, I was pleased that my first visitors were my colleagues from the other party on the county government committee.

I do not want to give you the impression that I got along with all of my Republican colleagues. That first year, I do not remember ever exchanging a greeting with Grumpy Fisher. However in the second year, we teamed together to support no-fault automobile insurance. I recall the day when we defeated a killer amendment on a cliff-hanging vote that ended with a count of 49 to 48. Grumpy and I literally danced a jig in the back of the chamber. Of course, then as now, it took more than 49 votes to pass a bill, and even together, we could not get there.

I discovered as well, that it was possible to have good relations not just with sometime allies on the other side, but also with dedicated adversaries. In 1974, Chuck Grassley and I ran for the same Congressional seat, both in crowded primary fields. I remember sitting together on that back bench discussing how we could manage to win on shoestring budgets against better-financed opponents. I recall one evening when we decided to save money by riding together to a joint event up by the Minnesota line. In the interests of cost-saving, we even let Jim Flansburg of the Des Moines Register come along on the ride.

As you know, for the last four years I have been working in a very different arena. There I confront persons who were leaders of a state—the Republic of Rwanda. It is a state in which 800,000 men, women, and children were butchered in 14 weeks from April to July of 1994. An average 8000 were killed each day—the equivalent of three World Trade Centers a day in a place one-fifth the size of Iowa. The murders were committed at a rate greater than that of the Nazi death machine at its most efficient.

We have 69 of these former leaders in custody. They were arrested in 26 countries and brought to Arusha, Tanzania, to stand trial, before a court constituted by the United Nations Security Council and financed by 191 nations, on indictments charging genocide and crimes against humanity.

There is a tendency in the West to see the Rwanda genocide as an episode of spontaneous violence in a primitive society. That is not true. Rwanda is certainly poor, but it is one of the most comprehensively administered societies in the world. The leaders who sit in the United Nations Detention Facility in Arusha are persons of education, who studied in Europe or in North America, and who held key positions in government, in politics, in business, in the media, in the academia, in the military, and in the church, both Catholic and Protestant.

There is also a tendency to see the Rwanda genocide as something that could only happen in Africa. That is not true. We have only to remember the contemporaneous mass murders in the former Yugoslavia and the genocide of the Jews and the extermination and enslavement of other national groups—crimes committed in living memory by persons with whom many of us share a common heritage.

In the trial of the media leaders, I looked across each day and eventually cross-examined Professor Ferdinand Nahimana, a man who for a while had pursued an academic career in African history that one of his lawyers had compared to that of my wife Dolly. Now I often spend weeks dealing one-on-one with individuals who have confessed to their part in the genocide, and who we hope, after submitting to the justice system themselves, will be witnesses against their former colleagues. Some were successful businessmen, persons devoted to their families, but who took the leadership in creating and financing the national youth group that became the killing corps of the genocide.

What motivated such individuals to become the organizers of mass murder?

There was first the sense that they were the victims. For decades, some say centuries, the minority Tutsis had dominated, and the majority Hutus had been oppressed. When the Hutus gained dominance at the time of independence in the early 1960s, forcing hundreds of thousands of Tutsis to flee, there was a fear that if the Tutsis were allowed even a share of power they would soon dominate again and reduce the Hutus to slavery. This fear was greatest among those who had the most to lose. But they used it with great effect to rekindle the enmity between ordinary Hutus and Tutsis, who in many cases had intermarried and built business and personal relations across the ethnic divide.

There was no hope that disputes would be decided fairly, only power mattered. A small group of Hutus from the north held the political power, and their associates had been allowed to gain economic advantages and amass great wealth. When that was criticized, they sent their supporters to violently attack their opponents, with no expectation that they would be punished for their conduct.

Those whose positions were threatened built support by demonizing the Tutsi minority group. In this, they were aided by the fact that the country was at war with a rebel force that was dominated by the children of the Tutsis refugees that had fled in the 1960s. They diverted attention from the fact that one small group of Hutus had all the power and wealth, by calling on all Hutus to unite against the eternal enemy, the Tutsis. Those Hutus who would ally themselves with the Tutsis were the worst, and were in the genocide the first victims because they were traitors to their own kind.

There was a willingness to use any means. The unemployed youth were recruited, armed, trained, and eventually unleashed. They were the most avid killers, but they were only part of the killing force. There was the military, the national police, the local administration, and also hundreds of thousands of ordinary civilians who took their place on barriers that each few yards crossed every street and highway, and enlisted in night patrols, identifying and flushing out their Tutsis neighbors and sometimes joining in their slaughter. As they did, they listened to the propaganda. It praised them for working, as killing was known during the genocide. It told them that the work was necessary because the Tutsis had dug a grave for the Hutus; they must fill it with the Tutsis or the Hutus themselves would be the victims. It mocked and dehumanized the Tutsis, as cockroaches and snakes, and in an overwhelming Christian country it was even said that the Virgin Mary had appeared to say that the Tutsis deserved their fate. It put people in fear that if they opposed the killing, even if they did not at least appear to participate, they themselves would be targeted and the names of themselves and their families would be read out on the radio to the hearing of thousands of machete-wielding killers who would be awaiting their arrival at the roadblocks.

It is a long way from Iowa to Rwanda. But both the killers and the victims were humans like we are. Close up, one can see that even the killers were motivated by similar desires for security for themselves and their families and were intensely fearful of anything that could take it away. They made choices. As humans we all make choices—whether to seek common ground or sow division, whether to build or to tear down, whether to settle disputes by peaceful means or by violence, whether to do good or to do evil.

Thinking of these choices, I am reminded of the lessons taught and the lessons learned here in the halls of this Iowa Legislature. One learned that the winner who takes all will likely lose all on another day, that the best solutions often involve compromise, that an adversary today can be an ally tomorrow. One learned, as well, that differences are often superficial, that persons of widely different backgrounds can find common elements in their experiences, and that even adversaries can be just as well-motivated as oneself and can sometimes even have it right. Of course, one also came to know that even as one writes the law, there are rules that cannot be changed, and lines that cannot be crossed, the violation of which will earn the disapproval of friend and foe alike.

Of course we were not in civil war in 1973, or in 2005. But in our history we have had groups victimized, we have had regional conflict that took generations to heal, we have had social tensions that erupted into violence. We have learned that the best answer lies in institutions like this one, where conflicts are fought with words, where interests are balanced, where resolutions are reached that we may not like but that we can accept.

Seeing what can happen in the world, underlines not just the necessity of this process, but also its fragility. Preserving it requires us to each day make the choice not to cross the line, not to make adversaries into enemies, not to demonize the opposition, and while pushing hard for what one knows is right, to remember that each has his or her own view of what is right that is entitled to our understanding and respect.

Thank you very much.

Representative Gipp moved that the joint convention be dissolved.

The motion prevailed by a voice vote.

The Senate returned to the Senate chamber.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 2:48 p.m. until 8:30 a.m., Thursday, March 31, 2005.

APPENDIX — 2**CERTIFICATES OF RECOGNITION**

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

Kaitlin Japuntich, Webster City—For receiving the University of Iowa Dean's Scholarship for the 2005–2006 academic year. Senator Iverson (3/30/05).

Jeritt Tucker, Nevada—For receiving the University of Iowa Dean's Scholarship for the 2005–2006 academic year. Senator Iverson (3/30/05).

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS**

Convened: March 30, 2005, 1:05 p.m.

Members Present: Angelo and Dvorsky, Co-chairs; Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, and Warnstadt.

Members Absent: Ward (excused).

Committee Business: Passed [SF 325](#) (as amended) and [HF 466](#).

Adjourned: 1:30 p.m.

BUSINESS AND LABOR RELATIONS

Convened: March 30, 2005, 12:00 p.m.

Members Present: Dearden and Wieck, Co-chairs; Behn, Courtney, Dotzler, Horn, McKibben, Seng, Seymour, and Shull.

Members Absent: None.

Committee Business: Approved Governor's appointee.

Adjourned: 12:35 p.m.

ECONOMIC GROWTH

Convened: March 30, 2005, 11:00 a.m.

Members Present: Brunkhorst and Hatch, Co-chairs; Beall, Behn, Danielson, Dotzler, Hahn, McKinley, Ragan, Rielly, Seymour, Shull, Stewart, and Zaun.

Members Absent: None.

Committee Business: Approved Governor's appointees.

Recessed: 11:10 a.m.

Reconvened: 11:15 a.m.

Adjourned: 11:20 a.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: March 30, 2005, 11:05 a.m.

Members Present: Black and Houser, Co-chairs; Bolkcom, Dearden, Gaskill, Hancock, Johnson, Kettering, Miller, Putney, Schoenjahn, Seng, and Wood.

Members Absent: Lundby (excused).

Committee Business: Discussion on Governor's appointees.

Adjourned: 11:45 a.m.

STUDY BILLS RECEIVED

SSB 1298 Government Oversight

Encouraging community investment in before and after school programs by allowing school districts to request additional allowable growth and providing for related matters.

SSB 1299 Ways and Means

Relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

SUBCOMMITTEE ASSIGNMENTS

House File 276

EDUCATION: Mulder and Quirnbach, Co-chairs; Connolly and Ward

House File 398

EDUCATION: Larson and Quirnbach, Co-chairs; Dvorsky and Mulder

[House File 423](#)

EDUCATION: Connolly and McKinley, Co-chairs; Angelo and Wood

[House File 529](#)

EDUCATION: Boettger and Wood, Co-chairs; McKinley and Schoenjahn

[House File 739](#)

EDUCATION: Beall and Brunkhorst, Co-chairs; Boettger and Dvorsky

[House File 740](#)

EDUCATION: Boettger and Wood, Co-chairs; McKinley and Schoenjahn

[House File 742](#)

EDUCATION: Angelo and Schoenjahn, Co-chairs; McKinley and Wood

[House File 808](#)

APPROPRIATIONS: Gaskill and Seng, Co-chairs; Angelo and Dvorsky

[House File 809](#)

APPROPRIATIONS: Dotzler and Ward, Co-chairs; Angelo and Dvorsky

[House File 810](#)

APPROPRIATIONS: Putney and Stewart, Co-chairs; Angelo and Dvorsky

[SSB 1298](#)

GOVERNMENT OVERSIGHT: Connolly and Lundby, Co-chairs

[SSB 1299](#)

WAYS AND MEANS: Stewart and Zaun, Co-chairs; Bolkcom and McKibben

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: [SENATE FILE 325 \(SSB 1128\)](#), a bill for an act relating to the procedures and duties of the judicial branch, and making an appropriation to the enhanced court collections fund.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3074](#).

Final Vote: Ayes, 23: Angelo, Dvorsky, Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, and Warnstadt. Nays, none. Absent, 1: Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 466](#), a bill for an act relating to and making transportation and other infrastructure-related appropriations to the state department of transportation, including allocation and use of moneys from the road use tax fund, the primary road fund, and the general fund.

Recommendation: DO PASS.

Final Vote: Ayes, 23: Angelo, Dvorsky, Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Miller, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, and Warnstadt. Nays, none. Absent, 1: Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: [HOUSE FILE 746](#), a bill for an act providing procedures for a rural water district to transfer its right to provide water or wastewater service and for dissolution of the district.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Quirnbach, Shull, Houser, Mulder, Putney, Rielly, Schoenjahn, Stewart, and Zaun. Nays, 2: Kreiman and Lundby. Absent, 1: McCoy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**GOVERNOR'S APPOINTEES PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR**

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

BUSINESS AND LABOR RELATIONS

David Neil – Labor Commissioner

COMMERCE

James E. Forney – Superintendent of Credit Unions

John Norris – Chair of Utilities Board (appointment)
John Norris – Chair of Utilities Board (reappointment)

John Norris – Utilities Board (appointment)
John Norris – Utilities Board (reappointment)

**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:

COMMERCE

Thomas B. Gronstal – Superintendent of Banking

Don Gettings – Credit Union Review Board

Susan E. Voss – Commissioner of Insurance

ECONOMIC GROWTH

Eugene Blanshan – Iowa Capital Investment Board

Peggy Armstrong-Gustafson – Iowa Economic Development Board
Jerry Courtney – Iowa Economic Development Board
Arvind Dandekar – Iowa Economic Development Board
Jack (Doug) Sickler – Iowa Economic Development Board

John Cullen – Small Business Advisory Council
Dana Ingerslev – Small Business Advisory Council
Paul Tabor – Small Business Advisory Council
Stanley Thompson – Small Business Advisory Council

LOCAL GOVERNMENT

Jill Marlow – County Finance Committee
Kay Swanson – County Finance Committee

Rebecca Eskildsen – Mental Health Risk Pool Board
Lynn Ferrell – Mental Health Risk Pool Board
William Gorman – Mental Health Risk Pool Board
Karen Strawn – Mental Health Risk Pool Board

AMENDMENTS FILED

<u>S-3072</u>	<u>S.F. 330</u>	House
<u>S-3073</u>	<u>S.F. 74</u>	House
<u>S-3074</u>	<u>S.F. 325</u>	Appropriations

**MEMORIAL SERVICE
EIGHTY-FIRST GENERAL ASSEMBLY
HOUSE CHAMBER
WEDNESDAY, MARCH 30, 2005**

PROGRAM

Representative Sandra H. Greiner, Presiding

Prelude.....A Capella Ensemble
"The Star-Spangled Banner"..... Francis Scott Key
"My Country, 'Tis of Thee".....Samuel F. Smith
Memorial Choir

Invocation..... Representative Sandra H. Greiner

MEMORIALS

Readers: Senator Angelo, Senator Putney

Hon. Ashcraft (S) Hon. Reno (S)
Hon. Davis (S) Hon. Rhodes (S)
Hon. Hill (S) Hon. Shaff (S)
Hon. Peterson (S) Hon. Shirley (S)

"In This Very Room".....Ron and Carol Harris
Memorial Choir

MEMORIALS

**Readers: Senator Johnson, Senator Connolly,
Representative Maddox, Senator Fraise**

Hon. Bergman (H&S) Hon. Beck (H)
Hon. Lura (H&S) Hon. Brinck (H)
Hon. Nystrom (H&S) Hon. Davis (H)
Hon. Reichardt (H&S) Hon. Fisher (H)

"Be Thou My Vision"..... Alice Parker
Joni Carroll and Curtis Carroll

MEMORIALS

**Readers: Representative Dolecheck, Representative Wendt,
Representative Upmeyer, Representative Greiner,
Representative Jenkins**

Hon. Gross (H) Hon. Owen (H) Hon. Stromer (H)
Hon. Johnson (H) Hon. Robinson (H) Hon. Swearingen (H)
Hon. Moffitt (H) Hon. Scheelhaase (H) Hon. Uban (H)
Hon. Monroe (H) Hon. Scherle (H) Hon. Wyckoff (H)

"The God of Hope Be With You"Ken Bible and Tom Fettke
A Capella Ensemble

Senate — (S) and House — (H)

IN MEMORIAM**SERVED IN THE SENATE**

Honorable Forrest F. Ashcraft (Scott County): 67th, 67th X (1977-1978)

Honorable Wilson L. Davis (Lee County): 2nd half of 63rd, 64th (1970-1972)

Honorable Eugene M. Hill (Jasper County): 58th, 59th, 60th, 60th X, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 67th X (1959-1978)

Honorable John A. Peterson (Monroe County): 2nd half of 71st, 72nd, 72nd X, 72nd XX, 73rd, 74th, 74th X, 74th XX (1986-1992)

Honorable Max E. Reno (Van Buren County): 61st, 62nd (1965-1968)

Honorable John C. Rhodes (Lucas County): 64th (1971-1972)

Honorable Roger J. Shaff (Clinton County): 62nd, 63rd, 64th, 65th, 66th, 67th, 67th X (1967-1978)

Honorable Edwin Alan Shirley (Dallas County): 61st, 62nd, 63rd (1965-1970)

SERVED IN THE HOUSE OF REPRESENTATIVES AND THE SENATE

Honorable Irvin L. Bergman (Osceola County): House – 62nd, 63rd, 64th (1967-1972); Senate – 65th, 66th, 67th, 67th X, 68th (1973-1980)

Honorable Michael R. “Mick” Lura (Marshall County): House – 68th (1979-1980)
Senate – 69th, 69th X, 69th XX, 70th (1981-1984)

Honorable John N. “Jack” Nystrom (Boone County): House – 64th (1971-1972);
Senate – 65th, 66th, 67th, 67th X, 68th, 69th, 69th X, 69th XX, 70th, 71st, 72nd,
72nd X, 72nd XX, 73rd, first half of 74th (1973-1991)

Honorable William J. “Bill” Reichardt (Polk County): House – 61st (1965-1966);
Senate – 62nd, 63rd (1967-1970)

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Robert K. Beck (Appanoose County): 55th (1953-1954)

Honorable Adrian B. Brinck (Lee County): 58th, 61st, 63rd, 65th (1959-1960, 1965-1966, 1969-1970, and 1973-1974)

Honorable Galen M. Davis (Wapello County): 78th (1999-2000)

Honorable C. Raymond Fisher (Greene County): 58th, 59th, 60th, 60th X, 61st, 62nd, 63rd, 64th, 65th (1959-1974)

Honorable L.W. Joe Gross (Ringgold County): 69th, 69thX, 69th XX (1981-1982)

Honorable Carroll Johnson (Marion County): 48th, 49th, 50th, 50th X (1939-1944)

Honorable Delmont T. Moffitt (Appanoose County): 59th, 60th, 60th X, 62nd, 64th (1961-1964, 1967-1968, and 1971-1972)

Honorable William R. "Bill" Monroe, Jr. (Des Moines County): 64th, 65th, 66th, 67th, 67th X (1971-1978)

Honorable Kenneth E. Owen (Appanoose County): 56th, 57th, 58th (1955-1960)

Honorable Kenneth A. Robinson (Guthrie County): 61st (1965-1966)

Honorable H. Lyle Scheelhaase (Woodbury County): 66th, 67th, 67th X (1975-1978)

Honorable William J. Scherle (Mills County): 59th, 60th, 60th X, 61st (1961-1966)

Honorable Delwyn D. Stromer (Hancock County): 62nd, 63rd, 64th, 65th, 66th, 67th, 67th X, 68th, 69th, 69th X, 69th XX, 70th, 71st, 72nd, 72nd X, 72nd XX, 1st half of 73rd (1967-1989)

Honorable George R. Swearingen (Keokuk County): 68th, 69th, 69th X, 69th XX, 70th, 71st, 72nd, 72nd X, 72nd XX (1979-1988)

Honorable Charles J. Uban II (Black Hawk County): 61st, 64th (1965-1966 and 1971-1972)

Honorable Russell L. "Dutch" Wyckoff (Benton County): 64th, 65th, 66th, 67th, 67th X (1971-1978)

Candle Lighters

Senator John P. Kibbie
Senator Frank Wood
Representative Swati Dandekar
Representative Jodi S. Tymeson

Hosts

Senator Daryl Beall
Senator Amanda Ragan
Senator Tom Hancock
Representative Robert M. Hogg
Representative Vicki S. Lensing
Representative Helen Miller

Senate Memorial Committee

Senator Bob Brunkhorst
Senator Michael Connolly
Senator Thomas Rielly
Senator Maggie Tinsman

House Memorial Committee

Representative Sandra H. Greiner
Representative Dwayne A. Alons
Representative Mary Mascher
Representative Dolores M. Mertz

Choir Director: Jill Beni
Accompanists: Erin Hopp and Debrah Lalk
Piano furnished by St. Augustin's School, Des Moines
Flowers arranged by The Bloomin' Greenery, Indianola