

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, JANUARY 28, 2004

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JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 28, 2004

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

Prayer was offered by the Reverend David Clark, pastor of the First United Methodist Church in Indianola, Iowa. He was the guest of Senator Shull.

The Journal of Tuesday, January 27, 2004, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Resolution 107](#).

[Senate Resolution 107](#)

On motion of Senator Iverson, [Senate Resolution 107](#), a resolution designating January 28, 2004, as Iowa Telecommunications Association Day, with report of committee recommending passage, was taken up for consideration.

Senator Iverson moved the adoption of [Senate Resolution 107](#), which motion prevailed by a voice vote.

SPECIAL GUESTS

The Chair welcomed to the Senate chamber members of the Iowa Telecommunications Association.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Iverson, the Senate recessed at 8:46 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 8:48 a.m., President Lamberti presiding.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 9:01 a.m. until 8:30 a.m., Thursday, January 29, 2004.

APPENDIX

COMMUNICATION RECEIVED

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

January 28, 2004

DEPARTMENT OF REVENUE

Iowa Streamlined Sales Tax Advisory Council 2003 Report, pursuant to 2003 Acts, [House File 683](#).

CERTIFICATES OF RECOGNITION

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

Millie Elam, Fort Dodge—For being a Fort Dodge foster grandparent. Senator Beall (2/5/04).

Kenneth D. Green, New Virginia—For achieving the rank of Eagle Scout, Boy Scout Troop 212. Senator Shull (1/22/04).

Austin Kimler, Bettendorf—For achieving the rank of Eagle Scout, Boy Scout Troop 89. Senator Tinsman (1/29/04).

Madge Vaudt, Fort Dodge—For being a Fort Dodge foster grandparent. Senator Beall (2/5/04).

PETITION

The following petition was presented and placed on file:

From residents of Linn, Jones, Johnson, Washington, Iowa, Benton, Dubuque, and Delaware Counties supporting The Four Oaks Cornerstone program and Iowa's Family Development Self-Sufficiency grants (FaDSS). Senator Horn.

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: January 27, 2004, 3:00 p.m.

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

Members Absent: None.

Committee Business: Presentations regarding information technology by Administrative Services, local government, and the information technology industry.

Adjourned: 4:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 27, 2004, 3:10 p.m.

Members Present: Gaskill, Chair; Black, Ranking Member; and Seymour.

Members Absent: Houser, Vice Chair; and Seng (both excused).

Committee Business: Discussion regarding the Governor's FY 2005 budget recommendations.

Adjourned: 3:40 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: January 27, 2004, 3:10 p.m.

Members Present: Tinsman, Chair; Johnson, Vice Chair; Hatch, Ranking Member; Bolcom and Veenstra.

Members Absent: None.

Committee Business: Discussion regarding Medicaid fiscal agent and Iowa Plan status.

Adjourned: 4:50 p.m.

EDUCATION

Convened: January 28, 2004, 9:40 a.m.

Members Present: Boettger, Chair; McKinley, Vice Chair; Connolly, Ranking Member; Beall, Behn, Brunkhorst, Dvorsky, Hosch, Kreiman, and Quirmbach.

Members Absent: Angelo, Holveck, Iverson, Redfern, and Rehberg (all excused).

Committee Business: Presentations regarding IPTV data casting and AEA online.

Adjourned: 10:30 a.m.

GOVERNMENT OVERSIGHT

Convened: January 28, 2004, 3:05 p.m.

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

Members Absent: None.

Committee Business: Approved [SSB 3005](#).

Adjourned: 3:20 p.m.

RULES AND ADMINISTRATION

Convened: January 28, 2004, 8:45 a.m.

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

Members Absent: Courtney and Dvorsky (both excused).

Committee Business: Approved [SR 108](#).

Adjourned: 8:50 a.m.

STATE GOVERNMENT

Convened: January 28, 2004, 10:35 a.m.

Members Present: Zieman, Chair; Sievers, Vice Chair; Kibbie, Ranking Member; Black, Connolly, Dearden, Drake, Johnson, Ragan, Schuerer, Shull, Tinsman, and Veenstra.

Members Absent: Courtney and Lamberti (both excused).

Committee Business: Presentation by Jack Ketterer, Racing and Gaming Administrator.

Adjourned: 11:35 a.m.

INTRODUCTION OF BILLS

[Senate File 2051](#), by Warnstadt, Dotzler, Seymour, and Black, a bill for an act relating to the designation of a First Americans Day.

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

[Senate File 2052](#), by Warnstadt, Beall, Bolkcom, Seng, Dotzler, Hatch, Ragan, Courtney, McCoy, Black, Kibbie, Gronstal, Connolly, Dvorsky, Stewart, Kreiman, Dearden, Horn, and Fraise, a bill for an act prohibiting the imposition of a penalty for failure to remit licensing application or renewal fees while serving on active duty in the military service.

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

[Senate File 2053](#), by Kreiman, a bill for an act requiring special training for reserve peace officers who engage in motor vehicle chases.

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

[Senate File 2054](#), by Warnstadt, Bolkcom, Dotzler, Hatch, Seng, Beall, Quirnbach, Stewart, Dvorsky, Connolly, Gronstal, Kibbie, Courtney, Ragan, and Kreiman, a bill for an act requiring the posting of close-clearance warning devices by railroads and providing a penalty.

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

[Senate File 2055](#), by Hatch, Beall, Ragan, Seng, Bolkcom, Warnstadt, Stewart, Dvorsky, Connolly, Gronstal, Black, McCoy, Courtney, Kreiman, Dotzler, Horn, and Dearden, a bill for an act relating to the amount of tax credits that may be approved in a fiscal year under the property rehabilitation tax credit program when projects are located in cultural and entertainment districts.

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

[Senate File 2056](#), by Ragan, Beall, Bolkcom, Kreiman, Courtney, Stewart, Dotzler, Fraise, Dearden, Horn, Connolly, Gronstal, Dvorsky, Black, Warnstadt, Hatch, Seng, Kibbie, Quirnbach, Holveck, and McCoy, a bill for an act relating to third-party payment

of health care coverage costs for mental health conditions, including substance abuse treatment services.

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

STUDY BILLS RECEIVED

[SSB 3042](#) **State Government**

Relating to public retirement systems, including the public safety peace officers' retirement, accident, and disability system, the Iowa public employees' retirement system, and the statewide fire and police retirement system and providing effective and retroactive applicability dates.

[SSB 3043](#) **Local Government**

Relating to the temporary absence of an elected city official on active military duty and the appointment of a temporary replacement.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2028](#)

LOCAL GOVERNMENT: Miller, Chair; Houser and Stewart

[Senate File 2036](#)

BUSINESS AND LABOR RELATIONS: Seymour, Chair; Courtney and Wieck

[Senate File 2041](#)

WAYS AND MEANS: Miller, Chair; Hosch and Stewart

[Senate File 2050](#)

WAYS AND MEANS: Putney, Chair; McKinley and Seng

[House File 2039](#)

APPROPRIATIONS: Sievers, Chair; Angelo and Dvorsky

[SSB 3042](#)

STATE GOVERNMENT: Zieman, Chair; Kibbie and Sievers

[SSB 3043](#)

LOCAL GOVERNMENT: Kettering, Chair; Hosch and Kreiman

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 108](#), a resolution honoring the Kirkwood Community College Women's Volleyball Team.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Iverson, Lamberti, Gronstal, Boettger, Drake, Gaskill, Ragan, Sievers, and Wieck. Nays, none. Absent, 2: Courtney and Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.