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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, JANUARY 13, 2005**

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## JOURNAL OF THE SENATE

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FOURTH CALENDAR DAY  
FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, January 13, 2005

The Senate met in regular session at 8:38 a.m., President Kibbie presiding.

Prayer was offered by the Reverend Marvin Arnpriester, pastor of the Broadway United Methodist Church in Council Bluffs, Iowa. He was the guest of Senator Gronstal.

The Journal of Wednesday, January 12, 2005, was approved.

### CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Resolution 2](#).

#### [Senate Resolution 2](#)

On motion of Senator Gronstal, [Senate Resolution 2](#), a resolution relating to permanent rules of the senate for the eighty-first general assembly, was taken up for consideration.

Senator Gronstal yielded the floor to Senator Iverson.

Senator Iverson moved the adoption of [Senate Resolution 2](#), which motion prevailed by a voice vote.

### ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:47 a.m. until 9:00 a.m., Friday, January 14, 2005.

**APPENDIX****COMMUNICATIONS RECEIVED**

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

**BOARD OF REGENTS**

FY 2004 report for Iowa's Center for Agricultural Safety and Health, pursuant to Iowa Code section 262.78. Report received on January 13, 2005.

**IOWA UTILITIES BOARD**

Report on the status of utility customer contribution funds, pursuant to Iowa Code section 476.66(6). Report received on January 13, 2005.

**REPORTS OF COMMITTEE MEETINGS****BUSINESS AND LABOR RELATIONS**

**Convened:** January 13, 2005, 10:05 a.m.

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

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 10:30 a.m.

**EDUCATION**

**Convened:** January 13, 2005, 10:05 a.m.

**Members Present:** Connolly and McKinley, Co-chairs; Angelo, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Lamberti, Mulder, Quirmbach, Schoenjahn, Ward, and Wood.

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 10:25 a.m.

**HUMAN RESOURCES**

**Convened:** January 13, 2005, 11:05 a.m.

**Members Present:** Ragan and Seymour, Co-chairs; Behn, Dotzler, Gaskill, Hatch, Houser, Johnson, Kreiman, Quirnbach, Tinsman, and Wood.

**Members Absent:** Boettger and Bolkcom (both excused).

**Committee Business:** Organizational meeting.

**Adjourned:** 11:25 a.m.

**LOCAL GOVERNMENT**

**Convened:** January 13, 2005, 9:15 a.m.

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

**Members Absent:** Kreiman (excused).

**Committee Business:** Organizational meeting.

**Adjourned:** 9:50 a.m.

**STATE GOVERNMENT**

**Convened:** January 13, 2005, 9:30 a.m.

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

**Members Absent:** None.

**Committee Business:** Organizational meeting.

**Adjourned:** 9:50 a.m.

**WAYS AND MEANS**

**Convened:** January 13, 2005, 1:05 p.m.

**Members Present:** Bolkcom and Ziemann, Co-chairs; Danielson, Dotzler, Hahn, McKinley, Miller, Quirnbach, Stewart, Wieck, and Zaun.

**Members Absent:** Connolly, Lamberti, McCoy, McKibben, and Seng (all excused).

**Committee Business:** Organizational meeting.

**Adjourned:** 1:35 p.m.

## INTRODUCTION OF RESOLUTIONS

**Senate Joint Resolution 1**, by Warnstadt, a joint resolution requesting the Congress of the United States to submit to the states for ratification an amendment to the United States Constitution providing for a nonpartisan approach to congressional redistricting.

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

**Senate Resolution 3**, by Warnstadt, Beall, and Kibbie, a resolution urging congressional action to allow all eligible veterans to receive concurrently both their full military retired pay and military disability compensation.

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

## INTRODUCTION OF BILLS

**Senate File 29**, by Kreiman, a bill for an act relating to the senior living trust fund, providing for appropriation of the moneys in the fund, and providing for a repeal.

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

**Senate File 30**, by Warnstadt, a bill for an act allocating funding appropriated to assist individuals assigned to active duty military service and providing effective and applicability date provisions.

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

**Senate File 31**, by Kreiman, a bill for an act relating to telephone solicitations including establishing certain restrictions on telephone solicitors, providing for registration for residential customers objecting to receiving certain telephone solicitations, and providing penalties and remedies.

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

[Senate File 32](#), by Wieck, a bill for an act relating to income tax deductions for donations made for tsunami relief and including effective and retroactive applicability date provisions.

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

#### STUDY BILLS RECEIVED

[SSB 1003](#)      **Judiciary**

Relating to the names of business entities.

[SSB 1004](#)      **Judiciary**

Relating to certain penalties for filing false affidavits under the state inheritance tax and increasing the amount of property that may be transferred to minor under certain conditions and including a retroactive applicability date provision.

[SSB 1005](#)      **Judiciary**

Providing for the elimination of specified requirements applicable to an attorney providing brokerage and closing services in connection with a real estate auction.

[SSB 1006](#)      **Judiciary**

Relating to the residency of a district judge upon appointment.

[SSB 1007](#)      **Judiciary**

Relating to the filling of the office of county attorney by appointment.

[SSB 1008](#)      **Judiciary**

Relating to payment of legal expenses for an indigent claimant.

**SSB 1009**      **Judiciary**

Authorizing the juvenile court to suspend a child support obligation based on a dispositional order transferring custody to the obligor.

**SSB 1010**      **Judiciary**

Relating to an individual's right of publicity, providing remedies, and including an applicability provision.

**SSB 1011**      **Judiciary**

Providing for the use, consumption, or possession of a controlled substance while on public streets or highways or public school property, or while attending a public or private school-related function.

**SSB 1012**      **Judiciary**

Establishing a surcharge for certain speeding violations, creating a speeding violation surcharge fund, and making an appropriation.

**SSB 1013**      **Judiciary**

Appropriating state franchise tax revenues to cities and counties.

**SSB 1014**      **Judiciary**

Relating to workers' compensation insurance, benefits, settlements, and related nonoccupational disability benefits.

**SSB 1015**      **Judiciary**

Establishing the criminal offense of and a civil cause of action for the unauthorized collection and disclosure of personal information by computer, and providing a penalty.

**SSB 1016      Judiciary**

To establish a crime victim and witness notification system and advisory council in the department of justice and providing an effective date.

**SSB 1017      Judiciary**

Regulating ephedrine, pseudoephedrine, and phenylpropanolamine and providing a penalty.

**SSB 1018      Judiciary**

Relating to the exercise of district judge authority by a district associate judge.

**SUBCOMMITTEE ASSIGNMENTS****SSB 1003**

JUDICIARY: Dvorsky and McKibben, Co-chairs; Boettger and Kreiman

**SSB 1004**

JUDICIARY: Kreiman and McKibben, Co-chairs; Boettger and Hancock

**SSB 1005**

JUDICIARY: Kreiman and McKibben, Co-chairs; Boettger and Schoenjahn

**SSB 1006**

JUDICIARY: Kreiman and McKibben, Co-chairs; Boettger and Dvorsky

**SSB 1007**

JUDICIARY: Kreiman and McKibben, Co-chairs; Boettger and Hancock

**SSB 1008**

JUDICIARY: Kreiman and Tinsman, Co-chairs; Schoenjahn and Zaun

**SSB 1009**

JUDICIARY: Kreiman and Tinsman, Co-chairs; Boettger and Horn



**SSB 1010**

JUDICIARY: Brunkhorst and Horn, Co-chairs; Kreiman and Lamberti

**SSB 1011**

JUDICIARY: Brunkhorst and Schoenjahn, Co-chairs; Quirnbach and Zaun

**SSB 1012**

JUDICIARY: Brunkhorst and Kreiman, Co-chairs; Warnstadt and Zaun

**SSB 1013**

JUDICIARY: Hancock and Lamberti, Co-chairs; Fraise and Ward

**SSB 1014**

JUDICIARY: Fraise and Ward, Co-chairs; Lamberti and Schoenjahn

**SSB 1015**

JUDICIARY: Quirnbach and Ward, Co-chairs; Lamberti and Schoenjahn

**SSB 1016**

JUDICIARY: Kreiman and Ward, Co-chairs; Lamberti and Warnstadt

**SSB 1017**

JUDICIARY: Brunkhorst and Kreiman, Co-chairs; Schoenjahn and Zaun

**SSB 1018**

JUDICIARY: Horn and McKibben, Co-chairs; Kreiman and Ward