

PROOF

STATE OF IOWA

Senate Journal

MONDAY, JANUARY 31, 2005

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JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 31, 2005

The Senate met in regular session at 1:05 p.m., President Kibbie presiding.

Prayer was offered by Dr. Hal Green, pastor of the Wesley Methodist Church in Muscatine, Iowa. He was the guest of Senator Hahn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Genevieve Craggs.

The Journal of Thursday, January 27, 2005, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Houser, for the week, on request of Senator Zieman.

ADJOURNMENT

On motion of Senator Zieman, the Senate adjourned at 1:13 p.m. until 8:30 a.m., Tuesday, February 1, 2005.

APPENDIX

CERTIFICATES OF RECOGNITION

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

John Carroll, Avoca—For achieving the rank of Eagle Scout, Boy Scout Troop 90. Senator Boettger (1/31/05).

Jack Northup, Arlington—For celebrating your 80th birthday. Senator Schoenjahn (1/31/05).

Marie Reid, Burlington—For celebrating your 95th birthday. Senator Courtney (1/31/05).

Helene Sleeter, Burlington—For celebrating your 95th birthday. Senator Courtney (1/31/05).

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:

DEPARTMENT OF ECONOMIC DEVELOPMENT

Endow Iowa Program activities for 2004, pursuant to 2004 Acts, [House File 2311](#). Report received on January 31, 2005.

Report regarding the activities of the Community College Job Retention Program, pursuant to Iowa Code section 260F.9(1). Report received on January 31, 2005.

IOWA HIGHER EDUCATION LOAN AUTHORITY

2004 Annual Report, pursuant to Iowa Code section 261A.21. Report received on January 31, 2005.

DEPARTMENT OF HUMAN RIGHTS

2004 Annual Report of the Commission on the Status of Women. Report received on January 31, 2005.

DEPARTMENT OF JUSTICE

Report estimating the return of a local exchange carrier operating under price regulation and estimates of investment, revenues, and expenses associated with the sale of classified directory advertising for Qwest Communications, pursuant to Iowa Code section 476.98. Report received January 26, 2005.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: January 31, 2005, 3:10 p.m.

Members Present: Connolly and McKinley, Co-chairs; Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Quirnbach, Schoenjahn, and Ward.

Members Absent: Angelo, Lamberti, and Wood (all excused).

Committee Business: Presentation by Division of Financial and Information Services.

Adjourned: 3:50 p.m.

LOCAL GOVERNMENT

Convened: January 31, 2005, 2:15 p.m.

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

Members Absent: Houser and Lundby (both excused).

Committee Business: Presentation by Iowa County Recorders Association. Approved [SSB 1058](#).

Adjourned: 3:05 p.m.

INTRODUCTION OF RESOLUTION

[Senate Joint Resolution 3](#), by Iverson, Lamberti, Zieman, McKinley, Gaskill, Houser, Boettger, Kettering, Ward, Tinsman, Putney, Johnson, Mulder, Lundby, Hahn, Behn, Shull, McKibben, Seymour, Miller, Brunkhorst, and Zaun, a joint resolution requesting the proposal of an amendment to the Constitution of the United States restricting the ability of the federal judiciary to mandate any state or subdivision of any state to levy or increase taxes.

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

INTRODUCTION OF BILLS

[Senate File 88](#), by Dotzler, Ragan, Hatch, Dvorsky, Danielson, Seng, Beall, Kreiman, Wood, Stewart, Connolly, Black, Fraise, Gronstal, Courtney, Horn, Bolkcom, Rielly, and Hancock, a bill for an act prohibiting job discrimination based on comparable worth and sex and making penalties applicable.

Read first time under Rule 28 and referred to committee on **Business and Labor Relations**.

[Senate File 89](#), by Bolkcom, a bill for an act relating to the collection and maintenance of obesity-related data by the Iowa department of public health and participating elementary and secondary schools.

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

[Senate File 90](#), by Bolkcom, a bill for an act establishing a local food distribution program and fund at the Leopold center for sustainable agriculture at Iowa state university of science and technology and making an appropriation.

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

[Senate File 91](#), by Bolkcom, a bill for an act relating to recycling waste oil filters and establishing fees.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

[Senate File 92](#), by Kreiman, a bill for an act providing for the elimination of specified school district budget guarantee provisions, and providing an effective date.

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

STUDY BILLS RECEIVED

SSB 1084 **Judiciary**

Relating to the purchase, possession, or consumption of alcohol by a person under legal age, and providing a penalty.

SSB 1085 **Economic Growth**

Relating to the endow Iowa program and providing an effective date provision.

SSB 1086 **Judiciary**

Relating to a criminal defendant seeking postconviction relief.

SSB 1087 **Judiciary**

Eliminating a provision allowing a criminal offender to make a donation in lieu of performing community services.

SSB 1088 **Judiciary**

Relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

SUBCOMMITTEE ASSIGNMENTS

Senate File 48

COMMERCE: Beall and Iverson, Co-chairs; Bolcom and McKinley

Senate File 54

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

Senate File 56

JUDICIARY: Lamberti and Quirnbach, Co-chairs; Hancock and Miller

[Senate File 58](#)

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

[Senate File 60](#)

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

[Senate File 64](#)

JUDICIARY: Kreiman and Tinsman, Co-chairs; Dvorsky and Ward

[Senate File 82](#)

LOCAL GOVERNMENT: Mulder and Rielly, Co-chairs; Houser and Stewart

[Senate File 87](#)

JUDICIARY: Fraise and Zaun, Co-chairs; Boettger and Kreiman

[Senate File 90](#)

AGRICULTURE: Fraise and Johnson, Co-chairs; Brunkhorst and Rielly

[SSB 1084](#)

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

[SSB 1085](#)

ECONOMIC GROWTH: Shull, Chair; Dotzler, Hatch, and Zaun

[SSB 1086](#)

JUDICIARY: McKibben and Schoenjahn, Co-chairs; Larson and Quirnbach

[SSB 1087](#)

JUDICIARY: Fraise and Zaun, Co-chairs; Dvorsky and McKibben

[SSB 1088](#)

JUDICIARY: Schoenjahn and Zaun, Co-chairs; Hancock and Ward

BILL 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 bill has 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 31st day of January, 2005:

[Senate File 36.](#)

MICHAEL E. MARSHALL
Secretary of the Senate