

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, JANUARY 19, 2006

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JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 19, 2006

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

Prayer was offered by Pastor Tim Diehl of the Zion Evangelical and Reform Church in Garner, Iowa. He was the guest of Senator Gaskill.

The Journal of Wednesday, January 18, 2006, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:50 a.m. until 1:00 p.m., Monday, January 23, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Dave Schuster, Zwingle—For 34 years of outstanding service to public safety. Senator Hancock (1/19/06).

VFW Post #1977, Helof Holm, Decorah—For celebrating its 75th anniversary. Senator Zieman (1/19/06).

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:

IOWA HIGHER EDUCATION LOAN AUTHORITY

2005 Annual Report, pursuant to Iowa Code section 261A.21. Report received on January 19, 2006.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: January 18, 2006, 4:35 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: Approved SSBs 3016 and 3018.

Adjourned: 5:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 18, 2006, 10:00 a.m.

Members Present: Boettger and Horn, Co-chairs; McKinley, Quirmbach, Shull, and Wood.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: January 18, 2006, 10:05 a.m.

Members Present: Hatch and Tinsman, Co-chairs; Bolkom, Johnson, Ragan, and Seymour.

Members Absent: None.

Committee Business: Presentation by Jim Chrisinger from the Department of Management.

Adjourned: 11:20 a.m.

TRANSPORTATION

Convened: January 19, 2006, 2:00 p.m.

Members Present: McCoy and Putney, Co-chairs; Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Ward, Warnstadt, and Zieman.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 2:25 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 19, 2006, 10:05 a.m.

Members Present: Putney and Stewart, Co-chairs; Dvorsky, McCoy, Mulder, and Zieman.

Members Absent: None.

Committee Business: Presentation by Ed Stanek, Director of Iowa Lottery.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 19, 2006, 10:05 a.m.

Members Present: Gaskill and Seng, Co-chairs; Black, Hahn, Houser, and Schoenjahn.

Members Absent: None.

Committee Business: Presentation by conservation districts of Iowa.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 19, 2006, 9:55 a.m.

Members Present: Dotzler and Ward, Co-chairs; Behn, Brunkhorst, and Rielly.

Members Absent: Danielson (excused).

Committee Business: Presentations by Public Employment Relations Board Chairperson Jim Riordan and Department of Economic Development Director Mary Lawyer.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 19, 2006, 10:05 a.m.

Members Present: Boettger and Horn, Co-chairs; McKinley, Quirnbach, Shull, and Wood.

Members Absent: None.

Committee Business: Presentation by Iowa Vocational Rehabilitation Services.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 19, 2006, 10:00 a.m.

Members Present: McKibben, Co-chair; Hancock and Kreiman.

Members Absent: Fraise, Co-chair; Larson and Miller (all excused).

Committee Business: Presentation by Acton and Lenstra.

Adjourned: 10:55 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION,
INFRASTRUCTURE, AND CAPITALS**

Convened: January 19, 2006, 10:00 a.m.

Members Present: Kettering and Warnstadt, Co-chairs; Beall, Dearden, and Zaun.

Members Absent: Angelo (excused).

Committee Business: Presentation by the Department of Transportation.

Adjourned: 11:05 a.m.

INTRODUCTION OF BILLS

Senate File 2047, by Warnstadt and Wieck, a bill for an act relating to the application of the sales tax to only certain recreational fees paid to cities or counties.

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

Senate File 2048, by Bolkom, Beall, Ragan, Connolly, Hancock, Kibbie, Gronstal, Courtney, Fraise, Quirnbach, Schoenjahn, Dearden, Kreiman, Wood, Seng, Horn, Dvorsky, Dotzler, Danielson, Warnstadt, Stewart, Hatch, and McCoy, a bill for an act relating to the personal needs allowance for residents of nursing facilities.

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

Senate File 2049, by Hatch, a bill for an act creating a targeted development area business recruitment program.

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

Senate File 2050, by McKinley, a bill for an act concerning minimum wages for employees of excursion gambling boats and racetracks licensed to conduct gambling games.

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

Senate File 2051, by committee on Appropriations, a bill for an act relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability.

Read first time under Rule 28 and **placed on Appropriations calendar.**

[Senate File 2052](#), by Bolkcom, a bill for an act requiring certain Iowa national pollutant discharge elimination system program permit holders to post signs at discharge points and providing a penalty.

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

[Senate File 2053](#), by Bolkcom, a bill for an act relating to advertising for delayed deposit services and consumer loans secured by a motor vehicle and making penalties applicable.

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

[Senate File 2054](#), by Gronstal, a bill for an act providing for termination of the parental rights of a child's parent who has been convicted of certain offenses against a minor.

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

[Senate File 2055](#), by Kibbie, a bill for an act relating to motor vehicle registration fees for motor trucks weighing less than eight thousand pounds.

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

[Senate File 2056](#), by committee on Appropriations, a bill for an act relating to the Honey creek premier destination park bond program.

Read first time under Rule 28 and **placed on Appropriations calendar.**

[Senate File 2057](#), by Bolkcom, a bill for an act relating to the prohibition of human reproductive cloning and providing penalties.

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

[Senate File 2058](#), by Bolkcom, Connolly, Hancock, Kibbie, Gronstal, Courtney, Fraise, Schoenjahn, Dearden, Kreiman, Wood, Seng, Horn, Dvorsky, Dotzler, Danielson, Ragan, Stewart, Hatch, McCoy, and Beall, a bill for an act relating to standardized requirements for long-term care insurance policies.

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

[Senate File 2059](#), by Bolkcom, Connolly, Kibbie, Gronstal, Courtney, Fraise, Quirnbach, Dearden, Kreiman, Wood, Seng, Horn, Dvorsky, Dotzler, Danielson, Hatch, and McCoy, a bill for an act providing a prohibition against reprisals relating to health care workers disclosing specified information, and providing penalties.

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

[Senate File 2060](#), by Bolkcom, a bill for an act relating to the regulation of payday loans and lenders, including the establishment of fees and civil penalties, and providing for an impact study by the superintendent of banking.

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

[Senate File 2061](#), by Ward, Johnson, Danielson, and Dotzler, a bill for an act relating to tourism marketing by the department of economic development and making appropriations.

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

[Senate File 2062](#), by Bolkcom, Connolly, Hancock, Hatch, Kibbie, Gronstal, Courtney, Fraise, Quirnbach, Schoenjahn, Dearden, Kreiman, Wood, Seng, Horn, Dotzler, Danielson, Warnstadt, Ragan, Stewart, and Beall, a bill for an act relating to the senior living trust fund and providing for appropriation of the moneys in the fund.

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

STUDY BILLS RECEIVED

SSB 3023 Economic Growth

Relating to employment law concerning private sector drug testing and unemployment compensation hearings and eligibility for benefits.

SSB 3024 Transportation

Relating to scheduled fines for violations of motor carrier safety rules.

SSB 3025 Transportation

Relating to registration fees for certain motor trucks, creating an E-85 trust fund, making an appropriation, and providing effective and applicability dates.

SSB 3026 Transportation

Providing for regulation of motor vehicles by the state department of transportation, including motor vehicle registration and fees, commercial driver licensing, wholesaler licensing, vehicle braking requirements, vehicle length restrictions, proof of financial responsibility requirements, and persons with disabilities parking permits.

SUBCOMMITTEE ASSIGNMENTS

Senate File 203

TRANSPORTATION: Warnstadt and Zieman, Co-chairs; Danielson and Ward

Senate File 222

TRANSPORTATION: McCoy and Zieman, Co-chairs; Dearden and Hahn

Senate File 232

TRANSPORTATION: McCoy and Warnstadt, Co-chairs; Hahn and Zieman

Senate File 2018

STATE GOVERNMENT: Kibbie and Zieman, Co-chairs; Horn and Kettering

Senate File 2019

STATE GOVERNMENT: Kibbie and Zieman, Co-chairs; Horn and Kettering

Senate File 2037

WAYS AND MEANS: Danielson and Zaun, Co-chairs; Dotzler and Zieman

Senate File 2038

WAYS AND MEANS: Dotzler and McKibben, Co-chairs; Danielson and Zaun

Senate File 2039

COMMERCE: Warnstadt and Wieck, Co-chairs; Rielly and Zaun

Senate File 2040

WAYS AND MEANS: Connolly and Wieck, Co-chairs; Stewart and Zaun

Senate File 2041

WAYS AND MEANS: Dotzler and Zaun, Co-chairs; Danielson and Zieman

Senate File 2042

EDUCATION: McKinley and Schoenjahn, Co-chairs; Beall and Brunkhorst

Senate File 2044

WAYS AND MEANS: Connolly and McKibben, Co-chairs; Bolkcom and Zieman

Senate File 2053

COMMERCE: Bolkcom and Zieman, Co-chairs; Rielly and Zaun

House File 741

TRANSPORTATION: Fraise and Hahn, Co-chairs; Kettering and Warnstadt

SSB 3023

ECONOMIC GROWTH: Rielly and Zaun, Co-chairs; Dotzler and Hahn

SSB 3024

TRANSPORTATION: McCoy and Zieman, Co-chairs; Beall and Putney

SSB 3025

TRANSPORTATION: McCoy and Putney, Co-chairs; Beall, Danielson, Dearden, Fraise, Hahn, Kettering, Shull, Ward, Warnstadt, and Ziemann

SSB 3026

TRANSPORTATION: McCoy and Putney, Co-chairs; Danielson and Shull

FINAL COMMITTEE REPORTS OF BILL ACTION**APPROPRIATIONS**

Bill Title: SENATE FILE 2051 (SSB 3016), a bill for an act relating to the medical assistance provider payment adjustments, providing for transfer, appropriation, and deposit of funds, providing an effective date, and providing for retroactive applicability.

Recommendation: APPROVED COMMITTEE BILL.

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: SENATE FILE 2056 (SSB 3018), a bill for an act relating to the Honey creek premier destination park bond program.

Recommendation: APPROVED COMMITTEE BILL.

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.