

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, JANUARY 24, 2006

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 24, 2006

The Senate met in regular session at 8:33 a.m., President Kibbie presiding.

Prayer was offered by Pastor Terry Amaan of the Windsor Presbyterian Church in Windsor Heights, Iowa. He was the guest of Senator Ward.

The Journal of Monday, January 23, 2006, was approved.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:53 a.m. until 8:30 a.m., Wednesday, January 25, 2006.

APPENDIX**CERTIFICATES OF RECOGNITION**

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

Brittney Carlson, Oskaloosa—For scoring your 1,000th career point. Senator Rielly (1/24/06).

Martha McKenna, Waterloo—For celebrating your 90th birthday. Senator Dotzler (1/24/06).

Mr. and Mrs. Robert and Miriam McKinley, Waterloo—For celebrating your 50th wedding anniversary. Senator Dotzler (1/24/06).

Nick Novick, Waterloo—For celebrating your 92nd birthday. Senator Dotzler (1/24/06).

Anne Schultz, Waterloo—For celebrating your 90th birthday. Senator Dotzler (1/24/06).

REPORTS OF COMMITTEE MEETINGS**HUMAN RESOURCES**

Convened: January 23, 2006, 4:05 p.m.

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

Members Absent: Bolcom, Gaskill, and Wood (all excused).

Committee Business: Approved Governor's appointments.

Adjourned: 4:10 p.m.

JUDICIARY

Convened: January 23, 2006, 3:35 p.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, Larson, McKibben, Quirnbach, Schoenjahn, Tinsman, Ward, and Zaun.

Members Absent: Warnstadt (excused).

Committee Business: Subcommittee assignments.

Adjourned: 3:50 p.m.

AGRICULTURE

Convened: January 24, 2006, 3:05 p.m.

Members Present: Fraise and Johnson, Co-chairs; Brunkhorst, Courtney, Gaskill, Hahn, Hancock, Houser, Kibbie, Mulder, Ragan, and Rielly.

Members Absent: Black and Putney (both excused).

Committee Business: Approved [SSB 3017](#). Presentation on Canadian pork production.

Adjourned: 3:50 p.m.

ECONOMIC GROWTH

Convened: January 24, 2006, 1:00 p.m.

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

Members Absent: McKinley (excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:20 p.m.

GOVERNMENT OVERSIGHT

Convened: January 24, 2006, 10:05 a.m.

Members Present: Courtney and Lundby, Co-chairs; Connolly and Wieck.

Members Absent: None.

Committee Business: Presentations by Ombudsman's Office, Ethics and Campaign Disclosure Board, and soil and water conservation districts.

Adjourned: 11:50 a.m.

HUMAN RESOURCES

Convened: January 24, 2006, 2:05 p.m.

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

Members Absent: Hatch and Houser (both excused).

Committee Business: Approved Governor's appointment. Presentation by Department of Elder Affairs.

Adjourned: 3:00 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: January 24, 2006, 1:10 p.m.

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

Members Absent: Black, Co-chair; and Putney (both excused).

Committee Business: Organizational meeting.

Adjourned: 1:15 p.m.

RULES AND ADMINISTRATION

Convened: January 24, 2006, 4:00 p.m.

Members Present: Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

Members Absent: None.

Committee Business: Approved [SR 104](#).

Adjourned: 4:05 p.m.

TRANSPORTATION

Convened: January 24, 2006, 2:00 p.m.

Members Present: McCoy, Co-chair; Beall, Danielson, Dearden, Hahn, Kettering, Shull, Ward, and Ziemann.

Members Absent: Putney, Co-chair; Fraise and Warnstadt (all excused).

Committee Business: Presentation by Department of Transportation.

Adjourned: 3:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 24, 2006, 9:35 a.m.

Members Present: Stewart, Co-chair; Mulder and Ziemann.

Members Absent: Putney, Co-chair; Dvorsky and McCoy (all excused).

Committee Business: Presentation by the Department of Revenue.

Adjourned: 10:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 24, 2006, 9:45 a.m.

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

Members Absent: Black and Houser (both excused).

Committee Business: Presentation by State Veterinarian Dr. John Schiltz.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 24, 2006, 9:50 a.m.

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

Members Absent: Danielson (excused).

Committee Business: Presentations by the Iowa Finance Authority and Iowa Workforce Development.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 24, 2006, 9:45 a.m.

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

Members Absent: None.

Committee Business: Presentation by the Department of Management.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 24, 2006, 9:40 a.m.

Members Present: Fraise and McKibben, Co-chairs; Hancock, Kreiman, and Miller.

Members Absent: Larson (excused).

Committee Business: Presentation by the Department of Corrections.

Adjourned: 11:15 a.m.

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

Convened: January 24, 2006, 9:45 a.m.

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

Members Absent: Warnstadt, Co-chair; and Angelo (both excused).

Committee Business: Presentations by Iowa Public Television and the Department of Transportation.

Adjourned: 10:30 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 104, by Dotzler, Zieman, Lamberti, Stewart, Hahn, Zaun, Brunkhorst, Hancock, Wood, Schoenjahn, Johnson, Seng, Bolkcom, Miller, Dearden, Kettering, Ragan, Ward, Wieck, McKibben, Mulder, Shull, Behn, Gaskill, Quirnbach, Seymour, Fraise, Black, Courtney, Hatch, Gronstal, Beall, Horn, and Kibbie, a resolution naming National Association for Stock Car Auto Racing great Rusty Wallace an honorary Iowan.

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

INTRODUCTION OF BILLS

Senate File 2066, by Miller, a bill for an act exempting certain genetic test laboratory services from the state sales and use taxes.

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

Senate File 2067, by Dotzler, Danielson, Dvorsky, Warnstadt, Ragan, Stewart, Bolkcom, Connolly, Hancock, Black, Kibbie, Gronstal, Courtney, Fraise, Quirnbach, Schoenjahn, Rielly, Kreiman, Wood, Seng, Horn, Beall, McCoy, and Hatch, a bill for an act increasing the state minimum hourly wage rate requirement.

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

[Senate File 2068](#), by Bolkcom, Connolly, Hancock, Kibbie, Gronstal, Courtney, Fraise, Quirnbach, Schoenjahn, Dearden, Kreiman, Wood, Seng, Horn, Dvorsky, Dotzler, Danielson, Warnstadt, Ragan, Stewart, Hatch, McCoy, and Beall, a bill for an act relating to services for which reimbursement may be provided under a medical assistance home and community-based services waiver for the elderly.

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

[Senate File 2069](#), by Tinsman, a bill for an act establishing a dentist recruitment program and revolving fund and making an appropriation.

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

[Senate File 2070](#), by Hatch, Schoenjahn, Wood, Dearden, Seng, Stewart, Dotzler, Ragan, Lundby, Bolkcom, Danielson, Shull, and Mulder, a bill for an act providing a supplemental appropriation for the low-income home energy assistance program, and including an effective date.

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

[Senate File 2071](#), by Iverson and Shull, a bill for an act relating to the sale of violent or sexually explicit video games to a minor, and providing penalties.

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

STUDY BILLS RECEIVED

[SSB 3036](#) **Judiciary**

Relating to the appointment of a judicial officer, a clerk of the district court, or a chief juvenile court officer.

SSB 3037 State Government

Relating to the election of mayor and city council members in a city governed by the council-manager-at-large form of city government.

SSB 3038 Human Resources

Relating to the creation of a consumer choice, support, and education program.

SSB 3039 Human Resources

Relating to services and requirements for current and former participants in the child welfare system.

SUBCOMMITTEE ASSIGNMENTS**Senate Resolution 104**

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

Senate File 2043

STATE GOVERNMENT: Ward and Wood, Co-chairs; Black and Brunkhorst

Senate File 2064

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

Senate File 2065

WAYS AND MEANS: Quirnbach and Wieck, Co-chairs; Danielson and Zaun

Senate File 2066

WAYS AND MEANS: Connolly and Miller, Co-chairs; Dotzler and Hahn

Senate File 2067

BUSINESS AND LABOR RELATIONS: Behn and Dotzler, Co-chairs; Courtney and Seymour

SSB 3036

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

SSB 3037

STATE GOVERNMENT: Danielson and Wieck, Co-chairs; Kettering and Wood

SSB 3038

HUMAN RESOURCES: Boettger and Bolkcom, Co-chairs; Quirmbach and Seymour

SSB 3039

HUMAN RESOURCES: Bolkcom and Johnson, Co-chairs; Houser and Quirmbach

FINAL COMMITTEE REPORT OF BILL ACTION**RULES AND ADMINISTRATION**

Bill Title: SENATE RESOLUTION 104, a resolution naming National Association for Stock Car Auto Racing great Rusty Wallace an honorary Iowan.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**GOVERNOR'S APPOINTEE PLACED ON
EN BLOC CALENDAR**

The following appointee, assigned to a standing committee for investigation, was placed on the En Bloc Calendar with recommendation for confirmation:

HUMAN RESOURCES

Rick Hecht – Mental Health, Mental Retardation, Developmental Disabilities, and Brain Injury Commission