

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, JANUARY 26, 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

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 26, 2006

The Senate met in regular session at 8:30 a.m., President Kibbie presiding.

Prayer was offered by Pastor Jason Stark of Point of Grace Church in Waukee, Iowa. He was the guest of Senator Zaun.

The Journal of Wednesday, January 25, 2006, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 25, 2006, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2095, a bill for an act providing for the establishment of the state percent of growth for purposes of the state school foundation program and providing an applicability date.

Read first time and referred to committee on **Education**.

ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 8:40 a.m. until 1:00 p.m., Monday, January 30, 2006.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Mr. and Mrs. Glenn and Donna Janssen, Jewell—For celebrating your 60th wedding anniversary. Senator Iverson (1/26/06).

Marie Knedler, Council Bluffs—For receiving the Daily Nonpareil's Person of the Year Award. Senator Seymour (1/26/06).

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 COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

2005 Report of Activities, pursuant to Iowa Code section 312.3B. Report received on January 26, 2006.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five student senators from the Iowa Central Community College in Fort Dodge, accompanied by Dave Drissel and Paul DeCoursey. Senator Beall.

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: January 26, 2006, 10:05 a.m.

Members Present: Lundby, Co-chair; and Connolly.

Members Absent: Courtney, Co-chair; and Wieck (both excused).

Committee Business: Discussion with the Ombudsman's Office and the Ethics and Campaign Disclosure Board.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 26, 2006, 9:40 a.m.

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

Members Absent: Dvorsky and McCoy (both excused).

Committee Business: Presentations by the Iowa Ethics and Campaign Disclosure Board and the Department of Administrative Services.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 26, 2006, 9:50 a.m.

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

Members Absent: Houser and Schoenjahn (both excused).

Committee Business: Presentation by the Department of Natural Resources.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: January 26, 2006, 9:45 a.m.

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

Members Absent: Behn (excused).

Committee Business: Presentations by the Department of Economic Development and the Board of Regents universities.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 26, 2006, 9:45 a.m.

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

Members Absent: Shull (excused).

Committee Business: Presentation by the College Student Aid Commission.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: January 26, 2006, 9:30 a.m.

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

Members Absent: Seymour (excused).

Committee Business: Presentation by the Department of Public Health and the Department of Elder Affairs.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 26, 2006, 9:45 a.m.

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

Members Absent: Larson (excused).

Committee Business: Presentations by the Department of Public Defense and the Homeland Security and Emergency Management Division.

Adjourned: 11:00 a.m.

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

Convened: January 26, 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 the Rebuild Iowa Coalition, Department of Corrections, and the Administrative Services Division.

Adjourned: 10:40 a.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 105](#), by Dotzler, Danielson, and Brunkhorst, a resolution honoring the University of Northern Iowa Football Team.

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

INTRODUCTION OF BILLS

[Senate File 2083](#), by Lamberti, Iverson, Johnson, Behn, Ziemann, McKibben, Gaskill, Boettger, Miller, Kettering, Brunkhorst, McKinley, Angelo, Wieck, and Hahn, a bill for an act allowing a nonresident person who has been issued and holds a valid out-of-state weapons permit to carry weapons in this state.

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

[Senate File 2084](#), by Hatch, a bill for an act to prohibit the disconnection of gas or electric utility service to households with residents who would suffer a health risk, providing for a health risk utility tax credit, and making penalties applicable.

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

[Senate File 2085](#), by Johnson, a bill for an act providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty.

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

[Senate File 2086](#), by committee on Education, a bill for an act allowing school districts to use biometric fingerprint identification systems for certain restricted purposes and providing an effective date.

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

[Senate File 2087](#), by committee on Local Government, a bill for an act relating to an increase in per diem paid to trustees of sanitary districts.

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

[Senate File 2088](#), by Fraise, a bill for an act relating to the application of phosphoric fertilizers on turf and making penalties applicable.

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

[Senate File 2089](#), by Lamberti, a bill for an act relating to littering and illegal discarding of solid waste and increasing fines and penalties and making appropriations.

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

[Senate File 2090](#), by McKibben, Iverson, Lamberti, Johnson, Kettering, Zieman, Behn, and Hahn, a bill for an act relating to the issuance of weapons permits by a county sheriff or the commissioner of public safety.

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

[Senate File 2091](#), by Angelo, a bill for an act relating to the salary of certain deputy officers in the offices of county auditor, treasurer, and recorder and providing an applicability date.

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

[Senate File 2092](#), by Kibbie, a bill for an act exempting from the use tax motor vehicles designed to run on E-85 gasoline and hybrid vehicles.

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

[Senate File 2093](#), by McKibben, a bill for an act relating to the holding period for purposes of certain capital assets under the individual income tax and including effective and applicability date provisions.

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

[Senate File 2094](#), by Lamberti, McKibben, Angelo, Beall, Behn, Black, Boettger, Bolkcom, Connolly, Courtney, Danielson, Dearden, Dotzler, Dvorsky, Fraise, Gaskill, Gronstal, Hahn, Hancock, Horn, Iverson, Johnson, Kettering, Kibbie, Kreiman, Larson, Lundby, McCoy, McKinley, Miller, Mulder, Putney, Ragan, Rielly, Schoenjahn, Seng, Seymour, Stewart, Tinsman, Ward, Warnstadt, Wieck, Wood, Zaun, and Zieman, a bill for an act relating to the criminal penalties for certain offenses involving sexual abuse in the second degree, lascivious acts with a child, and sexual exploitation, and establishing a duty to inform law enforcement about a registered sex offender.

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

[Senate File 2095](#), by Hatch and Boettger, a bill for an act establishing an Iowa health freedom Act.

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

[Senate File 2096](#), by Danielson, a bill for an act relating to the victim compensation fund and mileage reimbursement.

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

[Senate File 2097](#), by Danielson and Dotzler, a bill for an act making a supplemental appropriation for the fiscal year beginning July 1, 2005, for purposes of the restoration of Gilchrist hall at the university of northern Iowa and providing an effective date.

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

[Senate File 2098](#), by Hatch, a bill for an act relating to the certification and registration of real estate appraisers and providing a penalty.

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

[Senate File 2099](#), by Hatch, a bill for an act to establish an individual training account fund within the department of workforce development for the training of unemployed persons and making an appropriation.

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

[Senate File 2100](#), by Danielson, a bill for an act relating to funding for local emergency management and providing an applicability date.

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

STUDY BILL RECEIVED

[SSB 3048](#) **Appropriations**

Relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2012](#)

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

[Senate File 2045](#)

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

[Senate File 2069](#)

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs; Bolcom, Ragan, Seymour, and Tinsman

[Senate File 2070](#)

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

[Senate File 2072](#)

LOCAL GOVERNMENT: Rielly and Zaun, Co-chairs; Mulder and Schoenjahn

[Senate File 2077](#)

WAYS AND MEANS: Danielson and Miller, Co-chairs; McCoy and Zaun

[Senate File 2078](#)

STATE GOVERNMENT: Ward and Wood, Co-chairs; Danielson and Tinsman

[Senate File 2079](#)

WAYS AND MEANS: Stewart and Zaun, Co-chairs; Danielson and Hahn

[Senate File 2092](#)

WAYS AND MEANS: Miller and Stewart, Co-chairs; Dotzler and McKibben

[Senate File 2093](#)

WAYS AND MEANS: Connolly and McKibben, Co-chairs; McCoy and Ziemann

[House File 2050](#)

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

[SSB 3048](#)

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: [SENATE FILE 2086](#) (formerly [SF 2001](#)), a bill for an act allowing school districts to use biometric fingerprint identification systems for certain restricted purposes and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Connolly, McKinley, Beall, Boettger, Brunkhorst, Dvorsky, Kreiman, Mulder, Schoenjahn, Ward, and Wood. Nays, 2: Angelo and Quirnbach. Absent, 1: Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: [SENATE FILE 2087](#) (formerly [SF 2016](#)), a bill for an act relating to an increase in per diem paid to trustees of sanitary districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Quirnbach, Shull, Houser, Lundby, Mulder, Rielly, Schoenjahn, Stewart, and Zaun. Nays, none. Absent, 3: Kreiman, McCoy, and Putney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.