

PROOF

STATE OF IOWA

Senate Journal

MONDAY, MARCH 27, 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

SEVENTY-EIGHTH CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 27, 2006

The Senate met in regular session at 1:08 p.m., President Lamberti presiding.

Prayer was offered by Gail Thiessen, pastor of the Central Christian Church in Marshalltown, Iowa. She was the guest of Senator McKibben.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senate Page Jackie Ernst.

The Journal of Thursday, March 23, 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 March 27, 2006, **adopted** the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 109, that a joint convention of the two houses of the 2006 session of the Eighty-first General Assembly be held on Monday, March 27, 2006, at 1:00 p.m.

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

INTRODUCTION OF RESOLUTION

[Senate Resolution 142](#), by Zaun, Hatch, McCoy, and Dearden, a resolution congratulating the Des Moines Hoover High School Boys' Basketball Team on winning the class 4-A championship at the 2006 Iowa Boys' State Basketball Tournament.

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

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:14 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:18 p.m., President Lamberti presiding.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [HOUSE CONCURRENT RESOLUTION 109](#), that a joint convention of the two houses of the 2006 session of the Eighty-first General Assembly be held on Monday, March 27, 2006, at 1:00 p.m.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House Concurrent Resolution 109](#).

House Concurrent Resolution 109

On motion of Senator Gronstal, House Concurrent Resolution 109, that a joint convention of the two houses of the 2006 session of the Eighty-first General Assembly be held on Monday, March 27, 2006, at 1:00 p.m., with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 109, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that House Concurrent Resolution 109 be **immediately messaged** to the House.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with House Concurrent Resolution 109, duly adopted, the Senate proceeded to the House chamber under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 109, duly adopted, the joint convention was called to order at 1:23 p.m., President Lamberti presiding.

Senator Gronstal moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

Senator Gronstal moved that a committee of seven, four members from the Senate and three members from the House, be appointed to escort Governor Thomas J. Vilsack to the House chamber.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Ragan, Ward, Stewart, and Shull, on the

part of the Senate, and Representatives Freeman, Kaufmann, and Whitead, on the part of the House.

Senator Gronstal moved that a committee of seven, four members from the Senate and three members from the House be appointed to notify the Adjutant General of the Iowa National Guard, Major General Ron Dardis, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Larson, Warnstadt, Wieck, and Beall, on the part of the Senate, and Representatives Tymeson, Alons, and Zirkelbach, the honorary representative who is serving in Iraq, on the part of the House.

Secretary of Agriculture Patty Judge, Treasurer of State Michael Fitzgerald, State Auditor David Vaudt, and Administrator of Homeland Security and Emergency Management David Miller, were escorted into the House chamber.

General Dardis's wife, Carmel, his son, Ruan, and his daughters, Jamie and Jill, were escorted into the House chamber.

Lieutenant Governor Sally J. Pederson was escorted into the House chamber.

The committee waited upon Governor Thomas J. Vilsack and escorted him into the House chamber.

The committee waited upon Major General Ron Dardis, Adjutant General of the Iowa National Guard, and escorted him to the Speaker's station.

President Lamberti presented Major General Ron Dardis, Adjutant General of the Iowa National Guard, who delivered the following Condition of the Iowa National Guard Address:

Good afternoon everyone. Thank you for the warm welcome!

Speaker Rants, Presidents Lamberti and Kibbie, thank you for inviting me to address this distinguished body today and to once again share the tremendous story of the Iowa National Guard with you.

Governor Vilsack, members of the General Assembly, and special invited guests, thank you so much for being here today.

It is a great honor to stand before you representing the wonderful men and women of the Iowa National Guard. On their behalf, I want to say a heartfelt “thank you” for all you have done over the years to assist us in building a world-class organization.

We are enormously grateful for the unyielding support we continue to receive from our Commander-in-Chief, Governor Vilsack, and our Lieutenant Governor Sally Pederson. Governor and Lieutenant Governor, you have been with us every step of this journey. Thank you for your leadership and thank you for your incredible support of the Iowa National Guard.

We are also thankful for the strong support we receive from the members of this General Assembly, from our Iowa congressional delegation, and above all, from the great people of the state of Iowa.

This extraordinary support has made it possible for the Iowa National Guard to serve our state and nation during unprecedented times. It helped us create a climate of success that is the envy of National Guard and state officials throughout the nation.

Yet no measure of success matters if, at the end of the day, you cannot say “yes” to one basic question—are you making a difference? As I share our story with you today, I challenge you to see how our soldiers, airmen, and their families are making a difference—a difference in our communities, a difference in our state, a difference in our nation, and a difference in the Global War on Terrorism.

Our success is particularly remarkable considering the challenging and dynamic environment we are operating in. Since 9/11, we have mobilized and deployed more soldiers and airmen than at any time in recent history, including World War II. You would have to go back to the Civil War era to find a higher operational tempo for the Iowa National Guard.

And all of this is being done during a historic period of institutional change for our Armed Forces—changes that will affect us for years to come. The effects of the base realignment and closure process on the Iowa National Guard were positive. Thanks to our position as a top-tier state in the areas of recruiting and readiness, we did not lose any units or force structure, and in fact, benefited greatly in the area of military construction projects. Once fully implemented and funded, we stand to gain four Armed Forces Reserve Centers—one at Camp Dodge, one at Middletown, one at Cedar Rapids, and one at Muscatine. These projects will bring more than \$100 million of military construction money into the state of Iowa. No state matching funds are required for these projects. They will greatly enhance our ability to meet future space and operational requirements.

Last year, the Iowa Army National Guard ended the year number one in strength readiness in the National Guard system. Strength readiness is a measure of our ability to recruit new soldiers, to retain existing soldiers, and to ensure our soldiers are trained in their military specialties. We are currently number two in the nation in strength readiness and are on a record-breaking pace for recruiting new and prior-service soldiers. A key component of our readiness is our retention rate. Currently, we are exceeding the retention standard set by the National Guard Bureau by more than four percent. With more than half the recruiting year remaining, we have reached 53 percent of our recruiting goal.

The Iowa Air National Guard is doing equally well. In 2005, we finished the year at 104 percent of assigned strength—106 percent today—with a high retention rate of 98 percent.

The soldiers and airmen we are recruiting today are high-quality men and women—men and women who join knowing full well they will likely be deployed in the near future.

By any measure, these are incredible accomplishments. But they are not just accomplishments to feel good about—they are tangible achievements that literally

mean the difference between success or failure as states position themselves to capture shrinking segments of the National Guard force structure.

For the last five years, the Iowa National Guard has continued to excel in the area of strength readiness, and time and again we have been rewarded for that performance. This success did not happen by accident. It is the result of many years of hard work and untold numbers of dedicated men and women working together as a team to build a community-based organization that is prepared to serve Iowa and the nation today and tomorrow.

At this time, I'd like to introduce to you a group of individuals who epitomize the quality men and women who make up our Iowa team. These individuals are here today to represent the achievements of our soldiers and airmen during the last year. They were selected as the best of the best in their respective categories.

As I call your name, please stand and remain standing. I ask everyone to hold their applause until I've introduced all our distinguished soldiers, airmen, and civilian employees:

Specialist Zachariah McDowell, Troop A, 1st Squadron, 113th Cavalry—Soldier of the Year;

Airman Travis W. Christiansen, 133rd Test Squadron—Airman of the Year;

Sergeant William D. Speicher, Troop A, 1st Squadron, 113th Cavalry—Noncommissioned Officer of the Year—Army;

Tech Sergeant Julie A. Pover, 133rd Test Squadron—Noncommissioned Officer of the Year—Air;

SMSgt Larry L. Lorton, 132 Fighter Wing—Senior Noncommissioned Officer of the Year;

Captain Doug Houston, 67th Troop Command—General Douglas MacArthur Leadership Award recipient;

Captain John McClelland, 132nd Fighter Wing—Officer of the Year; and Margaret Seals, State Equal Employment Manager—2005 Blacks in Government Civilian Meritorious Service Award recipient.

I think you'll agree this is a terrific group of achievers. Please join me in a warm round of applause in recognition of their outstanding accomplishments.

Thanks to their hard work and that of their fellow soldiers, airmen, and civilian employees, the Iowa National Guard is making a difference. Nowhere is this more apparent than in looking at some of our recent missions.

At this time, I want to introduce a group of individuals who represent our soldiers and airmen who have returned from deployments—both here at home and abroad—this past year.

LTC Todd Jacobus, commander of the 224th Engineer Battalion located in southeast Iowa, led 500 soldiers to Iraq in January 2005. Their mission was to increase the combat effectiveness of U.S. and coalition forces by removing obstacles; identifying and reducing minefields, unexploded ordnance, and improvised explosive devices (IEDs); repairing bridges and roadways; and conducting route clearing operations, convoy escorts, security missions, and detainee operations. Few of our deployed units have had missions as challenging or as difficult as the 224th. During their tour in Iraq, the 224th found and reduced more than 580 IEDs, cleared more than 16,000 miles of roadway, drove nearly 800,000 miles in convoy escorts, and supported 740 combat missions with personnel and equipment.

Their effectiveness at reducing the threat posed to our soldiers by IEDs was incredible. When they arrived, only 30 percent of IEDs were detected and disarmed, meaning that 70 percent of these killers were going unnoticed until it was too late. By the time the 224th left Iraq, they had completely reversed those numbers. Through good, old-fashioned Iowa ingenuity, along with assistance from the business

community, the 224th developed an IED detection protocol that was being adopted for use throughout Iraq. Unfortunately, the 224th's accomplishments did not come without a price: 37 of their soldiers were awarded Purple Hearts, 24 were awarded Bronze Stars, and four brave engineers were killed in action during their deployment.

Captain Jenny Mlocek, commander of the 2168th Transportation Company, comprised of units located in Sheldon and Cedar Rapids, led approximately 170 soldiers to the Iraqi theater of operations in October 2004. The mission of the 2168th, a medium truck company, was to move equipment and supplies around the theater of operations. This highly motivated unit hauled 15,500 pieces of equipment, provided convoy escort to commercial haulers for more than 6 million miles, hauled supplies and equipment nearly 2 million miles, and conducted over 300 missions to key drop-off collection points in Iraq—all the while maintaining a fully mission-capable rate in excess of 98 percent throughout the deployment. Five soldiers from this unit were awarded Purple Hearts, eight were awarded Bronze Stars, and two soldiers were killed in a tragic accident enroute to their mobilization station.

MAJ Aaron Baugher and 60 soldiers from the 194th Infantry Detachment (Long Range Surveillance) returned from Iraq in February 2005. During the first part of its deployment, the 194th was tasked with supervising, training, and equipping an Iraqi border patrol battalion along the Turkish and Iranian border. The unit conducted over 600 joint patrols, traffic control points, and surveillance missions while assigned to the Iraqi border patrol training mission. During the last half of their deployment, the 194th was ordered to the Mosul area where it conducted surveillance, counter-mortar, sniper, overwatch, security patrols, and cordon and search missions. One soldier was awarded a Purple Heart and three soldiers were awarded Bronze Stars.

Lieutenant Colonel Scott Visser led 700 soldiers from Task Force 168 to Afghanistan in February 2004. They served in Afghanistan for 13 months, playing a critical role in Provincial Reconstruction Team (PRT) operations and providing security and support to Civil Affairs personnel allowing them to plan and help rebuild Afghanistan's infrastructure. Task Force 168 soldiers organized, conducted, and participated in more than 12,000 missions including leader's reconnaissance, force protection, convoy escort, presence patrols, and quick reaction forces. A highlight of their mission was their participation in Afghanistan's presidential elections in October 2004. Task Force 168's PRTs provided route security for voters, secured polling sites, and escorted ballot boxes to the counting houses, and secured the counting houses while the votes were tallied. Seven soldiers were awarded Purple Hearts and one soldier was killed in action during the deployment.

Staff Sergeant Joe Kelley and sixteen members of the 767th Firefighters returned from Iraq this past year where the unit provided fire-fighting support at the Al Asad Airbase at Ar Ramadi. The unit also provided off-post fire-fighting support and body recovery assistance on several missions. They initiated fire protection services for the Ramadi Forward Operating Base and surrounding camps and assisted Civil Affairs teams with humanitarian assistance missions like building playground sets at local schools. They performed over 250 missions without any combat injuries, including the treatment and rescue of patients during a suicide vehicle-borne IED that killed 19.

MAJ Matt Carver, commander of the 1088th Personnel Service Detachment located at Camp Dodge in Johnston, lead 45 soldiers on a mission to Kuwait where they served in support of Operation Iraqi Freedom for twelve months. The unit's mission was to provide administrative services in support of the Iraqi theater of operation. The 1088th performed an incredible number of personnel actions—more than 124,000—for thousands of soldiers moving in and out of Iraq.

MAJ Michael Wunn led ten soldiers from the 135th Mobile Public Affairs Detachment on a deployment to Kosovo in January of 2005 to provide public affairs

support to the 40th Infantry Division that was performing peacekeeping operations in the Balkans. Their mission was to “tell the Army story” to civilian and military media by providing digital images, video, audio, and print stories. The unit produced monthly news magazines and news broadcasts, conducted monthly press conferences, and escorted several news media representatives in support of the NATO mission.

LTC Randy Greenwood and approximately 400 airmen from the 132nd Fighter Wing, Des Moines, deployed in May 2005 to Qatar and other locations in support of Operations Iraqi Freedom, Enduring Freedom, and the Global War on Terror. During the deployment, the 132nd Fighter Wing flew combat missions in support of ground forces primarily in the Central Command theater of operation. The unit flew an astounding number of hours—3,146 in 47 days. This compares to 3,500 hours in a normal training year. During the deployment, the 132nd flew every mission tasked and maintained an incredible fully mission capable-rate of 85 percent.

Unlike previous rotations performed in the Iraqi theater, this mission brought about unique measures of mission success for the 132nd. Success used to be measured in the number of bombs dropped and targets destroyed. But the current environment on the ground in Iraq has changed that. An example of this was when one of our Iowa Air Guard pilots spotted an individual placing an IED in a roadway. He immediately reported the incident, the site was located, and the IED disarmed preventing soldiers on the ground from being injured or possibly even killed by that device.

SMSGT Phil Frank, representing the more than 50 crewmembers and support personnel from the Sioux City’s 185th Air Refueling Wing, is a boom operator, who was heavily involved in the Hurricane Katrina relief efforts. The 185th led the U.S. Air Force in the number of missions flown in support of recovery operations—82 sorties. Four of our KC-135E Stratotankers performed daily evacuation, transport, security, and fuel handling missions from the Sioux City airbase.

I ask you again—are our aoldiers and airmen making a difference? You bet they are! And these folks standing before you representing our deployed soldiers and airmen are a testament to how the Iowa National Guard impacts our state and nation every day. Please join me in recognizing these outstanding Iowans and the fine men and women of the Iowa National Guard they represent.

You know the great thing about our soldiers and airmen is that when they go somewhere they always try to leave it a better place than when they arrived. If they see a problem, they try to fix it. If they see someone in need, they try to help.

Chief Warrant Officer 1 Al Kakac, and his fellow soldiers from Task Force 168, looked across a barren stretch of underdeveloped Afghani farmland and saw an opportunity to help bring the green revolution to that desolate part of the world. Working with U.S.D.A. and Iowa agricultural experts, Mr. Kakac helped develop the largest agricultural test plot in Afghanistan to teach Afghans how to be better farmers. Showing them it is possible to improve their corn yields by more than 100 bushels merely by planting corn in rows rather than scattering seeds on the ground got their attention. Faced with viable alternatives, they were more than willing to stop producing opium, previously the most profitable crop they knew how to produce.

Staff Sergeant Mark Matteson, another Task Force 168 Soldier, likewise saw a need and found a way to make a difference. Sergeant Matteson was appalled when he arrived in Afghanistan and saw children walking and playing barefoot. He emailed home and said send shoes—lots of shoes. Within weeks shoes began to arrive—thousands of them. Working through organizations like Shoes for Kids and family support groups, Matteson and his fellow soldiers were able to put shoes on the feet of thousands of Afghan children.

In Iraq, the 224th Engineer Battalion also saw a need and decided to make a difference. Working with family members and Iowa businesses back home, they

collected more than 1,350 backpacks full of school supplies to distribute to Iraqi children.

These types of humanitarian projects did more than just help people in need; they helped make these deployments safer for our soldiers. As Mr. Kakac says, "We shouldn't try to change their opinions but we can change their expectations." By helping provide humanitarian assistance to the people of Iraq and Afghanistan, we are changing their expectations and making a difference in their lives. Thank you, Mr. Kakac and Sergeant Matteson, for your contributions to that effort.

When talking about the Iowa Guard, people often focus on our state and federal missions. But we cannot forget that the Iowa National Guard is a community-based organization with an important community mission. As an organization and through individual members, we participate in programs that add value to our communities, to Iowa, and to America.

Our members strive to be true role models and to make our communities safer and better places to raise our families. Part of our command philosophy is to leave something behind—mentor the young men and women in the Iowa National Guard, as well as the young men and women in our communities.

One of the ways we do this is through our counterdrug mission. Our 50-person Iowa Counterdrug Taskforce is a national leader. We have one of the most advanced systems of information sharing available to support law enforcement personnel in the fight against illegal narcotics. It has resulted in over \$24 million in drug-related seizures in 2005 alone.

Our drug demand education program demonstrates true efficiency by providing life skills training to over 7,000 students in our local schools and communities each year. This is a proven program and is an important tool in helping prepare our youth to deal with the challenges of adolescence.

The Midwest Counterdrug Training Center, located at Camp Dodge, is the newest, yet highest-producing counterdrug school in the nation. It will train more than 7,000 local and state narcotics law enforcement officers in 2006. Approximately 50 percent of these students will come from Iowa with the rest attending from the nation's remaining 53 states and territories. This could not have been accomplished without the overwhelming support of the Iowa team, including our Iowa congressional delegation.

Every day, the Air and Army National Guard members—both men and women—of the Iowa Counterdrug Taskforce serve side by side with local and state law enforcement officers and prevention specialists in order to ensure a safe and ever-improving quality of life in our Iowa communities.

Another way we work to support Iowa communities is through support to special projects such as the Hale Bridge move. Three weeks ago, two of our Chinook helicopters and crew from Davenport's Company B, 2nd Battalion, 211th Aviation, helped transport three sections of a 127-year-old bridge from Hale Township to Anamosa, to become part of a three-mile recreational path through Wapsipinicon State Park. The aircraft moved a 100-foot span (weighing 19,600 pounds) and two 80-foot spans (weighing 16,500 pounds each) approximately 15 miles across the Iowa countryside in Jones County. Picking up and moving something like this may seem like a standard mission for a Chinook helicopter crew—but I'm here to tell you this was anything but routine. There are no military manuals explaining how to rig a bridge for movement. And the aerodynamics of a bridge span 80 to 100 feet in length flying through the air requires incredible patience and skill to control. Setting the spans in place required a degree of precision few helicopter pilots possess. But our Iowa National Guard soldiers and aviators did it, and did it with ease. Thanks to their

efforts, communities in eastern Iowa will now have a wonderful new recreational trail to enjoy.

As you can see we are extremely proud of our accomplishments. But the nature of our responsibilities precludes us from resting on our laurels. We must remain ever vigilant and continue moving ahead as an organization.

Nowhere is this more important than in the areas of emergency response and homeland security. A lesson learned from the Katrina disaster is the importance of building relationships and assessing capabilities. Doing so after something happens is too late. That is why we are working closely with the Departments of Public Safety and Homeland Security/Emergency Management to prepare contingency plans and conduct joint exercises and operations. Recently our personnel have participated in exercises testing our state's ability to respond to pandemic influenza and foreign animal disease outbreaks.

Additionally, we have participated in numerous exercises testing contingency plans to respond to nuclear power plant incidents. Our 71st Civil Support Team has been activated for multiple white powder and civil support events in both an active and advisory role. We have also done extensive coordination with the Civil Air Patrol in order to rely on them as an asset during state emergencies.

There is little debate that the state and federal responses to the Hurricane Katrina catastrophe fell short. However, what is often overlooked is the unprecedented response of our nation's traditional first responders in times of natural disasters—the National Guard.

Thousands of National Guard soldiers and airmen were positioned before Katrina reached land. Guard forces were in hurricane-affected neighborhoods rescuing people within four hours of landfall. More than 11,000 soldiers and airmen were involved in rescue operations on August 31. The Guard mobilized and deployed, in support of rescue and recovery, an additional 19,000 troops in the following 96 hours. Guard participation peaked at over 50,000 personnel on September 7. The National Guard saved 17,000 lives and rescued and evacuated more than 75,000 people during Katrina recovery efforts. The National Guard responded in spite of massive overseas deployment of personnel—more than 80,000 deployed at the time—and equipment in support of our federal mission.

No state, regardless of its size, can handle a natural or man-made catastrophe of the magnitude of a Katrina. Emergency Management Assistance Compacts allowed governors of affected states to immediately call upon another state's National Guard as reinforcements for recovery efforts.

In addition to the support provided by the 185th Air Refueling Wing, the Iowa National Guard stood up Joint Task Force Iowa. Joint Task Force Iowa was comprised of approximately 215 soldiers and airmen from all corners of the state. Their mission was to provide medical, logistics, and water purification support to the people of Mississippi. This was the first joint emergency response mission in our history. It allowed us to fully exercise, for the first time, all of our major resources responsible for responding to a natural or manmade disaster.

Despite these unprecedented operational requirements during the last several years, the Iowa National Guard is maintaining historic readiness levels. This is because of our ability to recruit and retain quality soldiers. We are able to do so thanks to two invaluable tools—the military service member Home Ownership Assistance and State Tuition Assistance programs.

The Home Ownership Assistance program, approved in 2005, has been an extremely popular program with returning service members. To date, nearly 250 service members have taken advantage of this generous benefit to purchase a home in Iowa, surpassing the program's goal of assisting at least 200 individuals. More than

138 of these service members came from the Iowa National Guard. Not only is this program helping us retain service members in the Iowa National Guard, it is helping retain Iowans in Iowa—a winning solution for us all.

The State Tuition Assistance program is similarly valuable. It allows us to compete head-to-head with neighboring states in recruiting and retaining high-performing individuals. Dollar for dollar, this is money well spent. It helps us attract education-minded individuals, leading to stronger and more capable soldiers and airmen. Tying the educational assistance to service in the National Guard encourages them to stay in Iowa to live, serve their state and nation, and raise their children.

Working in tandem, these programs help us to recruit and retain the soldiers and airmen we need to fulfill our mission requirements. And of course, an added benefit of these programs is that they help keep young people in Iowa.

We are also very grateful for your support of [House File 2080](#), the “Bobby and Michelle Bill,” which provides money for military veterans who are seriously injured in a combat zone. This funding enables our families to be with their loved ones who have been wounded in action and are going through lengthy rehabilitation at various hospitals across America.

We often talk about the impact that federal dollars coming into the state to fund the National Guard has on the state's economy. But just as, if not more important, is the impact—in terms of human capital—created by guard members returning from military training, and domestic and overseas deployments. Their training and experience is a value-added component these citizen soldiers and airmen bring back to their jobs at no cost to their employers. Unbelievable experience and training—something impossible to replicate regardless of time or resources available to the employer.

When our soldiers and airmen leave Iowa for a deployment—each an extraordinary ambassador of our great state—they embark on a journey that leaves them forever changed. They are challenged both physically and mentally in ways few can imagine. They are charged with performing, often in dangerous and inhospitable environments, incredible tasks—tasks that would cause even the most resilient among us to waver. Yet they do so with a steely professionalism and sense of confidence few can emulate. And when they complete their mission, they return home to their families, friends, employers, and communities to pick up where they left off. For the great majority of these individuals, they return to Iowa more focused, more disciplined, and generally more capable than when they left.

College students return to classrooms with a renewed sense of confidence and determination. They not only succeed, but excel in their studies. And because we offer benefits like state tuition assistance and the homebuyer's program, we are retaining them in the Iowa National Guard and in Iowa. A commitment to the Iowa National Guard is a commitment to Iowa.

As he stood on the beaches of Normandy some 60 years ago, taking stock of what it cost to invade Europe, then-General Eisenhower asked, “Where do we get such men?” That same question could be asked of the men and women serving today. Today we have a new generation of heroes in our midst. The men and women returning home from serving in the Global War on Terrorism are carrying freedom's torch in the same proud tradition as the heroic veterans of previous conflicts.

Like the veterans of World War II, our next “Greatest Generation” returns with a renewed sense of purpose and energy, eager to contribute their skills and talents to improving life in their homes and communities. In places like Iraq, Afghanistan, and the Balkans, they witnessed firsthand the disappointment and despair wrought by failed nation-states. They saw homes and communities torn apart by sectarian violence and ethnic strife. Once home, these quiet, unassuming veterans stand ready,

through volunteerism and community participation, to work with their friends and neighbors to strengthen and better their communities. We have not had a collection of such talent concentrated in our state since the end of World War II.

Sadly, not all of our Iowa heroes return home. More than 30 Iowans have made the ultimate sacrifice while defending or preparing to defend this country from the evils of terror. In the last eighteen months, we have lost nine Iowa National Guard soldiers in the Global War on Terrorism:

SGT James Kearney—Task Force 168;

2LT Brian Gienau; SPC Seth Garceau, SPC John W. Miller, and SPC Casey Byers—224th ENG BN;

SGT Robert J. Gore—186th MP Company;

SGT Gregory L. Tull—194th Field Artillery; and

SSG Bruce J. Pollema and SPC Dustin Colby—2168th Transportation Company

I have asked their family members to join us here today as our honored guests. I now ask them to stand and be recognized. Their loved one's sacrifice and their families' contributions to our national struggle against terrorism will never be forgotten. The loss of our fallen Iowa National Guard soldiers falls hardest on you—the family members left behind. But my profound hope is that you sense the love and support of your loved one's larger family—the men and women of the Iowa National Guard. You are not alone in your loss. You now share a common bond with other family members who have lost loved ones and with all members of our National Guard family. As a state and nation, we are eternally grateful for the sacrifice your family has made in defense of our freedoms.

Ladies and gentlemen, it was an honor addressing you today. Thank you once again for your continued strong support of the Iowa National Guard and of the dedicated men and women in uniform who call Iowa home. May God continue to bless you and your families, our great state, and the United States of America! Thank you!

Major General Ron Dardis was escorted from the House chamber by the committee previously appointed.

Governor Thomas J. Vilsack was escorted from the House chamber by the committee previously appointed.

Representative Gipp moved that the joint resolution be dissolved, which motion prevailed by a voice vote.

RECONVENED

The Senate reconvened at 2:38 p.m., President Lamberti presiding.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following bills on the Senate Calendar be referred to committee:

S.F. 2017	Commerce
S.F. 2075	Natural Resources and Environment
S.F. 2163	Local Government
S.F. 2201	Economic Growth
S.F. 2220	Transportation
S.F. 2235	Commerce
S.F. 2238	Local Government
S.F. 2254	Transportation
S.F. 2266	State Government
S.F. 2293	Agriculture
S.F. 2294	Agriculture
S.F. 2298	Judiciary
S.F. 2302	Natural Resources and Environment
S.F. 2303	Natural Resources and Environment
S.F. 2308	Natural Resources and Environment
S.F. 2311	Education
S.F. 2315	State Government
S.F. 2317	Education
S.F. 2324	Education
S.F. 2335	Commerce
S.F. 2340	Judiciary
S.F. 2347	Natural Resources and Environment
S.F. 2354	Education
S.F. 2367	Commerce
S.F. 2371	Local Government
S.F. 2375	Human Resources
S.F. 2379	Natural Resources and Environment
S.F. 2382	Local Government
S.F. 2384	Human Resources

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:43 p.m. until 8:30 a.m., Tuesday, March 28, 2006.

APPENDIX**EXPLANATION OF VOTES**

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 22, 2006, when the votes were taken on Senate Files 2344 and 2373. Had I been present, I would have voted "Yea" on both.

PAT WARD

CERTIFICATES OF RECOGNITION

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

Mr. and Mrs. Lee and Deloris Ayers, Webster City—For celebrating your 55th wedding anniversary. Senator Iverson (3/27/06).

Kaila Ballard, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Angie Berry, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Candace Booth, Rockwell City—For being named Iowa Reading Teacher of the Year. Senator Beall (3/27/06).

Stacy Brandenburg, manager for the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Carter Lake Fire Department—For celebrating its 50th anniversary. Senator Gronstal (3/27/06).

Kelsey Cermak, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Jennie Clark, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Megan Dooly, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Jessica Fraser, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Mike Gavin, assistant coach for the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Betsy Hildreth, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Roger Huff, assistant coach for the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Kurt Larson, Lake View—For achieving the rank of Eagle Scout. Senator Kettering (3/27/06).

Lanell LeDosquet, manager for the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Brittani McAninch, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Lillian Mertz, West Bend—For celebrating your 90th birthday. Senator Kibbie (3/27/06).

Katie Miller, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Hannah Noel, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Kelly Obley, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Katheryn Pearson, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Brittany Pritchard, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Mallory Reed, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Mary Thomas-Merk, Manson—For celebrating your 100th birthday. Senator Beall (3/27/06).

Brent Walker, coach for the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Krista Walker, member of the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

Steve Wermerskirchen, assistant coach for the Norwalk High School Girls' Basketball Team—For winning the 2006 Class 3A Girls' State Championship. Senator Shull (3/27/06).

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 RACING AND GAMING COMMISSION

2005 Annual Report. Report received on March 27, 2006.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: March 27, 2006, 3:10 p.m.

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

Members Absent: Larson and McKibben (both excused).

Committee Business: Approved Governor's appointments.

Adjourned: 3:20 p.m.

RULES AND ADMINISTRATION

Convened: March 27, 2006, 1:15 p.m.

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

Members Absent: None.

Committee Business: Approved SRs 138, 139, and 142 and [HCR 109](#).

Adjourned: 1:20 p.m.

INTRODUCTION OF BILLS

[Senate File 2392](#), by committee on Government Oversight, a bill for an act relating to the filing of reports with the ethics and campaign disclosure board.

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

Senate File 2393, by committee on Government Oversight, a bill for an act relating to violations of Iowa's noncompetition by government law and providing penalties and remedies.

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

Senate File 2394, by committee on Ways and Means, a bill for an act relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions.

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

STUDY BILLS RECEIVED

SSB 3262 **Ways and Means**

Relating to the return of refund values to consumers for empty beverage containers.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2345

WAYS AND MEANS: Connolly and Wieck, Co-chairs; Bolkom and Zieman.

SSB 3262

WAYS AND MEANS: Quirnbach and Zieman, Co-chairs; Connolly and Miller

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: **HOUSE FILE 2346**, a bill for an act relating to public access to school district financial information, providing for the establishment and distribution of a financial report by school districts, and providing for the posting of information relating to outstanding school district levies.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT **S-5125**.

Final Vote: Ayes, 9: McKinley, Boettger, Brunkhorst, Dvorsky, Mulder, Quirnbach, Schoenjahn, Ward, and Wood. Nays, 3: Connolly, Beall, and Kreiman. Absent, 2: Angelo and Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

GOVERNMENT OVERSIGHT

Bill Title: [SENATE FILE 2392 \(SSB 3261\)](#) a bill for an act relating to the filing of reports with the ethics and campaign disclosure board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 4: Courtney, Lundby, Connolly and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 2393 \(SSB 3160\)](#), a bill for an act relating to violations of Iowa's noncompetition by government law and providing penalties and remedies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 4: Courtney, Lundby, Connolly and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: [HOUSE FILE 722](#), a bill for an act providing for the creation of an electronic drug database, establishing fees, providing penalties, and providing an effective date.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5126](#).

Final Vote: Ayes, 12: Ragan, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Houser, Johnson, Kreiman, Tinsman, and Wood. Nays, 1: Quirnbach. Absent, 1: Gaskill.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 138](#), a resolution honoring the Des Moines Roosevelt High School Girls' Basketball Team.

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.

ALSO:

Bill Title: [SENATE RESOLUTION 139](#), a resolution honoring the Norwalk High School Girls' Basketball Team.

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.

ALSO:

Bill Title: [SENATE RESOLUTION 142](#), a resolution congratulating the Des Moines Hoover High School Boys' Basketball Team on winning the class 4-A championship at the 2006 Iowa Boys' State Basketball Tournament.

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.

WAYS AND MEANS

Bill Title: *[SENATE FILE 2394 \(SSB 3254\)](#), a bill for an act relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, Zieman, Connolly, Danielson, Dotzler, Hahn, McCoy, McKibben, McKinley, Miller, Quirnbach, Seng, Stewart, Wieck, and Zaun. Nays, none. Absent, 1: Larson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Ways and Means Committee on [Senate File 2394](#), and they were attached to the committee report.

BILLS 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 bills have 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 27th day of March, 2006:

Senate Files 2273 and 2316.

MICHAEL E. MARSHALL
Secretary of the Senate

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

The following appointees, assigned to standing committee for investigation, were placed on the En Bloc Calendar with recommendation for confirmation:

JUDICIARY

Sheryl Griffith – Board of Corrections

Elaine Armstrong – Criminal and Juvenile Justice Planning Advisory Council

Thomas Ferguson – Criminal and Juvenile Justice Planning Advisory Council

Paul Fitzgerald – Criminal and Juvenile Justice Planning Advisory Council

Daniel Hoeger – Criminal and Juvenile Justice Planning Advisory Council

David Moskowitz – Criminal and Juvenile Justice Planning Advisory Council

Susan Nelson – Criminal and Juvenile Justice Planning Advisory Council

Catherine Reaman-Gerdes – Criminal and Juvenile Justice Planning Advisory Council

Jeffrey Hughes – Iowa Drug Policy Advisory Council

Elizabeth Robinson – Chairperson of the Board of Parole

Karen Muelhaupt – Board of Parole

Elizabeth Robinson – Board of Parole

AMENDMENTS FILED

<u>S-5125</u>	<u>H.F. 2346</u>	Education
<u>S-5126</u>	H.F. 722	Human Resources