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**STATE OF IOWA**

**Senate Journal**

**MONDAY, APRIL 3, 2006**

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## JOURNAL OF THE SENATE

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EIGHTY-FIFTH CALENDAR DAY  
FORTY-NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, April 3, 2006

The Senate met in regular session at 1:07 p.m., President Kibbie presiding.

Prayer was offered by Pastor Jerry Rigdon of the Asbury United Methodist Church in Burlington, Iowa. He was the guest of Senator Courtney.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Jon Kempf.

The Journal of Thursday, March 30, 2006, was approved.

### HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 30, 2006, **passed** the following bills in which the concurrence of the House was asked:

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

[Senate File 2275](#), a bill for an act relating to debt cancellation coverage offered by banks and credit unions.

[Senate File 2299](#), a bill for an act relating to credit unions and other financial organizations by providing for public funds requirements, membership qualifications, and preservation of records.

[Senate File 2304](#), a bill for an act relating to indigent defense claims and the reimbursement of costs in juvenile cases paid by a county.

[Senate File 2327](#), a bill for an act relating to access to confidential information used to secure an arrest warrant.

[Senate File 2344](#), a bill for an act requiring development of a uniform application form for small employer group health insurance coverage.

[Senate File 2358](#), a bill for an act relating to the administrative duties of the state board of regents.

ALSO: That the House has on March 30, 2006, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 2290](#), a bill for an act relating to the payment of costs of reasonable attorney fees and other expenses related to certain paternity and adoption proceedings. ([S-5144](#))

[Senate File 2341](#), a bill for an act relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa. ([S-5145](#))

ALSO: That the House has on April 3, 2006, **adopted** the following resolution in which the concurrence of the Senate is asked:

[House Concurrent Resolution 107](#), a concurrent resolution relating to the board of correction's evaluation of the Iowa state penitentiary in Fort Madison.

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

ALSO: That the House has on March 30, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2740**, a bill for an act relating to the judicial branch and court administration and procedure and providing a penalty.

Read first time and attached to **similar Senate File 2286**.

**House File 2764**, a bill for an act authorizing a school district to share its portion of incremental property taxes with a contiguous school district.

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

#### SPECIAL GUESTS

Senator Mulder introduced to the Senate chamber the Orange City Tulip Time Queen Cassie Huizenga and her court: Autumn Wielenga, Janna Bloemendaal, Emily Elsberry, and Sarah Muilenburg.

The Queen and her four attendants entertained the Senate with a song and a skit inviting visitors to Orange City for Tulip Time.

The Senate rose and expressed its welcome.

#### RECESS

On motion of Senator Iverson, the Senate recessed at 1:29 p.m. until the completion of a meeting of the committee on Rules and Administration.

#### RECONVENED

The Senate reconvened at 1:31 p.m., President Kibbie presiding.

#### ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 1:32 p.m. until 8:30 a.m., Tuesday, April 4, 2006.

**APPENDIX****CERTIFICATES OF RECOGNITION**

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

Ryan Bankson, Dubuque—For achieving the rank of Eagle Scout, Boy Scout Troop 7. Senator Hancock. (4/3/06).

Benjamin J. Boxleiter, Dubuque—For achieving the rank of Eagle Scout, Boy Scout Troop 7. Senator Hancock. (4/3/06).

Mr. and Mrs. LaVerne and Phyllis Childers, Roland—For celebrating your 50th wedding anniversary. Senator Iverson (4/3/06).

Trish Higgins, Council Bluffs—For receiving the American Red Cross Instant Hero Award. Senator Gronstal (4/3/06).

Jacob J. Lentz, Aurora—For achieving the rank of Eagle Scout. Senator Schoenjahn (4/3/06).

Daniel D. McElroy, Winthrop—For achieving the rank of Eagle Scout. Senator Schoenjahn (4/3/06).

Eric McKain, Beverly Hills, California—For being a member of The Lion King company and as an honorary Iowan. Senator Beall (4/3/06).

Ed Nemecek, Council Bluffs—For receiving the American Red Cross Instant Hero Award. Senator Gronstal (4/3/06).

Mr. and Mrs. Delbert and Darlene Quam, Story City—For celebrating your 50th wedding anniversary. Senator Iverson (4/3/06).

Adam J. Riniker, Winthrop—For achieving the rank of Eagle Scout. Senator Schoenjahn (4/3/06).

Alex J. Riniker, Winthrop—For achieving the rank of Eagle Scout. Senator Schoenjahn (4/3/06).

Christopher L. Schultz, Dubuque—For achieving the rank of Eagle Scout, Boy Scout Troop 7. Senator Hancock. (4/3/06).

Debra Schwiesow, Council Bluffs—For receiving the American Red Cross Lifetime Hero Award. Senator Gronstal (4/3/06).

Julie Theulen, Council Bluffs—For receiving the American Red Cross Instant Hero Award. Senator Gronstal (4/3/06).

Daniel J. Wieland, Winthrop—For achieving the rank of Eagle Scout. Senator Schoenjahn (4/3/06).

Mr. and Mrs. Willard and Shirley Wierson, Roland—For celebrating your 50th wedding anniversary. Senator Iverson (4/3/06).

Wendy Zaloudek, Council Bluffs—For receiving the American Red Cross Instant Hero Award. Senator Gronstal (4/3/06).

## REPORT OF COMMITTEE MEETING

### RULES AND ADMINISTRATION

**Convened:** April 3, 2006, 1:25 p.m.

**Members Present:** Iverson, Co-chair; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, and Ragan.

**Members Absent:** Gronstal, Co-chair; and Lamberti (both excused).

**Committee Business:** Approved SRs 146, 148, and 149.

**Adjourned:** 1:30 p.m.

### INTRODUCTION OF RESOLUTIONS

**Senate Resolution 150**, by Beall, Warnstadt, Connolly, Ragan, Hatch, Danielson, Dotzler, Dvorsky, Horn, Wood, Seng, Kreiman, Dearden, Rielly, Hancock, Schoenjahn, Fraise, Courtney, Quirnbach, Kibbie, Bolkcom, Stewart, Johnson, Mulder, Behn, Zaun, Ward, and Putney, a resolution requesting that the United States Postal Service issue a commemorative stamp honoring Iowa composer Karl L. King.

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

**Senate Resolution 151**, by Ragan and Seymour, a resolution designating April 2006 as Kidney Cancer Awareness Month.

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

**Senate Resolution 152**, by Danielson, Dotzler, Brunkhorst, and Kibbie, a resolution honoring Robert Koob, President of the University of Northern Iowa.

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

#### STUDY BILLS RECEIVED

**SSB 3264**      **Ways and Means**

Relating to the provision of individual income tax relief, providing a standing contingent appropriation, and including retroactive applicability date provisions.

**SSB 3265**      **Ways and Means**

Updating the state's sales and use tax law pursuant to the streamlined sales and use tax agreement and including effective date provisions.

#### SUBCOMMITTEE ASSIGNMENTS

**Senate Resolution 150**

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

**Senate Resolution 151**

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

**Senate Resolution 152**

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

**House Concurrent Resolution 107**

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

**SSB 3264**

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

**SSB 3265**

WAYS AND MEANS: Dotzler and Ziemann, Co-chairs; Danielson and Hahn

## FINAL COMMITTEE REPORTS OF BILL ACTION

### RULES AND ADMINISTRATION

**Bill Title:** [SENATE RESOLUTION 146](#), a resolution honoring the city of Peterson, Iowa, on its sesquicentennial.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, and Ragan. Nays, none. Absent, 2: Gronstal and Lamberti.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE RESOLUTION 148](#), a resolution to welcome the 2006 Special Olympics USA National Games to Iowa.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, and Ragan. Nays, none. Absent, 2: Gronstal and Lamberti.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Bill Title:** [SENATE RESOLUTION 149](#), a resolution to honor the Scott County Medical Society on its sesquicentennial anniversary.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, and Ragan. Nays, none. Absent, 2: Gronstal and Lamberti.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### AMENDMENTS FILED

<a href="#">S-5144</a>	<a href="#">S.F. 2290</a>	House
<a href="#">S-5145</a>	<a href="#">S.F. 2341</a>	House
<a href="#">S-5146</a>	<a href="#">S.F. 2396</a>	Herman C. Quirnbach
<a href="#">S-5147</a>	<a href="#">S.F. 2396</a>	Herman C. Quirnbach
<a href="#">S-5148</a>	<a href="#">S.F. 2396</a>	Herman C. Quirnbach
<a href="#">S-5149</a>	<a href="#">S.F. 2396</a>	Herman C. Quirnbach
<a href="#">S-5150</a>	<a href="#">S.F. 2396</a>	Herman C. Quirnbach
<a href="#">S-5151</a>	<a href="#">S.F. 2396</a>	Herman C. Quirnbach
<a href="#">S-5152</a>	<a href="#">S.F. 2396</a>	Herman C. Quirnbach



S-5153  
S-5154

S.F. 2396  
H.F. 2362

Herman C. Quirnbach  
William A. Dotzler, Jr.  
James F. Hahn