

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, FEBRUARY 11, 2009

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JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 11, 2009

The Senate met in regular session at 8:48 a.m., President Kibbie presiding.

Prayer was offered by Reverend Mark Carter, pastor of the Capitol City Baptist Church in Des Moines, Iowa. He was the guest of Senator Noble.

The Journal of Tuesday, February 10, 2009, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:55 a.m. until 8:45 a.m., Thursday, February 12, 2009.

APPENDIX

PRESENTATION OF VISITORS

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

Crystal Gingerich and her children, from Kinross, Iowa.

Representatives of United Way.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: Wednesday, February 11, 2009, 11:05 a.m.

Members Present: Fraise, Chair; Olive, Vice Chair; Johnson, Ranking Member; Appel, Behn, Black, Boettger, Courtney, Hahn, Hancock, Kapucian, Kibbie, Rielly, Seng, and Sodders.

Members Absent: None.

Committee Business: Presentation by the Executive Director of the Iowa League Resource Conservation and Development. Approved governor's appointee.

Adjourned: 11:45 a.m.

EDUCATION

Convened: Wednesday, February 11, 2009, 1:00 p.m.

Members Present: Schmitz, Chair; Schoenjahn, Vice Chair; Boettger, Ranking Member; Appel, Beall, Dvorsky, Feenstra, Hamerlinck, Heckroth, Johnson, Kreiman, McKinley, Quirnbach, Sodders, and Wilhelm.

Members Absent: None.

Committee Business: Presentations on teacher development academies, cognitively guided instruction, and authentic intellectual work.

Adjourned: 2:00 p.m.

STATE GOVERNMENT

Convened: Wednesday, February 11, 2009, 2:30 p.m.

Members Present: Appel, Chair; Feenstra, Ranking Member; Behn, Black, Courtney, Danielson, Dearden, Hartsuch, Horn, Jochum, Seymour, Sodders, and Wieck.

Members Absent: Kibbie, Vice Chair; and Hatch (both excused).

Committee Business: Approved governor's appointees. Approved [SSB 1090](#), as amended.

Adjourned: 2:50 p.m.

VETERANS AFFAIRS

Convened: Tuesday, February 10, 2009, 4:05 p.m.

Members Present: Beall, Chair; Seymour, Ranking Member; Danielson, Kibbie, Noble, Ragan, Sodders, and Wieck.

Members Absent: Warnstadt, Vice Chair; Black and Hartsuch (all excused).

Committee Business: Approved [SSB 1146](#).

Adjourned: 4:15 p.m.

INTRODUCTION OF BILLS

[Senate File 138](#), by Johnson and Hancock, a bill for an act requiring the use of child restraint systems or seat belts by motor vehicle passengers under eighteen years of age and making a penalty applicable.

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

[Senate File 139](#), by Bartz, a bill for an act providing for a residual biomass tax credit, and including effective and applicability dates.

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

[Senate File 140](#), by Bartz, a bill for an act providing a sales tax exemption from the sale or furnishing of metered water service and providing an effective date.

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

[Senate File 141](#), by Warnstadt, a bill for an act providing for the suspension or revocation of an alcoholic beverage license or permit for failure to pay sales taxes and making penalties applicable.

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

[Senate File 142](#), by committee on Economic Growth, a bill for an act relating to economic development by providing for an innovation and commercialization development fund, making the department of

revenue responsible for approving certain tax credits for third-party developers, making appropriations, and providing an effective date.

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

[Senate File 143](#), by Black, a bill for an act requiring the department of public safety to conduct a study relating to the sale, possession, and use of novelty lighters.

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

[Senate File 144](#), by Kettering, a bill for an act relating to adult mental health, mental retardation, and developmental disabilities services by shifting responsibility for such services from the counties to the state, revising county levy authority for such services, and providing effective and applicability dates.

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

STUDY BILLS RECEIVED

[SSB 1194](#) **Rebuild Iowa**

Relating to flood damage prevention and insurance.

[SSB 1195](#) **Veterans Affairs**

Providing for family military leave from employment for certain relatives of individuals called to active military service and providing a remedy.

[SSB 1196](#) **Commerce**

Relating to mortgage lending by establishing licensing requirements applicable to mortgage loan originators; making specified modifications to existing licensing provisions relating to mortgage bankers and brokers, regulated loans, and industrial loans; and providing penalties and effective dates.

SSB 1197 Education

Establishing a task force to develop a plan for the implementation of an online school for certain populations.

SSB 1198 State Government

Requiring a severe weather safe room in newly constructed public buildings and providing an implementation provision and applicability date.

SSB 1199 State Government

Concerning the duties and responsibilities of the auditor of state.

SSB 1200 Human Resources

Relating to psychiatric medical institution for children services and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate File 126**

VETERANS AFFAIRS: Danielson, Chair; Black and Seymour

Senate File 130

ECONOMIC GROWTH: Olive, Chair; Houser and Schmitz

Senate File 131

LOCAL GOVERNMENT: Beall, Chair; Reynolds and Schoenjahn

Senate File 132

HUMAN RESOURCES: Hatch, Chair; Johnson and Quirmbach

Senate File 134

HUMAN RESOURCES: Bolkcom, Chair; Bartz and Ragan

SSB 1194

REBUILD IOWA: Jochum, Chair; Hogg and Reynolds

[SSB 1195](#)

VETERANS AFFAIRS: Sodders, Chair; Black and Wieck

[SSB 1196](#)

COMMERCE: Dandekar, Chair; Kettering and Stewart

[SSB 1197](#)

EDUCATION: Sodders, Chair; Boettger and Schmitz

[SSB 1198](#)

STATE GOVERNMENT: Dearden, Chair; Black and Wieck

[SSB 1199](#)

STATE GOVERNMENT: Danielson, Chair; Courtney and Feenstra

[SSB 1200](#)

HUMAN RESOURCES: Bolkcom, Chair; Hartsuch and Schmitz

FINAL COMMITTEE REPORT OF BILL ACTION

ECONOMIC GROWTH

Bill Title: [SENATE FILE 142 \(SSB 1125\)](#), a bill for an act relating to economic development by providing for an innovation and commercialization development fund, making the department of revenue responsible for approving certain tax credits for third-party developers, making appropriations, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Stewart, Olive, Houser, Beall, Dandekar, Dotzler, Hamerlinck, Hatch, Heckroth, Kapucian, Reynolds, Rielly, Schmitz, Wieck, and Wilhelm. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**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 recommendations for confirmation:

AGRICULTURE

Sharman Wersen – Grape and Wine Development Commission

STATE GOVERNMENT

John Jewett – Commission on Native American Affairs
Larry Lasley – Commission on Native American Affairs
George Leduc – Commission on Native American Affairs

WAYS AND MEANS

Darlys Baum – Iowa Finance Authority
Wilfred Johnson – Iowa Finance Authority