

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, JANUARY 9, 2007

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JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 9, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Reverend Robert Dodder, pastor of the United Methodist Church in Council Bluffs, Iowa. He was the guest of Senator Gronstal.

The Journal of Monday, January 8, 2007, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:47 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:32 a.m., President Kibbie presiding.

SPECIAL GUESTS

Senator Black welcomed to the Senate chamber former Lieutenant Governor Robert J. Anderson. He is a former President of the Iowa Senate.

The Senate rose and expressed its welcome.

Senator Beall introduced to the Senate chamber Director General Mukhtur Sirajo and Dr. Saida Yakuba, who were visiting from Nigeria. They were accompanied by Del Christensen, director of Iowa Resource for International Service.

The Senate rose and expressed its welcome.

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 1](#), 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

The joint convention convened at 10:02 a.m., President Kibbie 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.

President Kibbie declared a quorum present and the joint convention duly organized.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify Governor-elect Chet Culver and Lieutenant Governor-elect Patty Judge that the joint convention was ready to receive them.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Beall, Seng, and Putney on the part of the Senate, and Representatives Ford, Hunter, and Upmeyer on the part of the House.

Senator Gronstal moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify Governor Thomas J. Vilsack that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Rielly, Wood, and Ward on the part of the

Senate, and Representatives Oldson, Palmer, and Gipp on the part of the House.

Secretary of State Michael Mauro, Treasurer of State Michael Fitzgerald, Secretary of Agriculture Bill Northey, Auditor of State David A. Vaudt, and Attorney General Tom Miller were escorted into the House chamber.

Chief Justice Ternus and the Justices of the Supreme Court and Chief Judge Sackett and the Judges of the Court of Appeals were escorted into the House chamber.

The committee waited upon Governor-elect Chet Culver and Lieutenant Governor-elect Patty Judge and escorted them into the House chamber.

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

Mrs. Christie Vilsack, wife of the Governor, Jess Vilsack, the Governor's son, and his fiancée, Kate Divine, were escorted into the House chamber.

The committee waited upon Governor Thomas J. Vilsack and escorted him to the Speaker's station.

President Kibbie presented Governor Thomas J. Vilsack, who delivered the following Condition of the State Address:

Thank you.

Mr. President, thank you very much, and Mr. Speaker, thanks to you as well. And I want to thank all the members of the General Assembly for the opportunity to visit with you as governor for the last time to speak about the condition of our great state.

For the past eight years, I've considered this special moment, a moment of honor and privilege, to be able to speak directly to the people of our great state about the challenges, the choices, and chances we collectively face.

Today I feel particularly honored by the fact that the Governor-elect, Chet Culver, and the Lieutenant Governor-elect, Patty Judge, have found time in their busy schedule to join us. Thank you for being here today. I believe I speak for all of us here that we are looking forward to your special day on Friday when you will be sworn in as our next governor and lieutenant governor.

Speaking of lieutenant governors, no governor in the country has ever had a stronger or better relationship than the one that I have had with Lieutenant Governor Sally Pederson. Lieutenant Governor Pederson has added her voice to those who have little voice, and she has stirred us to action. Mental health parity, a redesign of the

mental health system, affordable housing for people with disabilities, a tour of the state to promote art and the important role it plays in all of our lives, greater diversity in boards and commission and staff appointments, and comparable worth that for the first time for women working in state government occurred with her leadership, and reflect and represent her conscience and her commitment. I want to take this opportunity to thank my partner for eight great years, and I'd ask you to join me in doing so as well.

I might get in a little trouble at home if I didn't also say a few words about Iowa's first volunteer and our First Lady, Christie Vilsack. From the day I took the oath of office, no Iowan has worked longer or harder to make Iowa a great place to live, work, and raise families. I've watched Christie, I've watched her as kindergarteners clutched the book that she gave them, their first book, clutching it as if it was the most precious thing on earth. And indeed, a love of books and reading is precious. Christie, through her foundation, blessed over 200,000 of our children with that special moment. I've watched as she left Terrace Hill very early in the morning and didn't come back until very late at night so she could visit every possible library. She has visited over 500 libraries, the souls of our communities she calls them. And she also encouraged all of us to provide for the first time direct financial assistance to our libraries through the Enrich Iowa program. I watched as she invited certified teacher librarians back into our Code and into our schools, and thousands of Iowans to Terrace Hill for the Spring Fling, her monthly teas, and receptions—Iowans who never thought they would have the opportunity to see the inside of the governor's mansion, much less the private quarters. I've watched her raise the profile of all of our First Ladies and the contribution that they have made to our collective history with the First Ladies' exhibit in Terrace Hill. Yes, I've watched and I've wondered at her energy, her passion, and her commitment. Honey, I want you to know I love you and I care deeply for you and I am so appreciative of the eight years that you have given to me, to the people of Iowa and especially to our children. I'm certainly glad to have my son and his fiancée Kate with us today, as well.

Before I acknowledge the other dignitaries who are with us, I would like to say a word about state workers and the staff, the loyal staff, who have served us and my administration for the last eight years. We have weathered war, an attack on our country, and some of the toughest fiscal conditions any state government has ever seen. Through it all, these individuals who work for us have also suffered personal tragedies and celebrated personal triumphs. Despite all of that, they gave us countless hours of their effort and energy and passion to make this state a better place to live, work, and raise families.

The same can be said for those who are our directors and those who serve on boards and commissions throughout this great state. I want you all to know that I owe them a debt of gratitude that I will never ever be able to repay. We are a great state because we have people willing to make sacrifices for us.

I'd like to acknowledge the dignitaries who are with us and I'd like to begin with this historic moment to acknowledge Iowa's first woman chief justice of the Supreme Court, Chief Justice Marsha Ternus, and members of the Iowa Supreme Court. I'd also like to welcome members of our Court of Appeals. It's an awkward moment for judges in this circumstance because they're not supposed to acknowledge any applause. It's part of our judiciary, and we're proud of it. Let me say, Madam Chief Justice, that I am excited about the opportunity that I'll witness tomorrow, a historic opportunity, as you give your inaugural Condition of the Judiciary speech. As a proud member of the Iowa Bar Association, let me also say that we as Iowans are fortunate to have competent and independent judges throughout this great state.

Let me take this opportunity to acknowledge these distinguished public servants and all of our judges for their public service, and most specifically, for the work that they do that guarantees to us justice and equality under the law every day in our state.

As Iowans, we are equally blessed by the dedication and commitment shown to us by our statewide elected officials. I've traveled to all corners of the country, and I can tell you that no state has ever been better served by an attorney general than we have been served by Tom Miller through his distinguished career. And the same can also be said for our state treasurer. No state has been better served than by our state treasurer than Mike Fitzgerald. I want to thank these two gentlemen for their service, and I want to tell you that they are acknowledged by their colleagues as being the best in the business, and we are fortunate to have them.

They are also joined by our auditor, David Vaudt. Let me tell you that the auditor has continued the strong and proud tradition of the auditor's office, as Richard Johnson was, as the independent watchdog over the activities of state government and local government for the people of our state. Mr. Auditor, I appreciate your hard work, I appreciate what you have done for us to make sure that we are doing the right thing for the people every day.

Now that trio is joined by two newcomers, two newly elected, statewide-elected officials: our Secretary of Agriculture, Bill Northey, and our Secretary of State, Michael Mauro. These gentlemen have only been on the job for a week, but I suspect they already know that they have fairly large shoes to fill. But both of them bring compassion and passion, commitment, and energy to the job. And I'm sure that they're going to succeed for themselves, but more important, they're going to succeed for all of us. Welcome.

I started my service 14 years ago walking into this Capitol and taking the oath of office as a state senator, so I fully appreciate how busy members of the General Assembly are when a General Assembly first begins. I do appreciate the opportunity that you have given me today to spend a few minutes of your time as you begin your work and as I finish mine.

I know because I've worked with most of you that all of the members of this General Assembly are dedicated and caring Iowans. I know that you hold in your heart what is best for the state of Iowa and that you're committed to making sure that you do good work. Let me take this opportunity on behalf of all of the people of Iowa to thank you for your service, for your dedication, and your commitment.

Now during the course of my time here, I've had the opportunity to deal primarily with the leadership. Let me say a few words about leadership on both sides of the aisle. On the Republican side, I've had the opportunity to work with Speakers Corbett, Siegrist and Rants; Leaders Iverson, Lundby and Gipp; and Presidents Lamberti and Kramer. I want to thank each of them for their understanding, for their willingness to work through good-faith disagreements to a point where we could reach consensus and conclusion for the people of Iowa. We are well served by a strong two-party system, and their party has been well led throughout the eight years I have been governor.

I've also been fortunate to work with leaders on my side, Leaders Schrader and Meyers and now speaker Pat Murphy. On the Senate side, President Jack Kibbie and Senate Majority Leader Mike Gronstal. This is going to be tough because these are my friends. No governor has ever had a closer friendship, a closer relationship, and better advisers than I have had from these leaders. My party is fortunate, and the caucuses are fortunate to have this leadership.

I will miss working with them and miss working with you, but I know that both caucuses are well led and that both caucuses are geared toward a session that will be historic, that will move this state forward, and so I wish you all the very best of luck in your dealings with one another.

During the recent holiday, I took my family on a tour of this great Capitol. I figured it was the fitting thing to do, to appreciate the magnitude of this beautiful building as I was prepared to leave it. The highlight of the tour was a trip to the top of our Capitol, to the very top of the dome. I had never been there before. I climbed all 298 steps from this floor to the top, and I can tell you that every step was worth it for the view.

At first my view focused on the gold detail of our beautiful Capitol. As I walked outside and looked at the walkway that surrounds our dome, I began to reflect on the work that had been done in the last eight years, and the people who made it happen. I realized at that point, that more than the landscape of our great state had changed. We as a people had changed. We are more hopeful and optimistic as our state leads an energy revolution, not just for Iowa but for the entire nation. We take pride in knowing that we are the best at producing ethanol, soy-diesel, and renewable fuel, and that the rest of the nation is looking to us for leadership.

We are more tolerant and welcoming, as witnessed by the fact that we created New Iowan Centers, and we expanded their number to welcome people from all over the world to our great state, to make them feel part of our community.

And we are more cognizant of our environment, as we begin the process of reversing decades of decline of our water resources. All of that and much more bodes very well for the future, but only if we accept the challenge and the opportunity that change presents.

From the top of the Capitol looking east, I looked at the Grimes office building and that's where our department of education works. Just beyond that is an elementary school, the Capitol View school. It's part of the Des Moines school district. It is an elementary school that the governor's office has a special relationship with. It represents the growing diversity of our state.

It is there that I met a very precocious fourth grader by the name of Chrystal Martin. Over the last seven years we in this great Capitol have worked hard to create over 200 million dollars of assistance to reduce class sizes in the elementary grades. Iowans, all of us, were concerned and worried about an erosion of the reading skills of our young children by virtue of the fact that we had seen eight consecutive years of declining test scores.

Chrystal was part of a generation of learners that we were concerned about, who were not faring as well as we had hoped until we collectively decided to take action and change things for the better. Well, when Chrystal saw me, she walked up and she said, "Are you the governor?" And I said, "Yes, I am." She stood up straight and tall, and she said, "Well, I'm Chrystal Martin and they told me that I couldn't read at grade level, but I just got my test scores back and I'm reading at grade level."

Well, ladies and gentlemen, I looked into the eyes of that child and I saw more than I needed to see about the importance of class size reduction and focusing on reading skills, more than the six consecutive years of improved test scores we've seen recently. I saw power in the eyes of that child, the power to read, the power to learn, and most important of all, the power to achieve dreams.

We need to continue our class-size reduction efforts and build on that, and build we did when we began the process of Strong Start, our early childhood initiative. It focused on children zero to six years of age. We wanted them to have their parents be their first and best teacher, we wanted to improve quality childcare, and we wanted to expand access to preschool.

Every child in our state deserves a better future, but our work to ensure that better future is not finished. Indeed, while thousands of children have been helped by Strong Start, thousands more remain in need of help and that is the challenge that the change we started presents.

Do we continue to work for those who have no powerful lobby but represent 100 percent of our future? That is the opportunity that change presents. We'll be able to expand Strong Start to a point where every child has access to preschool. Let universal preschool in this state be the change that allows and enables every child in our state a chance, the opportunity to start school ready to learn, able to learn, and excited about learning. Let us be the first state in the union to make that unqualified guarantee to every single child in our state.

Great learning requires great teaching, and teachers deserve our respect and they deserve to be well paid. No athlete, no CEO, no governor on their best day performs as much magic as a classroom teacher performs every day. Yet teaching salaries lag behind the salaries of those who entertain us, those who operate our companies, and those who govern us. I applaud the Governor-elect and legislative leaders for their intention to expand and accelerate the work we started to improve teaching salaries by raising them to the national average. But this General Assembly could use this opportunity to look for more innovative ways to reward stellar performance in our schools by creating a new and improved compensation system. The current compensation system was modeled after activities 90 years ago, and during that period of time little has changed. I believe the legacy of this General Assembly and our new leaders will not be a preservation of the old, but an acceptance and embracement of the new. I believe you can blaze a new trail, waiting for no state, no city, no school district. Let Iowa be the leader that delivers a new and improved compensation system. Let Iowa be the leader that says to every single teacher, you are respected and you will be compensated accordingly. Let Iowa do that for our teachers, and most important of all, for our children.

One final word about education. I know that it's appropriate and necessary for us to continue to talk about the rising cost of college and university tuitions and our plans to help reduce the heavy load that our youngsters are currently having to carry, but I hope that we extend that conversation a bit to recognize that there are some who do not go to college, not because they can't afford it but because they've not graduated from high school. Our state is one of the best states in terms of high school graduation rates and we can take pride in that, but the dropout rate among minority students, while it has improved, still lags behind. We need help. We need help for those students who need extra help. Additional investments in the Iowa Jobs for America's Graduate program that we started several years ago, a high school dropout prevention program, will guarantee continued success. Nine out of ten Iowa seniors graduate from high school, but only seven out of ten minority students. It's not enough in our state for every white child to graduate from high school, to have a shot at college and a better future. It's necessary and important for us to continue to work until every child regardless of color graduates from high school and has a shot at college and a brighter and better future. That is a challenge that change presents to us, and for our future and our children's future; we must meet and accept that challenge. For if we do not, all of us will share in the consequences of failure.

As I looked to the north from the top of the Capitol, I looked at the Mercy Hospital clinic and I thought of my good friend Doctor Steve Gleason. Doctor Gleason worked at Mercy and he also worked at this Capitol. He was a passionate advocate for healthcare reform. It was his belief that every Iowan and every American deserved access to quality healthcare, and that that access should never be denied or delayed. If he were with us today, I think he would be happy with the fact that Iowa is only one of two states that reduced the number of uninsured last year, and we ranked second in the nation in overall healthcare coverage. Almost 92 percent of our citizens are covered.

But I don't think Steve would be satisfied with that. I think he would remind us that every Iowan deserves coverage, every Iowan deserves to get the care they need

when they need it. And so my challenge to you and the challenge that change presents is simply this: Let Iowa be the first, let this General Assembly and this new administration be the first, not just to promise universal access to healthcare, but to deliver on that promise to every single child, every single adult, and every single citizen of this state. We can do this.

And for those who may be doubtful, for those who may wonder whether we can afford it, let me simply say I believe we cannot afford not to. This is something that we can do in this state. You have worked hard, you have gotten us to this point, let's finish the job in healthcare.

Now, as important as that job is you should not be satisfied with just simply providing universal coverage. As tough and as challenging and as daunting as that task may be, we started down another path in healthcare, an important path, a path of actually reducing the cost of healthcare to Iowa citizens. We established the Senior Living Trust to reduce the need for nursing home care and allow people to remain in their homes with greater dignity for longer periods of time. We extended healthcare insurance coverage to a series of mental illnesses so that folks wouldn't have to get so sick that they finally got attention. We also created the Iowa Cares program in an effort to say to those who are uninsured at Broadlawns and at the University of Iowa Hospitals and Clinics, you don't have to go to an expensive and necessary emergency room visit, you can go to a less expensive doctor's office visit. We began this important work and understand how significant it is. We have begun the transformation of our healthcare system from one that simply prevents diseases and treats diseases to one that not only prevents, but also cures the incurable.

You have three important missions in this General Assembly, it seems to me, that you ought to give very serious consideration to as you continue this transformation. First, we must begin the process of accelerating our efforts to reduce childhood obesity. Our children need to be active, our children need to eat nutritious snacks, our children need to be healthy—we owe it to them. Second, it's important that we continue to expand dramatically our efforts to reduce teenage smoking and other drug use. And third, and this is important if we're interested in curing incurable diseases, we must lift the ban on nuclear cell transplants now.

As I moved to the view of the Capitol that looks west, I recognized and appreciated that our work here had changed the landscape of the city of Des Moines through the Vision Iowa program and the Values Fund. It occurred to me that through those programs, and the Community and Attraction Tourism program, we've not just changed the landscape of one community, we've changed the landscape of hundreds of communities in 90 counties in over 500 projects, and that number continues to grow.

Over ten billion dollars of capital investment has been committed and will create or retain well over 30,000 jobs, and that number will also increase over time. These projects and these programs have allowed us to have one of the fastest-growing economies in the country, have enabled us to record a record number of employed Iowans, have improved family incomes above the national median for the first time in some time, helped to reverse the brain drain, and perhaps as important as anything, established Iowa as the undisputed leader in renewable energy production.

But the time is past due to extend economic progress for those who work at minimum wage jobs. Let's bring the progress that we've experienced as a state to everyone. Let's raise the minimum wage, and let's do it this year.

As I thought about our work on the economy through these programs, I thought of Terri Goodman from Dubuque, Iowa. For me she represents the spirit of this new Iowa. She lives in Dubuque and she was one of the primary movers of the Dubuque Vision Iowa project, the America River Museum. It's a museum that led to a contribution and participation by folks from all over the country in investing tens of

millions of dollars along the riverfront in Dubuque. It helped to transform that community. It also celebrates the ecology and the important role that the Mississippi River plays. After the museum opened I just assumed that that was all there was. But Terri, representing this new spirit, had more ideas, more opportunities to expand, more opportunities to take a further step.

And that's precisely what we need to continue to do here in this Capitol. We cannot be satisfied with where we have been, we must be satisfied that we need to get to a different place. That's why I hope that this General Assembly will continue to fund and expand Great Places. It's the next generation of Vision Iowa, and I hope that there's a more focused Values Fund effort as the Governor-elect has suggested to make sure that our state is indeed the energy-secure state that it needs to be and can be.

Let us be as the Governor-elect has suggested, the first state in the country to sever our relationship with foreign oil and foreign oil supplies, so that we can provide a growing economy for our state. You know, Governor-elect, I realize the more times I refer to you, the more times they stand up.

You know, Terri Goodman's vision extended beyond bricks and mortar. She understood the economic power of our water resources, and we should as well. We now know more about our water after monitoring it for eight years, and we know the need for improving it. We have a plan for those improvements and last year we made a one-year down-payment to advance that plan. But now I ask the General Assembly to display the courage of your convictions by an aggressive multiyear effort. It's time for us to make a clear statement about our concern for the environment. It's time for us to have a multiyear Vision Iowa-like program to clean up our water, to take full advantage of the potential of our water resources.

In doing so, Iowa cannot only be an energy leader, we can and we must and we should be an environmental leader as well. Now, I know that there may be some who ask whether or not such an aggressive ambitious agenda would be accomplished. I don't believe there is any question it can be. A growing economy that improved revenues last year and this year makes this agenda possible and more. Our reserve accounts are full, and we're well on our way to repaying the entire debt we owe to the Senior Living Trust. It's a payoff for all the hard work and sacrifices that previous General Assemblies made.

Finally I looked to the south of this great Capitol, and I saw the memorial to the fallen. I reflected on the current war and calls I've made to family members. I made one just last week. You know, war and death and destruction caused from it do not distinguish by color or culture. Just simply read the names on the memorial. They come from all walks of life, all parts of our world. We owe those who serve us a great debt. We've attempted to repay it in small ways: first-time home buyers assistance program for our National Guard men and women, money for injured soldiers and their families, Bobby and Michelle's bill, a veterans trust fund so we continue to make sure that veterans understand that they have earned rights and privileges, full college tuition assistance, and a national cemetery, an appropriate final resting place for those who have sacrificed so much.

But it is not enough, it is not enough. We can and we must do more. We can honor their sacrifice by promoting tolerance, understanding and compassion for those who may be different than us. The current strife in Iraq stems from a failure to accept diversity of blood and belief. Sunnis, Shiites, and Kurds do not get along. Their children die, our children die. If we really want to honor those who have given so much for us, we should not depend on the Iraqis to accept that responsibility. That is our responsibility.

So let us pledge here and now as Americans, not as Republicans or Democrats, but as Americans, let us dedicate ourselves to making diversity in whatever form it may

come a reason to love and not to hate, a reason to accept and not reject, a reason to celebrate and not to fight. We can start by making our schools safe for all of our children by passing the antibullying bill. Do it for them, do it for us, and do it now.

This war has cost us a lot. It has hollowed out our military, It has, in my view, weakened our National Guard, and it puts our nation at risk. This war has compromised our national government's ability to meet the needs here at home—better schools, accessible and affordable healthcare, and modern infrastructure.

Now the President and the Congress are poised to make a big mistake even bigger by escalating America's involvement by adding more troops and investing more resources, by failing to recognize that the responsibility for success lies not with us but with the Iraqis and their government. Understand that escalation will come at the expense of families and communities here in Iowa and across the nation. We will once again send National Guard troops from this state to Iraq for another long-term deployment. Escalation will further erode our nation's ability to adequately fund needs here at home.

As governor and as the commander-in-chief, I have an obligation to speak out and to urge the President and Congress not to put more Iowans and Americans in harm's way in Iraq. But I have another obligation—one that extends beyond my role as governor and commander-in-chief. It is as an Iowan and as an American. And I use that obligation to ask you, the members of the General Assembly, to speak out as well. I ask you to use your collective voice to pass a resolution urging our President and our Congress not to make this tragic mistake for those who will unnecessarily die.

This may not be part of the agenda, this may not be part of what you plan to do, but I ask you today and throughout this General Assembly to look down deep inside your heart and ask yourself if you're doing all you can do to make sure we do not make a big mistake even bigger.

Let me end my time with you today where I began, with a thank you. I owe a thank you to the people of Iowa for granting me the privilege that few have ever had, the opportunity to serve them as governor. While challenges clearly remain, we have built a state better prepared for what lies ahead.

I have given it my all and I have done my best, but as I leave I'm confident. I'm confident that Iowa's best is yet to come starting right here and starting right now. God bless you all.

ADOPTION OF EXTRAORDINARY RESOLUTION

Senator Gronstal asked and received unanimous consent for the immediate consideration of the following Extraordinary Resolution and moved its adoption.

EIGHTY-SECOND GENERAL ASSEMBLY

EXTRAORDINARY RESOLUTION

By: Senate members Angelo, Appel, Beall, Behn, Black, Boettger, Bolkcom, Connolly, Courtney, Danielson, Dearden, Dotzler, Dvorsky, Fraise, Gaskill, Gronstal, Hahn, Hancock, Hartsuch, Hatch, Heckroth, Hogg, Horn, Houser, Johnson, Kettering, Kibbie, Kreiman, Lundby, McCoy, McKibben, McKinley, Mulder, Noble, Olive, Putney, Quirnbach, Ragan, Rielly, Schmitz, Schoenjahn, Seng, Seymour, Stewart, Ward, Warnstadt, Wieck, Wood, Zaun, Ziemann; and

House members Abdul-Samad, Alons, Anderson, Arnold, Bailey, Baudler, Bell, Berry, Boal, Bukta, Chambers, Clute, Cohoon, Dandekar, Davitt, De Boef, Deyoe, Dolecheck, Drake, Foege, Ford, Forristall, Frevert, Gaskill, Gayman, Gipp, Granzow, Grassley, Greiner, Heaton, Heddens, Hoffman, Horbach, Hunter, Huseman, Huser, Jacobs, Jacoby, Jochum, Kaufmann, Kelley, Kressig, Kuhn, Lensing, Lukan, Lykam, Mascher, May, McCarthy, Mertz, Miller, H., Miller, L., Murphy, Oldson, Olson, D., Olson, R., Olson, S., Olson, T., Palmer, Paulsen, Petersen, Pettengill, Quirk, Raecker, Rants, Rasmussen, Rayhons, Reasoner, Reichert, Roberts, Sands, Schickel, Schueller, Shomshor, Smith, Soderberg, Staed, Struyk, Swaim, Taylor, D., Taylor, T., Thomas, Tjepkes, Tomenga, Tymeson, Upmeyer, Van Engelenhoven, Van Fossen, Watts, Wendt, Wenthe, Wessel-Kroeschell, Whitaker, Whitead, Wiencek, Winckler, Windschitl, Wise, Worthan, and Zirkelbach.

An Extraordinary Resolution honoring Governor Thomas J. Vilsack for his eight years as Governor of the State of Iowa.

Whereas, Thomas J. Vilsack today addressed the Eighty-second General Assembly of the State of Iowa and in so doing, delivered, in addition to his Inaugural Address in 1998, his eighth and last Condition of the State message to the Iowa General Assembly as Governor of the State of Iowa; and

Whereas, This Joint Convention of 50 Senators and 100 Representatives therefore is honored to represent the hundreds of women and men who served in the four General Assemblies during Governor Vilsack's eight-year tenure as Governor; and

Whereas, Beginning today the state's historians and others will record and evaluate the ways in which Governor Vilsack's dedicated public service as the 39th Governor of the State of Iowa has enriched the history of Iowa state government, and the ways in which his service has touched the lives of all Iowans; *Now Therefore*,

Be It Resolved By The Eighty-Second General Assembly In Joint Convention, That the Joint Convention remark for posterity upon Governor Thomas J. Vilsack's relationship, as head of the executive branch of state government, to the legislative branch of state government, to wit:

Thomas J. Vilsack's two-term tenure as Governor has been marked by a constructive separation of powers during which the Governor's policy objectives have been effectively communicated to the General Assembly, and

the General Assembly has freely exercised its constitutionally mandated independence in making public policy through its lawmaking function. The results of this relationship will be recalled by others in more detail than can be expressed in this Resolution, but for members of the General Assembly whose service parallels Governor Vilsack's service, the following general contributions will serve as reminders of the many significant policy changes fashioned during Governor Vilsack's tenure in office from 1999 until today:

1. **ECONOMIC DEVELOPMENT.** Creation of the Iowa Values Fund to grow the Iowa economy by creating jobs and securing capital investments; the Vision Iowa and Community Attraction and Tourism Programs to improve communities through investments in education, cultural, and recreational attractions; and the Great Places Program to identify unique places to live, work, and play.
2. **EDUCATION.** Establishment of lifelong opportunities for learning, emphasizing early childhood programming, higher standards of student achievement, class size reduction, and access to Iowa's libraries to enrich its citizenry.
3. **HUMAN SERVICES.** Initiatives to increase health care coverage to uninsured children and to provide continuing access to high-quality health care through the federal-state Medicaid program, related indigent care programs, and mental health insurance coverages.
4. **RENEWABLE ENERGY.** Creation of incentives to facilitate the development of the renewable energy industry, including ethanol and biodiesel fuel and wind energy production.
5. **ENVIRONMENT.** Water quality initiatives to prioritize water quality improvements for rivers and lakes and to monitor quality through volunteers; and the expansion of outdoor recreation opportunities through the creation of a destination state park.
6. **CRIMINAL JUSTICE.** Strengthening of the criminal justice system through restrictions placed on pseudoephedrine sales and enhanced penalties.
7. **GOVERNMENT EFFICIENCY AND ACCESSIBILITY.** Creation of entrepreneurial charter state agencies and the Department of Administrative Services; and providing state government accountability and access to government institutions through electronic portals.

Be It Further Resolved by the Eighty-second General Assembly In Joint Convention,
That Governor Vilsack be recognized for the national leadership he assumed as Governor of the State of Iowa, including as a Chair of the Midwestern Governors' Conference, the National Governors' Association, the Democratic Governors' Association, and the Democratic Leadership Council; and

Be It Further Resolved by the Eighty-second General Assembly In Joint Convention,
That we hereby admonish writers, historians, and journalists, young and old, to compose their portrayals and analyses of the Thomas J. Vilsack years with wisdom, thoroughness, and compassion; and

Be It Further Resolved by the Eighty-second General Assembly In Joint Convention,
That the Joint Convention honor Governor Thomas J. Vilsack for his devoted service to the State of Iowa and the citizens of this State; and

Be It Further Resolved by the Eighty-second General Assembly In Joint Convention,
That a copy of this Resolution be forwarded to Governor Thomas J. Vilsack, and to First Lady Christie Vilsack, where it is hoped it will be received as a symbol of appreciation, good wishes, and affection extended by the Eighty-second General Assembly and the people of Iowa to the Governor, First Lady, and their family.

President Kibbie presented Governor Thomas J. Vilsack an enrolled copy of the resolution.

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

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

The Senate returned to the Senate chamber.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 10:54 a.m. until 8:45 a.m. Wednesday, January 10, 2007.

APPENDIX**ASSIGNMENT OF SEATS IN THE PRESS GALLERY**

Seat No.

51. The Des Moines Register: Jonathan Roos, Perry Beaman, Tony Leys, Kathie Obradovich, Jason Clayworth, Lisa Rossi, Jennifer Jacobs, Bill Petroski, Lynn Campbell
52. The Associated Press: Mike Glover, David Pitt, Amy Lorentzen, Henry C. Jackson, Charlie Neibergall
53. Single Day Visitor Press Seat
54. Radio Iowa News Network: O. Kay Henderson
55. Staff
56. Dubuque Telegraph Herald: Mary Rae Bragg
57. WOI-AM: Joyce Russell
58. The Cedar Rapids Gazette: Rod Boshart, James Lynch, Amber Bryant-Tapper
59. Single Day Visitor Press Seat.
60. Lee Enterprises DM Bureau: Todd Dorman, Charlotte Eby
61. Lee Enterprises Sioux City: Dan Gearino
62. Iowa Legislative News Service: Thomas Hunt, Jack Hunt, John Kurr
63. KUNI Radio: Jeneane Beck, Greg Shanley
64. KCCI-TV: Eric Hanson, Michelle Parker, Geoff Greenwood, Emily Givens, Bob Kaple

General Assignment

Fox News Channel/Chicago Bureau: Steve Brown, Yolanda Maggi, Robert Lee, Tom Jachman, Chris Becker, Jeff Goldblatt, Cherie Gazeck, Svein Schwab, Glenn Wargo, Tom Ewing, Dustin Grudish

IFPC Radio Network: Chad Thompson, Mike Hartwig

IowaNews.Net: Gary Barrett

Iowa State Daily: Kevin W. Stillman, Stan Brewer, Dan Moylan, John Auise

KIMT-TV: Adam Sodersten, Danielle Williams, Shawn Harmsen, Justin Foss, Elisa Mangesho

KWWL Television: Adam Sodersten, Trent Reicks, Bob Waters, Jason Mortvedt, Randy Schumacher, Megan Reuther, Scott Westerberg, Danielle Wagner, Jessica McAninch, Will Brown

Marion Times: Dave Tapp, Sarah Morey

WHO-TV: Dave Price

WOI-TV: Jay Villwock, Don Schmith

Iowa City Press-Citizen: Brian Morelli, Matt Holst

Cityview Newspaper: Sean Miller, Andrew Brink

The Record-Herald and Indianola Tribune: Sara Sleyster, Michael Rolands, photographer.

KTIV-TV: Matt Breen, Tia Heidebrecht, photographer

KCAU-TV: Elizabeth Herrgott, Joe Willis

Iowa.Politics.com: Chris Dorsey

KTVO-TV: Anthony Miller, Jill Kasparie, Debra Savage, Jude Wilbers, Andrew Grove

KMEG TV: Jean Andersen, Clint Jiras

REPORTS OF COMMITTEE MEETINGS

LABOR AND BUSINESS RELATIONS

Convened: Monday, January 8, 2007, 3:10 p.m.

Members Present: Dearden, Chair; Courtney, Vice Chair; Ward, Ranking Member; Dotzler, Dvorsky, Hahn, Hatch, Horn, McKinley, Seng, and Wieck.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 3:30 p.m.

COMMERCE

Convened: January 9, 2007, 3:05 p.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Angelo, Bolckom, Courtney, Kettering, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward.

Members Absent: McCoy (excused).

Committee Business: Organizational meeting.

Adjourned: 3:20 p.m.

ECONOMIC GROWTH

Convened: Tuesday, January 9, 2007, 1:10 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 1:40 p.m.

TRANSPORTATION

Convened: Tuesday, January 9, 2007, 2:00 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Hancock, Heckroth, Houser, Putney, Warnstadt, Zaun, and Ziemann.

Members Absent: McCoy (excused).

Committee Business: Organizational meeting.

Adjourned: 2:25 p.m.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 1, by Ragan, a concurrent resolution calling upon Iowans to observe Iowa Family Development and Self-Sufficiency Week.

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

Senate Resolution 1, by Committee on Rules and Administration, a resolution relating to permanent rules of the senate for the eighty-second general assembly.

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

INTRODUCTION OF BILLS

Senate File 10, by Kibbie, a bill for an act providing authority to a county board of supervisors to establish a separation distance requirement between an animal feeding operation maintaining swine

and a structure which is part of a swine farrowing and gestating operation, and providing an effective date.

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

[Senate File 11](#), by Kettering, a bill for an act relating to the funding for snowmobile programs by making an appropriation to restore transferred funding from snowmobile fees.

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

[Senate File 12](#), by Zieman, a bill for an act providing volunteer fire fighters and emergency medical services personnel with an individual income tax credit and providing effective and retroactive applicability dates.

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

[Senate File 13](#), by Warnstadt and Wieck, a bill for an act allowing certain cities to appoint additional civil service commissioners.

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

STUDY BILLS RECEIVED

[SSB 1001](#) **Agriculture**

Providing for the regulation of packers and the purchase of swine from producers, and providing for penalties.

[SSB 1002](#) **Commerce**

Extending the future repeal of a provision requiring the issuance of certificates for furnishing local telecommunications services, and providing an effective date.

SSB 1003 Commerce

Relating to the maximum finance charge allowed for consumer loans secured by a certificate of title to a motor vehicle and making penalties applicable.

SSB 1004 Judiciary

Allowing a competent adult to execute a written instrument directing the final disposition of that person's remains.

SSB 1005 Judiciary

Relating to crime victim compensation.

SSB 1006 Judiciary

Relating to the disposition of unclaimed property concerning minerals.

SSB 1007 Judiciary

Relating to a criminal defendant filing an application for postconviction relief.

SUBCOMMITTEE ASSIGNMENTS**SSB 1001**

AGRICULTURE: Kibbie, Chair; Fraise, Gaskill, Mulder, and Olive

SSB 1002

COMMERCE: Bolkcom, Chair; Heckroth and Kettering

SSB 1003

COMMERCE: McCoy, Chair; McKibben and Rielly

SSB 1004

JUDICIARY: Hogg, Chair; Behn and Hancock

[SSB 1005](#)

JUDICIARY: Schoenjahn, Chair; Fraise and Hartsuch

[SSB 1006](#)

JUDICIARY: Hancock, Chair; Quirnbach and Ward

[SSB 1007](#)

JUDICIARY: Kreiman, Chair; Noble and Warnstadt

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 1](#), a resolution relating to permanent rules of the senate for the eighty-second general assembly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.