

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, JANUARY 17, 2007

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JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 17, 2007

The Senate met in regular session at 8:47 a.m., President Kibbie presiding.

Prayer was offered by Craig Nelson, chaplain at the Iowa Veterans Home in Marshalltown, Iowa. He was the guest of Senator McKibben.

The Journal of Tuesday, January 16, 2007, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 9:07 a.m. until 8:45 a.m., Thursday, January 18, 2006.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

BOARD OF REGENTS

Progress report from the University of Iowa on the Consider Iowa Pilot Program, pursuant to 2006 Iowa Acts, [House File 2527](#). Report received on January 17, 2007.

DEPARTMENT OF VETERANS AFFAIRS

Annual financial report of the Veterans Trust Fund. Report received on January, 17, 2007.

CERTIFICATES OF RECOGNITION

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

Margaret Anders, Waterloo—For celebrating her 90th birthday. Senator Dotzler (1/17/06).

Emma Blondin, Waterloo—For celebrating her 90th birthday. Senator Dotzler (1/17/07).

Bradley Thomas Murphy, Spencer—For achieving the rank of Eagle Scout, Boy Scout Troop 123. Senator Johnson (1/17/07).

Pat and Jerry Nagel, Waterloo—For celebrating their 50th wedding anniversary. Senator Dotzler (1/17/07).

Norma Renner, Waterloo—For celebrating her 90th birthday. Senator Dotzler (1/17/07).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Tuesday, January 16, 2007, 3:30 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirnbach, Schmitz, Wood, Zaun, and Zieman.

Members Absent: None.

Committee Business: Presentation by Department of Education.

Adjourned: 4:35 p.m.

AGRICULTURE

Convened: Wednesday, January 17, 2007, 1:05 p.m.

Members Present: Fraise, Chair; Rielly, Vice Chair; Johnson, Ranking Member; Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng.

Members Absent: None.

Committee Business: Presentation by Secretary of Agriculture Bill Northey. Subcommittee assignments.

Adjourned: 1:45 p.m.

GOVERNMENT OVERSIGHT

Convened: Wednesday, January 17, 2007, 9:45 a.m.

Members Present: Courtney, Chair; Connolly, Vice Chair; Wieck, Ranking Member; and Schmitz.

Members Absent: Lundby (excused).

Committee Business: Organizational meeting.

Adjourned: 10:30 a.m.

HUMAN RESOURCES

Convened: Wednesday, January 17, 2007, 2:05 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Hatch, Johnson, Kreiman, Mulder, Quirmbach, and Wood.

Members Absent: Dotzler (excused).

Committee Business: Subcommittee assignments.

Adjourned: 2:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Wednesday, January 17, 2007, 9:45 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Wednesday, January 17, 2007, 9:55 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; Black and Houser.

Members Absent: None.

Committee Business: Discussion of future guest speakers.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Wednesday, January 17, 2007, 9:40 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive, and Ward.

Members Absent: None.

Committee Business: Presentation by Ron Robinson of the LSA.

Adjourned: 10:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, January 17, 2007, 9:50 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirmbach and Ziemann.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 10:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, January 17, 2007, 9:50 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Presentation on health care.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, January 17, 2007, 9:50 a.m.

Members Present: Hancock, Chair; Fraise, Vice Chair; McKinley, Ranking Member; Hogg, and Noble.

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Wednesday, January 17, 2007, 10:00 a.m.

Members Present: McCoy, Chair; Warnstadt, Vice Chair; Putney, Ranking Member; Beall and McKibben.

Members Absent: None.

Committee Business: Presentation by LSA.

Adjourned: 10:35 a.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 2, by Warnstadt and Wieck, a resolution commemorating the sesquicentennial anniversary of the founding of the city of Sioux City.

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

INTRODUCTION OF BILLS

[Senate File 25](#), by committee on Judiciary, a bill for an act relating to the payment of victim restitution by a person convicted of a criminal offense.

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

[Senate File 26](#), by Angelo, a bill for an act providing a sales tax exemption for operation of nonprofit private performing arts centers, providing a sales tax refund for construction of such centers, and including a retroactive applicability date.

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

[Senate File 27](#), by Hatch, Kreiman, Ragan, McCoy, Olive, Appel, Stewart, Schmitz, and Beall, a bill for an act creating a program to provide financial assistance for postsecondary education for young adults who were involved with the state's foster care program.

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

[Senate File 28](#), by Lundby, a bill for an act concerning specifications for agreements entered into for joint exercise of governmental powers and including an effective date and applicability date provision.

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

STUDY BILLS RECEIVED

[SSB 1031](#) **Judiciary**

Funding courthouse security programs through the enhanced court collections fund and the county general fund.

SSB 1032 Human Resources

Relating to the classification and regulation of controlled substances and making penalties applicable.

SSB 1033 Human Resources

Relating to the personal needs allowance retained by medical assistance recipients in certain facilities, providing an effective date, and providing for retroactive applicability.

SSB 1034 Human Resources

Relating to the practice of pharmacy and the registration of pharmacy technicians.

SSB 1035 Human Resources

Relating to the administrative modification of a child support order.

SSB 1036 Human Resources

Requiring children to have a dental screening as a condition of enrollment in elementary or high school and providing an effective date.

SSB 1037 Human Resources

Relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license.

SSB 1038 Human Resources

Relating to child in need of assistance proceedings and appeals in juvenile court.

SSB 1039 Human Resources

Renaming health-related examining boards as licensing boards and providing for the nonreversion of fees collected by the boards.

SSB 1040 State Government

Relating to the characteristics of a victim of a hate crime and making penalties applicable.

SSB 1041 State Government

Concerning charter agencies by eliminating the repeal of the provision, providing for the designation of charter agencies, providing for lease approvals and asset sales, and providing an effective date.

SSB 1042 State Government

Relating to a meeting of a governmental body concerning an individual whose appointment, hiring, performance, or discharge is being considered and a public records request concerning an applicant, candidate, or nominee being considered for employment with or appointment by a government body.

SSB 1043 State Government

Repealing the Iowa English language reaffirmation Act and rules of construction for English language laws.

SSB 1044 State Government

Exempting the instructional support property tax levy of a school district from being collected as part of the incremental taxes paid to a municipality for an urban renewal area and providing for the Act's applicability.

SSB 1045 State Government

Concerning health and dental coverage for certain peace officers of the department of public safety.

SSB 1046 State Government

Prohibiting discrimination based upon a person's sexual orientation or gender identity under the Iowa civil rights Act.

SSB 1047 State Government

Relating to the regulation of pharmacy benefit management companies and making appropriations.

SSB 1048 Education

Relating to the establishment of state and school antiharassment or antibullying policies, providing data collection and reporting requirements, and providing for immunity and other related matters.

SSB 1049 Human Resources

Relating to cigarette fire safety standards, and providing penalties.

SUBCOMMITTEE ASSIGNMENTS**Senate File 3**

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Kettering and Schoenjahn

Senate File 4

WAYS AND MEANS: Connolly, Chair; Dotzler and Noble

Senate File 6

WAYS AND MEANS: Quirnbach, Chair; Dotzler and Lundby

Senate File 12

WAYS AND MEANS: Stewart, Chair; Angelo and Dotzler

Senate File 18

NATURAL RESOURCES AND ENVIRONMENT: Ragan, Chair; Hancock and Johnson

[Senate File 21](#)

WAYS AND MEANS: Dotzler, Chair; Putney and Schmitz

[Senate File 26](#)

WAYS AND MEANS: Quirnbach, Chair; Angelo and Connolly

[SSB 1031](#)

JUDICIARY: Hancock, Chair; Horn and Noble

[SSB 1032](#)

HUMAN RESOURCES: Schmitz, Chair; Hatch and Seymour

[SSB 1033](#)

HUMAN RESOURCES: Wood, Chair; Bolkcom and Johnson

[SSB 1034](#)

HUMAN RESOURCES: Schmitz, Chair; Behn and Hatch

[SSB 1035](#)

HUMAN RESOURCES: Kreiman, Chair; Schmitz and Seymour

[SSB 1036](#)

HUMAN RESOURCES: Bolkcom, Chair; Boettger and Hatch

[SSB 1037](#)

HUMAN RESOURCES: Schmitz, Chair; Hatch and Johnson

[SSB 1038](#)

HUMAN RESOURCES: Kreiman, Chair; Quirnbach and Seymour

[SSB 1039](#)

HUMAN RESOURCES: Wood, Chair; Dotzler and Seymour

[SSB 1040](#)

STATE GOVERNMENT: Hatch, Chair; Appel and Behn

[SSB 1041](#)

STATE GOVERNMENT: Connolly, Chair; Hahn and Kibbie

[SSB 1042](#)

STATE GOVERNMENT: Danielson, Chair; Connolly and McKibben

[SSB 1043](#)

STATE GOVERNMENT: Danielson, Chair; Behn and Connolly

[SSB 1044](#)

STATE GOVERNMENT: Connolly, Chair; Kettering and Schmitz

[SSB 1045](#)

STATE GOVERNMENT: Horn, Chair; Danielson and Hahn

[SSB 1046](#)

STATE GOVERNMENT: Hatch, Chair; Behn and Connolly

[SSB 1047](#)

STATE GOVERNMENT: Danielson, Chair; Connolly and Zieman

[SSB 1048](#)

EDUCATION: Connolly, Chair; Appel and Mulder

[SSB 1049](#)

HUMAN RESOURCES: Dotzler, Chair; Seymour and Wood

FINAL COMMITTEE REPORTS OF BILL ACTION

JUDICIARY

Bill Title: *[SENATE FILE 25](#) (formerly [SF 8](#)), a bill for an act relating to the payment of victim restitution by a person convicted of a criminal offense.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

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 Judiciary Committee on [Senate File 25](#), and they were attached to the committee report.