

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, JANUARY 22, 2008

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

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 22, 2008

The Senate met in regular session at 10:00 a.m., President Kibbie presiding.

Prayer was offered by Reverend Mario Lara of Lifebridge Christian Church in Des Moines, Iowa. He was the guest of President Kibbie.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Cole Unger.

The Journal of Friday, January 18, 2008, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lundby, until she arrives, on request of Senator Angelo; Senator Hartsuch, until he arrives, on request of Senator Wieck; and Senators Connolly and Warnstadt, until they arrive, on request of Senator Gronstal.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:10 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 10:16 a.m., President Kibbie presiding.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2023](#).

[Senate File 2023](#)

On motion of Senator Bolkcom, [Senate File 2023](#), a bill for an act relating to the distribution to counties of certain utility replacement tax revenues credited to the property tax relief fund and providing an effective date, was taken up for consideration.

The Senate stood at ease at 10:20 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:55 a.m., President Kibbie presiding.

Senator Bolkcom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2023](#)), the vote was:

Yeas, 46:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	McCoy	Seng
Behn	Hahn	McKibben	Seymour
Black	Hancock	McKinley	Stewart
Boettger	Hatch	Mulder	Ward
Bolkcom	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, 4:

Cannolly	Hartsuch	Lundby	Warnstadt
----------	----------	--------	-----------

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 2023](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:00 a.m. until 8:45 a.m., Wednesday, January 23, 2008.

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointments to state boards, commissions, and departments to Senate standing committees, as indicated for investigation on January 22, 2008:

AGRICULTURE

Susan Hjelm – State Soil Conservation Committee
Esther Leyda – State Soil Conservation Committee

COMMERCE

Deborah Petersen – Title Guaranty Division Board
Darrell Hanson – Utilities Board

ECONOMIC GROWTH

Ruth MacDonald – Iowa Economic Development Board
Robert Riley, Jr. – Iowa Economic Development Board

Peter Hemken – Iowa Power Fund Board
Patricia Higby – Iowa Power Fund Board
Fred Hubbell – Iowa Power Fund Board
Carrie LaSeur – Iowa Power Fund Board
Mary Norton – Iowa Power Fund Board
Thomas Wind – Iowa Power Fund Board

HUMAN RESOURCES

Sandra Ryan – Commission for the Blind
Gloria Reber – Commission of Elder Affairs
Theresa Hegmann – Board of Physician Assistants
Ted Smith – Board of Physician Assistants
Thomas Newton – Director of the Department of Public Health

JUDICIARY

Rich Eychaner – Iowa State Civil Rights Commission
John Baldwin – Director of the Department of Corrections

NATURAL RESOURCES AND ENVIRONMENT

Paul W. Johnson – Environmental Protection Commission

Diane Dennler – Renewable Fuel Infrastructure Board
Kenneth Pangburn – Renewable Fuel Infrastructure Board
Eric Seuren – Renewable Fuel Infrastructure Board
Sandy Simpson – Renewable Fuel Infrastructure Board

STATE GOVERNMENT

Valynda Akin – Electrical Examining Board
Chad Campion – Electrical Examining Board
Chad Layland – Electrical Examining Board
Lori Mease – Electrical Examining Board
Barbara Mentzer – Electrical Examining Board
KG Perley – Electrical Examining Board
Duane Quirk – Electrical Examining Board
Andrea Rivera-Harrison – Electrical Examining Board
Rodrick Van Wart – Electrical Examining Board
Randy VanVoorst – Electrical Examining Board

Russell Allen – Elevator Safety Board

Sherry Sievers – Iowa Emergency Response Commission

Kyle Carlson – Generation Iowa Commission
Erin Cumings – Generation Iowa Commission
Christian Fong – Generation Iowa Commission
Karris Golden – Generation Iowa Commission
Mitchell Gross – Generation Iowa Commission
Jodi Grover – Generation Iowa Commission
Jesse Harris – Generation Iowa Commission
Rachel Judisch – Generation Iowa Commission
Emiliano Lerda – Generation Iowa Commission
Sophia Magill – Generation Iowa Commission
Emilia Martin – Generation Iowa Commission
Isaiah McGee – Generation Iowa Commission
Sara Morrow – Generation Iowa Commission
Jordan Oster – Generation Iowa Commission
Michael Schneider – Generation Iowa Commission

Andrew Smith – IowAccess Advisory Council

Christopher Seeger – Landscape Architectural Examining Board

Colleen Kennedy – Board of Medicine
Rodney Zeitler – Board of Medicine

Tammy Robinson – Vision Iowa Board

TRANSPORTATION

Michael Blouin – State Transportation Commission

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:

DEPARTMENT OF ECONOMIC DEVELOPMENT

Iowa Values Fund and Business Assistance Programs 2007 annual report, pursuant to Iowa Code sections 15.104(9), 15.113, and 15G.206. Report received on January 18, 2008.

Targeted Small Business annual report, pursuant to Iowa Code section 15.108(7)(c)(1)(e). Report received on January 18, 2008.

DEPARTMENT OF EDUCATION

Community College Quality Faculty Working Group final report, pursuant to 2007 Iowa Acts, [Senate File 588](#). Report received on January 22, 2008.

IOWA ENVIRONMENTAL PROTECTION COMMISSION

Annual Report and Recommendations to the Governor and General Assembly, pursuant to Iowa Code section 455B.105(5). Report received January 22, 2008.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on January 22, 2008, when the vote was taken on [Senate File 2023](#). Had I been present, I would have voted “Yea.”

MICHAEL CONNOLLY

REPORTS OF COMMITTEE MEETINGS**JUDICIARY**

Convened: January 22, 2008, 1:05 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, and Zieman.

Members Absent: Warnstadt (excused).

Committee Business: Approved [SSB 3019](#).

Adjourned: 1:15 p.m.

LOCAL GOVERNMENT

Convened: January 22, 2008, 2:05 p.m.

Members Present: Quirnbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Hartsuch, Heckroth, Houser, Kreiman, McKinley, Olive, Rielly, and Stewart.

Members Absent: Angelo and Schoenjahn (both excused).

Committee Business: Organizational meeting.

Adjourned: 2:25 p.m.

RULES AND ADMINISTRATION

Convened: January 22, 2008, 10:10 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Wieck, Ranking Member; Angelo, Courtney, Danielson, Dearden, Dvorsky, Ragan, and Ziemann.

Members Absent: Lundby (excused).

Committee Business: Approved committee assignments for Governor's interim appointments.

Adjourned: 10:16 a.m.

STATE GOVERNMENT

Convened: January 22, 2008, 2:05 p.m.

Members Present: Connolly, Chair; Horn, Vice Chair; Ziemann, Ranking Member; Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, and Schmitz.

Members Absent: McKibben and Wood (both excused).

Committee Business: Approved [SSB 3031](#).

Adjourned: 2:15 p.m.

VETERANS AFFAIRS

Convened: January 22, 2008, 11:30 a.m.

Members Present: Beall, Chair; Seymour, Ranking Member; Black, Danielson, Hartsuch, Horn, Kibbie, McKibben, McKinley, and Ragan.

Members Absent: Warnstadt, Vice Chair (excused).

Committee Business: Subcommittee assignments.

Adjourned: 11:45 a.m.

INTRODUCTION OF BILLS

[Senate File 2025](#), by Heckroth, a bill for an act relating to prohibited shooting or hunting near certain buildings and their grounds and providing penalties.

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

[Senate File 2026](#), by Kettering, a bill for an act increasing the amount and extending the availability of the child and dependent care and early childhood development tax credits and including a retroactive applicability date provision.

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

[Senate File 2027](#), by Bolkcom, a bill for an act relating to the certification of persons applying restricted use pesticides, and making penalties applicable.

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

[Senate File 2028](#), by Hatch, Dotzler, and Stewart, a bill for an act requiring the state board of regents to submit reports relating to the commercialization of research and providing for approval of projects.

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

[Senate File 2029](#), by Schoenjahn, a bill for an act providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates.

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

[Senate File 2030](#), by Schoenjahn, a bill for an act providing for the establishment of an amyotrophic lateral sclerosis study.

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

STUDY BILLS RECEIVED

[SSB 3064](#) **Economic Growth**

Relating to real estate broker trust accounts.

[SSB 3065](#) **Veterans Affairs**

Increasing the penalties that may be imposed by courts-martial under the Iowa code of military justice.

[SSB 3066](#) **Veterans Affairs**

Concerning eligibility for receiving a Vietnam Conflict veterans bonus for a certain period of active duty military service and including an effective date and retroactive applicability provision.

[SSB 3067](#) **State Government**

Relating to cultural affairs by providing for the preservation of electronic records, establishing regional cultural committees, and creating a civil war sesquicentennial advisory committee.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 428](#)

NATURAL RESOURCES AND ENVIRONMENT: Ragan, Chair; Lundby and Wood

[Senate File 474](#)

NATURAL RESOURCES AND ENVIRONMENT: Bolcom, Chair; Hogg and Lundby

[Senate File 568](#)

WAYS AND MEANS: Connolly, Chair; Noble and Schmitz

[Senate File 582](#)

WAYS AND MEANS: Schmitz, Chair; Seng and Ward

[Senate File 2010](#)

JUDICIARY: Hancock, Chair; Fraise and Zieman

[Senate File 2012](#)

JUDICIARY: Horn, Chair; Behn and Warnstadt

[Senate File 2014](#)

AGRICULTURE: Seng, Chair; Black and Mulder

[Senate File 2018](#)

AGRICULTURE: Appel, Chair; Fraise and Putney

[Senate File 2019](#)

WAYS AND MEANS: Quirmbach, Chair; Bolcom and Zieman

[Senate File 2020](#)

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Gaskill

[Senate File 2024](#)

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

[SSB 3064](#)

ECONOMIC GROWTH: Olive, Chair; Hahn and Rielly

[SSB 3065](#)

VETERANS AFFAIRS: Horn, Chair; Black and Seymour

[SSB 3066](#)

VETERANS AFFAIRS: Kibbie, Chair; Beall and Seymour

[SSB 3067](#)

STATE GOVERNMENT: Black, Chair; Behn and Schmitz