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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, JANUARY 22, 2009**

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# JOURNAL OF THE SENATE

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ELEVENTH CALENDAR DAY  
EIGHTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, January 22, 2009

The Senate met in regular session at 8:46 a.m., President Kibbie presiding.

Prayer was offered by Chaplain Rosemary Vaske of the Veterans Home in Marshalltown, Iowa. She was the guest of Senator Sodders.

The Journal of Wednesday, January 21, 2009, was approved.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:50 a.m. until 1:00 p.m., Monday, January 26, 2009.

## 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:

#### DEPARTMENT OF ELDER AFFAIRS

Senior Living Coordinating Unit Annual Report for 2008, pursuant to Iowa Code section 231.58(4)(g). Report received on January 21, 2009.

#### IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

2008 Annual Report of Activities, pursuant to Iowa Code section 312.3(b). Report received on January 22, 2009.

## DEPARTMENT OF REVENUE

2008 Annual Report of the Iowa Capital Investment Board, pursuant to Iowa Code section 7A.11A. Report received on January 22, 2009.

## STATE BOARD OF TAX REVIEW

2008 Annual Report to the Legislature, pursuant to Iowa Code section 421.1(4)(f). Report received on January 22, 2009.

## CERTIFICATES OF RECOGNITION

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

Robert and Mardella Andresen, Schleswig—For celebrating their 50<sup>th</sup> wedding anniversary. Senator Seymour (1/22/09).

Herb and Marlene O'Meara, Denison—For celebrating their 50<sup>th</sup> anniversary. Senator Seymour (1/22/09).

Evelyn Staller, Denison—For celebrating her 95<sup>th</sup> birthday. Senator Seymour (1/22/09).

## REPORTS OF COMMITTEE MEETINGS

## COMMERCE

**Convened:** Thursday, January 22, 2009, 1:00 p.m.

**Members Present:** Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Behn, Bolkcom, Courtney, Dandekar, Hartsuch, Kettering, McCoy, Olive, Schmitz, Stewart, and Ward.

**Members Absent:** Rielly (excused).

**Committee Business:** Presentation by the Commissioner of Insurance.

**Adjourned:** 1:40 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION  
AND REGULATION

**Convened:** Thursday, January 22, 2009, 10:05 a.m.

**Members Present:** Danielson, Chair; Jochum, Vice Chair; Bartz, Ranking Member; Behn and Kreiman.

**Members Absent:** None.

**Committee Business:** Introductions.

**Adjourned:** 10:50 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES**

**Convened:** Thursday, January 22, 2009, 10:25 a.m.

**Members Present:** Seng, Chair; Black, Vice Chair; Hahn, Ranking Member; and Wilhelm.

**Members Absent:** Houser (excused).

**Committee Business:** Overview of state budget presented by the Director of the Fiscal Services Division of the Legislative Services Agency.

**Adjourned:** 11:25 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Convened:** Thursday, January 22, 2009, 10:15 a.m.

**Members Present:** Schoenjahn, Chair; Quirnbach, Vice Chair; Boettger, Ranking Member; Feenstra and Horn.

**Members Absent:** None.

**Committee Business:** Introductions and presentation by the Legislative Services Agency's Fiscal Services Division.

**Adjourned:** 11:30 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** Thursday, January 22, 2009, 10:10 a.m.

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

**Members Absent:** None.

**Committee Business:** Legislative Services Agency review of budget.

**Adjourned:** 10:30 a.m.

## INTRODUCTION OF BILLS

[Senate File 29](#), by Kibbie, a bill for an act providing for the development of a standardized interconnection agreement applicable to utilization by small wind energy conversion facilities.

Read first time under Rule 28 and referred to committee on **Environment and Energy Independence**.

[Senate File 30](#), by Schoenjahn, a bill for an act relating to the abatement or refund of property taxes for certain religious, literary, and charitable societies and including effective and retroactive applicability date provisions.

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

## STUDY BILLS RECEIVED

[SSB 1076](#)      **Commerce**

Providing for the development of a complaint response process by the superintendent of credit unions and relating to the confidentiality of information obtained during the course of that process.

[SSB 1077](#)      **Commerce**

Relating to matters under the purview of the credit union division of the department of commerce.

[SSB 1078](#)      **Judiciary**

Relating to the appointment of judicial officers and the clerk of the district court, the appointment and retirement of senior judges, and the entry of orders in civil proceedings.

[SSB 1079](#)      **Judiciary**

Relating to criminal acts, records, and proceedings, including interference with judicial acts, deferred judgments, donations and contributions in a criminal proceeding, and providing a penalty.

**SSB 1080**      **Judiciary**

Relating to the protection of a minor victim's identity in a criminal proceeding.

**SSB 1081**      **Judiciary**

Proposing an amendment to the Constitution of the State of Iowa eliminating a requirement that a criminal offense, where the maximum permissible penalty does not exceed thirty days of imprisonment, be prosecuted on information under oath.

**SSB 1082**      **Judiciary**

Providing for a private cause of action for certain consumer fraud violations.

**SSB 1083**      **Judiciary**

Relating to notice of claims and the statute of limitation period in an action involving a claim against a special charter city.

**SSB 1084**      **Economic Growth**

Relating to a sales tax exemption for the operation of nonprofit private performing arts centers and allowing a sales tax refund for construction of such centers.

**SSB 1085**      **Economic Growth**

Relating to the number of historic preservation grants that may be awarded in a county and providing an effective date.

**SSB 1086**      **Economic Growth**

Increasing the aggregate amount of tax credits that may be approved for property rehabilitation.

**SSB 1087 Economic Growth**

Changing the eligibility requirements of web search portal businesses and information technology facilities for certain sales, use, and property tax exemptions and refunds.

**SSB 1088 Economic Growth**

Concerning fine arts projects in state buildings.

**SSB 1089 State Government**

Providing that wage discrimination is an unfair employment practice under the Iowa civil rights Act and providing an enhanced remedy.

**SSB 1090 State Government**

Relating to electrician licensure by modifying existing classifications and specifying new classifications.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 21**

COMMERCE: Bolkcom, Chair; Hartsuch and Rielly

**Senate File 22**

JUDICIARY: Jochum, Chair; Boettger and Schoenjahn

**Senate File 24**

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Dotzler and Houser

**Senate File 25**

NATURAL RESOURCES: Dearden, Chair; Fraise and Johnson

**Senate File 28**

LOCAL GOVERNMENT: Schoenjahn, Chair; Houser and Quirnbach

**Senate File 30**

LOCAL GOVERNMENT: Quirnbach, Chair; Houser and Schoenjahn

[SSB 1076](#)

COMMERCE: Olive, Chair; Kettering and Schmitz

[SSB 1077](#)

COMMERCE: Olive, Chair; Kettering and Schmitz

[SSB 1078](#)

JUDICIARY: Kreiman, Chair; Fraise and Kettering

[SSB 1079](#)

JUDICIARY: Kreiman, Chair; Fraise and Ward

[SSB 1080](#)

JUDICIARY: Quirnbach, Chair; Noble and Soddors

[SSB 1081](#)

JUDICIARY: Kreiman, Chair; Schoenjahn and Ward

[SSB 1082](#)

JUDICIARY: Kreiman, Chair; Kettering and Soddors

[SSB 1083](#)

JUDICIARY: Quirnbach, Chair; Horn and Ward

[SSB 1084](#)

ECONOMIC GROWTH: Schmitz, Chair; Heckroth and Kapucian

[SSB 1085](#)

ECONOMIC GROWTH: Rielly, Chair; Reynolds and Wilhelm

[SSB 1086](#)

ECONOMIC GROWTH: Dotzler, Chair; Houser, Olive, Reynolds, and Stewart

[SSB 1087](#)

ECONOMIC GROWTH: Dandekar, Chair; Beall and Wieck

[SSB 1088](#)

ECONOMIC GROWTH: Hatch, Chair; Beall and Hamerlinck

[SSB 1089](#)

STATE GOVERNMENT: Appel, Chair; Hartsuch and Hatch

[SSB 1090](#)

STATE GOVERNMENT: Sadders, Chair; Behn and Dearden