

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, JANUARY 20, 2005

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JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 20, 2005

The Senate met in regular session at 8:33 a.m., President Kibbie presiding.

Prayer was offered by Representative Tom Sands. He was the guest of Senator Courtney.

The Journal of Wednesday, January 19, 2005, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Putney, for the day, on request of Senator Shull.

ADJOURNMENT

On motion of Senator Wieck, the Senate adjourned at 8:37 a.m. until 1:00 p.m., Monday, January 24, 2005.

APPENDIX**CERTIFICATES OF RECOGNITION**

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

Jim and Nada McClean, Ames—For celebrating your 60th wedding anniversary. Senator Quirnbach (1/20/05).

Harlan and Gert Meyer, DeWitt—For celebrating your 50th wedding anniversary. Senator Wood (1/20/05).

Mark Porter, Nathan Porter, and Ryan Porter, Fairfield—For being chosen as the January 2005 Iowa Good Neighbor Award winners. Senator Miller (1/20/05).

Bev Schumann, Hartley-Melvin-Sanborn Elementary School—For receiving the Glass Apple Award for outstanding service to her school library. Senator Johnson (1/20/05).

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

FY 2005 Semi-annual Report on Value-Added Agricultural Products and Processes Financial Assistance Program (VAAPFAP), pursuant to Iowa Code section 15E.111(8). Report received on January 20, 2005.

IOWA UTILITIES BOARD

Report on the Current Status of Local Telecommunications in Iowa, pursuant to Iowa Code section 476.29(15). Report received on January 20, 2005.

AGENCY ICN REPORT

Iowa Communications Network (ICN) Usage report for FY 2004, pursuant to Iowa Code section 8D.10, was received from the following agency:

BOARD OF REGENTS — Report received on January 20, 2005.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: January 19, 2005, 1:00 p.m.

Members Present: Kreiman and Miller, Co-chairs; Boettger, Brunkhorst, Dvorsky, Fraise, Hancock, Horn, McKibben, Quirnbach, Schoenjahn, Tinsman, Ward, Warnstadt, and Zaun.

Members Absent: Lamberti (excused).

Committee Business: Subcommittee assignments.

Adjourned: 1:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: January 20, 2005, 9:40 a.m.

Members Present: Stewart, Co-chair; Dvorsky, McCoy, Mulder, and Zieman.

Members Absent: Putney, Co-chair (excused).

Committee Business: Presentations by Department of Management and Department of Human Rights.

Adjourned: 10:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 20, 2005, 10:00 a.m.

Members Present: Gaskill and Seng, Co-chairs; Black, Hahn, Houser, and Schoenjahn.

Members Absent: None.

Committee Business: Presentation on conservation districts of Iowa.

Adjourned: 10:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 20, 2005, 9:45 a.m.

Members Present: Boettger and Horn, Co-chairs; McKinley, Quirnbach, Shull, and Wood.

Members Absent: None.

Committee Business: Presentations by National Guard and College Student Aid Commission.

Recessed: 9:55 a.m.

Reconvened: 10:00 a.m.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: January 20, 2005, 9:30 a.m.

Members Present: Hatch and Tinsman, Co-chairs; Bolkcom, Johnson, Ragan, and Seymour.

Members Absent: None.

Committee Business: Presentations by LSA fiscal division regarding Department of Elder Affairs and Department of Veterans Affairs.

Adjourned: 11:35 a.m.

INTRODUCTION OF BILLS

Senate File 46, by Brunkhorst, a bill for an act relating to a secondary school core curriculum, including requiring the state board of education to set a statewide core curriculum completion rate goal and requiring school districts and schools to report core curriculum completion percentages annually.

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

Senate File 47, by Dearden, a bill for an act relating to the rulemaking authority of the natural resource commission regarding the taking and possession of certain migratory birds and providing for a mourning dove hunting fee, and penalties.

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

STUDY BILLS RECEIVED

SSB 1033 **Judiciary**

Requesting the legislative council to establish an interim committee to examine issues relating to the need for, benefits of establishing, and functions of a friend of the court agency to provide services to persons involved in domestic relations cases.

SSB 1034 **Judiciary**

Restricting the circumstances by which the juvenile court may modify, vacate and substitute, or terminate a child in need of assistance dispositional order.

SSB 1035 **Judiciary**

Relating to the establishment of multicounty jails, and making an appropriation.

SSB 1036 **Commerce**

Relating to the requirement to share services and facilities under the Iowa broadband initiative.

SSB 1037 **Appropriations**

Relating to appropriation matters by making, increasing and reducing appropriations for the fiscal year beginning July 1, 2004, and providing effective and applicability date provisions.

SSB 1038 **Judiciary**

Providing for free annual consumer access to consumer credit reports, and providing a private right of action.

SSB 1039 **Appropriations**

Relating to creation of a substance abuse prevention and treatment fund, and providing for standing appropriations from the fund.

SSB 1040 Appropriations

Relating to the criminal penalty surcharge, creating a criminalistics laboratory fund, and appropriating surcharge moneys to the fund.

SSB 1041 Human Resources

Relating to the provision under a group health insurance policy or health maintenance organization contract for compensation of podiatrists.

SSB 1042 Human Resources

Relating to the membership of the council with which the director of human services consults regarding the medical assistance program.

SSB 1043 Human Resources

Relating to health care facility violations and penalties for such violations.

SSB 1044 Human Resources

Relating to third-party payment of health care coverage costs for biologically based mental illness treatment services.

SSB 1045 Human Resources

Concerning third-party payment of health care coverage costs for mental health conditions, and including substance abuse treatment services.

SSB 1046 Commerce

Relating to certain interest due on unpaid health care claims.

SSB 1047 Commerce

Relating to the funding of the dual party relay service through assessments on telecommunications carriers providing telephone services.

SSB 1048 Commerce

Relating to wireless communications service subscriber privacy including restrictions on the provision of wireless telephone number information, and providing penalties and remedies.

SSB 1049 Commerce

Authorizing public utilities providing natural gas service to impose an infrastructure system replacement surcharge for the recovery of costs of certain infrastructure system replacements.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 1**

STATE GOVERNMENT: Hatch and Miller, Co-chairs; Brunkhorst and Wood

Senate File 9

HUMAN RESOURCES: Kreiman and Tinsman, Co-chairs; Houser and Quirnbach

Senate File 15

HUMAN RESOURCES: Bolkcom and Johnson, Co-chairs; Behn and Kreiman

Senate File 17

HUMAN RESOURCES: Gaskill and Kreiman, Co-chairs; Boettger and Wood

Senate File 18

HUMAN RESOURCES: Gaskill and Kreiman, Co-chairs; Boettger and Wood

Senate File 21

STATE GOVERNMENT: Hancock and Tinsman, Co-chairs; Wieck and Wood

Senate File 22

STATE GOVERNMENT: Danielson and Zieman, Co-chairs; Hancock and Tinsman

[Senate File 33](#)

STATE GOVERNMENT: Hatch and McKibben, Co-chairs; Black and Miller

[Senate File 35](#)

STATE GOVERNMENT: Danielson and Wieck, Co-chairs; Brunkhorst and Hancock

[Senate File 37](#)

WAYS AND MEANS: Connolly and Hahn, Co-chairs; Stewart and Wieck

[Senate File 43](#)

WAYS AND MEANS: Quirnbach and Zieman, Co-chairs; Seng and Zaun

[SSB 1033](#)

JUDICIARY: Hancock and Tinsman, Co-chairs; Boettger and Warnstadt

[SSB 1034](#)

JUDICIARY: Kreiman and Lamberti, Co-chairs; Dvorsky and Ward

[SSB 1035](#)

JUDICIARY: Boettger and Kreiman, Co-chairs; Horn and Ward

[SSB 1036](#)

COMMERCE: Angelo and Warnstadt, Co-chairs; Beall and Zaun

[SSB 1037](#)

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs; Hatch, Lamberti, Tinsman, and Warnstadt

[SSB 1038](#)

JUDICIARY: McKibben and Warnstadt, Co-chairs; Schoenjahn and Ward

[SSB 1039](#)

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

[SSB 1040](#)

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs

[SSB 1041](#)

HUMAN RESOURCES: Dotzler and Seymour, Co-chairs; Gaskill and Wood

SSB 1042

HUMAN RESOURCES: Boettger and Bolkcom, Co-chairs; Gaskill and Quirmbach

SSB 1043

HUMAN RESOURCES: Dotzler and Johnson, Co-chairs; Houser and Wood

SSB 1044

HUMAN RESOURCES: Ragan and Seymour, Co-chairs; Dotzler and Tinsman

SSB 1045

HUMAN RESOURCES: Behn and Ragan, Co-chairs; Dotzler and Seymour

SSB 1046

COMMERCE: Bolkcom and Wieck, Co-chairs; Kettering and Rielly

SSB 1047

COMMERCE: Angelo and Bolkcom, Co-chairs; Courtney and Kettering

SSB 1048

COMMERCE: McKinley and Warnstadt, Co-chairs; Courtney and Kettering

SSB 1049

COMMERCE: McCoy and McKinley, Co-chairs; Courtney and Kettering