

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, JANUARY 16, 2007

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JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 16, 2007

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

Prayer was offered by the Honorable Dave Mulder, member of the Senate from Sioux County, Sioux Center, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Russell Whitney.

The Journal of Friday, January 12, 2007, was approved.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Concurrent Resolution 1](#).

[Senate Concurrent Resolution 1](#)

On motion of Senator Ragan, [Senate Concurrent Resolution 1](#), a concurrent resolution calling upon Iowans to observe Iowa Family Development and Self-sufficiency Week, was taken up for consideration.

Senator Ragan moved the adoption of [Senate Concurrent Resolution 1](#), which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate Concurrent Resolution 1](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:15 a.m. until 5:15 p.m.

AFTERNOON SESSION

The Senate reconvened at 5:15 p.m., President Kibbie presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 16, 2007, **adopted** the following resolution in which the concurrence of the Senate is asked:

[House Concurrent Resolution 4](#), a concurrent resolution calling upon Iowans to observe Iowa Family Development and Self-sufficiency Week.

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

RECESS

On motion of Senator Gronstal, the Senate recessed at 5:16 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 5:18 p.m., President Kibbie presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gaskill until he returns, on request of Senator Putney.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [HOUSE CONCURRENT RESOLUTION 4](#), a concurrent resolution calling upon Iowans to observe Iowa Family Development and Self-sufficiency Week.

Recommendation: DO PASS.

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.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House Concurrent Resolution 4](#) and Senate Concurrent Resolutions 2 and 3.

[House Concurrent Resolution 4](#)

On motion of Senator Ragan, [House Concurrent Resolution 4](#), a concurrent resolution calling upon Iowans to observe Iowa Family Development and Self-sufficiency Week, with report of committee recommending passage, was taken up for consideration.

Senator Ragan moved the adoption of [House Concurrent Resolution 4](#), which motion prevailed by a voice vote.

[Senate Concurrent Resolution 2](#)

On motion of Senator Gronstal, [Senate Concurrent Resolution 2](#), a concurrent resolution relating to the compensation of chaplains, officers, and employees of the eighty-second general assembly, was taken up for consideration.

Senator Gronstal moved the adoption of [Senate Concurrent Resolution 2](#), which motion prevailed by a voice vote.

Senate Concurrent Resolution 3

On motion of Senator Gronstal, [Senate Concurrent Resolution 3](#), a concurrent resolution relating to joint rules of the Senate and House of Representatives for the Eighty-second General Assembly, was taken up for consideration.

Senator Gronstal moved the adoption of [Senate Concurrent Resolution 3](#), which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Concurrent Resolutions 2 and 3** and [House Concurrent Resolution 4](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:29 p.m. until 8:45 a.m., Wednesday, January 17, 2007.

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:

IOWA COLLEGE STUDENT AID COMMISSION

Iowa Teacher Shortage Forgivable Loan Program annual report for fiscal year 2006, pursuant to Iowa Code section 261.111. Report received on January 9, 2007.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Report on expenditures made under the components of the Grow Iowa Values Fund, pursuant to Iowa Code section 15.104(9). Report received on January 11, 2007.

Report on minority-owned and women-owned businesses and analysis of the application process used by businesses when applying for assistance, pursuant to Iowa Code sections 15.104(10) and (11). Report received on January 12, 2007.

Report on the provision of ongoing efforts to coordinate regulatory assistance for the state of Iowa, pursuant to Iowa Code section 15E.19. Report received on January 16, 2007.

DEPARTMENT OF EDUCATION

Student Achievement and Teacher Quality Program annual report, pursuant to Iowa Code section 284.12(1). Report received on January 9, 2007.

DEPARTMENT OF PUBLIC DEFENSE

Iowa Homeland Security and Emergency Management Division's enhanced 911 status report, pursuant to Iowa Code section 34A.7A(3)(a). Report received on January 16, 2007.

DEPARTMENT OF PUBLIC HEALTH

Report regarding final recommendations of the Healthy Children Task Force, pursuant to 2006 Iowa Acts, [Senate File 2251](#). Report received on January 16, 2007.

BOARD OF REGENTS

Annual report regarding the Beginning Farmer Center at Iowa State University, pursuant to Iowa Code section 266.39E. Report received on January 12, 2007.

TECHNOLOGY GOVERNANCE BOARD

Fiscal year 2006 annual report, pursuant to Iowa Code section 8A.204(3)(a). Report received on January 16, 2007.

DEPARTMENT OF TRANSPORTATION

Summary of contracts letting from July 1, 2005, through June 30, 2006, pursuant to Iowa Code section 307.12(14). Report received on January 9, 2007.

Report on the number of flexible fuel vehicles registered in Iowa as of November 2006, pursuant to 2006 Iowa Acts, [House File 2754](#). Report received on January 10, 2007.

Report on E85 retail station locations in Iowa, pursuant to 2006 Iowa Acts, [House File 2754](#), section 33. Report received on January 8, 2007.

AGENCY ICN REPORTS

Iowa Communications Network (ICN) usage reports for FY 2006, pursuant to Iowa Code section 8D.10, were received from the following agencies:

OFFICE OF DRUG CONTROL POLICY – Report received on January 10, 2007.

DEPARTMENT OF MANAGEMENT – Report received on January 16, 2007.

IOWA BOARD OF PAROLE – Report received on January 10, 2007.

IOWA WORKFORCE DEVELOPMENT – Report received on January 16, 2007.

CERTIFICATES OF RECOGNITION

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

Derek Kohn, Sioux City—For achieving the highest score on a test “Know Your Constitution.” Senator Warnstadt (1/16/07).

Okoboji–Spirit Lake Debate Team—For winning the Sweepstakes Championship Trophy at the Iowa High School Speech Association State Debate Tournament. Senator Johnson (1/16/07).

Shelden Stenum, Sioux City—For achieving the rank of Eagle Scout. Senator Warnstadt (1/16/07).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, January 10, 2007, 3:00 p.m.

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

Members Absent: Schoenjahn, Chair

Committee Business: Organizational meeting.

Adjourned: 3:30 p.m.

VETERANS AFFAIRS

Convened: Wednesday, January 10, 2007, 4:05 p.m.

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

Members Absent: None.

Committee Business: Organizational meeting.

Adjourned: 4:35 p.m.

JUDICIARY

Convened: Tuesday, January 16, 2007, 1:30 p.m.

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

Members Absent: None.

Committee Business: Passed [SF 8](#). Subcommittee assignments.

Adjourned: 1:45 p.m.

LOCAL GOVERNMENT

Convened: Tuesday, January 16, 2007, 2:30 p.m.

Members Present: Quirmbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Heckroth, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: Hartsuch and Houser (both excused).

Committee Business: Discussion of upcoming bills.

Adjourned: 2:45 p.m.

RULES AND ADMINISTRATION

Convened: Tuesday, January 16, 2007, 5:15 p.m.

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

Members Absent: None.

Committee Business: Approved [HCR 4](#).

Adjourned: 5:20 p.m.

STATE GOVERNMENT

Convened: Tuesday, January 16, 2007, 2:35 p.m.

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

Members Absent: Gaskill (excused).

Committee Business: Presentation by Secretary of State Michael Mauro.

Adjourned: 3:05 p.m.

INTRODUCTION OF BILL

[Senate File 24](#), by Zieman, a bill for an act establishing a standing appropriation to support fairs and including effective date and applicability provisions.

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

STUDY BILLS RECEIVED

[SSB 1026](#) **State Government**

Concerning the line of duty death benefit payable to public safety providers and making an appropriation.

SSB 1027 State Government

Concerning the responsibility for providing medical care to members of the statewide fire and police retirement system for injuries incurred in the performance of their duties.

SSB 1028 State Government

Relating to the regulation of ethical conduct by governmental entities.

SSB 1029 State Government

Relating to the racing and gaming commission by modifying provisions regulating horses involved in horse racing and providing an effective date.

SSB 1030 State Government

Providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2**

HUMAN RESOURCES: Hatch, Chair; Quirmbach and Seymour

Senate File 9

LOCAL GOVERNMENT: Rielly, Chair; Angelo and Schoenjahn

Senate File 13

LOCAL GOVERNMENT: Beall, Chair; Heckroth and McKinley

Senate File 14

JUDICIARY: Schoenjahn, Chair; Behn and Kreiman

Senate File 15

STATE GOVERNMENT: Kibbie, Chair; Kettering and Schmitz

Senate File 19

AGRICULTURE: Courtney, Chair; Appel and Johnson

Senate File 20

JUDICIARY: Kreiman, Chair; Hogg and Zieman

Senate File 22

LOCAL GOVERNMENT: Beall, Chair; Hartsuch and Olive

Senate File 23

LOCAL GOVERNMENT: Stewart, Chair; Houser and Rielly

SSB 1026

STATE GOVERNMENT: Connolly, Chair; Danielson, Kibbie, McKibben, and Zieman

SSB 1027

STATE GOVERNMENT: Kibbie, Chair; Connolly, Danielson, McKibben, and Zieman

SSB 1028

STATE GOVERNMENT: Kibbie, Chair; Connolly and Zieman

SSB 1029

STATE GOVERNMENT: Black, Chair; Behn and Hatch

SSB 1030

STATE GOVERNMENT: Wood, Chair; Gaskill and Hatch