

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, JANUARY 15, 2009

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

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 15, 2009

The Senate met in regular session at 9:00 a.m., President Kibbie presiding.

Prayer was offered by Reverend Mike Fitzsimmons, pastor of the Presbyterian Church in Carroll, Iowa. He was the guest of Senator Kettering.

The Journal of Wednesday, January 14, 2009, was approved.

The Senate stood at ease at 9:04 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:04 a.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:05 a.m. until 11:00 a.m.

RECONVENED

The Senate reconvened at 11:00 a.m., President Kibbie presiding.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:01 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 11:04 a.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

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

[Senate Resolution 3](#)

On motion of Senator Gronstal, [Senate Resolution 3](#), a resolution to honor retired legislator and good friend Mary Lundby, was taken up for consideration.

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 11:23 a.m. until 9:00 a.m., Friday, January 16, 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 COMMERCE

Iowa Division of Banking Report of Review of the Qualified Student Loan Bond Issuer, pursuant to Iowa Code section 7C.13(6b). Report received on January 15, 2009.

Iowa Insurance Division 2009 Annual Consumer Advocate Bureau Report, pursuant to Iowa Code section 505.8(6g). Report received on January 14, 2009.

DEPARTMENT OF EDUCATION

Interim Report on Community College Accreditation and Accountability for 2008, pursuant to 2008 Iowa Acts, [HF 2679](#). Report received on January 14, 2009.

Healthy Kids Act Legislative Report for 2009, pursuant to 2008 Iowa Acts, [SF 2425](#). Report received on January 13, 2009.

DEPARTMENT OF ELDER AFFAIRS

Long-Term Care Ombudsman Annual Report for 2008, pursuant to Iowa Code section 231.42(7). Report received on January 15, 2009.

DEPARTMENT OF HUMAN SERVICES

Medical Assistance Quality Improvement Council Reports for 2008, pursuant to 2008 Iowa Acts, [HF 2539](#). Report received on January 13, 2009.

DEPARTMENT OF NATURAL RESOURCES

BE Smart Iowa FY 2008 Annual Report, pursuant to 2008 Iowa Acts, [SF 517](#). Report received on January 14, 2009.

Iowa Environmental Protection Commission Annual Report for 2008, pursuant to Iowa Code section 455B.105(5). Report received on January 14, 2009.

IOWA STUDENT LOAN

Iowa Student Loan 2008 Annual Report, pursuant to Iowa Code section 7C.13(2). Report received on January 14, 2009.

INSTITUTE FOR TOMORROW'S WORKFORCE

Annual Report for 2008, pursuant to Iowa Code section 7K.1.6. Report received on January 15, 2009.

DEPARTMENT OF TRANSPORTATION

Annual Report of the Iowa Highway Research Board, FY 2008, pursuant to Iowa Code sections 310.36 and 312.3A. Report received on January 13, 2009.

BOARD OF REGENTS

Science-Technology-Engineering-Mathematics (STEM) Report, pursuant to 2008 Iowa Acts, [HF 2679](#). Report received on January 15, 2009.

CERTIFICATES OF RECOGNITION

Joshua Stika—For achieving the rank of Eagle Scout, Troop 261. Senator Wilhelm (1/15/09).

Paul Welch, Winterset—For his 27 years of service to Madison County. Senator Appel (1/15/09).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Wednesday, January 14, 2009, 2:10 p.m.

Members Present: Dvorsky, Chair; Kettering, Ranking Member; Appel, Bartz, Boettger, Bolkcom, Danielson, Dearden, Dotzler, Feenstra, Fraise, Hahn, Hancock, Hatch, Hogg, Jochum, Johnson, Kapucian, Noble, Ragan, Schoenjahn, Seng, Seymour, and Warnstadt.

Members Absent: McCoy, Vice Chair (excused).

Committee Business: Organizational meeting. Presentation of fiscal information from Legislative Services Agency.

Adjourned: 2:50 p.m.

HUMAN RESOURCES

Convened: Thursday, January 15, 2009, 11:25 a.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Hartsuch, Ranking Member; Bartz, Boettger, Bolkcom, Hatch, Johnson, Quirnbach, Seymour, and Wilhelm.

Members Absent: Dotzler and Kreiman (both excused).

Committee Business: Organizational meeting and introduction of DHS Director Gene Gessow.

Adjourned: 11:40 a.m.

REBUILD IOWA

Convened: Wednesday, January 14, 2009, 4:05 p.m.

Members Present: Hogg, Chair; Heckroth, Vice Chair; Hamerlinck, Ranking Member; Appel, Dandekar, Dvorsky, Feenstra, Hahn, Horn, Houser, Jochum, Reynolds, and Stewart.

Members Absent: None.

Committee Business: Joint meeting on disaster recovery.

Adjourned: 5:20 p.m.

RULES AND ADMINISTRATION

Convened: Thursday, January 15, 2009, 11:00 a.m.

Members Present: Gronstal, Chair; Kibbie, Vice Chair; Boettger, Courtney, Dearden, Dvorsky, Kettering, Ragan, and Zaun.

Members Absent: McKinley, Ranking Member; and Danielson (both excused).

Committee Business: Consideration of [Senate Resolution 3](#).

Adjourned: 11:05 a.m.

VETERANS AFFAIRS

Convened: Wednesday, January 14, 2009, 4:05 p.m.

Members Present: Beall, Chair; Warnstadt, Vice Chair; Seymour, Ranking Member; Danielson, Hartsuch, Kibbie, Noble, Ragan, and Soddors.

Members Absent: Black and Wieck (both excused).

Committee Business: Organizational meeting.

Adjourned: 4:25 p.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 3](#), by Kibbie, Gronstal, and McKinley, a resolution to honor retired legislator and good friend Mary Lundby.

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

INTRODUCTION OF BILLS

[Senate File 20](#), by Courtney, a bill for an act relating to elections in drainage or levee districts managed by a board of trustees.

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

[Senate File 21](#), by Bolkom, a bill for an act requiring health benefit coverage for certain cancer treatment delivered pursuant to approved cancer clinical trials and providing an applicability date.

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

STUDY BILLS RECEIVED

[SSB 1056](#) **Veterans Affairs**

Providing funding for certain veterans programs and providing an effective date.

[SSB 1057](#) **Natural Resources**

Relating to open burning of residential waste in certain areas of the state and providing penalties.

[SSB 1058](#) **Natural Resources**

Relating to the collection and expenditure of storage tank management fees.

[SSB 1059](#) **Natural Resources**

Relating to the water quality protection fund by changing the calculation of operating fees assessed against public water supply systems.

SSB 1060 State Government

Establishing a lean enterprise office within the department of management.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2

WAYS AND MEANS: Quirnbach, Chair; McCoy and Zaun

Senate File 7
(Reassignment)

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Horn and Ward

Senate File 14

WAYS AND MEANS: Jochum, Chair; Feenstra and Quirnbach

Senate File 16

HUMAN RESOURCES: Schmitz, Chair; Quirnbach and Seymour

Senate File 17

EDUCATION: Quirnbach, Chair; Dvorsky and McKinley

SSB 1056

VETERANS AFFAIRS: Kibbie, Chair; Seymour and Sadders

SSB 1057

NATURAL RESOURCES: Bolcom, Chair; Seng and Noble

SSB 1058

NATURAL RESOURCES: Schoenjahn, Chair; Fraise and Bartz

SSB 1059

NATURAL RESOURCES: Bolcom, Chair; Ragan and Johnson

SSB 1060

STATE GOVERNMENT: Appel, Chair; Horn and Feenstra

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 3](#), a resolution to honor retired legislator and good friend Mary Lundby.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gronstal, Kibbie, Boettger, Courtney, Dearden, Dvorsky, Kettering, Ragan, and Zaun. Nays, none. Absent, 2: McKinley and Danielson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.