

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, FEBRUARY 7, 2007

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JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 7, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Deacon James Kean of St. Patrick's Catholic Church in Epworth, Iowa. He was the guest of Senator Hancock.

The Journal of Tuesday, February 6, 2007, was approved.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:55 a.m. until 8:45 a.m., Thursday, February 8, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Michael Brandenburg, LeMars—For achieving the rank of Eagle Scout, Boy Scout Troop 188. Senator Mulder (2/7/07).

Rita Cook, Hubbard—For being crowned 2007 Iowa Pork Producers' Queen. Senator McKibben (2/7/07).

Matthew Jurgens, LeMars—For achieving the rank of Eagle Scout, Boy Scout Troop 188. Senator Mulder (2/7/07).

Matthew Lampe, Bellevue—For achieving the rank of Eagle Scout, Boy Scout Troop 86. Senators Connolly and Stewart (2/7/07).

Marlys Morse—For celebrating her 80th birthday. Senator Dotzler (2/7/07).

John and Florence Roach, Carlisle—For celebrating their 65th wedding anniversary. Senator Appel (2/7/07).

Nathaniel Young, LeMars—For achieving the rank of Eagle Scout, Boy Scout Troop 188. Senator Mulder (2/7/07).

REPORTS OF COMMITTEE MEETINGS

WAYS AND MEANS

Convened: Tuesday, February 6, 2007, 3:10 p.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Dotzler, Hogg, Lundby, Noble, Putney, Quirmbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: None.

Committee Business: Approved [SSB 1055](#) (as amended).

Adjourned: 4:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Tuesday, February 6, 2007, 9:45 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentations by Department of Inspections and Appeals, Iowa Child Advocacy Board, Iowa Employment Appeal Board, and the Racing and Gaming Commission.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Tuesday, February 6, 2007, 9:30 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: None.

Committee Business: Presentation by Iowa Workforce Development.

Adjourned: 11:30 a.m.

AGRICULTURE

Convened: Wednesday, February 7, 2007, 2:05 p.m.

Members Present: Fraise, Chair; Rielly, Vice Chair; Johnson, Ranking Member; Appel, Black, Boettger, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng.

Members Absent: Courtney (excused).

Committee Business: Presentation by the president of Iowa State University.

Adjourned: 3:00 p.m.

EDUCATION

Convened: Wednesday, February 7, 2007, 1:00 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirnbach, Schmitz, Wood, Zaun, and Zieman.

Members Absent: Angelo.

Committee Business: Subcommittee work.

Adjourned: 1:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Wednesday, February 7, 2007, 10:00 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentations by the Department of Corrections, Enterprise Rent-A-Car, Department of Natural Resources, and the Department of Administrative Services.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Wednesday, February 7, 2007, 10:25 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; Black and Houser.

Members Absent: None.

Committee Business: Presentation by the Department of Natural Resources.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, February 7, 2007, 10:10 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirmbach and Zieman.

Members Absent: None.

Committee Business: LSA staff discussed budget requests.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, February 7, 2007, 10:00 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Discussed affordable health care bill.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, February 7, 2007, 10:10 a.m.

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

Members Absent: None.

Committee Business: Presentation by the Department of Public Safety.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Wednesday, February 7, 2007, 9:30 a.m.

Members Present: Warnstadt, Vice Chair; Putney, Ranking Member; and Beall.

Members Absent: McCoy, Chair; and McKibben (both excused).

Committee Business: Presentations by the Department of Transportation and Department of Workforce Development.

Adjourned: 10:45 a.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 12](#), by Danielson, a resolution urging recognition of multiple chemical sensitivity and environmental sensitivity as a disability under the federal Americans With Disabilities Act.

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

INTRODUCTION OF BILLS

[Senate File 122](#), by Rielly, a bill for an act providing a sales and use tax exemption for certain appliances that meet the energy efficiency rating established for the appliance by the United States environmental protection agency and providing an effective date.

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

[Senate File 123](#), by Schoenjahn, Bolkcom, Stewart, Ragan, Schmitz, Kreiman, Beall, Dotzler, Heckroth, Dvorsky, Horn, Seng, Olive, Hatch, Dearden, Wood, Fraise, Courtney, Quirmbach, Gronstal, Kibbie, Appel, and Connolly, a bill for an act relating to the personal needs allowance for residents of certain facilities.

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

[Senate File 124](#), by Hatch and Boettger, a bill for an act establishing an Iowa health freedom Act and providing remedies.

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

[Senate File 125](#), by Boettger, a bill for an act relating to zoning provisions for the premises of home and community-based services waiver providers.

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

[Senate File 126](#), by Danielson, a bill for an act relating to the administration of the state hygienic laboratory, including attachment of the laboratory to the state university of Iowa, and providing for the duties and authority of a board of directors of the state hygienic laboratory, including the imposition of fees.

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

[Senate File 127](#), by Danielson and Dotzler, a bill for an act relating to extracurricular school activities and noninterference with parental visitation rights.

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

STUDY BILLS RECEIVED

SSB 1185 **Agriculture**

Relating to separation distance requirements between confinement feeding operations or manure originating from such places, and certain objects or locations, and making penalties applicable.

SSB 1186 **Judiciary**

Relating to the applicability of statute of limitations tolling provisions relating to minors and persons with mental illness and providing an applicability date.

SSB 1187 **Judiciary**

Relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties and recordkeeping affecting real estate, the confidentiality of arrest warrants, and notices by the department of corrections to the clerk of the district court.

SSB 1188 **Judiciary**

Relating to the department of public safety practices and procedures, and providing an effective date.

SSB 1189 **Judiciary**

Relating to a civil judgment, decree, or order of a court of a federally recognized Indian tribe and including an applicability provision.

SUBCOMMITTEE ASSIGNMENTS

Senate File 96

JUDICIARY: Fraise, Chair; Behn and Kreiman

Senate File 107

JUDICIARY: Kreiman, Chair; Schoenjahn and Ziemann

[Senate File 115](#)

HUMAN RESOURCES: Bolkcom, Chair; Dotzler and Seymour

[Senate File 117](#)

STATE GOVERNMENT: Connolly, Chair; Hahn and Schmitz

[Senate File 119](#)

JUDICIARY: Dvorsky, Chair; Behn and Kreiman

[Senate File 123](#)

HUMAN RESOURCES: Wood, Chair; Bolkcom and Johnson

[SSB 1185](#)

AGRICULTURE: Olive, Chair; Hancock and Johnson

[SSB 1186](#)

JUDICIARY: Schoenjahn, Chair; Hartsuch and Kreiman

[SSB 1187](#)

JUDICIARY: Hancock, Chair; Kreiman and McKibben

[SSB 1188](#)

JUDICIARY: Hancock, Chair; Kreiman and Noble

[SSB 1189](#)

JUDICIARY: Kreiman, Chair; Warnstadt and Zieman