

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, FEBRUARY 28, 2008

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JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 28, 2008

The Senate met in regular session at 8:50 a.m., President Kibbie presiding.

Prayer was offered by Reverend Lori Wunder of the First Presbyterian Church in Cedar Rapids, Iowa. She was the guest of Senator Hogg.

The Journal of Wednesday, February 27, 2008, was approved.

BILLS REFERRED TO COMMITTEE

Senator Bolkcom asked and received unanimous consent that the following Senate Files be referred from the Regular Calendar to the following committees:

S.F. 2264	Ways and Means
S.F. 2265	Appropriations
S.F. 2268	Ways and Means

ADJOURNMENT

On motion of Senator Bolkcom, the Senate adjourned at 8:56 a.m. until 1:00 p.m., Monday, March 3, 2008.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Big Creek Historical Society, Polk City—For the restoration of the historic city hall in Polk City. Senator Noble (2/28/08).

Senior Master Sgt. Ben Ramirez, Disciples of Christ Church, Jefferson—For being the chaplain of the day. Senator Beall (2/28/08).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 27, 2008, 1:05 p.m.

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

Members Absent: None.

Committee Business: Passed [SF 2080](#) and approved SSBs 3010 and 3071.

Recessed: 2:30 p.m.

Reconvened: 7:40 p.m.

Adjourned: 8:15 p.m.

APPROPRIATIONS

Convened: February 28, 2008 1:30 p.m.

Members Present: Dvorsky, Chair; Kettering, Ranking Member; Behn, Black, Boettger, Bolkcom, Danielson, Dotzler, Fraise, Hahn, Hancock, Hatch, Hogg, Johnson, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: McCoy, Vice Chair; Angelo, Connolly, and Gaskill (all excused).

Committee Business: Approved [SSB 3100](#).

Recessed: 1:35 p.m.

Reconvened: 1:45 p.m.

Adjourned: 1:50 p.m.

VETERANS AFFAIRS

Convened: February 28, 2008, 1:05 p.m.

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

Members Absent: Black and McKibben (both excused).

Committee Business: Passed [SF 2048](#) and approved [SSB 3032](#). Presentation by Commandant Dan Steen, Iowa Veterans Home.

Adjourned: 1:30 p.m.

WAYS AND MEANS

Convened: February 28, 2008, 2:05 p.m.

Members Present: Bolkcom, Chair; Appel, Dotzler, Hogg, Noble, Quirmbach, Schmitz, Seng, Stewart, Ward, and Ziemann.

Members Absent: McCoy, Vice Chair; McKibben, Ranking Member; Angelo, Connolly, Houser, and Putney (all excused).

Committee Business: Presentations by the Iowa Taxpayers Association and the Iowa Policy Project on the research activities credit.

Adjourned: 3:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: February 28, 2008, 11:25 a.m.

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

Members Absent: None.

Committee Business: Passed LSB 5000JA.

Adjourned: 12:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 28, 2008, 11:40 a.m.

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

Members Absent: None.

Committee Business: Passed LSB 5006JA, as amended, and LSB 5007JA, as amended.

Recessed: 12:05 p.m.

Reconvened: 12:15 p.m.

Adjourned: 12:30 p.m.

INTRODUCTION OF RESOLUTION

[Senate Concurrent Resolution 102](#), by committee on Agriculture, a concurrent resolution urging the United States Environmental Protection Agency to take all actions necessary to provide American consumers with the opportunity to use higher ethanol blended gasoline for general use in conventional engines.

Read first time under Rule 28 and **placed on calendar.**

INTRODUCTION OF BILLS

[Senate File 2272](#), by Quirmbach, a bill for an act providing for the procurement of designated biobased products by state government.

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

[Senate File 2273](#), by Quirmbach, a bill for an act creating a supplementary weighting plan for school districts that have enrolled students residing in group foster care facilities and residential substance abuse treatment program facilities.

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

[Senate File 2274](#), by Olive, Heckroth, and Rielly, a bill for an act relating to the operation of county hospitals and the duties and powers of county hospital trustees.

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

[Senate File 2275](#), by committee on Judiciary, a bill for an act relating to domestic abuse protective orders and animals owned or held by a petitioner, respondent, or minor child of the petitioner or respondent in domestic abuse cases.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2276](#), by committee on Natural Resources and Environment, a bill for an act relating to the disposal of solid waste by changing permitting requirements and updating and clarifying existing provisions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 2277](#), by committee on Judiciary, a bill for an act relating to offenses against identity by establishing a procedure to secure credit information and providing a penalty.

Read first time under Rule 28 and **placed on calendar**.

STUDY BILLS RECEIVED

[SSB 3254](#) **Human Resources**

Relating to the Iowa juvenile home by restricting placements of children at the home and including an applicability provision.

[SSB 3255](#) **Labor and Business Relations**

Relating to safe walkways for railroad workers and making penalties applicable.

[SSB 3256](#) **Natural Resources and Environment**

Relating to the control of beverage containers by expanding the types of beverage containers covered and increasing the reimbursement amount paid to dealers.

[SSB 3257](#) **Labor and Business Relations**

Relating to the imposition of penalty benefits in workers' compensation cases.

SSB 3258 Agriculture

Regulating some livestock markets as animal feeding operations.

SSB 3259 Agriculture

Providing for animal feeding operations involving livestock markets.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2254**

ECONOMIC GROWTH: Schmitz, Chair; Dotzler and Houser

Senate File 2257

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

Senate File 2258

AGRICULTURE: Courtney, Chair; Fraise and Gaskill

Senate File 2265

APPROPRIATIONS: Bolkom, Chair; Dvorsky, Johnson, Ragan, and Seymour

Senate File 2273

EDUCATION: Quirnbach, Chair; Beall and Boettger

SSB 3254

HUMAN RESOURCES: Kreiman, Chair; Hartsuch and Schmitz

SSB 3255

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

SSB 3256

NATURAL RESOURCES AND ENVIRONMENT: Seng, Chair; Behn and Hancock

SSB 3257

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

[SSB 3258](#)

AGRICULTURE: Kibbie, Chair; Black and Johnson

[SSB 3259](#)

AGRICULTURE: Kibbie, Chair; Black and Johnson

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: [SENATE CONCURRENT RESOLUTION 102 \(SSB 3230\)](#), a concurrent resolution urging the United States Environmental Protection Agency to take all actions necessary to provide American consumers with the opportunity to use higher ethanol blended gasoline for general use in conventional engines.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Fraise, Rielly, Johnson, Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: [SENATE FILE 2275*](#) (formerly [SF 2095](#)), a bill for an act relating to domestic abuse protective orders and animals owned or held by a petitioner, respondent, or minor child of the petitioner or respondent in domestic abuse cases.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2275](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 2277*](#) ([SSB 3213](#)), a bill for an act relating to offenses against identity by establishing a procedure to secure credit information and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Judiciary Committee on [Senate File 2277](#), and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: [SENATE FILE 2276*](#) ([SSB 3134](#)), a bill for an act relating to the disposal of solid waste by changing permitting requirements and updating and clarifying existing provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Hancock, Gaskill, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Behn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on [Senate File 2276](#), and they were attached to the committee report.

VETERANS AFFAIRS

Bill Title: [SENATE FILE 2048*](#), a bill for an act concerning eligibility criteria for special gold star motor vehicle registration plates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Beall, Warnstadt, Seymour, Danielson, Hartsuch, Horn, Kibbie, McKinley, and Ragan. Nays, none. Absent, 2: Black and McKibben.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Veterans Affairs Committee on [Senate File 2048](#), and they were attached to the committee report.

AMENDMENT FILED

[S-5039](#)

[S.F. 2134](#)

Steve Warnstadt