

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, FEBRUARY 1, 2007

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JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 1, 2007

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

Prayer was offered by Pastor Ted Miller of the First Presbyterian Church in Cedar Rapids, Iowa. He was the guest of Senator Hogg.

The Journal of Wednesday, January 31, 2007, was approved.

SPECIAL GUEST

Senator Dotzler introduced to the Senate chamber Harriet M. Fulbright, president of the Fulbright Center. The purpose of the Fulbright Center is to advance the work of her late husband, Senator J. William Fulbright, to promote world peace and the use of nonviolent means to resolve conflicts.

The Senate rose and expressed its welcome.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:50 a.m. until 1:00 p.m., Monday, February 5, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Marie Atkins—For celebrating her 100th birthday. Senator Courtney (2/1/07).

Richard and Dorothy Hester, Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (2/1/07).

Jim and Donna Miller—For celebrating their 50th wedding anniversary. Senator Courtney (2/1/07).

Jason Neverman, Manchester—For achieving the rank of Eagle Scout, Boy Scout Troop 33. Senator Hancock (2/1/07).

Spencer Chamber of Commerce—In recognition of its Diamond Jubilee 1932-2007. Senator Johnson (2/1/07).

Jared VanDyke, South English—For achieving the rank of Eagle Scout, Boy Scout Troop 227. Senator Rielly (2/1/07).

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 ADMINISTRATIVE SERVICES

Recycled products report, pursuant to Iowa Code section 8A.315. Report received on February 1, 2007.

IOWA COUNTY ENGINEERS ASSOCIATION SERVICE BUREAU

Annual report, pursuant to Iowa Code section 312.3B. Report received on February 1, 2007.

OFFICE OF DRUG CONTROL POLICY

Iowa's application to the U.S. Department of Justice for funds under the Edward Byrne Memorial Justice Assistance Grant. Report received on February 1, 2007.

DEPARTMENT OF ECONOMIC DEVELOPMENT

Report on the activities of the Iowa Commission on Volunteer Service, pursuant to Iowa Code section 15H.2(3)(h). Report received on February 1, 2007.

DEPARTMENT OF HUMAN RIGHTS

Report on the Iowa Commission on the Status of Women. Report received on February 1, 2007.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, January 31, 2007, 10:00 a.m.

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

Members Absent: None.

Committee Business: Discussion of affordable health care bill.

Adjourned: 12:10 p.m.

COMMERCE

Convened: Thursday, February 1, 2007, 11:35 a.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, and Stewart.

Members Absent: Angelo and Ward (both excused).

Committee Business: Energy presentation by the Department of Natural Resources.

Adjourned: 12:05 p.m.

ECONOMIC GROWTH

Convened: Thursday, February 1, 2007, 1:10 p.m.

Members Present: Stewart, Chair; Olive, Vice Chair; Houser, Ranking Member; Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun.

Members Absent: None.

Committee Business: Approved Governor's appointments, presentation by the University of Northern Iowa, and approved [SSB 1082](#) (as amended).

Adjourned: 2:10 p.m.

NATURAL RESOURCES AND ENVIRONMENT

Convened: Thursday, February 1, 2007, 1:05 p.m.

Members Present: Black, Chair; Hancock, Vice Chair; Gaskill, Ranking Member; Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood.

Members Absent: Behn and Bolkcom (both excused).

Committee Business: Approved Governor's appointments and subcommittee assignments.

Adjourned: 1:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Thursday, February 1, 2007, 9:40 a.m.

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

Members Absent: None.

Committee Business: Presentation by Iowa Public Employees' Retirement System.

Adjourned: 10:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Thursday, February 1, 2007, 9:45 a.m.

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

Members Absent: None.

Committee Business: Presentation by Mrs. Harriet Fulbright and the University of Northern Iowa.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, February 1, 2007, 9:50 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirnbach and Ziemann.

Members Absent: None.

Committee Business: Presentations by the State Library, Central Iowa Library Services Areas, and Iowa Vocational Rehabilitation Services.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Thursday, February 1, 2007, 9:45 a.m.

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

Members Absent: None.

Committee Business: Health care presentations.

Adjourned: 12:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Thursday, February 1, 2007, 9:45 a.m.

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

Members Absent: None.

Committee Business: Presentation by the Parole Board.

Adjourned: 10:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Thursday, February 1, 2007, 9:45 a.m.

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

Members Absent: None.

Committee Business: Presentation by the Department of Corrections.

Adjourned: 10:45 a.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 9](#), by Ragan and Seymour, a resolution in support of continuation of the state children's health insurance program.

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

INTRODUCTION OF BILLS

[Senate File 92](#), by Wieck, a bill for an act relating to loans made to resident account beneficiaries of health savings accounts and providing a penalty.

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

[Senate File 93](#), by McCoy, a bill for an act relating to the physical education requirements for grades nine through twelve under the educational standards for school districts and accredited nonpublic schools.

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

[Senate File 94](#), by Rielly, a bill for an act excluding compensation, including retirement benefits, received from the federal government for military services from income tax and including a retroactive applicability date provision.

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

[Senate File 95](#), by committee on Appropriations, a bill for an act making supplemental appropriations for the home ownership assistance and injured veterans grant programs for Iowa residents who are eligible members or military veterans of the armed forces of the United States and providing an effective date.

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

[Senate File 96](#), by Fraise, a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

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

STUDY BILLS RECEIVED

[SSB 1150](#) **State Government**

Creating the Iowa public records privacy commission and providing for a repeal.

[SSB 1151](#) **Education**

Providing for incorporation of the education excellence program funding into the state school foundation program.

[SSB 1152](#) **Human Resources**

Relating to child welfare services by requiring services to be provided to families of children removed from the home by court order and repealing restrictions on court orders for placement of children in group foster care.

[SSB 1153](#) **Human Resources**

Revising family investment program requirements.

[SSB 1154](#) **Human Resources**

Relating to the substitution of antiepileptic drugs and establishing an effective date.

[SSB 1155](#) **Commerce**

Relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, examination of insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage decisions, investment limitations on insurers other than life

insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and state mutual associations, reciprocal or interinsurance contracts, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties.

SSB 1156 Labor and Business Relations

Relating to registration of construction contractors.

SSB 1157 Labor and Business Relations

Concerning work-related injuries suffered and claims made outside of this state.

SSB 1158 Labor and Business Relations

Relating to the provision of medical services and evaluation of permanent disabilities of injured employees under workers' compensation laws.

SUBCOMMITTEE ASSIGNMENTS

Senate File 84

STATE GOVERNMENT: Kibbie, Chair; Black and Ziemann

Senate File 85

EDUCATION: Quirnbach, Chair; Beall and Johnson

Senate File 86

LOCAL GOVERNMENT: Quirnbach, Chair; McKinley and Schoenjahn

Senate File 87

EDUCATION: Quirnbach, Chair; Beall and Zaun

Senate File 89

HUMAN RESOURCES: Wood, Chair; Boettger and Dotzler

Senate File 90

LOCAL GOVERNMENT: Rielly, Chair; Hartsuch and Heckroth

[SSB 1150](#)

STATE GOVERNMENT: Kibbie, Chair; Appel and Hahn

[SSB 1151](#)

EDUCATION: Wood, Chair; Connolly and Ziemann

[SSB 1152](#)

HUMAN RESOURCES: Kreiman, Chair; Ragan and Seymour

[SSB 1153](#)

HUMAN RESOURCES: Schmitz, Chair; Johnson and Quirnbach

[SSB 1154](#)

HUMAN RESOURCES: Hatch, Chair; Behn and Schmitz

[SSB 1155](#)

COMMERCE: McCoy, Chair; Olive and Putney

[SSB 1156](#)

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

[SSB 1157](#)

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

[SSB 1158](#)

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

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: *[SENATE FILE 95](#) (formerly [SF 31](#)), a bill for an act making supplemental appropriations for the home ownership assistance and injured veterans grant programs for Iowa residents who are eligible members or military veterans of the armed forces of the United States and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 23: Dvorsky, McCoy, Angelo, Behn, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 2: Black and Hatch.

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 Appropriations Committee on [Senate File 95](#), and they were attached to the committee report.

GOVERNOR'S APPOINTEE PLACED ON EN BLOC CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the En Bloc Calendar with recommendation for confirmation:

ECONOMIC GROWTH

Mary Nelson – Iowa Economic Development Board

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committee for investigation, were placed on the Individual Confirmation Calendar with recommendations for confirmation:

NATURAL RESOURCES AND ENVIRONMENT

K. Allen Hillgren – Renewable Fuel Infrastructure Board
Jeff Hove – Renewable Fuel Infrastructure Board
Mary Norton – Renewable Fuel Infrastructure Board
Yvonne Wentz – Renewable Fuel Infrastructure Board