

PROOF

STATE OF IOWA

Senate Journal

MONDAY, FEBRUARY 4, 2008

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JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 4, 2008

The Senate met in regular session at 1:07 p.m., President Pro Tempore Danielson presiding.

Prayer was offered by Pastor Steven Hetzel of Faith Lutheran Church in Onawa, Iowa. He was the guest of Senator Seymour.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ann Dvorsky, daughter of Senator Robert E. Dvorsky.

The Journal of Thursday, January 31, 2008, was approved.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:17 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:20 p.m., President Pro Tempore Danielson presiding.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that [Senate File 2075](#) be referred from the Regular Calendar to the committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 1:22 p.m. until 8:45 a.m., Tuesday, February 5, 2008.

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 ADMINISTRATIVE SERVICES

Recycled Products Annual Report, pursuant to Iowa Code section 8A.315. Report received on February 1, 2008.

CAPITOL PLANNING COMMISSION

Annual Report for 2007, pursuant to Iowa Code section 8A.373. Report received on January 31, 2008.

IOWA MENTAL HEALTH, MENTAL RETARDATION, DEVELOPMENTAL DISABILITIES, AND BRAIN INJURY COMMISSION

Recommendations Regarding Mental Health Systems Improvement Report, pursuant to 2007 Iowa Acts, [House File 909](#), and Iowa Code section 225C.6B. Report received on February 4, 2008.

CERTIFICATES OF RECOGNITION

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

Father John J. O'Connor—For celebrating his 50th anniversary of being ordained into the priesthood. Senator Hancock (2/4/08).

Andrew Rathburn, Sioux Center—For achieving the rank of Eagle Scout, Boy Scout Troop 211. Senator Mulder (2/4/08).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: January 30, 2008, 10:45 a.m.

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

Members Absent: None.

Committee Business: Budget discussion with Richard Leopold, Director, DNR. Presentation on Iowa state parks.

Adjourned: 11:45 a.m.

RULES AND ADMINISTRATION

Convened: February 4, 2008, 1:15 p.m.

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

Members Absent: Courtney (excused).

Committee Business: Approved [SR 102](#).

Adjourned: 1:20 p.m.

STATE GOVERNMENT

Convened: February 4, 2008, 2:00 p.m.

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

Members Absent: Behn (excused).

Committee Business: Approved [SSB 3062](#). Approved governor's appointments to the En Bloc Confirmation Calendar.

Adjourned: 2:30 p.m.

INTRODUCTION OF BILLS

[Senate File 2091](#), by Bolkcom, Connolly, Stewart, Schmitz, Danielson, Dotzler, Heckroth, Dvorsky, Hogg, Seng, Hatch, Beall, Olive, Dearden, Fraise, Quirmbach, Appel, Courtney, Kibbie, Black,

and Schoenjahn, a bill for an act relating to the issuance or redemption of gift certificates, establishing restrictions on fees and charges, prohibiting expiration dates, and making penalties applicable.

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

[Senate File 2092](#), by committee on Human Resources, a bill for an act relating to authorized access to certain dependent adult abuse information.

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

[Senate File 2093](#), by Ragan, a bill for an act concerning appropriations from the alcoholic beverages division to the department of public health for substance abuse and treatment programs.

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

[Senate File 2094](#), by Kettering, a bill for an act relating to transportation provided to children attending a preschool program administered by a community empowerment area.

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

[Senate File 2095](#), by Bolkcom, 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 referred to committee on **Judiciary**.

STUDY BILLS RECEIVED

SSB 3116 State Government

Relating to protection of personal information and notice procedures following a breach of security.

SSB 3117 State Government

Relating to the regulation of the practice of certified public accounting.

SSB 3118 State Government

Making technical and corrective changes to the law relating to elections and voter registration and making a penalty applicable.

SSB 3119 Judiciary

Increasing the minimum amount of insurance required as proof of financial responsibility and providing effective and applicability dates.

SSB 3120 Judiciary

Relating to business corporations, by providing for distributions and business opportunities.

SSB 3121 Judiciary

Relating to the commission of a criminal offense classified as murder in the first degree, and providing a penalty.

SSB 3122 Judiciary

Relating to juvenile court by striking provisions setting aside an order adjudicating a child delinquent who is mentally retarded or mentally ill, modifying aggravated circumstance determinations in child in need of assistance proceedings, and modifying circumstances for termination of parental rights.

SSB 3123 **Judiciary**

Relating to the mandatory reporting to law enforcement officials of medical treatment for certain injuries and making a penalty applicable.

SSB 3124 **Judiciary**

Relating to reporting requirements for traffic accidents involving the operation of motor vehicles by reserve peace officers.

SSB 3125 **Local Government**

Requiring contractor review of energy efficiency alternatives prior to issuance of a building permit, license, or certificate.

SSB 3126 **Ways and Means**

Relating to the policy administration of the tax and related laws by the department of revenue, including administration of income and sales and use taxes, and including effective and retroactive applicability date provisions.

SSB 3127 **Transportation**

Relating to policies for the administration of highways and the regulation of motor vehicles by the department of transportation, including matters concerning the bid threshold for emergency highway repairs, the fee for replacement of special dealer registration plates, disqualification from operating a commercial motor vehicle, an exemption from the civil penalty imposed for certain driver's license sanctions, and permits and fees for the movement of certain overweight vehicles used for alternative energy purposes, and providing an effective date.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2028**

EDUCATION: Connolly, Chair; Heckroth and Zaun

[Senate File 2057](#)

JUDICIARY: Hogg, Chair; Kreiman and Ward

[Senate File 2070](#)

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Gaskill and Ragan

[Senate File 2071](#)

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Gaskill and Ragan

[Senate File 2072](#)

JUDICIARY: Warnstadt, Chair; Kreiman and Ward

[Senate File 2076](#)

WAYS AND MEANS: Bolkcom, Chair; Quirmbach and Zieman

[Senate File 2084](#)

WAYS AND MEANS: McCoy, Chair; Schmitz and Zieman

[Senate File 2085](#)

AGRICULTURE: Courtney, Chair; Hancock and Johnson

[Senate File 2088](#)

AGRICULTURE: Rielly, Chair; Johnson and Kibbie

[SSB 3116](#)

STATE GOVERNMENT: Danielson, Chair; Hahn and Kibbie

[SSB 3117](#)

STATE GOVERNMENT: Hatch, Chair; Horn and McKibben

[SSB 3118](#)

STATE GOVERNMENT: Kibbie, Chair; Appel and Zieman

[SSB 3119](#)

JUDICIARY: Hogg, Chair; Noble and Schoenjahn

[SSB 3120](#)

JUDICIARY: Hogg, Chair; Behn and Kreiman

[SSB 3121](#)

JUDICIARY: Kreiman, Chair; Dvorsky and Noble

[SSB 3122](#)

JUDICIARY: Kreiman, Chair; Fraise and Hartsuch

[SSB 3123](#)

JUDICIARY: Fraise, Chair; Behn and Kreiman

[SSB 3124](#)

JUDICIARY: Schoenjahn, Chair; Hancock and Noble

[SSB 3125](#)

LOCAL GOVERNMENT: Kreiman, Chair; McKinley and Stewart

[SSB 3126](#)

WAYS AND MEANS: Dotzler, Chair; Bolkom and Ward

[SSB 3127](#)

TRANSPORTATION: Danielson, Chair; Hancock and Noble

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: [SENATE FILE 2092*](#) ([SSB 3014](#)), a bill for an act relating to authorized access to certain dependent adult abuse information.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Ragan, Schmitz, Seymour, Boettger, Bolkom, Dotzler, Hartsuch, Johnson, Mulder, and Quirmbach,. Nays, none. Absent, 3: Hatch, Kreiman, and Wood.

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 Human Resources Committee on [Senate File 2092](#), and they were attached to the committee report.

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 102](#), a resolution designating February 5, 2008, as Iowa Insurance Day.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Gronstal, Kibbie, Wieck, Angelo, Danielson, Dearden, Dvorsky, Lundby, Ragan, and Zieman. Nays, none. Absent, 1: Courtney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 4, 2008, the Governor approved and transmitted to the Secretary of State the following bill:

[Senate File 2054](#) – Providing for county eligibility for state payment of certain mental health, mental retardation, and developmental disabilities services funding and providing effective and retroactive applicability dates.

GOVERNOR'S APPOINTEE PLACED ON EN BLOC CONFIRMATION CALENDAR

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

TRANSPORTATION

Michael Blouin – State Transportation Commission