

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, FEBRUARY 21, 2007

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JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 21, 2007

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

Prayer was offered by Pastor Michael Fitzsimmon of the Presbyterian Church in Carroll, Iowa. He was the guest of Senator Kettering.

The Journal of Tuesday, February 20, 2007, was approved.

SPECIAL GUESTS

Senator Johnson welcomed to the Senate chamber former state senator Richard Vande Hoef and his wife Harriet. Mr. Vande Hoef, from Osceola County, served in the legislature for 18 years.

The Senate rose and expressed its welcome.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 20, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 258, a bill for an act relating to the duties of directors of nonprofit corporations.

Read first time and referred to committee on **Judiciary**.

[House File 367](#), a bill for an act relating to wage payment collection of direct deposit wages as administered by the division of labor services of the department of workforce development.

Read first time and referred to committee on **Labor and Business Relations**.

[House File 385](#), a bill for an act relating to the filing of nomination petitions to fill a vacancy on a city council.

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

[House File 397](#), a bill for an act relating to the expenditures allowable from medical assistance income trusts.

Read first time and attached to **companion** [Senate File 251](#).

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:17 a.m. until 4:00 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

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

Larry and Molly Bowlin—For celebrating their 50th wedding anniversary. Senator Appel (2/21/07).

Velma Brack—For celebrating her 80th birthday. Senator Boettger (2/21/07).

Paul Dwayne and Joan Guy—For celebrating their 60th wedding anniversary. Senator Appel (2/21/07).

Gene and Veda Johnson—For celebrating their 50th wedding anniversary. Senator Appel (2/21/07).

Anthony Peter Kommes—For celebrating his 89th birthday. Senator Boettger (2/21/07).

Mr. and Mrs. Leslie Marousek, Atlantic—For celebrating their 60th wedding anniversary. Senator Boettger (2/21/07).

Mr. and Mrs. Don Schaben, Defiance—For celebrating their 50th wedding anniversary. Senator Boettger (2/21/07).

Mr. and Mrs. Henry Walter, Elk Horn—For celebrating their 50th wedding anniversary. Senator Boettger (2/21/07).

Matthew Wettach, Mount Pleasant—For achieving national recognition for exemplary volunteer service by receiving a 2007 Prudential Spirit of Community Award. Senator Fraise (2/21/07).

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Representatives from the Resource Enhancement and Protection programs. Senator Black.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Tuesday, February 20, 2007, 3:15 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood.

Members Absent: None.

Committee Business: Presentation by the Iowa Association of Counties.

Adjourned: 4:15 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS

Convened: Tuesday, February 20, 2007, 10:15 a.m.

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

Members Absent: None.

Committee Business: Presentation by the Iowa Association of Community College Trustees and Des Moines Area Community College.

Adjourned: 10:45 a.m.

STATE GOVERNMENT

Convened: Wednesday, February 21, 2007, 11:35 a.m.

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

Members Absent: None.

Committee Business: Approved SSBs 1008 and 1228.

Adjourned: 12:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Wednesday, February 21, 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 the Secretary of State and the Office of Drug Control Policy.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Wednesday, February 21, 2007, 9:50 a.m.

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

Members Absent: Houser (excused).

Committee Business: Presentations by the Iowa Watershed Improvement Review Board and the Iowa Geographic Information Council.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Wednesday, February 21, 2007, 9:30 a.m.

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

Members Absent: Heckroth, Vice Chair (excused).

Committee Business: Presentation by WasteNotIowa.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, February 21, 2007, 10:50 a.m.

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

Members Absent: None.

Committee Business: Presentations on before and after school programs and the Accelerated Career Education programs.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, February 21, 2007, 9:50 a.m.

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

Members Absent: None.

Committee Business: Presentations by the Department of Public Health, the Mid-Eastern Council on Chemical Abuse, the Iowa Academy of Family Practitioners, and the Department of Veterans Affairs.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, February 21, 2007, 9:55 a.m.

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

Members Absent: None.

Committee Business: Presentations by the director of Prison Industries and the LSA.

Adjourned: 10:35 a.m.

INTRODUCTION OF BILLS

[Senate File 243](#), by Warnstadt, a bill for an act relating to the designation of enterprise zones located near modes of transportation and including effective date and retroactive applicability date provisions.

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

[Senate File 244](#), by Bolkcom, a bill for an act requiring a balanced user approach to transportation planning and development.

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

[Senate File 245](#), by Zieman, a bill for an act creating a recreational class of property for purposes of property assessment and taxation.

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

[Senate File 246](#), by Putney, a bill for an act relating to the ordering of political parties listed on the ballot.

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

[Senate File 247](#), by committee on Natural Resources and Environment, a bill for an act making black bears and cougars fur-bearing animals.

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

[Senate File 248](#), by committee on Human Resources, a bill for an act relating to the membership of the board of physician assistant examiners.

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

[Senate File 249](#), by committee on Human Resources, a bill for an act relating to the conference of eligibility on and conditions of eligibility for individuals for certain programs under the purview of the department of human services.

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

[Senate File 250](#), by committee on Natural Resources and Environment, a bill for an act relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

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

[Senate File 251](#), by committee on Human Resources, a bill for an act relating to the expenditures allowable from medical assistance income trusts.

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

[Senate File 252](#), by committee on Human Resources, a bill for an act relating to services for which reimbursement may be provided under a medical assistance home and community-based services waiver for the elderly.

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

[Senate File 253](#), by committee on Natural Resources and Environment, a bill for an act regulating the administration of drugs to certain noncaptive vertebrate wildlife and providing a penalty.

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

[Senate File 254](#), by committee on Human Resources, a bill for an act revising family investment program requirements.

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

[Senate File 255](#), by committee on Natural Resources and Environment, a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program.

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

[Senate File 256](#), by Bolkom, a bill for an act relating to the civil penalty imposed when a driver's license is suspended or revoked, by allowing the penalty to be paid in installments.

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

[Senate File 257](#), by Danielson, a bill for an act designating the Sullivan brothers veterans museum as the state of Iowa veterans museum.

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

[Senate File 258](#), by Danielson, a bill for an act relating to the victim compensation fund and mileage reimbursement.

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

[Senate File 259](#), by committee on Human Resources, a bill for an act creating a program to provide financial assistance for

postsecondary education for young adults who were involved with the state's foster care program.

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

[Senate File 260](#), by committee on Human Resources, a bill for an act relating to dependent adult abuse.

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

[Senate File 261](#), by committee on Natural Resources and Environment, a bill for an act requiring certain private sewage disposal system-related inspections to be conducted when certain property is sold or transferred and including an effective date provision.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: [SENATE FILE 248 \(SSB 1143\)](#), a bill for an act relating to the membership of the board of physician assistant examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 249 \(SSB 1107\)](#), a bill for an act relating to the conference of eligibility on and conditions of eligibility for individuals for certain programs under the purview of the department of human services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 251 \(SSB 1135\)](#), a bill for an act relating to the expenditures allowable from medical assistance income trusts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 252](#) (formerly [SF 52](#)), a bill for an act relating to services for which reimbursement may be provided under a medical assistance home and community-based services waiver for the elderly.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 254 \(SSB 1153\)](#), a bill for an act revising family investment program requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 259](#) (formerly [SF 27](#)), a bill for an act creating a program to provide financial assistance for postsecondary education for young adults who were involved with the state's foster care program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. 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 Human Resources Committee on [Senate File 259](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 260 \(SSB 1090\)](#), a bill for an act relating to dependent adult abuse.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. 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 Human Resources Committee on [Senate File 260](#), and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: [SENATE FILE 247 \(SSB 1220\)](#), a bill for an act making black bears and cougars fur-bearing animals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Black, Hancock, Gaskill, Bolkcom, Dearden, Hogg, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, 3: Behn, Johnson, and Kettering. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 250 \(SSB 1067\)](#), a bill for an act relating to regulation of the harvesting of commercial fish, turtles, and freshwater mussels and providing for fees and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 253 \(SSB 1112\)](#), a bill for an act regulating the administration of drugs to certain noncaptive vertebrate wildlife and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. 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 Natural Resources and Environment Committee on [Senate File 253](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 255 \(SSB 1224\)](#), a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating a game bird habitat development program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. 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 Natural Resources and Environment Committee on [Senate File 255](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 261 \(SSB 1066\)](#), a bill for an act requiring certain private sewage disposal system-related inspections to be conducted when certain property is sold or transferred and including an effective date provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolcom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. 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 Natural Resources and Environment Committee on [Senate File 261](#), and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 4:00 p.m., President Kibbie presiding.

QUORUM CALL

Senator Connolly requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent, and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy, until he arrives, on request of Senator Connolly.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Connolly asked and received unanimous consent to take up for consideration Senate Files 48 and 42.

Senate File 48

On motion of Senator Dearden, [Senate File 48](#), a bill for an act concerning the limitation of actions for prosecution of violations under certain statutes administered by the natural resource commission, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 48](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Kibbie	Schoenjahn
Appel	Gaskill	Kreiman	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McKibben	Stewart
Black	Hancock	McKinley	Ward
Boettger	Hartsuch	Mulder	Warnstadt

Bolkcom	Hatch	Noble	Wieck
Connolly	Heckroth	Olive	Wood
Courtney	Hogg	Putney	Zaun
Danielson	Horn	Quirnbach	Zieman
Dearden	Houser	Ragan	
Dotzler	Johnson	Rielly	
Dvorsky	Kettering	Schmitz	

Nays, none.

Absent, 1:

McCoy

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 42](#)

On motion of Senator Wood, [Senate File 42](#), a bill for an act relating to campaign finance by revising the requirements for filing reports and for the use of certain resources for political purposes, was taken up for consideration.

Senator Wood moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 42](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

The Senate stood at ease at 4:15 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 5:21 p.m., President Kibbie presiding.

QUORUM CALL

Senator Gronstal requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 37 present, 13 absent, and a quorum present.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 70 and 110.

[Senate File 70](#)

On motion of Senator Schoenjahn, [Senate File 70](#), a bill for an act relating to crime victim compensation, was taken up for consideration.

Senator Schoenjahn offered amendment [S-3022](#), filed by him on February 5, 2007, to page 1 of the bill, and moved its adoption.

Amendment [S-3022](#) was adopted by a voice vote.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 70](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gaskill, until he returns, on request of Senator Putney.

[Senate File 110](#)

On motion of Senator Kreiman, [Senate File 110](#), a bill for an act relating to the standardized training and state certification of reserve peace officers, was taken up for consideration.

Senator Angelo withdrew amendment [S-3039](#), filed by him from the floor to page 2 of the bill.

Senator Kreiman offered amendment [S-3026](#), filed by him on February 12, 2007, to page 3 of the bill, and moved its adoption.

Amendment [S-3026](#) was adopted by a voice vote.

Senator Kreiman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 110](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirmbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred February 8, 2007)

[Senate File 25](#)

The Senate resumed consideration of [Senate File 25](#), a bill for an act relating to the payment of victim restitution by a person convicted of a criminal offense, deferred February 8, 2007.

Senator Hancock moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 25](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirmbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 130 and 137.

[Senate File 130](#)

On motion of Senator Beall, [Senate File 130](#), a bill for an act relating to commissions that oversee memorial buildings and monuments, was taken up for consideration.

Senator Beall offered amendment [S-3032](#), filed by Senator Beall, et al., on February 13, 2007, to page 1 of the bill, and moved its adoption.

Amendment [S-3032](#) was adopted by a voice vote.

Senator Beall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 130](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 137](#)

On motion of Senator Wood, [Senate File 137](#), a bill for an act providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty, was taken up for consideration.

Senator Wood moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 137](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirmbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 25, 42, 48, 70, 110, 130, and 137** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 68, 67, and 232.

[Senate File 68](#)

On motion of Senator Schmitz, [Senate File 68](#), a bill for an act relating to the classification and regulation of controlled substances and making penalties applicable, was taken up for consideration.

Senator Schmitz asked and received unanimous consent that [House File 260](#) be **substituted** for [Senate File 68](#).

[House File 260](#)

On motion of Senator Schmitz, [House File 260](#), a bill for an act relating to the classification and regulation of controlled substances and making penalties applicable, was taken up for consideration.

Senator Schmitz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([H.F. 260](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirmbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Schmitz asked and received unanimous consent that [Senate File 68](#) be **withdrawn** from further consideration of the Senate.

Senate File 67

On motion of Senator Schmitz, [Senate File 67](#), a bill for an act relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license, was taken up for consideration.

Senator Hartsuch asked and received unanimous consent that action on [Senate File 67](#) be **deferred**.

Senate File 232

On motion of Senator Danielson, [Senate File 232](#), a bill for an act authorizing payroll deduction for dues to a certified bargaining representative for individuals receiving payment for work performed from the state, was taken up for consideration.

Senator Zieman asked and received unanimous consent that action on [Senate File 232](#) be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 260](#) be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 169](#) and 161.

Senate File 169

On motion of Senator Wood, [Senate File 169](#), a bill for an act 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, was taken up for consideration.

Senator Wood offered amendment [S-3035](#), filed by him on February 19, 2007, to page 1 of the bill, and moved its adoption.

Amendment [S-3035](#) was adopted by a voice vote.

Senator Wood moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 169](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 161](#)

On motion of Senator Rielly, [Senate File 161](#), a bill for an act relating to the confidentiality of security procedures or emergency preparedness information discussed at a meeting of a governmental body and providing an effective date, was taken up for consideration.

Senator Rielly offered amendment [S-3037](#), filed by him on February 20, 2007, to page 1 of the bill, and moved its adoption.

Amendment [S-3037](#) was adopted by a voice vote.

Senator Rielly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 161](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gronstal	Lundby	Seng
Beall	Hahn	McCoy	Seymour
Behn	Hancock	McKibben	Stewart
Black	Hartsuch	McKinley	Ward
Boettger	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirnbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Gaskill

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 161 and 169** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 21, 2007, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 40](#), a bill for an act relating to the regulation of ethical conduct by governmental entities.

ALSO: That the House has on February 21, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 396](#), a bill for an act expanding the scope of services under an existing appropriation for the community empowerment initiative involving preschool services and providing effective date and applicability provisions.

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:10 p.m. until 8:45 a.m., Thursday, February 22, 2007.

APPENDIX—2

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: Wednesday, February 21, 2007, 3:35 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Ward, Warnstadt, and Zieman.

Members Absent: Schoenjahn (excused).

Committee Business: Approved SSBs 1092 and 1219.

Adjourned: 3:45 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, February 21, 2007, 2:05 p.m.

Members Present: Dearden, Chair; Courtney, Vice Chair; Ward, Ranking Member; Dotzler, Dvorsky, Hahn, Hatch, Horn, McKinley, Seng, and Wieck.

Members Absent: None.

Committee Business: Approved SSBs 1063, 1064, 1156, and 1192 (all amended).

Adjourned: 3:00 p.m.

INTRODUCTION OF BILLS

[Senate File 262](#), by Bolkcom, a bill for an act creating an Iowa climate disruption advisory council and making appropriations.

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

[Senate File 263](#), by committee on State Government, a bill for an act concerning gambling games on gambling structures.

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

[Senate File 264](#), by committee on Human Resources, a bill for an act relating to grandparent and great-grandparent visitation.

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

STUDY BILLS RECEIVED

SSB 1261 **Education**

Relating to the employment of school nurses by school districts and providing an effective date.

SSB 1262 **Government Oversight**

Relating to whistleblower complaints received by the citizens' aide.

SSB 1263 **Appropriations**

Relating to and making transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

SSB 1264 **Judiciary**

Creating the criminal offense of sexual solicitation of a minor, providing for registration on the sex offender registry, and providing penalties.

SSB 1265 **Judiciary**

Relating to the assessment of civil and criminal court fees and penalties.

SSB 1266 **Judiciary**

Creating the criminal offense of indecent exposure through a webcam, and providing a penalty.

SSB 1267 **Agriculture**

Relating to cooperative associations, by providing for documentation, including certificates and statements.

SSB 1268 State Government

Relating to certain elections regarding city utilities or combined utility systems.

SSB 1269 State Government

Providing for energy performance-based contracts for certain public entities.

SUBCOMMITTEE ASSIGNMENTS**Senate File 136**

TRANSPORTATION: Putney, Chair; Danielson and McCoy

Senate File 220

NATURAL RESOURCES AND ENVIRONMENT: Dearden, Chair; Black and Lundby

Senate File 226

JUDICIARY: Hancock, Chair; Kreiman and Noble

Senate File 229

APPROPRIATIONS: Dvorsky, Chair; and Angelo

Senate File 230

NATURAL RESOURCES AND ENVIRONMENT: Bolckom, Chair; Hogg and Johnson

Senate File 233

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

Senate File 234

ECONOMIC GROWTH: Olive, Chair; Hatch and Houser

Senate File 235

JUDICIARY: Kreiman, Chair; Schoenjahn and Ward

Senate File 246

STATE GOVERNMENT: Hatch, Chair; Kettering and Kibbie

House File 396

HUMAN RESOURCES: Schmitz, Chair; Boettger and Ragan

SSB 1261

EDUCATION: Schmitz, Chair; Connolly and Ziemann

SSB 1262

GOVERNMENT OVERSIGHT: Schmitz, Chair; Connolly, Courtney, Lundby, and Wieck

SSB 1263

APPROPRIATIONS: McCoy, Chair; Angelo, Dvorsky, Putney, and Warnstadt

SSB 1264

JUDICIARY: Kreiman, Chair; Dvorsky and Ward

SSB 1265

JUDICIARY: Schoenjahn, Chair; Kreiman and Ward

SSB 1266

JUDICIARY: Kreiman, Chair; Dvorsky and Hatch

SSB 1267

AGRICULTURE: Fraise, Chair; Gaskill and Olive

SSB 1268

STATE GOVERNMENT: Hatch, Chair; Hahn and Kibbie

SSB 1269

STATE GOVERNMENT: Danielson, Chair; Behn and Connolly

FINAL COMMITTEE REPORTS OF BILL ACTION

HUMAN RESOURCES

Bill Title: *SENATE FILE 264 (formerly SF 33), a bill for an act relating to grandparent and great-grandparent visitation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Kreiman, Mulder, Quirnbach, and Wood. 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 Human Resources Committee on [Senate File 264](#), and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: [SENATE FILE 263 \(SSB 1228\)](#), a bill for an act concerning gambling games on gambling structures.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

[S-3039](#)

[S.F. 110](#)

Jeff Angelo