

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, APRIL 18, 2007

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JOURNAL OF THE SENATE

ONE HUNDRED FIRST CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 18, 2007

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

Prayer was offered by Matthew Martens, pastor of the Grace Lutheran Church in Fort Dodge, Iowa. He was the guest of Senator Beall.

The Journal of Tuesday, April 17, 2007, was approved.

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 April 17, 2007, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 90](#), a bill for an act concerning local emergency management commission communications.

[Senate File 384](#), a bill for an act relating to statute of limitations provisions relating to minors and persons with mental illness and tort claims against a municipality and providing an applicability date.

[Senate File 562](#), a bill for an act relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters.

[Senate File 564](#), a bill for an act regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

ALSO: That the House has on April 17, 2007, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

[House File 499](#), a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation self-insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic 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.

ALSO: That the House has on April 17, 2007, **amended and passed** the following bills in which the concurrence of the House was asked:

[Senate File 212](#), a bill for an act relating to the salary of deputy officers in certain county offices and providing an applicability date. ([S-3361](#))

[Senate File 554](#), a bill for an act relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date. ([S-3363](#))

ALSO: That the House has on April 17, 2007, **amended the Senate amendment, concurred in the Senate amendment as amended, and passed** the following bill in which the concurrence of the House was asked:

[House File 368](#), a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development. ([S-3362](#))

ALSO: That the House has on April 17, 2007, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 890](#), a bill for an act relating to assistance for small businesses, making appropriations, and providing an effective date provision.

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

RECESS

On motion of Senator Gronstal, the Senate recessed at 8:58 a.m. until the completion of a meeting on the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 9:03 a.m., President Kibbie presiding.

INTRODUCTION OF BILL

[Senate File 590](#), by Committee on Ways and Means, a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions.

Read first time and **placed on Ways and Means calendar**.

The Senate stood at ease at 9:04 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:50 a.m., President Kibbie presiding.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 588](#).

Senate File 588

On motion of Senator Wood, [Senate File 588](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates, was taken up for consideration.

Senator Seng offered amendment [S-3358](#), filed by him on April 17, 2007, to page 3 of the bill.

Senator Angelo asked and received unanimous consent that action on amendment [S-3358](#) be deferred.

Senator Angelo asked and received unanimous consent that action on amendment [S-3365](#) be deferred.

Senator Ziemann offered amendment [S-3367](#), filed by him from the floor to page 13 of the bill, and moved its adoption.

Amendment [S-3367](#) lost by a voice vote.

Senator Angelo offered amendment [S-3364](#), filed by Senator Angelo, et al., from the floor to page 15 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3364](#) be adopted?" ([S.F. 588](#)), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Ziemann

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng

Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirmbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment [S-3364](#) lost.

The Senate resumed consideration of amendment [S-3358](#), previously deferred.

Senator Seng moved the adoption of amendment [S-3358](#).

Amendment [S-3358](#) was adopted by a voice vote.

Senator Zieman offered amendment [S-3368](#), filed by Senator Zieman, et al., from the floor to page 33 of the bill, and moved its adoption.

Amendment [S-3368](#) lost by a voice vote.

Senator Boettger asked and received unanimous consent to withdraw amendment [S-3359](#), filed by Senator Boettger, et al., on April 17, 2007, to page 33 of the bill.

Senator Zieman offered amendment [S-3366](#), filed by Senator Zieman, et al., from the floor to page 43 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3366](#) be adopted?” ([S.F. 588](#)), the vote was:

Yeas, 25:

Angelo	Hartsuch	McKinley	Ward
Behn	Hogg	Mulder	Wieck
Black	Houser	Noble	Zaun
Boettger	Johnson	Putney	Zieman
Gaskill	Kettering	Schoenjahn	
Hahn	Lundby	Seng	
Hancock	McKibben	Seymour	

Nays, 25:

Appel	Dotzler	Kibbie	Schmitz
Beall	Dvorsky	Kreiman	Stewart
Bolkcom	Fraise	McCoy	Warnstadt
Connolly	Gronstal	Olive	Wood
Courtney	Hatch	Quirnbach	
Danielson	Heckroth	Ragan	
Dearden	Horn	Rielly	

Absent, none.

Amendment [S-3366](#) lost.

Senator Putney offered amendment [S-3369](#), filed by Senator Putney, et al., from the floor to pages 27, 39, and 45 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3369](#) be adopted?” ([S.F. 588](#)), the vote was:

Yeas, 25:

Angelo	Hancock	Lundby	Seymour
Behn	Hartsuch	McCoy	Ward
Boettger	Hatch	McKibben	Wieck
Connolly	Houser	McKinley	Zieman
Dearden	Johnson	Mulder	
Gaskill	Kettering	Noble	
Hahn	Kibbie	Putney	

Nays, 25:

Appel	Dvorsky	Olive	Stewart
Beall	Fraise	Quirnbach	Warnstadt
Black	Gronstal	Ragan	Wood
Bolkcom	Heckroth	Rielly	Zaun
Courtney	Hogg	Schmitz	
Danielson	Horn	Schoenjahn	
Dotzler	Kreiman	Seng	

Absent, none.

Amendment [S-3369](#) lost.

Senator Boettger offered amendment [S-3365](#), filed by Senator Boettger, et al., from the floor to page 11 of the bill.

Senator Boettger asked and received unanimous consent that action on amendment [S-3365](#) and [Senate File 588](#) be **deferred**.

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: [SENATE FILE 590](#) (formerly [SSB 1354](#)), a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 590](#).

[Senate File 590](#)

On motion of Senator Schmitz, [Senate File 590](#), a bill for an act relating to the state earned income tax credit by increasing the amount of the tax credit and making the tax credit refundable and including effective and retroactive applicability date provisions, was taken up for consideration.

Senator McKibben asked and received unanimous consent that action on [Senate File 590](#) be **deferred**.

HOUSE AMENDMENT CONSIDERED

[Senate File 472](#)

Senator Dearden called up for consideration [Senate File 472](#), a bill for an act requiring the posting of close-clearance warning devices along railroad tracks and providing a penalty, amended by the House in House amendment [S-3360](#), filed April 17, 2007.

Senator Dearden moved that the Senate refuse to concur in the House amendment.

The motion prevailed by a voice vote and the Senate **refused to concur** in the House amendment.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 472](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 817](#).

[House File 817](#)

On motion of Senator Beall, [House File 817](#), a bill for an act concerning the flag and veterans by providing for a study of regional veterans affairs offices, providing for the duties of the department of veterans affairs and the commission on veterans affairs prohibiting certain acts involving the flag, establishing a counseling program for veterans, and providing a penalty, placed on the Unfinished Business Calendar on April 12, 2007, with report of committee recommending passage, was taken up for consideration.

Senator Beall asked and received unanimous consent to withdraw amendment [S-3317](#), filed by Senators Beall, Warnstadt, and Putney on April 10, 2007, to pages 1 and 2 and to the title page of the bill.

Senator Beall offered amendment [S-3356](#), filed by Senators Beall, Warnstadt, and Seymour on April 17, 2007, to pages 1–3 and 5 and to the title page of the bill, and moved its adoption.

Amendment [S-3356](#) 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?” ([H.F. 817](#)), the vote was:

Yeas, 45:

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

Nays, 5:

Bolkcom	Hatch	Quirnbach
Dvorsky	McCoy	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 817](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 892](#).

[House File 892](#)

On motion of Senator Dotzler, [House File 892](#), a bill for an act creating a film, television, and video project promotion program, providing tax credits and income exclusions, and including effective and retroactive applicability dates, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler 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. 892](#)), the vote was:

Yeas, 48:

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

Nays, 2:

Hartsuch	Quirnbach
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Absent, none.

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 [House File 892](#) be **immediately messaged** to the House.

BUSINESS PENDING

[Senate File 588](#)

The Senate resumed consideration of [Senate File 588](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates, and amendment [S-3365](#), previously deferred.

The Senate resumed consideration of amendment [S-3365](#), previously deferred.

Senator Boettger asked and received unanimous consent to withdraw amendment [S-3365](#), filed by Senator Boettger, et al., from the floor to page 11 of the bill.

Senator Gronstal asked and received unanimous consent that action on [Senate File 588](#) be **deferred**.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 18, 2007, **appointed** the conference committee to [Senate File 277](#), a bill for an act relating to the state's educational standards regarding teacher librarians and qualified guidance counselors, and to teacher and administrator quality, including the student achievement and teacher quality program and an administrator quality program, making appropriations, and providing an effective date. The Conference Committee members on the part of the House are: The Representative from Scott, Representative Winckler, Chair; the Representative from O'Brien, Representative Chambers; the Representative from Des Moines, Representative Cohoon; the Representative from Dickinson, Representative May; and the Representative from Woodbury, Representative Wendt.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:28 p.m. until 1:30 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

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

Gwen Block, Harlan—For celebrating her 85th birthday. Senator Boettger (4/18/07).

Mildred Crouch, Irwin—For celebrating her 90th birthday. Senator Boettger (4/18/07).

Nolan Mitchell, Duncombe—For being the winner of the Iowa Energy poster contest. Senator Beall (4/18/07).

Olivia Mitchell, Duncombe—For being the winner of the Iowa Energy poster contest. Senator Beall (4/18/07).

Ida Faye and Dominic Lickteig, Earling—For celebrating their 65th wedding anniversary. Senator Boettger (4/18/07).

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: Wednesday, April 18, 2007, 9:00 a.m.

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

Members Absent: None.

Committee Business: Approved SRs 17, 29, and 30.

Adjourned: 9:05 a.m.

INTRODUCTION OF BILLS

[Senate File 591](#), by committee on Ways and Means, 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 Ways and Means calendar.**

[Senate File 592](#), by committee on Ways and Means, a bill for an act relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date.

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

[Senate File 593](#), by committee on Ways and Means, a bill for an act relating to the assessment of civil and criminal court fees and penalties.

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

[Senate File 594](#), by committee on Government Oversight, a bill for an act relating to employment, including whistleblower complaints received by the citizens' aide and disclosures of information by health care workers, and providing penalties.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

GOVERNMENT OVERSIGHT

Bill Title: *[SENATE FILE 594 \(SSB 1262\)](#), a bill for an act relating to employment, including whistleblower complaints received by the citizens' aide and disclosures of information by health care workers, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 3: Courtney, Connolly, and Wieck. Nays, none. Present, 2: Lundby and Schmitz. 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 Government Oversight Committee on [Senate File 594](#), and they were attached to the committee report.

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 17](#), a resolution honoring the memory of John Wayne on the 100th anniversary of his birth.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 29](#), a resolution declaring the trombone Iowa's premier musical instrument.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 30](#), a resolution honoring Willard L. Boyd, President Emeritus of the University of Iowa, on the occasion of his 80th birthday.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Gronstal, Kibbie, Lundby, Angelo, Courtney, Danielson, Dearden, Dvorsky, Mulder, Ragan, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: [SENATE FILE 591](#) (formerly [SF 250](#)), 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, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 592 \(SSB 1353\)](#), a bill for an act relating to the streamlined sales and use tax agreement and administration of the tax and related laws by the department of revenue, including administration of sales and use taxes, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 593](#) (formerly [SF 395](#)), a bill for an act relating to the assessment of civil and criminal court fees and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. 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 Ways and Means Committee on [Senate File 593](#), and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 1:50 p.m., President Kibbie presiding.

QUORUM CALL

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

The vote revealed 40 present, 10 absent, and a quorum present.

The Senate stood at ease at 1:59 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:50 p.m., President Kibbie presiding.

BUSINESS PENDING

[Senate File 588](#)

The Senate resumed consideration of [Senate File 588](#), a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, and providing effective dates, previously deferred.

Senator McKibben offered amendment [S-3370](#), filed by him from the floor to page 14 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3370](#) be adopted?” ([S.F. 588](#)), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment [S-3370](#) lost.

Senator Ward offered amendment [S-3371](#), filed by her from the floor to page 38 of the bill.

Senator Gronstal raised the point of order that amendment [S-3371](#) was not germane to the bill.

The Chair ruled the point not well-taken and amendment [S-3371](#), in order.

On the question “Shall amendment [S-3371](#) be adopted?” ([S.F. 588](#)), the vote was:

Yeas, 25:

Angelo	Hancock	McKibben	Ward
Behn	Hartsuch	McKinley	Wieck
Boettger	Heckroth	Mulder	Zaun
Danielson	Houser	Noble	Zieman
Dotzler	Johnson	Olive	
Gaskill	Kettering	Putney	
Hahn	Lundby	Seymour	

Nays, 25:

Appel	Dvorsky	Kreiman	Seng
Beall	Fraise	McCoy	Stewart
Black	Gronstal	Quirnbach	Warnstadt
Bolkcom	Hatch	Ragan	Wood
Connolly	Hogg	Rielly	
Courtney	Horn	Schmitz	
Dearden	Kibbie	Schoenjahn	

Absent, none.

Amendment [S-3371](#) lost.

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. 588](#)), the vote was:

Yeas, 43:

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

Nays, 7:

Angelo	Hahn	Kettering	Zieman
Behn	Hartsuch	McKinley	

Absent, none.

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 File 588](#) be **immediately messaged** to the House.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 350](#).

[Senate File 350](#)

On motion of Senator Appel, [Senate File 350](#), a bill for an act creating a statewide voluntary preschool program for four-year-old

children and making appropriations, placed on the Unfinished Business Calendar on April 5, 2007, was taken up for consideration.

Senator Appel offered amendment [S-3330](#), filed by her on April 12, 2007, striking and replacing everything after the enacting clause and amending the title of the bill, and moved its adoption.

Amendment [S-3330](#) was adopted by a voice vote.

Senator Appel asked and received unanimous consent that [House File 877](#) be **substituted** for [Senate File 350](#).

[House File 877](#)

On motion of Senator Appel, [House File 877](#), a bill for an act creating a statewide voluntary preschool program for four-year-old children and making appropriations, was taken up for consideration.

Senator McKinley offered amendment [S-3378](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3378](#) be adopted?” ([H.F. 877](#)), the vote was:

Yeas, 19:

Angelo	Hartsuch	McKibben	Ward
Behn	Houser	McKinley	Wieck
Boettger	Johnson	Noble	Zaun
Gaskill	Kettering	Putney	Zieman
Hahn	Lundby	Seymour	

Nays, 31:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Fraise	Kreiman	Schoenjahn
Bolkcom	Gronstal	McCoy	Seng
Connolly	Hancock	Mulder	Stewart
Courtney	Hatch	Olive	Warnstadt
Danielson	Heckroth	Quirnbach	Wood
Dearden	Hogg	Ragan	

Absent, none.

Amendment [S-3378](#) lost.

Senator Zaun offered amendment [S-3373](#), filed by Senator Zaun, et al., from the floor to page 3 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3373](#) be adopted?” ([H.F. 877](#)), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment [S-3373](#) lost.

Senator McKinley offered amendment [S-3379](#), filed by him from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3379](#) be adopted?” ([H.F. 877](#)), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment [S-3379](#) lost.

Senator Angelo offered amendment [S-3375](#), filed by Senator Angelo, et al., from the floor to page 5 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3375](#) be adopted?” ([H.F. 877](#)), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment [S-3375](#) lost.

Senator Johnson offered amendment [S-3376](#), filed by Senator Johnson, et al., from the floor to page 9 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3376](#) be adopted?” ([H.F. 877](#)), the vote was:

Yeas, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Absent, none.

Amendment [S-3376](#) lost.

Senator Angelo offered amendment [S-3374](#), filed by Senator Angelo, et al., from the floor to page 9 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3374](#) be adopted?” ([H.F. 877](#)), the vote was:

Yeas, 15:

Angelo	Hartsuch	McKinley	Wieck
Boettger	Johnson	Putney	Zaun
Gaskill	Lundby	Seymour	Zieman
Hahn	McKibben	Ward	

Nays, 35:

Appel	Dotzler	Houser	Ragan
Beall	Dvorsky	Kettering	Rielly
Behn	Fraise	Kibbie	Schmitz
Black	Gronstal	Kreiman	Schoenjahn
Bolkcom	Hancock	McCoy	Seng
Connolly	Hatch	Mulder	Stewart
Courtney	Heckroth	Noble	Warnstadt
Danielson	Hogg	Olive	Wood
Dearden	Horn	Quirnbach	

Absent, none.

Amendment [S-3374](#) lost.

Senator Zaun offered amendment [S-3377](#), filed by Senator Zaun, et al., from the floor to pages 10 and to the title page of the bill.

Senator Gronstal raised the point of order that amendment [S-3377](#) was nor germane to the bill.

The Chair ruled the point well-taken and amendment [S-3377](#), out of order.

Senator Appel 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. 877](#)), the vote was:

Yeas, 36:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Kibbie	Schmitz
Black	Fraise	Kreiman	Schoenjahn
Boettger	Gaskill	McCoy	Seng
Bolkcom	Gronstal	McKibben	Seymour
Connolly	Hancock	Mulder	Stewart
Courtney	Hatch	Olive	Ward
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wood

Nays, 14:

Angelo	Houser	McKinley	Zaun
Behn	Johnson	Noble	Zieman
Hahn	Kettering	Putney	
Hartsuch	Lundby	Wieck	

Absent, none.

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

WITHDRAWN

Senator Appel asked and received unanimous consent that [Senate File 350](#) be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [House File 877](#) be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Courtney, until he returns, on request of Senator Gronstal.

HOUSE AMENDMENT CONSIDERED

[Senate File 554](#)

Senator Warnstadt called up for consideration [Senate File 554](#), a bill for an act relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date, amended by the House in House amendment [S-3363](#), filed April 18, 2007.

Senator Warnstadt moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Warnstadt moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 554](#)), the vote was:

Yeas, 44:

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

Nays, 5:

Danielson	Hahn	Schoenjahn
Dvorsky	Olive	

Absent, 1:

Courtney

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 File 554](#) be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that [House File 829](#) be referred from the Senate Calendar to the committee on **Appropriations**.

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 April 18, 2007, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 304](#), a bill for an act relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates.

[Senate File 347](#), a bill for an act relating to the authority of creditors and credit unions in consumer credit or credit union transactions.

ALSO: That the House has on April 18, 2007, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

[House File 546](#), a bill for an act relating to membership on election boards.

ALSO: That the House has on April 18, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

[Senate File 254](#), a bill for an act revising family investment program requirements. ([S-3382](#))

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:25 p.m. until 8:45 a.m., Thursday, April 19, 2007.

APPENDIX—2

PRESENTATION OF VISITORS

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

Forty-six high school students from Lake Mills High School in Lake Mills, Iowa, accompanied by teachers Jim Beamer, Dan Rice, and Charise Schwarm who were present in the northwest balcony. Senator Gaskill.

Seventh-grade students from the Applington-Parkersburg School District, who were present in the northeast balcony. Senator Heckroth.

Eighteen high school seniors from the Ruthven-Ayrshire School District, accompanied by Jon Josephson, who were present in the northeast balcony. President Kibbie.

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: Wednesday, April 18, 2007, 1:10 p.m.

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

Members Absent: None.

Committee Business: Passed [SF 576](#).

Recessed: 1:15 p.m.

Reconvened: 1:35 p.m.

Adjourned: 1:40 p.m.

INTRODUCTION OF RESOLUTIONS

[Senate Concurrent Resolution 5](#), by Zieman, a concurrent resolution honoring former founding members of the Renewable Fuel Infrastructure Board for their contributions to state energy security.

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

[Senate Resolution 41](#), by Gronstal, a resolution to recognize Southwest Iowa as the purple martin region of Iowa.

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

INTRODUCTION OF BILLS

[Senate File 595](#), by committee on Ways and Means, a bill for an act allowing regions within the state to participate in a pilot project for emergency response districts and providing for a district tax levy.

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

[Senate File 596](#), by committee on Ways and Means, a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, the administration and budgeting for tax increment financing by cities and counties, and creating a reporting committee, providing an effective date and providing for retroactive applicability.

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

[Senate File 597](#), by Zieman, a bill for an act creating a student loan interest buy-down program administered by the college student aid commission.

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

SUBCOMMITTEE ASSIGNMENT

House File 890

APPROPRIATIONS: Hatch, Chair; Dvorsky and Kettering

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: *[SENATE FILE 595 \(SSB 1329\)](#) , a bill for an act allowing regions within the state to participate in a pilot project for emergency response districts and providing for a district tax levy.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Bolkcom, McCoy, McKibben, Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. 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 Ways and Means Committee on [Senate File 595](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 596 \(SSB 1075\)](#), a bill for an act relating to the policy and technical administration of the tax and related laws by the department of revenue, including administration of income, sales, use, cigarette, and tobacco taxes, the administration and budgeting for tax increment financing by cities and counties, and creating a reporting committee, providing an effective date and providing for retroactive applicability.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Bolkcom, McCoy, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Quirnbach, Schmitz, Seng, and Stewart. Nays, 5: McKibben, Angelo, Putney, Ward, and Wieck. 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 Ways and Means Committee on [Senate File 596](#), and they were attached to the committee report.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 17, 2007, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 137](#) – Providing for the registration of associate real estate appraisers, prohibiting improper influence over an appraiser's evaluation opinion, and imposing a penalty.

[Senate File 205](#) – Relating to the use of moneys in the Iowa cultural trust grant account by the board of trustees of the Iowa cultural trust.

[Senate File 270](#) – Relating to the military code by amending the powers of the adjutant general and by allowing the armory board to enter into design-build contracts for the construction of certain national guard facilities.

[Senate File 354](#) – Relating to certain overpayments of moneys to a county.

[Senate File 444](#) – Relating to councils of governments by designating a new council of governments area.

[Senate File 448](#) – Relating to confidential information regarding unemployment insurance benefits and providing penalties.

[Senate File 479](#) – Making changes to the time frames and the duties of the legislative services agency concerning the process of congressional and legislative redistricting.

AMENDMENTS FILED

S-3361	S.F. 212	House
S-3362	H.F. 368	House
S-3363	S.F. 554	House
S-3364	S.F. 588	Jeff Angelo
		E. Thurman Gaskill
		James A. Seymour
		Larry Noble
		Paul McKinley
		Brad Zaun
		David Johnson
		Pat Ward
		David L. Hartsuch
		Mark Zieman
		Nancy J. Boettger

James F. Hahn
 John Putney
 Larry McKibben
 Ron Wieck
 Steve Kettering
 Jerry Behn
 Nancy J. Boettger
 E. Thurman Gaskill
 James A. Seymour
 Larry Noble
 Paul McKinley
 Brad Zaun
 David Johnson
 Pat Ward
 David L. Hartsuch
 Mark Zieman
 Jeff Angelo
 John Putney
 Larry McKibben
 James F. Hahn
 Ron Wieck
 Steve Kettering
 Jerry Behn

S-3365

S.F. 588

S-3366

S.F. 588

Mark Zieman
 E. Thurman Gaskill
 Paul McKinley
 Brad Zaun
 Dave Mulder
 David Johnson
 Pat Ward
 David L. Hartsuch
 Nancy J. Boettger
 Jeff Angelo
 John Putney
 Larry McKibben
 Ron Wieck
 Steve Kettering
 James F. Hahn
 Jerry Behn
 Mark Zieman

S-3367

S.F. 588

<u>S-3368</u>	<u>S.F. 588</u>	Mark Zieman E. Thurman Gaskill James A. Seymour Larry Noble Paul McKinley David Johnson David L. Hartsuch Nancy J. Boettger Jeff Angelo John Putney Larry McKibben Ron Wieck James F. Hahn Steve Kettering Jerry Behn
<u>S-3369</u>	<u>S.F. 588</u>	John Putney James F. Hahn E. Thurman Gaskill Paul McKinley Steve Kettering Mark Zieman David L. Hartsuch Hubert Houser Ron Wieck Mary A. Lundby James A. Seymour Dave Mulder Nancy J. Boettger David Johnson Dick L. Dearden Larry McKibben Jerry Behn Jack Hatch
<u>S-3370</u>	<u>S.F. 588</u>	Larry McKibben
<u>S-3371</u>	<u>S.F. 588</u>	Pat Ward
<u>S-3372</u>	<u>H.F. 783</u>	Robert E. Dvorsky Joe Bolkcom
<u>S-3373</u>	<u>H.F. 877</u>	Brad Zaun Dave Mulder Jerry Behn Paul McKinley

Larry Noble
 David Johnson
 Pat Ward
 David L. Hartsuch
 Mark Zieman
 Nancy J. Boettger
 Jeff Angelo
 John Putney
 Larry McKibben
 Mary A. Lundby
 Ron Wieck
 Steve Kettering
 Hubert Houser
 James F. Hahn

[S-3374](#)[H.F. 877](#)

Jeff Angelo
 E. Thurman Gaskill
 Paul McKinley
 Brad Zaun
 David Johnson
 Pat Ward
 David L. Hartsuch
 Mark Zieman
 Nancy J. Boettger
 John Putney
 Larry McKibben
 Ron Wieck

[S-3375](#)[H.F. 877](#)

Jeff Angelo
 Jerry Behn
 E. Thurman Gaskill
 James A. Seymour
 Larry Noble
 Paul McKinley
 Brad Zaun
 David Johnson
 Pat Ward
 David L. Hartsuch
 Mark Zieman
 Nancy J. Boettger
 John Putney
 Larry McKibben
 Ron Wieck

<u>S-3376</u>	<u>H.F. 877</u>	Steve Kettering Hubert Houser James F. Hahn David Johnson Jerry Behn E. Thurman Gaskill James A. Seymour Paul McKinley Brad Zaun Dave Mulder Pat Ward David L. Hartsuch Mark Zieman Nancy J. Boettger Jeff Angelo John Putney Larry McKibben Mary A. Lundby Ron Wieck Steve Kettering Hubert Houser James F. Hahn Brad Zaun Jerry Behn Paul McKinley Dave Mulder David Johnson Pat Ward Mark Zieman David L. Hartsuch Nancy J. Boettger Paul McKinley
<u>S-3377</u>	<u>H.F. 877</u>	Paul McKinley Becky Schmitz Michael Connolly Larry McKibben Mary A. Lundby Jeff Angelo David Johnson John Putney Hubert Houser
<u>S-3378</u>	<u>H.F. 877</u>	
<u>S-3379</u>	<u>H.F. 877</u>	
<u>S-3380</u>	<u>S.F. 568</u>	
<u>S-3381</u>	<u>S.F. 590</u>	

Jerry Behn
Nancy J. Boettger
E. Thurman Gaskill
Steve Kettering
Paul McKinley
Mark Zieman
David L. Hartsuch
James F. Hahn
James A. Seymour
Ron Wieck
Dave Mulder
Brad Zaun
Larry Noble
Pat Ward
House

[S-3382](#)

[S.F. 254](#)