

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, MARCH 12, 2008

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JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 12, 2008

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

Prayer was offered by Father Ken Gehling, chaplain at the North Iowa Mercy Medical Center in Mason City, Iowa. He was the guest of Senator Ragan.

The Journal of Tuesday, March 11, 2008, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

BILLS REFERRED TO COMMITTEE

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

S.F. 2358	Appropriations
S.F. 2374	Appropriations
S.F. 2389	Ways and Means

The Senate stood at ease at 9:08 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:18 a.m., President Kibbie presiding.

SPECIAL GUEST

Senator Connolly welcomed to the chamber the Honorable Tony Bisignano, former member of the Senate from Polk County.

The Senate rose and expressed its welcome.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Ward, until she arrives, on request of Senator Wieck; and Senator Stewart, until he arrives, and Senator Courtney, for the day, on request of Senator Gronstal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2382, 2380, and 2361.

Senate File 2382

On motion of Senator Hogg, Senate File 2382, a bill for an act relating to deferred judgment criminal records, was taken up for consideration.

Senator Hogg 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. 2382), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

Courtney Gaskill Stewart Ward

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

President Pro Tempore Danielson took the chair at 10:28 a.m.

[Senate File 2380](#)

On motion of Senator Bolkcom, [Senate File 2380](#), a bill for an act establishing a low head dam public hazard program, was taken up for consideration.

Senator Bolkcom 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. 2380](#)), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

Courtney Gaskill Stewart Ward

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

Senate File 2361

On motion of Senator Kibbie, **Senate File 2361**, a bill for an act providing for the procurement of designated biobased products by state government, was taken up for consideration.

Senator Kibbie 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. 2361**), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

Courtney	Gaskill	Stewart	Ward
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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 2361, 2380, and 2382** 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 2367 and 2354.

Senate File 2367

On motion of Senator Wood, **Senate File 2367**, a bill for an act relating to the compliance advisory panel, including the appointment of its members and its powers and duties, was taken up for consideration.

Senator Wieck asked and received unanimous consent that action on **Senate File 2367** be **deferred**.

Senate File 2354

On motion of Senator Warnstadt, **Senate File 2354**, a bill for an act concerning the home ownership assistance program for members of the military, was taken up for consideration.

Senator Warnstadt offered amendment **S-5084**, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment **S-5084** was adopted by a voice vote.

Senator Warnstadt 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. 2354**), the vote was:

Yeas, 46:

Angelo	Fraise	Kibbie	Rielly
Appel	Gronstal	Kreiman	Schmitz
Beall	Hahn	Lundby	Schoenjahn
Behn	Hancock	McCoy	Seng
Black	Hartsuch	McKibben	Seymour
Boettger	Hatch	McKinley	Warnstadt
Bolkcom	Heckroth	Mulder	Wieck
Connolly	Hogg	Noble	Wood
Danielson	Horn	Olive	Zaun

Dearden	Houser	Putney	Zieman
Dotzler	Johnson	Quirnbach	
Dvorsky	Kettering	Ragan	

Nays, none.

Absent, 4:

Courtney	Gaskill	Stewart	Ward
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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 2354](#) be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator McCoy, until he returns, on request of Senator Bolkom.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2348, 2341, and 2338.

[Senate File 2348](#)

On motion of Senator Olive, [Senate File 2348](#), a bill for an act relating to the management of cooperative associations, was taken up for consideration.

Senator Olive 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. 2348](#)), the vote was:

Yeas, 45:

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

Nays, none.

Absent, 5:

Courtney	McCoy	Ward
Gaskill	Stewart	

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

[Senate File 2341](#)

On motion of Senator Ragan, [Senate File 2341](#), a bill for an act relating to Alzheimer’s disease and similar forms of irreversible dementia, was taken up for consideration.

Senator Ragan 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. 2341](#)), the vote was:

Yeas, 45:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gronstal	Kreiman	Schoenjahn
Beall	Hahn	Lundby	Seng
Behn	Hancock	McKibben	Seymour
Black	Hartsuch	McKinley	Warnstadt
Boettger	Hatch	Mulder	Wieck
Bolkcom	Heckroth	Noble	Wood

Connolly	Hogg	Olive	Zaun
Danielson	Horn	Putney	Zieman
Dearden	Houser	Quirnbach	
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, 5:

Courtney	McCoy	Ward
Gaskill	Stewart	

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

[Senate File 2338](#)

On motion of Senator Schmitz, [Senate File 2338](#), a bill for an act relating to the regulation of health-related professions, was taken up for consideration.

Senator Zieman asked and received unanimous consent that action on [Senate File 2338](#) be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2341 and 2348** be **immediately messaged** to the House.

President Kibbie took the chair at 11:05 a.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2335 and 2333.

[Senate File 2335](#)

On motion of Senator Kreiman, [Senate File 2335](#), a bill for an act relating to the rights of a victim of an alleged sexual assault and

notification of these rights by a peace officer, was taken up for consideration.

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. 2335](#)), the vote was:

Yeas, 45:

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

Nays, none.

Absent, 5:

Courtney	McCoy	Ward
Gaskill	Stewart	

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

[Senate File 2333](#)

On motion of Senator Black, [Senate File 2333](#), a bill for an act relating to the regulation of veterans commemorative property, was taken up for consideration.

Senator Black 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. 2333](#)), the vote was:

Yeas, 45:

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

Nays, none.

Absent, 5:

Courtney	McCoy	Ward
Gaskill	Stewart	

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 2333** and **2335** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:18 a.m. until 2:00 p.m.

APPENDIX—1

PRESENTATION OF VISITORS

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

Twenty-two students from former Soviet republics attending various Iowa high schools. Senator Beall.

CERTIFICATES OF RECOGNITION

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

Coach Tom Brands and the University of Iowa wrestling team—For winning the 2008 Big Ten Wrestling Championship. Senator Dvorsky (3/12/08).

Jacob Dagele, Sheldon—For receiving the Scouting Spirit Award, Boy Scout Troop 155. Senator Johnson (3/12/08).

Matt Gatens, Iowa City-City High—For being named 2008 Iowa Mr. Basketball, as a member of the Class 4-A state basketball champions. Senator Dvorsky (3/12/08).

Paullina Public Library—For celebrating their 100th anniversary. Senator Johnson (3/12/08).

Coach Brad Randall and the Solon High School boys' basketball team—For winning third place in the 2008 Boys' Class 2-A basketball championship. Senator Dvorsky (3/12/08).

Coach Andy Woodley and the Iowa City-City High boys' basketball team—For winning the 2008 Boys' Class 4-A basketball championship. Senator Dvorsky (3/12/08).

Danielle Wozney, Muscatine High School—For being named to the Iowa Newspaper Association All-State basketball squad, Class 4-A, Second Team. Senator Hahn (3/12/08).

REPORT OF COMMITTEE MEETING

LOCAL GOVERNMENT

Convened: March 12, 2008, 1:10 p.m.

Members Present: Quirnbach, Chair; Beall, Vice Chair; Zaun, Ranking Member; Angelo, Hartsuch, Heckroth, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart.

Members Absent: Houser (excused).

Committee Business: Discussion of pending bills.

Adjourned: 2:05 p.m.

INTRODUCTION OF RESOLUTIONS

[Senate Resolution 113](#), by Heckroth and Johnson, a resolution honoring the work of the department of elder affairs and Iowa's area agencies on aging home-delivered nutrition programs and March for Meals campaign.

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

[Senate Resolution 114](#), by Appel, a resolution designating the second week in June as Home Education Week in Iowa.

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

INTRODUCTION OF BILLS

[Senate File 2394](#), by committee on Appropriations, a bill for an act 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, and including an effective date.

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

[Senate File 2395](#), by committee on Judiciary, a bill for an act relating to business associations, by providing for limited liability companies and conversion involving corporations, providing fees and penalties, and providing an effective date.

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

[Senate File 2396](#), by Noble, a bill for an act relating to the establishment of and disbursement from a property taxpayer rebate

fund, providing appropriations, and including an effective date provision.

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

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2331](#)

APPROPRIATIONS: Hancock, Chair; Behn and Dvorsky

[Senate File 2370](#)

APPROPRIATIONS: Hatch, Chair; Bolkcom, Dvorsky, Kettering, and Seymour

[Senate File 2375](#)

WAYS AND MEANS: Hogg, Chair; Houser and Stewart

[Senate File 2384](#)

APPROPRIATIONS: Dvorsky, Chair; and Kettering

[Senate File 2393](#)

WAYS AND MEANS: Quirnbach, Chair; Bolkcom and Houser

[House File 2539](#)

APPROPRIATIONS: Hatch, Chair; Dvorsky, Johnson, Kettering, and Ragan

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: [SENATE FILE 2394 \(SSB 3265\)](#), a bill for an act 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, and including an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 24: Dvorsky, McCoy, Kettering, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Hahn, Hancock, Hatch, Hogg, Johnson, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 1: Gaskill.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: [SENATE FILE 2395 \(SSB 3248\)](#), a bill for an act relating to business associations, by providing for limited liability companies and conversion involving corporations, providing fees and penalties, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Hogg, McKibben, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, 1: Behn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 11, 2008, the Governor approved and transmitted to the Secretary of State the following bill:

[Senate File 2123](#) – Updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability date provisions.

AFTERNOON SESSION

The Senate reconvened at 2:12 p.m., President Kibbie presiding.

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 March 12, 2008, **amended the Senate amendment, concurred in the Senate amendment as amended, and passed** the following bill in which the concurrence of the Senate is asked:

[House File 2212](#), a bill for an act creating a smokefree air Act and providing penalties. ([S-5087](#))

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.

The Senate stood at ease at 2:15 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 2:39 p.m., President Kibbie presiding.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2368](#).

[Senate File 2368](#)

On motion of Senator Wood, [Senate File 2368](#), a bill for an act concerning persons voluntarily excluded from gambling facilities, was taken up for consideration.

Senator Wood offered amendment [S-5085](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5085](#) was adopted by a voice vote.

Senator McKinley offered amendment [S-5089](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5089](#) 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. 2368](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Courtney Gaskill

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

BUSINESS PENDING

[Senate File 2367](#)

The Senate resumed consideration of [Senate File 2367](#), a bill for an act relating to the compliance advisory panel, including the

appointment of its members and its powers and duties, previously deferred.

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. 2367](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Courtney Gaskill

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2355](#).

[Senate File 2355](#)

On motion of Senator Danielson, [Senate File 2355](#), a bill for an act providing time off from work to attend presidential precinct caucuses and making penalties applicable, was taken up for consideration.

Senator Ziemann offered amendment [S-5090](#), filed by him from the floor to page 1 and to the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5090](#) be adopted?" ([S.F. 2355](#)), the vote was:

Yeas, 20:

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

Nays, 28:

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

Absent, 2:

Courtney	Gaskill
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Amendment [S-5090](#) lost.

Senator Danielson offered amendment [S-5086](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-5086](#) was adopted by a voice vote.

With the adoption of amendment [S-5086](#), the Chair ruled amendment [S-5088](#), filed by Senator McKinley from the floor to page 1 of the bill, out of order.

Senator Danielson 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. 2355](#)), the vote was:

Yeas, 38:

Angelo	Fraise	Kibbie	Schmitz
Appel	Gronstal	Kreiman	Schoenjahn
Beall	Hahn	Lundby	Seng
Black	Hancock	McCoy	Seymour
Bolkcom	Hatch	McKibben	Stewart
Connolly	Heckroth	Olive	Ward
Danielson	Hogg	Putney	Warnstadt
Dearden	Horn	Quirnbach	Wood
Dotzler	Houser	Ragan	
Dvorsky	Kettering	Rielly	

Nays, 10:

Behn	Johnson	Noble	Zieman
Boettger	McKinley	Wieck	
Hartsuch	Mulder	Zaun	

Absent, 2:

Courtney	Gaskill
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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 2329, 2321, and 2250.

[Senate File 2329](#)

On motion of Senator Heckroth, [Senate File 2329](#), a bill for an act providing that funding of teacher compensation, professional development, early intervention, and educational excellence phase II be implemented through the school aid formula on a per pupil basis, was taken up for consideration.

Senator McKinley offered amendment [S-5091](#), filed by him from the floor to page 1 of the bill.

Senator McKinley asked and received unanimous consent that action on amendment [S-5091](#) and [Senate File 2329](#) be **deferred**.

[Senate File 2321](#)

On motion of Senator Bolkcom, [Senate File 2321](#), a bill for an act relating to the recycling of mercury-containing lamps by providing for a study, was taken up for consideration.

Senator Bolkcom 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. 2321](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

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

[Senate File 2250](#)

On motion of Senator Olive, [Senate File 2250](#), a bill for an act relating to the licensure of real estate brokers and salespersons, was taken up for consideration.

Senator Olive 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. 2250](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Courtney 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 2303, 2212, 2179, and 2176.

[Senate File 2303](#)

On motion of Senator Ward, [Senate File 2303](#), a bill for an act relating to workers' compensation provisions for continued medically related benefits in certain settlements of workers' compensation claims and to funding of the second injury fund and providing an effective date, was taken up for consideration.

Senator Ward 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. 2303](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Courtney Gaskill

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

[Senate File 2212](#)

On motion of Senator Kreiman, [Senate File 2212](#), a bill for an act relating to determinations in child in need of assistance proceedings, and modifying circumstances for termination of parental rights, was taken up for consideration.

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. 2212](#)), the vote was:

Yeas, 48:

Angelo	Fraise	Kibbie	Rielly
Appel	Gronstal	Kreiman	Schmitz

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

Nays, none.

Absent, 2:

Courtney Gaskill

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

[Senate File 2179](#)

On motion of Senator Olive, [Senate File 2179](#), a bill for an act making specified changes relating to professional licensing and regulation under the purview of the banking division of the department of commerce, was taken up for consideration.

Senator Olive offered amendment [S-5083](#), filed by him from the floor to page 5 of the bill, and moved its adoption.

Amendment [S-5083](#) was adopted by a voice vote.

Senator Olive 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. 2179](#)), the vote was:

Yeas, 48:

Angelo	Fraise	Kibbie	Rielly
Appel	Gronstal	Kreiman	Schmitz
Beall	Hahn	Lundby	Schoenjahn
Behn	Hancock	McCoy	Seng
Black	Hartsuch	McKibben	Seymour
Boettger	Hatch	McKinley	Stewart

Bolkcom	Heckroth	Mulder	Ward
Connolly	Hogg	Noble	Warnstadt
Danielson	Horn	Olive	Wieck
Dearden	Houser	Putney	Wood
Dotzler	Johnson	Quirnbach	Zaun
Dvorsky	Kettering	Ragan	Zieman

Nays, none.

Absent, 2:

Courtney Gaskill

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

[Senate File 2176](#)

On motion of Senator Black, [Senate File 2176](#), a bill for an act relating to cultural affairs by providing for the preservation of electronic records, establishing regional cultural committees, and creating a civil war sesquicentennial advisory committee, was taken up for consideration.

Senator Black withdrew amendment [S-5008](#), filed by him on February 20, 2008, to page 1 and to the title page of the bill.

Senator Black offered amendment [S-5094](#), filed by him from the floor to page 1 and to the title page of the bill, and moved its adoption.

Amendment [S-5094](#) was adopted by a voice vote.

Senator Black 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. 2176](#)), the vote was:

Yeas, 48:

Angelo	Fraise	Kibbie	Rielly
Appel	Gronstal	Kreiman	Schmitz
Beall	Hahn	Lundby	Schoenjahn
Behn	Hancock	McCoy	Seng
Black	Hartsuch	McKibben	Seymour
Boettger	Hatch	McKinley	Stewart

Bolkcom	Heckroth	Mulder	Ward
Connolly	Hogg	Noble	Warnstadt
Danielson	Horn	Olive	Wieck
Dearden	Houser	Putney	Wood
Dotzler	Johnson	Quirnbach	Zaun
Dvorsky	Kettering	Ragan	Zieman

Nays, none.

Absent, 2:

Courtney Gaskill

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 **Senate Files 2176, 2179, 2212, 2250, 2303, 2321, 2355, and 2367**, be **immediately messaged** to the House.

BUSINESS PENDING

[Senate File 2338](#)

The Senate resumed consideration of [Senate File 2338](#), a bill for an act relating to the regulation of health-related professions, previously deferred.

Senator Zaun offered amendment [S-5097](#), filed by him from the floor to page 1 and to the title page of the bill.

Senator Bolkcom raised the point of order that amendment [S-5097](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5097](#) out of order.

Senator Schmitz offered amendment [S-5093](#), filed by her from the floor to page 21 of the bill, and moved its adoption.

Amendment [S-5093](#) was adopted by a voice vote.

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?" ([S.F. 2338](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Courtney 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 2133 and 2129.

[Senate File 2133](#)

On motion of Senator Rielly, [Senate File 2133](#), a bill for an act relating to the Iowa crop improvement association, was taken up for consideration.

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. 2133](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Courtney Gaskill

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

[Senate File 2129](#)

On motion of Senator Schmitz, [Senate File 2129](#), a bill for an act relating to the duties of the commission on the status of Iowans of Asian and Pacific Islander heritage regarding interpreter qualifications, 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?” ([S.F. 2129](#)), the vote was:

Yeas, 48:

Angelo	Fraise	Kibbie	Rielly
Appel	Gronstal	Kreiman	Schmitz
Beall	Hahn	Lundby	Schoenjahn
Behn	Hancock	McCoy	Seng
Black	Hartsuch	McKibben	Seymour
Boettger	Hatch	McKinley	Stewart
Bolkcom	Heckroth	Mulder	Ward

Connolly	Hogg	Noble	Warnstadt
Danielson	Horn	Olive	Wieck
Dearden	Houser	Putney	Wood
Dotzler	Johnson	Quirnbach	Zaun
Dvorsky	Kettering	Ragan	Zieman

Nays, none.

Absent, 2:

Courtney 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 2129, 2133, and 2338** be **immediately messaged** to the House.

BUSINESS PENDING

[Senate File 2329](#)

The Senate resumed consideration of [Senate File 2329](#), a bill for an act providing that funding of teacher compensation, professional development, early intervention, and educational excellence phase II be implemented through the school aid formula on a per pupil basis, and amendment [S-5091](#), previously deferred.

Senator McKinley withdrew amendment [S-5091](#).

The Senate stood at ease at 4:20 p.m. until the fall of the gavel.

The Senate resumed session at 4:45 p.m., President Kibbie presiding.

Senator McKinley offered amendment [S-5095](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5095](#) be adopted?” ([S.F. 2329](#)), the vote was:

Yeas, 18:

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

Nays, 30:

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

Absent, 2:

Courtney	Gaskill
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Amendment [S-5095](#) lost.

Senator McKinley offered amendment [S-5099](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5099](#) be adopted?” ([S.F. 2329](#)), the vote was:

Yeas, 17:

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

Nays, 31:

Appel	Dvorsky	Kibbie	Rielly
Beall	Fraise	Kreiman	Schmitz
Black	Gronstal	Lundby	Schoenjahn

Bolkcom	Hancock	McCoy	Seng
Connolly	Hatch	Mulder	Stewart
Danielson	Heckroth	Olive	Warnstadt
Dearden	Hogg	Quirnbach	Wood
Dotzler	Horn	Ragan	

Absent, 2:

Courtney Gaskill

Amendment [S-5099](#) lost.

Senator McKinley offered amendment [S-5092](#), filed by Senator McKinley, et al., from the floor to page 12 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5092](#) be adopted?” ([S.F. 2329](#)), the vote was:

Yeas, 17:

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

Nays, 31:

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

Absent, 2:

Courtney Gaskill

Amendment [S-5092](#) lost.

Senator Heckroth 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. 2329](#)), the vote was:

Yeas, 46:

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

Nays, 2:

Kreiman	Warnstadt
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Absent, 2:

Courtney	Gaskill
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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 2329](#) 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 March 12, 2008, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2384](#), a bill for an act relating to the deposit of public funds with corporate credit unions.

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

[House File 2423](#), a bill for an act relating to the risk pool for county mental health, mental retardation, and developmental disabilities services by revising procedural and qualifying requirements.

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

[House File 2450](#), a bill for an act relating to certain department of economic development programs including vision Iowa board membership, renewable fuels marketing, film project tax credits, the promotion of Iowa tourism experiences, the consolidation of reporting requirements, the administration of targeted industries development, and providing an effective date.

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:38 p.m. until 8:45 a.m., Thursday, March 13, 2008.

APPENDIX—2**CERTIFICATES OF RECOGNITION**

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

Clarence Appelet, Sigourney—For celebrating his 50-year membership with the American Legion Post 0019. Senator Rielly (3/12/08).

Jim and Kathy Sandvig, Rolfe—For celebrating their 50th wedding anniversary. Senator Kibbie (3/12/08).

Edward Schoenthal, Waukon—For achieving the rank of Eagle Scout, Boy Scout Troop 64. Senator Ziemann (3/12/08).

Charmion L. Schultz, Quasqueton—For celebrating her 80th birthday. Senator Schoenjahn (3/12/08).

Ed Stephenson, What Cheer—For volunteering his time for 48 years placing flags on veterans' headstones. Senator Rielly (3/12/08).

Alden and Juanita Skow, Livermore—For celebrating their 50th wedding anniversary. Senator Kibbie (3/12/08).

Gerald and Eunice Wee—For celebrating their 68th wedding anniversary. Senator Kibbie (3/12/08).

Clay Central/Everyly FFA—For being named top FFA Chapter in Clay County, Iowa. Senator Johnson (3/12/08).

REPORT OF COMMITTEE MEETING**APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES**

Convened: March 12, 2008, 11:35 a.m.

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

Members Absent: Gaskill, Ranking Member (excused).

Committee Business: Passed budget bill, 5004JA.

Adjourned: 12:05 p.m.

STUDY BILLS RECEIVED

SSB 3280 **Agriculture**

Urging the United States Congress to support the continuation of the horse processing industry, including horse processing facilities, the delivery and transportation of horses for processing, and the export of products processed at those facilities.

SSB 3281 **Agriculture**

Endorsing the national initiative for the increased production of renewable energy through agricultural production.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2388

WAYS AND MEANS: Bolkcom, Chair; Appel and Zieman

Senate File 2396

WAYS AND MEANS: Quirnbach, Chair; Angelo and Bolkcom

House File 2164

EDUCATION: Kreiman, Chair; Beall and Boettger

House File 2372

HUMAN RESOURCES: Wood, Chair; Boettger and Ragan

House File 2385

ECONOMIC GROWTH: Beall, Chair; Hahn and Schmitz

SSB 3280

AGRICULTURE: Appel, Chair; Houser and Olive

SSB 3281

AGRICULTURE: Fraise, Chair; Boettger and Kibbie

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which [Senate File 2368](#) passed the Senate on March 12, 2008.

MICHAEL E. GRONSTAL

AMENDMENTS FILED

S-5081	S.F. 2120	David Johnson
S-5082	S.F. 2349	Brian Schoenjahn
S-5083	S.F. 2179	Rich Olive
S-5084	S.F. 2354	Steve Warnstadt
S-5085	S.F. 2368	Frank B. Wood
S-5086	S.F. 2355	Jeff Danielson
S-5087	H.F. 2212	House
S-5088	S.F. 2355	Paul McKinley
S-5089	S.F. 2368	Paul McKinley
S-5090	S.F. 2355	Mark Zieman
S-5091	S.F. 2329	Paul McKinley
S-5092	S.F. 2329	Paul McKinley
		John Putney
		Jerry Behn
		Ron Wieck
		Mark Zieman
		James A. Seymour
		Nancy J. Boettger
		James F. Hahn
		Steve Kettering
		Larry McKibben
		David Johnson
		Brad Zaun
		Larry Noble
S-5093	S.F. 2338	Becky Schmitz
S-5094	S.F. 2176	Dennis H. Black
S-5095	S.F. 2329	Paul McKinley
S-5096	S.F. 2189	Tom Hancock
S-5097	S.F. 2338	Brad Zaun
S-5098	S.F. 2379	Jack Hatch
S-5099	S.F. 2329	Paul McKinley
S-5100	S.F. 2251	Frank B. Wood
S-5101	S.F. 2356	Robert E. Dvorsky