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**STATE OF IOWA**

**Senate Journal**

**THURSDAY, APRIL 3, 2008**

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Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

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# JOURNAL OF THE SENATE

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EIGHTY-FIRST CALENDAR DAY  
FORTY-NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, April 3, 2008

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

Prayer was offered by Pastor Pete Wenzel of the Peace United Church of Christ in Monticello, Iowa. He was the guest of Senator Hancock.

The Journal of Wednesday, April 2, 2008, was approved.

## CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Resolution 127](#).

### [Senate Resolution 127](#)

On motion of Senator Quirnbach, [Senate Resolution 127](#), a resolution congratulating Iowa State University of Science and Technology for 150 years of leadership and service to the State of Iowa, the United States, and the world as Iowa's land-grant university, with report of committee recommending passage, was taken up for consideration.

Senator Quirnbach moved the adoption of [Senate Resolution 127](#), which motion prevailed by a voice vote.

## SPECIAL GUESTS

Senator Quirnbach introduced to the chamber Dr. Gregory Geoffroy, president of Iowa State University. He was accompanied by several guests who were representing the university. Dr. Geoffroy addressed the Senate with brief remarks.

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 April 2, 2008, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 2161](#), a bill for an act providing for the establishment of a council on homelessness. ([S-5273](#))

[Senate File 2281](#), a bill for an act prohibiting employment discrimination against an employee witness in certain civil proceedings. ([S-5274](#))

[Senate File 2308](#), a bill for an act relating to identity theft by providing for the notification of a breach in the security of computerized data that includes personal information, and providing penalties. ([S-5272](#))

[Senate File 2349](#), a bill for an act relating to the preneed sale of cemetery and funeral merchandise and funeral services. ([S-5269](#))

[Senate File 2354](#), a bill for an act concerning the home ownership assistance program for members of the military. ([S-5270](#))

[Senate File 2361](#), a bill for an act providing for the procurement of designated biobased products by state government. ([S-5271](#))

ALSO: That the House has on April 2, 2008, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2117](#), a bill for an act relating to coverage of closing protection letters in real estate transactions and providing an effective date.

[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.

[Senate File 2136](#), a bill for an act relating to real estate broker trust accounts and abolishing the local housing assistance program.

[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.

[Senate File 2177](#), a bill for an act relating to health-related activities and regulation by the department of public health.

[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.

[Senate File 2277](#), a bill for an act relating to offenses against identity by establishing a procedure to secure credit information and providing a penalty.

[Senate File 2301](#), a bill for an act making revisions and modifications to uniform finance procedures for bonds issued by the state.

[Senate File 2307](#), a bill for an act establishing committees to formulate plans for a state research and development prekindergarten through grade twelve school and providing an effective date.

[Senate File 2316](#), a bill for an act creating the Iowa uniform prudent management of institutional funds Act and including an applicability provision.

[Senate File 2333](#), a bill for an act relating to the regulation of veterans commemorative property.

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

[Senate File 2379](#), a bill for an act relating to the regulation of the practice of certified public accounting and providing an effective date.

[Senate File 2380](#), a bill for an act establishing a low head dam public hazard program.

#### SPECIAL GUESTS

Senators Beall and Boettger introduced to the chamber the following seven visitors from Russia: Aleksey Vasilyevich Ivanov, District Court Judge and Chairperson of the Court; Aleksandr Yevgenyevich Sharkov, Judge; Yunona Ivanovna Shevchenko, Judge; Albert Kurmanbiyevich Tumenov, Judge, Chairperson of the Court, and former senior prosecutor; Nikolay Viktorovich Vipritskiy, Judge; and Grigoriy Olegovich Yarygin, Professor of International Relations at St. Petersburg State University. They were visiting Iowa as part of an exchange program.

The Senate rose and expressed its welcome.

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 10:10 a.m., President Kibbie presiding.

#### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2539](#).

#### [House File 2539](#)

On motion of Senator Hatch, [House File 2539](#), a bill for an act relating to health care reform including health care coverage

intended for children and adults, health information technology, end-of-life care decision making, preexisting conditions and dependent children coverage, medical homes, prevention and chronic care management, a buy-in provision for certain individuals under the medical assistance program, disease prevention and wellness initiatives, health care transparency, and including an applicability provision, with report of committee on Appropriations recommending amendment and passage, was taken up for consideration.

Senator Hatch offered amendment [S-5172](#), filed by the committee on Appropriations on March 19, 2008, to pages 1, 2, 4-9, 12, 16, 17, 20-22, and 28-34 and to the title page of the bill.

Senator Hatch offered amendment [S-5268](#), filed by him from the floor to pages 1-20 and 23-32 of amendment [S-5172](#), and moved its adoption.

Senator Seymour asked and received unanimous consent that action on amendment [S-5268](#) to amendment [S-5172](#), amendment [S-5172](#), and [House File 2539](#) be **deferred**.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Houser, until he arrives, on request of Senator Boettger.

#### CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2410 and 2409.

#### [Senate File 2410](#)

On motion of Senator Connolly, [Senate File 2410](#), a bill for an act relating to the property tax exemption for speculative shell buildings and including effective and retroactive applicability date provisions, was taken up for consideration.

Senator Connolly offered amendment [S-5276](#), filed by him from the floor to page 5 of the bill, and moved its adoption.

Amendment [S-5276](#) was adopted by a voice vote.

Senator Connolly 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. 2410](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gaskill	Lundby	Seng
Beall	Gronstal	McCoy	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	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Houser

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

### [Senate File 2409](#)

On motion of Senator Schmitz, [Senate File 2409](#), a bill for an act relating to providing information to certain households about the availability of volunteer or free income tax assistance programs and the federal and state earned income tax credits, 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. 2409](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gaskill	Lundby	Seng
Beall	Gronstal	McCoy	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	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Houser

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

#### IMMEDIATELY MESSAGED

Senator Dotzler asked and received unanimous consent that **Senate Files 2409** and **2410** be **immediately messaged** to the House.

#### HOUSE AMENDMENT CONSIDERED

#### [Senate File 2214](#)

Senator Warnstadt called up for consideration [Senate File 2214](#), a bill for an act relating to modification of a child custody order during the time a parent is serving active duty, amended by the House in House amendment [S-5246](#), filed April 1, 2008.

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. 2214](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gaskill	Lundby	Seng
Beall	Gronstal	McCoy	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	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Houser

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 File 2214](#) be **immediately messaged** to the House.

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2568 and 2164.

[House File 2568](#)

On motion of Senator Dotzler, [House File 2568](#), a bill for an act relating to the calculation of certain weekly workers' compensation benefits by requiring certain weekly workers' compensation benefits to be calculated by including an employee's shift differential pay and by changing the basis for calculating the weekly rate for certain injured inmates, 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. 2568](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Kreiman	Schoenjahn
Appel	Gaskill	Lundby	Seng
Beall	Gronstal	McCoy	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	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Houser

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

### House File 2164

On motion of Senator Kreiman, [House File 2164](#), a bill for an act relating to voluntary diversity or court-ordered school desegregation plans under the state's open enrollment law, was taken up for consideration.

Senator Zaun offered amendment [S-5252](#), filed by him on April 1, 2008, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5252](#) be adopted?" ([H.F. 2164](#)), the vote was:

Yeas, 18:

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

Nays, 31:

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

Absent, 1:

Houser

Amendment [S-5252](#) lost.

Senator McKinley offered amendment [S-5254](#), filed by him on April 1, 2008, to page 1 of the bill.

Senator Connolly raised the point of order that amendment [S-5254](#) was not germane to the bill.

The Chair ruled the point not well-taken and amendment [S-5254](#) in order.

Senator McKinley moved the adoption of amendment [S-5254](#).

Amendment [S-5254](#) lost by a voice vote.

Senator Hartsuch offered amendment [S-5253](#), filed by him on April 1, 2008, to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5253](#) be adopted?" ([H.F. 2164](#)), the vote was:

Yeas, 17:

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

Nays, 32:

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

Absent, 1:

Houser

Amendment [S-5253](#) lost.

Senator Danielson offered amendment [S-5263](#), filed by him on April 2, 2008, to page 1 and to the title page of the bill.

Senator McKinley raised the point of order that amendment [S-5263](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5263](#) out of order.

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?" ([H.F. 2164](#)), the vote was:

Yeas, 40:

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

Nays, 9:

Behn	Johnson	Wieck
Boettger	Kettering	Zaun
Hahn	McKinley	Zieman

Absent, 1:

Houser

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 Files 2164** and **2568** be **immediately messaged** to the House.

#### RECESS

On motion of Senator Gronstal, the Senate recessed at 12:05 p.m. until 2:00 p.m.

## APPENDIX—1

### PRESENTATION OF VISITORS

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

Students from St. Mary's Catholic Elementary School, Manchester, accompanied by Joe Bearn. Senator Hancock.

### CERTIFICATES OF RECOGNITION

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

William P. Angrick, II—For 30 years of service as Iowa's Citizens' Aide/Ombudsman. Senator Gronstal (4/3/08).

Lloyd and Gerri Wieck, Hinton—For celebrating their 65th wedding anniversary. Senator Wieck (4/3/08).

### REPORT OF COMMITTEE MEETING

#### APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

**Convened:** April 3, 2008, 8:00 a.m.

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

**Members Absent:** None.

**Committee Business:** Discussed budget bill.

**Adjourned:** 8:50 a.m.

### INTRODUCTION OF RESOLUTION

[Senate Resolution 133](#), by Hartsuch, Seng, and Wood, a resolution to recognize April 2008 as Fall Prevention Awareness Month for Older Iowans.

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

## INTRODUCTION OF BILL

[Senate File 2411](#), by committee on Appropriations, a bill for an act relating to open records and public meetings and providing an effective date.

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

## FINAL COMMITTEE REPORT OF BILL ACTION

## APPROPRIATIONS

**Bill Title:** [SENATE FILE 2411](#)\* (formerly [SF 2378](#)), a bill for an act relating to open records and public meetings and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

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

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Appropriations Committee on [Senate File 2411](#), and they were attached to the committee report.

## AFTERNOON SESSION

The Senate reconvened at 2:25 p.m., President Kibbie presiding.

## QUORUM CALL

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

The vote revealed 42 present, 8 absent, and a quorum present.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Angelo and McKibben, until they return, on request of Senator Wieck.

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2651 and 2542.

[House File 2651](#)

On motion of Senator Danielson, [House File 2651](#), a bill for an act relating to policies for the administration of highways and the regulation of motor vehicles and to deposits made by a county to the secondary road fund, physical ability tests required for fire fighter applicants, and certain obligations guaranteed by highway funds including matters concerning the bid threshold for emergency highway repairs, providing for new collegiate motor vehicle registration plates and providing fees, the fee for replacement of special dealer registration plates, antique motor vehicle registration fees, used motor vehicle dealer education requirements, disqualification from operating a commercial motor vehicle, penalties for speeding violations committed in road work zones, access to persons with disabilities parking spaces for certain disabled veterans, and permits and fees for the movement of certain oversize or overweight vehicles, drinking driver courses offered at state correctional facilities, establishment of benefited secondary road services districts, and the defeasance of petroleum underground

storage tank fund bonds, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Danielson offered amendment [S-5242](#), filed by the committee on Transportation on March 31, 2008, to pages 9, 14, 16, and 19 of the bill.

Senator Danielson offered amendment [S-5267](#), filed by Senator Rielly from the floor to page 1 and to the title provisions of amendment [S-5242](#), and moved its adoption.

Amendment [S-5267](#) was adopted by a voice vote.

Senator Danielson moved the adoption of amendment [S-5242](#), as amended.

Amendment [S-5242](#) was adopted by a voice vote.

Senator Danielson offered amendment [S-5262](#), filed by him on April 2, 2008, to page 1 and to the title page of the bill.

Senator Danielson offered amendment [S-5282](#), filed by him from the floor to page 1 of amendment [S-5262](#), and moved its adoption.

Amendment [S-5282](#) was adopted by a voice vote.

Senator Danielson moved the adoption of amendment [S-5262](#), as amended.

Amendment [S-5262](#) was adopted by a voice vote.

Senator Dvorsky asked and received unanimous consent to withdraw amendment [S-5277](#), filed by Senators Dvorsky and Danielson from the floor to page 1 of the bill.

Senator Dvorsky offered amendment [S-5280](#), filed by Senators Dvorsky, Danielson, and Hahn 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-5280](#) be adopted?" ([H.F. 2651](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Angelo	Houser	McKibben
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Amendment [S-5280](#) was adopted.

Senator Johnson withdrew amendment [S-5259](#), filed by him on April 2, 2008, to pages 6 and 7 of the bill.

Senator Danielson withdrew amendment [S-5256](#), filed by him on April 2, 2008, to page 9 of the bill.

Senator Danielson offered amendment [S-5258](#), filed by him on April 2, 2008, to page 9 of the bill, and moved its adoption.

Amendment [S-5258](#) was adopted by a voice vote.

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?" ([H.F. 2651](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

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

### [House File 2542](#)

On motion of Senator Courtney, [House File 2542](#), a bill for an act concerning work-related injuries suffered and claims made outside of this state, with report of committee recommending passage, was taken up for consideration.

Senator Courtney 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. 2542](#)), the vote was:

Yeas, 31:

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

Nays, 16:

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

Absent, 3:

Angelo	Houser	McKibben
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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 **House Files 2542** and **2651** be **immediately messaged** to the House.

#### CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Connolly called up the appointment of Ron Dardis as Adjutant General of the Iowa Department of Public Defense, placed on the Individual Confirmation Calendar on March 26, 2008, found on page 831 of the Senate Journal.

Senator Connolly moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

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

Nays, none.

Present, 1:

Warnstadt

Absent, 3:

Angelo                    Houser                    McKibben

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

**CONFIRMATION OF GOVERNOR'S APPOINTMENT**  
(Individual Confirmation Calendar)

Senator Hatch called up the appointment of Richard Mosley as a member of the Board of Cosmetology Arts and Sciences, placed on the Individual Confirmation Calendar on March 26, 2008, found on page 831 of the Senate Journal.

Senator Hatch moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Angelo                    Houser                    McKibben

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENT  
(Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Lori Mease as a member of the Electrical Examining Board, placed on the Individual Confirmation Calendar on March 31, 2008, found on page 883 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 45:

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

Nays, 2:

Appel	Connolly
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Absent, 3:

Angelo	Houser	McKibben
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENT  
(Individual Confirmation Calendar)

Senator Black called up the appointment of Scott Mahr as a member of the Environmental Protection Commission, placed on the Individual Confirmation Calendar on March 25, 2008, found on page 807 of the Senate Journal.

Senator Black moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Angelo	Houser	McKibben
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENT  
(Individual Confirmation Calendar)

Senator Connolly called up the appointment of Donna Mueller as Chief Executive Officer of the IPERS, placed on the Individual Confirmation Calendar on March 26, 2008, found on page 831 of the Senate Journal.

Senator Connolly moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Angelo	Houser	McKibben
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

#### CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of J. Marc Ward as a member of the Commission on the Status of Women, placed on the Individual Confirmation Calendar on March 31, 2008, found on page 884 of the Senate Journal.

Senator Gronstal moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 47:

Appel	Fraise	Kibbie	Schmitz
Beall	Gaskill	Kreiman	Schoenjahn
Behn	Gronstal	Lundby	Seng

Black	Hahn	McCoy	Seymour
Boettger	Hancock	McKinley	Stewart
Bolkcom	Hartsuch	Mulder	Ward
Connolly	Hatch	Noble	Warnstadt
Courtney	Heckroth	Olive	Wieck
Danielson	Hogg	Putney	Wood
Dearden	Horn	Quirnbach	Zaun
Dotzler	Johnson	Ragan	Zieman
Dvorsky	Kettering	Rielly	

Nays, none.

Absent, 3:

Angelo	Houser	McKibben
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The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

### CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Gronstal called up the following eligible appointees on the En Bloc Confirmation Calendar:

Ralph Rosenberg – Director of the Iowa State Civil Rights Commission

Merl McFarlane – Commission on Community Action Agencies

James Forney – Superintendent of Credit Unions

James Grover – Commission on the Deaf

Christina Wilson – Iowa Drug Policy Advisory Council

Jerry Shellberg – Engineering and Land Surveying Examining Board

Shanell Wagler – Facilitator of the Iowa Empowerment Board

Dustin Heland-Embree – Iowa Great Places Advisory Board

Margaret Redenbaugh – State Judicial Nominating Commission

Larry Dallenbach – Board of Massage Therapy

Richard Bordwell – Board of Parole

Ronald Moore – Board of Physician Assistants

Joan Bruhn – Prevention of Disabilities Policy Council

Laurel (Lori) Diehl – Real Estate Commission

Cindi Grover – Renewable Fuel Infrastructure Board

Senator Gronstal moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Angelo	Houser	McKibben
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The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

#### BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following bills on the Senate Calendar, no longer eligible under Joint Rule 20, be referred to the following committees:

H.F. 580	State Government
<a href="#">H.F. 2440</a>	Natural Resources and Environment

#### BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Gronstal asked and received unanimous consent that the following bills on the Senate Calendar, no longer eligible under Joint Rule 20, be placed on the Unfinished Business Calendar:

<a href="#">H.F. 2103</a>	<a href="#">H.F. 2556</a>	<a href="#">H.F. 2620</a>
<a href="#">H.F. 2177</a>	<a href="#">H.F. 2558</a>	<a href="#">H.F. 2650</a>
<a href="#">H.F. 2338</a>	<a href="#">H.F. 2601</a>	<a href="#">H.F. 2653</a>
<a href="#">H.F. 2367</a>	<a href="#">H.F. 2612</a>	

## 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 3, 2008, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[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. ([S-5284](#))

ALSO: That the House has on April 3, 2008, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2036](#), a bill for an act relating to the division of criminal and juvenile justice planning of the department of human rights by making changes to the membership of the council, permitting access to the records of the department of workforce development, and modifying the sex offender treatment and supervision task force.

[Senate File 2217](#), a bill for an act relating to providing legal representation to an eligible indigent person and the appointment of a guardian ad litem.

[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.

ALSO: That the House has on April 3, 2008, **concurred in the Senate amendment and passed** the following bill in which the concurrence of the House was asked:

[House File 2392](#), a bill for an act relating to certain city utilities or city enterprises by making changes to procedures for notice and collection of delinquent charges and by making changes to billing notifications for water service provided to certain residential rental property.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:40 p.m. until 1:00 p.m., Monday, April 7, 2008.

## APPENDIX—2

### CERTIFICATES OF RECOGNITION

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

John Clausen, Gladbrook—For his dedication to beautifying the city of Gladbrook. Senator Putney (4/3/08).

Coach Russ Davis and the Vanguard University Women's Basketball Team—For winning the NAIA National Championship. Senator Zieman (4/3/08).

Terrance Goodell—For his distinguished service to the mental health and well being of veterans. Senator Hartsuch (4/3/08).

### STUDY BILL RECEIVED

#### **SSB 3295 Appropriations**

Relating to and making appropriations from the healthy Iowans tobacco trust and the tobacco settlement trust fund, and providing for the repeal of the healthy Iowans tobacco trust, and providing effective dates.

### SUBCOMMITTEE ASSIGNMENT

#### **SSB 3295**

APPROPRIATIONS: Bolkcom, Chair; Dvorsky, Hancock, Johnson, and Seymour

## BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 3, 2008, the Governor approved and transmitted to the Secretary of State the following bill:

[Senate File 261](#) – Requiring certain private sewage disposal system-related inspections to be conducted when certain property is sold or transferred and including an effective date provision.

## AMENDMENTS FILED

<a href="#">S-5267</a>	<a href="#">H.F. 2651</a>	Tom Rielly
<a href="#">S-5268</a>	<a href="#">H.F. 2539</a>	Jack Hatch
<a href="#">S-5269</a>	<a href="#">S.F. 2349</a>	House
<a href="#">S-5270</a>	<a href="#">S.F. 2354</a>	House
<a href="#">S-5271</a>	<a href="#">S.F. 2361</a>	House
<a href="#">S-5272</a>	<a href="#">S.F. 2308</a>	House
<a href="#">S-5273</a>	<a href="#">S.F. 2161</a>	House
<a href="#">S-5274</a>	<a href="#">S.F. 2281</a>	House
<a href="#">S-5275</a>	<a href="#">H.F. 2620</a>	James F. Hahn
<a href="#">S-5276</a>	<a href="#">S.F. 2410</a>	Michael Connolly
<a href="#">S-5277</a>	<a href="#">H.F. 2651</a>	Robert E. Dvorsky Jeff Danielson
<a href="#">S-5278</a>	<a href="#">S.F. 2408</a>	David Johnson
<a href="#">S-5279</a>	<a href="#">S.F. 2408</a>	Brad Zaun
<a href="#">S-5280</a>	<a href="#">H.F. 2651</a>	Robert E. Dvorsky Jeff Danielson James F. Hahn
<a href="#">S-5281</a>	<a href="#">S.F. 2407</a>	Pat Ward
<a href="#">S-5282</a>	<a href="#">H.F. 2651</a>	Jeff Danielson
<a href="#">S-5283</a>	<a href="#">H.F. 2558</a>	Rich Olive
<a href="#">S-5284</a>	<a href="#">S.F. 2212</a>	House