

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, APRIL 9, 2008

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JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 9, 2008

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

Prayer was offered by Les Borsay, pastor of the Central Christian Church in Jefferson, Iowa. He was the guest of Senator Beall.

The Journal of Tuesday, April 8, 2008, was approved.

The Senate stood at ease at 8:53 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 9:44 a.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Houser, until he arrives, on request of Senator Zieman; and Senators Hartsuch, Lundby, and Johnson, until they arrive, on request of Senator Wieck.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2404](#).

Senate File 2404

On motion of Senator Courtney, [Senate File 2404](#), a bill for an act relating to state agency reporting of the receipt of gifts, bequests, and grants, 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?” ([S.F. 2404](#)), the vote was:

Yeas, 46:

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

Nays, none.

Absent, 4:

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

HOUSE AMENDMENT CONSIDERED

Senate File 2212

Senator Kreiman called up for consideration [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, amended by the House in House amendment [S-5284](#), filed April 3, 2008.

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

Yeas, 47:

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

Nays, none.

Absent, 3:

Hartsuch	Houser	Lundby
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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 BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 2103](#).

House File 2103

On motion of Senator Quirmbach, [House File 2103](#), a bill for an act relating to appointments to the college student aid commission and including an effective date and applicability provision, placed on the Unfinished Business Calendar on April 3, 2008, with report of committee recommending passage, was taken up for consideration.

Senator Johnson offered amendment [S-5241](#), filed by him on March 31, 2008, to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5241](#) be adopted?” ([H.F. 2103](#)), the vote was:

Yeas, 22:

Angelo	Hahn	Mulder	Ward
Behn	Hancock	Noble	Wieck
Black	Johnson	Olive	Zaun
Boettger	Kettering	Putney	Zieman
Dotzler	McKibben	Schmitz	
Gaskill	McKinley	Seymour	

Nays, 25:

Appel	Dvorsky	Kibbie	Seng
Beall	Fraise	Kreiman	Stewart
Bolkcom	Gronstal	McCoy	Warnstadt
Connolly	Hatch	Quirmbach	Wood
Courtney	Heckroth	Ragan	
Danielson	Hogg	Rielly	
Dearden	Horn	Schoenjahn	

Absent, 3:

Hartsuch	Houser	Lundby
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Amendment [S-5241](#) lost.

Senator Quirmbach 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. 2103](#)), the vote was:

Yeas, 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	

Nays, 17:

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

Absent, 3:

Hartsuch	Houser	Lundby
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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 2212 and 2404** and [House File 2103](#) be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

[Senate File 2308](#)

Senator Warnstadt called up for consideration [Senate File 2308](#), a bill for an act relating to identity theft by providing for the notification of a breach in the security of personal information, and providing penalties, amended by the House in House amendment [S-5272](#), filed April 3, 2008.

Senator Warnstadt offered amendment [S-5303](#), filed by him on April 8, 2008, to page 1 of amendment [S-5272](#), and moved its adoption.

Amendment [S-5303](#) was adopted by a voice vote.

Senator Warnstadt moved that the Senate concur in the House amendment, as amended.

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

Senator Warnstadt moved that the bill, as amended by the House, further amended 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. 2308](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Hartsuch	Houser	Lundby
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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 AMENDMENT CONSIDERED

Senate File 2161

Senator Ragan called up for consideration Senate File 2161, a bill for an act providing for the establishment of a council on homelessness, amended by the House in House amendment S-5273, filed April 3, 2008.

Senator Ragan 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 Ragan 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. 2161), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Hartsuch	Houser	Lundby
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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 2161** and **2308** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

[Senate File 2124](#)

Senator Danielson called up for consideration [Senate File 2124](#), a bill for an act relating to authorized expenditures from the veterans trust fund and providing for emergency rulemaking authority, amended by the House in House amendment [S-5285](#), filed April 7, 2008.

Senator Danielson 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 Danielson 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. 2124](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Hartsuch Houser

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration House Files 2653, 2558, and 2338.

[House File 2653](#)

On motion of Senator Olive, [House File 2653](#), a bill for an act relating to foreclosure consultants and foreclosure reconveyances, providing for criminal and civil penalties, and providing an effective date, placed on the Unfinished Business Calendar on April 3, 2008, with report of committee recommending passage, 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?” ([H.F. 2653](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Hartsuch

Houser

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

House File 2558

On motion of Senator Olive, House File 2558, a bill for an act relating to economic development by providing for the confidentiality of certain details contained in contracts and applications for financial assistance, placed on the Unfinished Business Calendar on April 3, 2008, with report of committee recommending passage, was taken up for consideration.

Senator Olive offered amendment S-5283, filed by him on April 3, 2008, striking and replacing everything after the enacting clause of the bill.

Senator Dotzler offered amendment S-5310, filed by him on April 8, 2008, to page 1 of amendment S-5283, and moved its adoption.

Amendment S-5310 was adopted by a voice vote.

Senator Olive offered amendment S-5316, filed by him from the floor to page 2 of amendment S-5283, and moved its adoption.

Amendment S-5316 was adopted by a voice vote.

Senator McKinley offered amendment S-5312, filed by him on April 8, 2008, to page 2 of amendment S-5283, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5312 be adopted?" (H.F. 2558), the vote was:

Yeas, 19:

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

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, 1:

Hartsuch

Amendment [S-5312](#) lost.

Senator Olive moved the adoption of amendment [S-5283](#), as amended.

Amendment [S-5283](#) 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?” ([H.F. 2558](#)), the vote was:

Yeas, 42:

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

Nays, 7:

Behn	McKibben	Noble	Zieman
Hahn	McKinley	Wieck	

Absent, 1:

Hartsuch

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

House File 2338

On motion of Senator Kreiman, [House File 2338](#), a bill for an act relating to attendance at child in need of assistance proceedings, placed on the Unfinished Business Calendar on April 3, 2008, with report of committee recommending passage, 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?" ([H.F. 2338](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Hartsuch

Putney

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 2124](#) and **House Files 2338, 2558, and 2653** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:30 a.m. until 3:00 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

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

Reverend Les Borsay, Jefferson—For being the pastor of the day. Senator Beall (4/9/08).

Kathleen Driscoll, Williamsburg—For more than 50 years of service to the Iowa County Democratic Party. Senator Rielly (4/9/08).

Frank Glandon—For more than 39 years of service to the Oskaloosa Fire Department. Senator Rielly (4/9/08).

Robert and Dorothy Martinson, Williamsburg—For celebrating their 60th wedding anniversary. Senator Rielly (4/9/08).

Powell Alexander Mims, Lake City—For achieving the rank of Eagle Scout, Boy Scout Troop 41. Senator Beall (4/9/08).

Mildred Vanderhorst, Oskaloosa—For celebrating her 90th birthday. Senator Rielly (4/9/08).

INTRODUCTION OF RESOLUTIONS

[Senate Resolution 144](#), by Hatch, McCoy, Zaun, Dearden, Appel, Courtney, Quirnbach, Olive, Warnstadt, Dvorsky, Dotzler, Rielly, Danielson, Hogg, Kreiman, Hancock, Seng, Schmitz, Ragan, Beall, Stewart, Bolkcom, Black, Kibbie, Horn, Wood, Schoenjahn, Connolly, Heckroth, Fraise, Gronstal, Noble, McKinley, Gaskill, Behn, Wieck, Zieman, Seymour, Boettger, Hartsuch, Mulder, Johnson, Hahn, Houser, Kettering, and Putney, a resolution to honor Drake University's men's and women's basketball teams.

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

[Senate Resolution 145](#), by Hatch, McCoy, Zaun, and Dearden, a resolution to honor the Drake University men's basketball coach Keno Davis.

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

[Senate Resolution 146](#), by Mulder, a resolution to honor the athletic career of Vern Wayne Den Herder.

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

INTRODUCTION OF BILL

[Senate File 2415](#), by committee on Ways and Means, a bill for an act allowing certain counties 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**.

FINAL COMMITTEE REPORT OF BILL ACTION

WAYS AND MEANS

Bill Title: [SENATE FILE 2415](#)* (formerly [SF 595](#)), a bill for an act allowing certain counties 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 Zieman. 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 2415](#), and they were attached to the committee report.

BILLS ENROLLED, SIGNED, AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 9th day of April, 2008:

Senate Files 473, 505, 2089, 2108, 2117, 2157, 2176, 2177, 2179, 2214, 2217, 2248, 2277, 2289, 2301, 2316, 2333, 2335, and 2380.

MICHAEL E. MARSHALL
Secretary of the Senate

AFTERNOON SESSION

The Senate reconvened at 3:15 p.m., President Kibbie presiding.

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:

Rosemary Parson – Commission on the Status of African-Americans

Amy Peiffer – Commission on Community Action Agencies

Robert Fritsch – Iowa Great Places Advisory Board

Thomas Hanafan – Iowa Great Places Advisory Board

Mark Ripplinger – Landscape Architectural Examining Board

Tyrone Orr – Board of Mortuary Science

Terrance Lillis – Peace Officers' Retirement, Accident, and Disability Systems Trustee

Marianne (Mary) Nehus – Prevention of Disabilities Policy Council

Dianna Darold – Iowa Railway Finance Authority

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

On the question "Shall the appointees be confirmed?" 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	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirmbach	Zieman

Dearden	Johnson	Ragan
Dotzler	Kettering	Rielly
Dvorsky	Kibbie	Schmitz

Nays, none.

Absent, 1:

Hartsuch

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

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Gronstal called up the appointment of Sarah Henderson as a member of the Board of Psychology, 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, 49:

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

Nays, none.

Absent, 1:

Hartsuch

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

HOUSE AMENDMENT CONSIDERED

Senate File 2251

Senator Wood called up for consideration [Senate File 2251](#), a bill for an act relating to student eye care and including an applicability date provision, amended by the House in House amendment [S-5297](#), filed April 7, 2008.

Senator Wood 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 Wood 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. 2251](#)), 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	Hatch	Mulder	Warnstadt
Bolkcom	Heckroth	Noble	Wieck
Connolly	Hogg	Olive	Wood
Courtney	Horn	Putney	Zaun
Danielson	Houser	Quirmbach	Zieman
Dearden	Johnson	Ragan	
Dotzler	Kettering	Rielly	
Dvorsky	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Hartsuch

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 2251](#) be **immediately messaged** to the House.

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 9, 2008, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 2663](#), a bill for an act relating to the repeal of the local option sales and services tax for school infrastructure purposes by using the revenues from the increase in the state sales and use taxes for replacing lost school district revenues resulting from the repeal, providing property tax relief, providing for the reduction in the state sales and use tax, providing a penalty, and including an effective date provision.

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

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:30 p.m. until 8:45 a.m., Thursday, April 10, 2008.

APPENDIX—2

CERTIFICATES OF RECOGNITION

Katie Burton—For winning the 2008 Iowa Energy Poster Contest. Senator Hahn (4/9/08).

Victoria Cole—For winning the 2008 Iowa Energy Poster Contest. Senator Hahn (4/9/08).

Joey Freiber—For winning the 2008 Iowa Energy Poster Contest. Senator Hahn (4/9/08).

Becky Hoffman—For winning the 2008 Iowa Energy Poster Contest. Senator Hahn (4/9/08).

Mollie Juehring—For winning the 2008 Iowa Energy Poster Contest. Senator Hahn (4/9/08).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 9, 2008, 1:10 p.m.

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

Members Absent: None.

Committee Business: Passed [HF 2647](#) and approved [SSB 3295](#).

Recessed: 1:15 p.m.

Reconvened: 1:35 p.m.

Adjourned: 1:45 p.m.

WAYS AND MEANS

Convened: April 9, 2008, 2:05 p.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; McKibben, Ranking Member; Angelo, Appel, Connolly, Dotzler, Hogg, Houser, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Zieman.

Members Absent: None.

Committee Business: Passed [SF 2389](#) and approved SSBs 3287, 3298, and 3299.

Adjourned: 2:40 p.m.

INTRODUCTION OF BILLS

[Senate File 2416](#), by committee on Ways and Means, a bill for an act relating to wage payment collection and employment classification issues arising between employers and individuals who provide services to employers and including an appropriation and an effective date.

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

[Senate File 2417](#), by committee on Appropriations, a bill for an act 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.

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

STUDY BILLS RECEIVED

[SSB 3298](#) **Ways and Means**

Relating to the property tax exemption for speculative shell buildings and including effective and retroactive applicability date provisions.

[SSB 3299](#) **Ways and Means**

Relating to notice provided to certain households about the availability of volunteer or free income tax assistance programs and the federal and state earned income tax credits.

SUBCOMMITTEE ASSIGNMENTS

[House File 2662](#)

APPROPRIATIONS: Seng, Chair; Black, Dvorsky, Gaskill, and Kettering

[SSB 3298](#)

WAYS AND MEANS: Connolly, Chair; Bolkcom and Houser

[SSB 3299](#)

WAYS AND MEANS: Schmitz, Chair; Bolkcom and Noble

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: [SENATE FILE 2417 \(SSB 3295\)](#), a bill for an act 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Dvorsky, McCoy, Black, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Hancock, Hatch, Hogg, Ragan, Seng, Warnstadt, and Wood. Nays, 10: Kettering, Angelo, Behn, Boettger, Gaskill, Hahn, Johnson, Putney, Seymour, and Ward. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 2647](#), a bill for an act relating to and making appropriations to the judicial branch.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Dvorsky, McCoy, Black, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Hancock, Hatch, Hogg, Ragan, Seng, Warnstadt, and Wood. Nays, 10: Kettering, Angelo, Behn, Boettger, Gaskill, Hahn, Johnson, Putney, Seymour, and Ward. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: [SENATE FILE 2416*](#) ([SSB 3286](#)), a bill for an act relating to wage payment collection and employment classification issues arising between employers and individuals who provide services to employers and including an appropriation and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Bolkcom, McCoy, Appel, Connolly, Dotzler, Quirnbach, Schmitz, Seng, and Stewart. Nays, 7: McKibben, Angelo, Houser, Noble, Putney, Ward, and Zieman. Present, 1: Hogg. 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 2416](#), and they were attached to the committee report.

AMENDMENTS FILED

[S-5316](#)

[H.F. 2558](#)

Rich Olive

[S-5317](#)

[H.F. 2601](#)

John P. Kibbie

Hubert Houser