

PROOF

STATE OF IOWA

Senate Journal

MONDAY, APRIL 14, 2008

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.)

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 14, 2008

The Senate met in regular session at 10:17 a.m., President Kibbie presiding.

Prayer was offered by the Honorable Gene Fraise, member of the Senate from Lee County, Fort Madison, Iowa.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Amy Peyton.

The Journal of Thursday, April 10, 2008, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 2008, **amended and passed** the following bills in which the concurrence of the Senate is asked:

[Senate File 2134](#), a bill for an act relating to requirements and duties of members, executive directors, and employees of county commissions of veteran affairs. ([S-5329](#))

[Senate File 2337](#), a bill for an act relating to the purchase of liability insurance by the association of Iowa fairs. ([S-5331](#))

[Senate File 2400](#), a bill for an act relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters and providing an effective date. ([S-5330](#))

ALSO: That the House has on April 10, 2008, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2668](#), a bill for an act relating to the disposal and recycling of used oil filters.

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

[House File 2669](#), a bill for an act relating to the collection and recycling of mercury-added thermostats.

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

ALSO: That the House has on April 10, 2008, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 2269](#), a bill for an act revising family investment program requirements for limited benefit plans.

[Senate File 2276](#), a bill for an act relating to the disposal of solid waste by changing permitting requirements and updating and clarifying existing provisions.

[Senate File 2286](#), a bill for an act appropriating federal funds made available from federal block grants and other federal grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated.

[Senate File 2321](#), a bill for an act relating to the recycling of mercury-containing lamps by providing for a study.

ALSO: That the House has on April 10, 2008, **adopted** the following resolution in which the concurrence of the House was asked:

[Senate Joint Resolution 2002](#), a joint resolution proposing an amendment to the Constitution of the State of Iowa to dedicate a portion of state revenue from the tax imposed on certain retail sales

of tangible personal property and services for the state's natural resources.

ALSO: That the House has on April 10, 2008, **concurred in the Senate amendment and passed** the following bills in which the concurrence of the House was asked:

[House File 2283](#), a bill for an act concerning eligibility for receiving a Vietnam Conflict veterans bonus for a certain period of active duty military service, providing a penalty, and including an effective date and retroactive applicability provision.

[House File 2555](#), a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including uniform securities; duties of the insurance division including a consumer advocate and rate reviews; confidential information; examinations; insurance trade practices; insurance fraud; the Iowa life and health insurance guaranty association; viatical settlement contracts; general agents and third-party administrators; life insurance companies; health maintenance organizations; utilization and cost control; the Iowa comprehensive health insurance association; workers' compensation liability insurance; consolidation, merger, and reinsurance; licensing of insurance producers; cemetery and funeral merchandise and funeral services; and cemeteries, making appropriations, and providing an effective date.

[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 utility facility relocation due to highway construction, 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, 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.

RECESS

On motion of Senator Gronstal, the Senate recessed at 10:25 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 10:30 a.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 114 and 147.

[Senate Resolution 114](#)

On motion of Senator Appel, [Senate Resolution 114](#), a resolution designating the second week in June as Home Education Week in Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Appel moved the adoption of [Senate Resolution 114](#), which motion prevailed by a voice vote.

[Senate Resolution 147](#)

On motion of Senator Appel, [Senate Resolution 147](#), a resolution recognizing April 13 through 19, 2008, as the Week of the Young Child, with report of committee recommending passage, was taken up for consideration.

Senator Appel moved the adoption of [Senate Resolution 147](#), which motion prevailed by a voice vote.

The Senate stood at ease at 10:35 a.m. until the fall of the gavel.

The Senate resumed session at 10:52 a.m., President Pro Tempore Danielson presiding.

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 141](#), a resolution honoring Deb Remmerde, the National Association of Intercollegiate Athletics Division II Women's Basketball Player of the Year.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 142](#), a resolution honoring the Northwestern College women's basketball team.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 142 and 141.

[Senate Resolution 142](#)

On motion of Senator Mulder, [Senate Resolution 142](#), a resolution honoring the Northwestern College women's basketball team, with report of committee recommending passage, was taken up for consideration.

Senator Mulder moved the adoption of [Senate Resolution 142](#), which motion prevailed by a voice vote.

Senate Resolution 141

On motion of Senator Mulder, Senate Resolution 141, a resolution honoring Deb Remmerde, the National Association of Intercollegiate Athletics Division II Women's Basketball Player of the Year, with report of committee recommending passage, was taken up for consideration.

Senator Mulder moved the adoption of Senate Resolution 141, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Mulder introduced to the Senate chamber members of the Northwestern College women's basketball team, accompanied by Coach Earl Woudstra.

The Senate rose and expressed its welcome.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:00 a.m. until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:10 p.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolution 117.

Senate Resolution 117

On motion of Senator Lundby, Senate Resolution 117, a resolution celebrating the 100th birthday of the United States Army Reserve, honoring the commitment, dedication, and service to America, and wishing for its continued support to our soldiers, with

report of committee recommending passage, was taken up for consideration.

Senator Lundby moved the adoption of [Senate Resolution 117](#), which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Lundby introduced to the Senate chamber members of the U.S. Army Reserve. Col. Steven J. Feldmann, Commander of the 649th RSG, addressed the Senate with brief remarks.

The Senate rose and expressed its welcome.

FINAL COMMITTEE REPORT OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE CONCURRENT RESOLUTION 105](#), a concurrent resolution designating May 2008 as Motorcycle Safety Awareness Month.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Concurrent Resolution 105](#).

[Senate Concurrent Resolution 105](#)

On motion of Senator Black, [Senate Concurrent Resolution 105](#), a concurrent resolution designating May 2008 as Motorcycle Safety Awareness Month, with report of committee recommending passage, was taken up for consideration.

Senator Black moved the adoption of [Senate Concurrent Resolution 105](#), which motion prevailed by a voice vote.

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:23 p.m. until 2:30 p.m.

RECONVENED

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Wieck, until he returns, on request of Senator Zieman; and Senator Heckroth, until he returns, on request of Senator Dotzler.

CONSIDERATION OF BILLS
(Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 2419, 2418, and 2416.

[Senate File 2419](#)

On motion of Senator Connolly, [Senate File 2419](#), 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 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. 2419](#)), the vote was:

Yeas, 47:

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	Hartsuch	Mulder	Ward
Connolly	Hogg	Noble	Warnstadt
Courtney	Horn	Olive	Wood
Danielson	Houser	Putney	Zaun

Dearden	Johnson	Quirnbach	Zieman
Dotzler	Kettering	Ragan	

Nays, none.

Present, 1:

Hatch

Absent, 2:

Heckroth	Wieck
----------	-------

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

[Senate File 2418](#)

On motion of Senator Schmitz, [Senate File 2418](#), a bill for an act 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, 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. 2418](#)), the vote was:

Yeas, 47:

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	Hartsuch	Mulder	Ward
Connolly	Hatch	Noble	Warnstadt
Courtney	Hogg	Olive	Wood
Danielson	Horn	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	

Nays, none.

Present, 1:

McKinley

Absent, 2:

Heckroth

Wieck

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

Senate File 2416

On motion of Senator Bolkcom, Senate File 2416, 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, was taken up for consideration.

Senator Bolkcom withdrew amendment S-5324, filed by him on April 10, 2008, to pages 1 and 8 and to the title page of the bill.

Senator Bolkcom offered amendment S-5335, filed by him from the floor to pages 1, 8, 14, and to the title page of the bill, and moved its adoption.

Amendment S-5335 was adopted by a voice vote.

With the adoption of amendment S-5335, the Chair ruled the amendment S-5323, filed by Senator Bolkcom on April 10, 2008, to page 8 and to the title page of the bill, out of order.

Senator Ward offered amendment S-5340, filed by her from the floor to page 4 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-5340 be adopted?" (S.F. 2416), the vote was:

Yeas, 20:

Angelo
Behn
Boettger

Hartsuch
Houser
Johnson

McKibben
McKinley
Mulder

Seymour
Ward
Wieck

Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Nays, 29:

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

Absent, 1:

Heckroth

Amendment [S-5340](#) lost.

Senator McKinley offered amendment [S-5342](#), filed by him from the floor to pages 4–6, 9, and 12 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5342](#) be adopted?” ([S.F. 2416](#)), the vote was:

Yeas, 20:

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

Nays, 29:

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

Absent, 1:

Heckroth

Amendment [S-5342](#) lost.

Senator McKinley offered amendment [S-5344](#), filed by him from the floor to page 5 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5344](#) be adopted?” ([S.F. 2416](#)), the vote was:

Yeas, 22:

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

Nays, 27:

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

Absent, 1:

Heckroth

Amendment [S-5344](#) lost.

Senator Angelo offered amendment [S-5347](#), filed by him from the floor to page 6 and to the title page of the bill.

Senator Bolkcom raised the point of order that amendment [S-5347](#) was not germane to the bill.

The Chair ruled the point well-taken and amendment [S-5347](#) out of order.

Senator Zaun withdrew amendment [S-5338](#), filed by him from the floor to page 7 of the bill.

Senator Ward offered amendment [S-5339](#), filed by her from the floor to page 7 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5339](#) be adopted?” ([S.F. 2416](#)), the vote was:

Yeas, 21:

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

Nays, 28:

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

Absent, 1:

Heckroth

Amendment [S-5339](#) lost.

Senator Ward offered amendment [S-5341](#), filed by her from the floor to page 9 of the bill, and moved its adoption.

Amendment [S-5341](#) was adopted by a voice vote.

Senator Zaun offered amendment [S-5336](#), filed by him from the floor to pages 11 and 12 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5336](#) be adopted?” ([S.F. 2416](#)), the vote was:

Yeas, 21:

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

Nays, 28:

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

Absent, 1:

Heckroth

Amendment [S-5336](#) lost.

Senator Zaun offered amendment [S-5343](#), filed by him 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-5343](#) be adopted?” ([S.F. 2416](#)), the vote was:

Yeas, 19:

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

Nays, 30:

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

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

Absent, 1:

Heckroth

Amendment [S-5343](#) lost.

Senator McKinley offered amendment [S-5337](#), filed by him from the floor to page 14 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5337](#) be adopted?” ([S.F. 2416](#)), the vote was:

Yeas, 22:

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

Nays, 27:

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

Absent, 1:

Heckroth

Amendment [S-5337](#) lost.

Senator McKinley offered amendment [S-5348](#), filed by him from the floor to page 14 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5348](#) be adopted?” ([S.F. 2416](#)), the vote was:

Yeas, 21:

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

Nays, 28:

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

Absent, 1:

Heckroth

Amendment [S-5348](#) lost.

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. 2416](#)), the vote was:

Yeas, 28:

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

Nays, 21:

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

Absent, 1:

Heckroth

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 Concurrent Resolution 105](#) and **Senate Files 2416, 2418, and 2419** be **immediately messaged** to the House.

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 144](#), a resolution to honor Drake University's men's and women's basketball teams.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 145](#), a resolution to honor the Drake University men's basketball coach Keno Davis.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTIONS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 144 and 145.

[Senate Resolution 144](#)

On motion of Senator Hatch, **[Senate Resolution 144](#)**, a resolution to honor Drake University's men's and women's basketball teams, with report of committee recommending passage, was taken up for consideration.

Senator Hatch moved the adoption of **[Senate Resolution 144](#)**, which motion prevailed by a voice vote.

[Senate Resolution 145](#)

On motion of Senator Hatch, **[Senate Resolution 145](#)**, a resolution to honor the Drake University men's basketball coach Keno Davis, with report of committee recommending passage, was taken up for consideration.

Senator Hatch moved the adoption of **[Senate Resolution 145](#)**, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Hatch introduced to the Senate chamber members of the Drake University men's and women's basketball teams.

The Senate rose and expressed its welcome.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration **[Senate File 2413](#)**.

Senate File 2413

On motion of Senator Courtney, [Senate File 2413](#), a bill for an act providing extensions for school districts applying to the school budget review committee concerning school district finances, and providing an effective date, was taken up for consideration.

Senator Courtney offered amendment [S-5346](#), filed by him from the floor to pages 1-3 and to the title page of the bill, and moved its adoption.

Senator McKinley asked and received unanimous consent that action on amendment [S-5346](#) and [Senate File 2413](#) be **deferred**.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2411](#).

Senate File 2411

On motion of Senator Connolly, [Senate File 2411](#), a bill for an act relating to open records and public meetings and providing an effective date, was taken up for consideration.

Senator Kettering offered amendment [S-5332](#), filed by him from the floor to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-5332](#) be adopted?" ([S.F. 2411](#)), the vote was:

Yeas, 20:

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

Nays, 29:

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

Absent, 1:

Heckroth

Amendment [S-5332](#) lost.

Senator Angelo offered amendment [S-5313](#), filed by him on April 8, 2008, to pages 2, 5, and 29 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5313](#) be adopted?” ([S.F. 2411](#)), the vote was:

Yeas, 22:

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

Nays, 27:

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

Absent, 1:

Heckroth

Amendment [S-5313](#) lost.

Senator Angelo offered amendment [S-5314](#), filed by him on April 8, 2008, to page 2 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5314](#) be adopted?” ([S.F. 2411](#)), the vote was:

Yeas, 22:

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

Nays, 27:

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

Absent, 1:

Heckroth

Amendment [S-5314](#) lost.

Senator Angelo offered amendment [S-5315](#), filed by him on April 8, 2008, to page 8 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5315](#) be adopted?” ([S.F. 2411](#)), the vote was:

Yeas, 22:

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

Hahn	McCoy	Ragan
Hartsuch	McKibben	Seymour

Nays, 27:

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

Absent, 1:

Heckroth

Amendment [S-5315](#) lost.

Senator Quirnbach offered amendment [S-5349](#), filed by him from the floor to page 13 of the bill, and moved its adoption.

Amendment [S-5349](#) was adopted by a voice vote.

Senator McKibben offered amendment [S-5345](#), filed by him from the floor to page 17 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5345](#) be adopted?” ([S.F. 2411](#)), the vote was:

Yeas, 21:

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

Nays, 28:

Appel	Dearden	Horn	Rielly
Beall	Dotzler	Kibbie	Schmitz
Black	Dvorsky	Kreiman	Schoenjahn
Bolkcom	Fraise	McCoy	Seng
Connolly	Gronstal	Olive	Stewart

Courtney Danielson	Hancock Hatch	Quirnbach Ragan	Warnstadt Wood
-----------------------	------------------	--------------------	-------------------

Absent, 1:

Heckroth

Amendment [S-5345](#) lost.

Senator Behn offered amendment [S-5350](#), filed by him from the floor to page 22 of the bill, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-5350](#) be adopted?” ([S.F. 2411](#)), the vote was:

Yeas, 22:

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

Nays, 27:

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

Absent, 1:

Heckroth

Amendment [S-5350](#) lost.

Senator Connolly offered amendment [S-5304](#), filed by him on April 8, 2008, to page 42 and to the title page of the bill, and moved its adoption.

Amendment [S-5304](#) 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. 2411](#)), the vote was:

Yeas, 43:

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

Nays, 6:

Hartsuch	Houser	McKibben
Hogg	McCoy	Zaun

Absent, 1:

Heckroth

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2406](#).

[Senate File 2406](#)

On motion of Senator Gronstal, [Senate File 2406](#), a bill for an act relating to appointments by members of the general assembly to statutory boards, commissions, councils, and committees, abolishing certain related entities, and including effective date and applicability provisions, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal 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. 2406](#)), the vote was:

Yeas, 47:

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

Nays, 2:

Johnson	McKibben
---------	----------

Absent, 1:

Heckroth

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 2406** and **2411** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:54 p.m. until 8:45 a.m., Tuesday, April 15, 2008.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Nick Davis, Humboldt—For achieving the rank of Eagle Scout, Twin Lakes District. Senator Kibbie (4/14/08).

Vern Den Herder, Sioux Center—For his athletic career and great personal citizenship. Senator Mulder (4/14/08).

Jim Gualtieri—For being a recipient of the 2007 Pro Patria award. Senator Rielly (4/14/08).

Amanda Longley, Chariton—For perfect school attendance for 13 years, K-12. Senator McKinley (4/14/08).

Betty Matelski—For celebrating her 80th birthday. Senator Seng (4/14/08).

Mary Naughton—For celebrating her 90th birthday. Senator McKibben (4/14/08).

Tom Shannon—For being a recipient of the 2007 Pro Patria award. Senator Rielly (4/14/08).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 14, 2008, 1:35 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, Ward, Warnstadt, and Wood.

Members Absent: Seymour (excused).

Committee Business: Passed [HF 2662](#) and approved [SSB 3285](#).

Recessed: 1:40 p.m.

Reconvened: 2:00 p.m.

Adjourned: 2:25 p.m.

RULES AND ADMINISTRATION

Convened: April 14, 2008, 10:25 a.m.

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

Members Absent: None.

Committee Business: Approved [SJR 2003](#), [SCR 105](#), and SRs 101, 138, 139, 141, 142, 143, 144, 145, and 146.

Adjourned: 10:30 a.m.

INTRODUCTION OF RESOLUTIONS

[Senate Joint Resolution 2005](#), by Gronstal, a joint resolution authorizing the temporary use and consumption of wine and beer in the State Capitol, and the temporary display of ceremonial banners, in conjunction with the awards ceremony of the World Food Prize Foundation.

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

[Senate Resolution 150](#), by Beall and Black, a resolution supporting a proposal to invite the Republic of China (Taiwan) to participate in the upcoming meeting of the World Health Assembly as an observer.

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

[Senate Resolution 151](#), by Beall and Black, a resolution requesting the Congress of the United States to give due consideration to the readiness of the Republic on China on Taiwan for membership in the United Nations.

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

INTRODUCTION OF BILL

[Senate File 2421](#), by committee on Ways and Means, a bill for an act authorizing certain special charter cities to impose a special charter city sales and services tax.

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

STUDY BILL RECEIVED

[SSB 3300](#) Appropriations

Concerning public retirement systems and other employee benefit-related matters, including the public safety peace officers' retirement, accident, and disability system, the Iowa public employees' retirement system, the statewide fire and police retirement system, and the judicial retirement system, including implementation and transition provisions, and providing effective and retroactive applicability dates.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 2414](#)

STATE GOVERNMENT: Kibbie, Chair; Danielson and Gaskill

[House File 2663](#)

WAYS AND MEANS: Connolly, Chair; Angelo, Appel, Bolkcom, and McKibben

[House File 2668](#)

WAYS AND MEANS: Hogg, Chair; Noble and Seng

[House File 2669](#)

WAYS AND MEANS: Bolkcom, Chair; Dotzler and Ward

[SSB 3300](#)

APPROPRIATIONS: Connolly, Chair; Danielson, Dvorsky, Kettering, and Behn

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: [HOUSE FILE 2662](#), a bill for an act relating to and making appropriations involving state government, by providing for agriculture, natural resources, and environmental protection.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-5352](#).

Final Vote: Ayes, 19: Dvorsky, McCoy, Black, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Putney, Ragan, Seng, Warnstadt, and Wood. Nays, 5: Kettering, Angelo, Behn, Boettger, and Ward. Absent, 1: Seymour.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: [SENATE JOINT RESOLUTION 2003](#), a joint resolution authorizing the temporary use and consumption of alcoholic beverages on the state capitol complex grounds in conjunction with the Hy-Vee BG World Cup Triathlon, and providing an effective date.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 101](#), a resolution to ensure that Iowans with developmental disabilities are supported by a quality workforce.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 138](#), a resolution supporting a free trade agreement between the Republic of China on Taiwan and the United States.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 139](#), a resolution honoring America's Vietnam veterans.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 143](#), a resolution recognizing and honoring Iowa's Olympic athletes.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE RESOLUTION 146](#), a resolution to honor the athletic career of Vern Wayne Den Herder.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Bill Title: [SENATE FILE 2421*](#) ([SSB 3287](#)), a bill for an act authorizing certain special charter cities to impose a special charter city sales and services tax.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Bolckcom, McCoy, Appel, Connolly, Dotzler, Hogg, Quirnbach, Schmitz, Seng, and Stewart. Nays, 7: McKibben, Angelo, Houser, Noble, Putney, Ward, and Zieman. 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 2421](#), and they were attached to the committee report.

BILLS SIGNED BY THE GOVERNOR

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

[Senate File 473](#) – Allowing a competent adult to execute a written instrument designating a person to have sole responsibility and discretion concerning the final disposition of that adult's remains, including coordinating provisions, and providing applicability dates.

[Senate File 505](#) – Relating to civil liability for damages relating to the use of an automated external defibrillator in sudden cardiac arrest emergencies.

[Senate File 2089](#) – Relating to applications for absentee ballots.

[Senate File 2108](#) – Relating to the designation of a Gift to Iowa's Future Recognition Day.

[Senate File 2117](#) – Relating to coverage of closing protection letters in real estate transactions and providing an effective date.

[Senate File 2157](#) – Relating to amusement ride safety inspection fees and special inspectors authorized by the division of labor services in the department of workforce development and providing an effective date.

[Senate File 2176](#) – Relating to cultural affairs by providing for the preservation of electronic records, establishing local cultural committees, and creating a civil war sesquicentennial advisory committee.

[Senate File 2177](#) – Relating to health-related activities and regulation by the department of public health.

[Senate File 2179](#) – Making specified changes relating to professional licensing and regulation under the purview of the banking division of the department of commerce.

[Senate File 2214](#) – Relating to modification of a child custody order during the time a parent is serving active duty.

[Senate File 2217](#) – Relating to providing legal representation to an eligible indigent person and the appointment of a guardian ad litem.

[Senate File 2248](#) – Modifying provisions relating to the application for a certificate of franchise authority applicable to the provision of cable or video services by an existing provider.

[Senate File 2277](#) – Relating to offenses against identity by establishing a procedure to secure credit information and providing a penalty.

[Senate File 2289](#) – Concerning state educational assistance to children of deceased veterans and the war orphans educational assistance fund, and including an effective date and retroactive applicability provision.

[Senate File 2301](#) – Making revisions and modifications to uniform finance procedures for bonds issued by the state.

[Senate File 2316](#) – Creating the Iowa uniform prudent management of institutional funds Act and including an applicability provision.

[Senate File 2333](#) – Relating to the regulation of veterans commemorative property.

[Senate File 2335](#) – Relating to the rights of a victim of an alleged sexual assault and notification of these rights by a peace officer.

[Senate File 2380](#) – Establishing a low head dam public hazard program.

AMENDMENTS FILED

S-5325	H.F. 2650	Jack Hatch
S-5326	H.F. 2650	Jack Hatch
S-5327	H.F. 2650	Jack Hatch
S-5328	H.F. 2650	Jack Hatch
S-5329	S.F. 2134	House
S-5330	S.F. 2400	House
S-5331	S.F. 2337	House
S-5332	S.F. 2411	Steve Kettering
S-5333	H.F. 2660	Michael W. Connolly
S-5334	H.F. 2612	Dick L. Dearden Dennis H. Black
S-5335	S.F. 2416	Joe Bolkcom
S-5336	S.F. 2416	Brad Zaun
S-5337	S.F. 2416	Paul McKinley
S-5338	S.F. 2416	Brad Zaun
S-5339	S.F. 2416	Pat Ward
S-5340	S.F. 2416	Pat Ward
S-5341	S.F. 2416	Pat Ward
S-5342	S.F. 2416	Paul McKinley
S-5343	S.F. 2416	Brad Zaun

<u>S-5344</u>	<u>S.F. 2416</u>	Paul McKinley
<u>S-5345</u>	<u>S.F. 2411</u>	Larry McKibben
<u>S-5346</u>	<u>S.F. 2413</u>	Thomas G. Courtney
<u>S-5347</u>	<u>S.F. 2416</u>	Jeff Angelo
<u>S-5348</u>	<u>S.F. 2416</u>	Paul McKinley
<u>S-5349</u>	<u>S.F. 2411</u>	Herman C. Quirnbach
<u>S-5350</u>	<u>S.F. 2411</u>	Jerry Behn
<u>S-5351</u>	<u>H.F. 2660</u>	Larry Noble
<u>S-5352</u>	<u>H.F. 2662</u>	Appropriations
<u>S-5353</u>	<u>S.F. 2420</u>	Tom Rielly