

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, MARCH 11, 2009

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JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 11, 2009

The Senate met in regular session at 8:51 a.m., President Kibbie presiding.

Prayer was offered by Pastor Anita Johnson, United Methodist Chaplain at the Friendship Retirement Home in Fort Dodge, Iowa. She was the guest of Senator Beall.

The Journal of Tuesday, March 10, 2009, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Robert Berntsen, the governor's appointee, to be the Chair of the Utilities Board. He was the guest of Senator Warnstadt and the committee on Commerce.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 10, 2009, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 98](#), a bill for an act establishing a lean enterprise office within the department of management.

[Senate File 270](#), a bill for an act transferring the authority to register postsecondary schools from the secretary of state to the college student aid commission and providing for related matters, and making penalties applicable.

[Senate File 319](#), a bill for an act relating to child support enforcement including withholding of an employee's compensation by an employer for support of a child under a support order, protection of child support information, annual collections fees, and the potential charging of interest on overdue child support payments, and providing an effective date.

[Senate File 328](#), a bill for an act relating to reimbursement of hazardous substance cleanup costs.

ALSO: That the House has on March 10, 2009, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 216](#), a bill for an act relating to cemeteries, including what constitutes a pioneer cemetery and claims of adverse possession concerning cemeteries or pioneer cemeteries.

Read first time and referred to committee on **Local Government**.

[House File 450](#), a bill for an act relating to the time of opening the polls for certain city elections.

Read first time and referred to committee on **State Government**.

[House File 468](#), a bill for an act creating an unsewered community revolving loan program and fund.

Read first time and referred to committee on **Environment and Energy Independence**.

[House File 469](#), a bill for an act relating to licensing fees retained by the board of educational examiners and providing an effective date.

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

[House File 475](#), a bill for an act making technical changes to the laws relating to elections and voter registration, making a penalty applicable, and including effective date and applicability date provisions.

Read first time and attached to **similar** [Senate File 276](#).

[House File 478](#), a bill for an act relating to health insurance coverage for diabetes self-management training and education programs and providing effective and applicability dates.

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

[House File 496](#), a bill for an act relating to the authority of a city to dispose of real property by gift.

Read first time and referred to committee on **Local Government**.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:03 a.m. until 5:30 p.m.

APPENDIX—1

CERTIFICATES OF RECOGNITION

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

Brian Hoffman, Goose Lake—For winning 7th place in the Iowa State Wrestling Tournament. Senator Hamerlinck (3/11/09).

Casey Kreiter, DeWitt—For winning 5th place in the Iowa State Wrestling Tournament. Senator Hamerlinck (3/11/09).

Geneil Mestad—For celebrating her 80th birthday. Senator Dotzler (3/11/09).

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Wednesday, March 11, 2009, 2:00 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Hartsuch, Ranking Member; Bartz, Boettger, Bolkom, Dotzler, Hatch, Johnson, Kreiman, Quirnbach, Seymour, and Wilhelm.

Members Absent: None.

Committee Business: Passed [SF 179](#), as amended, and [SF 323](#). Approved SSBs 1142 and 1179, both as amended, and 1002.

Adjourned: 3:30 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, March 11, 2009, 9:45 a.m.

Members Present: Courtney, Chair; Jochum, Vice Chair; Ward, Ranking Member; Dearden, Dotzler, Hatch, Horn, Houser, Wieck, and Zaun.

Members Absent: Gronstal (excused).

Committee Business: Passed [SF 157](#), as amended.

Adjourned: 10:40 a.m.

TRANSPORTATION

Convened: Tuesday, March 10, 2009, 4:05 p.m.

Members Present: Rielly, Chair; Beall, Vice Chair; Noble, Ranking Member; Dandekar, Danielson, Hahn, Hancock, Heckroth, Kapucian, McCoy, Reynolds, Warnstadt, and Zaun.

Members Absent: None.

Committee Business: Failed to pass [SF 272](#), passed [SF 294](#), and deferred [SF 350](#). Approved [SSB 1185](#), as amended.

Adjourned: 5:05 p.m.

INTRODUCTION OF BILLS

[Senate File 398](#), by Appel, a bill for an act relating to the imposition of a local option sales and services tax within the corporate boundaries of a city.

Read first time under Rule 28 and referred to committee on **Local Government**.

[Senate File 399](#), by Dotzler, a bill for an act relating to the mitigation of violations by health care facilities in lieu of fines.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 400](#), by Dotzler, a bill for an act relating to the responsibility for the regulation of certain health-related facilities.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 401](#), by Dotzler, a bill for an act relating to the authority of the director of the department of inspections and appeals to modify or reverse a proposed decision rendered by an administrative law judge relating to a citation issued to a health care facility.

Read first time under Rule 28 and referred to committee on **Human Resources**.

[Senate File 402](#), by Hamerlinck, a bill for an act establishing a career and technical academy pilot program for junior and senior high school students at the Blong technology center at eastern Iowa community college.

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

[Senate File 403](#), by committee on Commerce, a bill for an act concerning the sale of beer by native wineries.

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

[Senate File 404](#), by committee on Commerce, a bill for an act establishing a local food and farm task force, providing for a local food and farm plan, and providing for an effective date.

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

[Senate File 405](#), by committee on Agriculture, a bill for an act providing for the disposal of dead animal bodies by persons practicing veterinary medicine.

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

[Senate File 406](#), by committee on Agriculture, a bill for an act providing for the stockpiling of dry manure originating from confinement feeding operations, making penalties applicable, and providing an effective date.

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

[Senate File 407](#), by committee on Veterans Affairs, a bill for an act relating to the rights and responsibilities of Iowa veterans home members.

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

[Senate File 408](#), by committee on Transportation, a bill for an act providing for motor fuel containing biodiesel, providing for tax credits, making penalties applicable, and including effective date and applicability provisions.

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

[Senate File 409](#), by committee on Commerce, a bill for an act requiring disclosure to customers of annual gas and electric utility charges.

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

[Senate File 410](#), by McKinley, a bill for an act relating to free deer hunting licenses for active duty military personnel.

Read first time under Rule 28 and referred to committee on **Natural Resources**.

STUDY BILLS RECEIVED

[SSB 1301](#) **Judiciary**

Relating to the acquisition of title to abandoned property by cities.

SSB 1302 Ways and Means

Eliminating the sales and use tax exemptions on the sale of certain aircraft, aircraft-related services and equipment, and specialized flying implements of husbandry.

SSB 1303 Ways and Means

Relating to county mental health, mental retardation, and developmental disabilities services funds, levy authority for such funds, and the state allowed growth factor adjustment funding for such services, and providing effective and applicability date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 302**

WAYS AND MEANS: Dandekar, Chair; Bolkcom and Ward

Senate File 309

WAYS AND MEANS: Dotzler, Chair; Bartz and Bolkcom

Senate File 383

EDUCATION: Dvorsky, Chair; McKinley and Quirnbach

Senate File 384

EDUCATION: Dvorsky, Chair; McKinley and Quirnbach

Senate File 385

EDUCATION: Dvorsky, Chair; McKinley and Quirnbach

Senate File 386

EDUCATION: Dvorsky, Chair; McKinley and Quirnbach

Senate File 387

EDUCATION: Dvorsky, Chair; McKinley and Quirnbach

Senate File 391

COMMERCE: Dandekar, Chair; Hartsuch and Rielly

[Senate File 392](#)

LOCAL GOVERNMENT: Schoenjahn, Chair; Houser and McCoy

[House File 216](#)

LOCAL GOVERNMENT: Rielly, Chair; Houser and Schoenjahn

[House File 496](#)

LOCAL GOVERNMENT: Olive, Chair; Beall and Kapucian

[SSB 1301](#)

JUDICIARY: Hogg, Chair; Quirnbach and Ward

[SSB 1302](#)

WAYS AND MEANS: Jochum, Chair; Feenstra and Schmitz

[SSB 1303](#)

WAYS AND MEANS: Seng, Chair; Hamerlinck and Quirnbach

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: *[SENATE FILE 405](#) (formerly [SF 298](#)), a bill for an act providing for the disposal of dead animal bodies by persons practicing veterinary medicine.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Olive, Johnson, Appel, Black, Boettger, Courtney, Hahn, Hancock, Kapucian, Kibbie, Rielly, Seng, and Sodders. Nays, none. Absent, 1: Behn.

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 Agriculture Committee on [Senate File 405](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 406](#) (formerly [SF 174](#)), a bill for an act providing for the stockpiling of dry manure originating from confinement feeding operations, making penalties applicable, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Olive, Johnson, Appel, Black, Boettger, Courtney, Hahn, Hancock, Kapucian, Kibbie, Rielly, Seng, and Sodders. Nays, none. Absent, 1: Behn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Bill Title: *[SENATE FILE 403](#) (formerly [SF 188](#)), a bill for an act concerning the sale of beer by native wineries.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Warnstadt, Heckroth, Wieck, Bolkcom, Courtney, Dandekar, Hartsuch, Kettering, McCoy, Olive, Rielly, Schmitz, Stewart, and Ward. Nays, none. Absent, 1: Behn.

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 Commerce Committee on [Senate File 403](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 404](#) (formerly [SF 332](#)), a bill for an act establishing a local food and farm task force, providing for a local food and farm plan, and providing for an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Warnstadt, Heckroth, Wieck, Bolkcom, Courtney, Dandekar, Hartsuch, Kettering, McCoy, Olive, Rielly, Schmitz, Stewart, and Ward. Nays, none. Absent, 1: Behn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 409](#) (formerly [SF 170](#)), a bill for an act requiring disclosure to customers of annual gas and electric utility charges.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Warnstadt, Heckroth, Bolkcom, Courtney, Dandekar, Hartsuch, McCoy, Olive, Rielly, Schmitz, and Stewart. Nays, 3: Wieck, Kettering, and Ward. Absent, 1: Behn.

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 Commerce Committee on [Senate File 409](#), and they were attached to the committee report.

TRANSPORTATION

Bill Title: [SENATE FILE 408](#) (formerly [SF 294](#)), a bill for an act providing for motor fuel containing biodiesel, providing for tax credits, making penalties applicable, and including effective date and applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Rielly, Beall, Danielson, Hahn, Hancock, Heckroth, Kapucian, McCoy, and Warnstadt. Nays, 4: Noble, Dandekar, Reynolds, and Zaun. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

VETERANS AFFAIRS

Bill Title: *[SENATE FILE 407 \(SSB 1151\)](#), a bill for an act relating to the rights and responsibilities of Iowa veterans home members.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Beall, Warnstadt, Seymour, Black, Danielson, Hartsuch, Kibbie, Noble, Ragan, Soddors, and Wieck. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Veterans Affairs Committee on [Senate File 407](#), and they were attached to the committee report.

EVENING SESSION

The Senate reconvened at 5:43 p.m., President Kibbie presiding.

BILLS REFERRED TO COMMITTEE

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

S.F. 363	Ways and Means
S.F. 368	Appropriations
S.F. 369	Ways and Means
S.F. 375	Ways and Means

The Senate stood at ease at 5:44 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 6:22 p.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Joint Resolution 5](#).

[Senate Joint Resolution 5](#)

On motion of Senator Kreiman, [Senate Joint Resolution 5](#), a joint resolution proposing an amendment to the Constitution of the State of Iowa eliminating a requirement that a criminal offense, where the maximum permissible penalty does not exceed thirty days of imprisonment, be prosecuted on information under oath. BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA, was taken up for consideration.

Senator Kreiman moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the resolution was read the last time.

Senate Joint Resolution 5, a joint resolution proposing an amendment to the Constitution of the State of Iowa eliminating a requirement that a criminal offense, where the maximum permissible penalty does not exceed thirty days of imprisonment, be prosecuted on information under oath.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

1. Section 11, unnumbered paragraph 1, of Article 1 of the Constitution of the State of Iowa, is amended to read as follows:

All offenses less than felony and in which imprisonment is permitted by law and the maximum permissible imprisonment does not exceed thirty days shall be tried summarily before an officer authorized by law, on information under oath, without indictment, or the intervention of a grand jury, saving to the defendant the right of appeal; and no person shall be held to answer for any higher criminal offense, unless on presentment or indictment by a grand jury, except in cases arising in the army, or navy, or in the militia, when in actual service, in time of war or public danger.

2. Section 11 of Article I of the Constitution of the State of Iowa is amended by adding the following new unnumbered paragraph after unnumbered paragraph 1:

All offenses less than a felony and in which imprisonment is not permitted by law shall be tried summarily before an officer authorized by law, on information certified under penalty of perjury, without indictment, or the intervention of a grand jury, saving to the defendant the right of appeal.

Sec. 2. REFERRAL AND PUBLICATION. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the General Assembly to be chosen at the next general election for members of the General Assembly, and the Secretary of State is directed to cause the proposed amendment to be published for three consecutive months previous to the date of that election as provided by law.

On the question "Shall the resolution be adopted?" ([S.J.R. 5](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	Rielly	

Nays, none.

Absent, none.

The resolution, having received a constitutional majority, was declared to have been adopted by the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 356, 338, and 336.

[Senate File 356](#)

On motion of Senator Dandekar, [Senate File 356](#), a bill for an act relating to department of transportation administrative procedures by establishing a procedure to remove a conviction relating to the operation of a motor vehicle from a driving record based on identity theft and requiring verification of status in regards to the driver's license of a foreign national, was taken up for consideration.

Senator Dandekar 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. 356](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Soddors
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	Rielly	

Nays, none.

Absent, none.

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

[Senate File 338](#)

On motion of Senator Dearden, [Senate File 338](#), a bill for an act establishing an upland game bird study advisory committee, establishing the deer study advisory committee, and providing an immediate effective date, was taken up for consideration.

Senator Dearden 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. 338](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Soddors
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt

Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	Rielly	

Nays, none.

Absent, none.

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

Senate File 336

On motion of Senator Dandekar, [Senate File 336](#), a bill for an act providing for waivers of certain community attraction and tourism program requirements and including an effective date provision, was taken up for consideration.

Senator Dandekar offered amendment [S-3066](#), filed by her on March 10, 2009, to page 1 of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment [S-3066](#) and [Senate File 336](#) be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate Joint Resolution 5](#) and **Senate Files 338** and **356** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 304 and 266.

[Senate File 304](#)

On motion of Senator Rielly, [Senate File 304](#), a bill for an act relating to withholding agreements and local match requirements of the targeted jobs withholding tax credit program, was taken up for consideration.

Senator Rielly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 304](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	Rielly	

Nays, none.

Absent, none.

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

[Senate File 266](#)

On motion of Senator Beall, [Senate File 266](#), a bill for an act relating to publication of property assessment equalization orders, was taken up for consideration.

Senator Zaun offered amendment [S-3069](#), filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3069](#) be adopted?" ([S.F. 266](#)), the vote was:

Yeas, 19:

Bartz	Hamerlinck	Kapucian	Seymour
Behn	Hartsuch	Kettering	Ward
Boettger	Heckroth	McKinley	Wieck
Feenstra	Houser	Noble	Zaun
Hahn	Johnson	Reynolds	

Nays, 31:

Appel	Dotzler	Jochum	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Sodders
Courtney	Hancock	Olive	Stewart
Dandekar	Hatch	Quirnbach	Warnstadt
Danielson	Hogg	Ragan	Wilhelm
Dearden	Horn	Rielly	

Absent, none.

Amendment [S-3069](#) lost.

Senator Beall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 266](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	Rielly	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 266** and **304** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 376](#).

[Senate File 376](#)

On motion of Senator McCoy, [Senate File 376](#), a bill for an act relating to the issuance of bonds including the issuance of annual appropriation bonds, creating an annual appropriation bonds debt service fund and an appropriation bonds capitals fund, making and revising appropriations, and including effective date provisions, was taken up for consideration.

Senator McCoy offered amendment [S-3070](#), filed by him from the floor to pages 6, 7, and 15–17 of the bill, and moved its adoption.

Amendment [S-3070](#) was adopted by a voice vote.

Senator McCoy 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. 376](#)), the vote was:

Yeas, 32:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Jochum	Schmitz
Black	Fraise	Kibbie	Schoenjahn

Bolkcom	Gronstal	Kreiman	Seng
Courtney	Hancock	McCoy	Sodders
Dandekar	Hatch	Olive	Stewart
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wilhelm

Nays, 18:

Bartz	Hamerlinck	Kettering	Ward
Behn	Hartsuch	McKinley	Wieck
Boettger	Houser	Noble	Zaun
Feenstra	Johnson	Reynolds	
Hahn	Kapucian	Seymour	

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 376](#) be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 195, 187, and 152.

[Senate File 195](#)

On motion of Senator Fraise, [Senate File 195](#), a bill for an act relating to the grain depositors and sellers indemnity fund, was taken up for consideration.

Senator Fraise offered amendment [S-3064](#), filed by him on March 9, 2009, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-3064](#) was adopted by a voice vote.

Senator Fraise asked and received unanimous consent that [House File 374](#) be **substituted** for [Senate File 195](#).

House File 374

On motion of Senator Fraise, [House File 374](#), a bill for an act relating to the grain depositors and sellers indemnity fund, with report of committee recommending passage, was taken up for consideration.

Senator Fraise 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. 374](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	Rielly	

Nays, none.

Absent, none.

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

WITHDRAWN

Senator Fraise asked and received unanimous consent that [Senate File 195](#) be **withdrawn** from further consideration of the Senate.

Senator Dearden asked and received unanimous consent to take up for consideration [Senate File 187](#).

Senate File 187

On motion of Senator Dearden, [Senate File 187](#), a bill for an act providing for the issuance of special deer hunting licenses to residents who are nonambulatory, was taken up for consideration.

Senator Bartz offered amendment [S-3053](#), filed by him on March 3, 2009, to page 1 of the bill, and moved its adoption.

Amendment [S-3053](#) was adopted by a voice vote.

With the adoption of amendment [S-3053](#), the Chair ruled amendment [S-3043](#), filed by Senator Dearden on February 25, 2009, to page 1 of the bill, out of order.

Senator Dearden 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. 187](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	Rielly	

Nays, none.

Absent, none.

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

Senate File 152

On motion of Senator Kreiman, [Senate File 152](#), a bill for an act relating to administrative and planning requirements involving children for whom the department of human services has responsibility under state or federal law, was taken up for consideration.

Senator Kreiman offered amendment [S-3068](#), filed by him from the floor to pages 5 and 6 of the bill, and moved its adoption.

Amendment [S-3068](#) was adopted by a voice vote.

Senator Kreiman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 152](#)), the vote was:

Yeas, 50:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirmbach	Wilhelm
Dearden	Horn	Ragan	Zaun
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	Rielly	

Nays, none.

Absent, none.

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

Senate File 342

On motion of Senator Hancock, [Senate File 342](#), a bill for an act providing for the powers and duties of the Iowa soybean association's board of directors, was taken up for consideration.

Senator Hancock offered amendment [S-3071](#), filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment [S-3071](#) was adopted by a voice vote.

Senator Hancock 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. 342](#)), the vote was:

Yeas, 49:

Appel	Feenstra	Johnson	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McCoy	Stewart
Bolkcom	Hartsuch	McKinley	Ward
Courtney	Hatch	Noble	Warnstadt
Dandekar	Heckroth	Olive	Wieck
Danielson	Hogg	Quirnbach	Wilhelm
Dearden	Horn	Ragan	
Dotzler	Houser	Reynolds	
Dvorsky	Jochum	Rielly	

Nays, none.

Present, 1:

Zaun

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 152, 187, and 342** and [House File 374](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:25 p.m. until 8:45 a.m., Thursday, March 12, 2009.

APPENDIX—2

REPORTS OF COMMITTEE MEETINGS

ENVIRONMENT AND ENERGY INDEPENDENCE

Convened: Wednesday, March 11, 2009, 4:00 p.m.

Members Present: Black, Chair; Hogg, Vice Chair; Behn, Ranking Member; Bolkcom, Hancock, Hartsuch, Reynolds, Rielly, Stewart, Ward, and Wilhelm.

Members Absent: None.

Committee Business: Passed [SR 14](#). Approved SSBs 1254 and 1260, both as amended, and [SSB 1192](#).

Adjourned: 4:15 p.m.

JUDICIARY

Convened: Wednesday, March 11, 2009, 4:35 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; Kettering, Ranking Member; Boettger, Fraise, Hancock, Horn, Jochum, Noble, Quirmbach, Schoenjahn, Soddors, Ward, Warnstadt, and Zaun.

Members Absent: None.

Committee Business: Passed [SF 345](#). Approved SSBs 1206, 1275, 1277, 1284, 1295, and 1301.

Adjourned: 5:30 p.m.

AMENDMENTS FILED

S-3067	S.F. 365	Pam Jochum
S-3068	S.F. 152	Keith A. Kreiman
S-3069	S.F. 266	Brad Zaun
S-3070	S.F. 376	Matt McCoy
S-3071	S.F. 342	Tom Hancock