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**STATE OF IOWA**

**Senate Journal**

**TUESDAY, APRIL 4, 2006**

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# JOURNAL OF THE SENATE

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EIGHTY-SIXTH CALENDAR DAY  
FIFTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, April 4, 2006

The Senate met in regular session at 8:36 a.m., President Kibbie presiding.

Prayer was offered by Joel Love, pastor of the Union Congregational United Church of Christ in Reinbeck, Iowa. He was the guest of Senator Putney.

The Journal of Monday, April 3, 2006, 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 3, 2006, **adopted** the following resolution in which the concurrence of the House was asked:

**Senate Joint Resolution 2001**, a joint resolution authorizing the temporary use and consumption of wine in the State Capitol in conjunction with the awards ceremony of the World Food Prize Foundation.

ALSO: That the House has on April 3, 2006, **passed** the following bills in which the concurrence of the House was asked:

**Senate File 2249**, a bill for an act relating to the rights and responsibilities of a person providing family foster care.

**Senate File 2343**, a bill for an act revising the membership requirements for the child advocacy board.

[Senate File 2363](#), a bill for an act relating to water quality standards.

ALSO: That the House has on April 3, 2006, **amended and passed** the following bill in which the concurrence of the Senate is asked:

[Senate File 2076](#), a bill for an act relating to confinement feeding operations by providing for manure management plans. ([S-5158](#))

ALSO: That the House has on April 3, 2006, **amended the Senate amendment, concurred in the Senate amendment as amended, and passed** the following bill in which the concurrence of the Senate is asked:

[House File 540](#), a bill for an act relating to reports of traffic accidents involving certified law enforcement officers. ([S-5159](#))

ALSO: That the House has on April 3, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 2746](#), a bill for an act relating to state employee vehicle usage.

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

[House File 2748](#), a bill for an act providing for the retention of fees by licensing boards, and the bureau of radiological health, under the purview of the Iowa department of public health, providing for the nontransferability of specified fees, and providing effective dates.

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

[House File 2772](#), a bill for an act creating a brain injury services program and providing for allocation of a previously enacted appropriation.

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

[House File 2773](#), a bill for an act relating to real estate education programs and the real estate education fund, establishing an effective date, and making an appropriation.

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

[House File 2774](#), a bill for an act relating to trust and agency funds by allowing city contributions for pension and related employee benefits pursuant to contracted public safety services.

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

[House File 2775](#), a bill for an act relating to the judicial branch including the assessment of court fees and costs.

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

CONSIDERATION OF RESOLUTION  
(Regular Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate Resolution 148](#).

[Senate Resolution 148](#)

On motion of Senator Quirnbach, [Senate Resolution 148](#), a resolution to welcome the 2006 Special Olympics USA National Games to Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Quirnbach moved the adoption of [Senate Resolution 148](#), which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Quirnbach introduced to the Senate chamber Rich Fellingham, director of Special Olympics Iowa. Mr. Fellingham addressed the Senate with brief remarks about the upcoming national Special Olympics games to be held in July in Ames. Also present was Kyler Prunty, a Special Olympics athlete from Marshalltown who spoke about his recent trip to Washington, D.C., on behalf of Special Olympics. Kyler was accompanied by his mother Vickie Wieck.

The Senate rose and expressed its welcome.

## SPECIAL GUEST

Senator Mulder welcomed to the Senate chamber the Honorable Ken Veenstra, former member of the Iowa Senate.

The Senate rose and expressed its welcome.

The Senate stood at ease at 8:55 a.m. until the fall of the gavel for the purpose of party caucuses.

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

CONSIDERATION OF BILL  
(Ways and Means Calendar)

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2394](#).

**[Senate File 2394](#)**

On motion of Senator Connolly, [Senate File 2394](#), a bill for an act relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions, was taken up for consideration.

Senator Connolly offered amendment [S-5130](#), filed by him on March 28, 2006, to page 4 of the bill, and moved its adoption.

Amendment [S-5130](#) was adopted by a voice vote.

Senator Connolly offered amendment [S-5157](#), filed by him from the floor to pages 8 and 11 of the bill, and moved its adoption.

Amendment [S-5157](#) was adopted by a voice vote.

Senator Hatch asked and received unanimous consent that action on [Senate File 2394](#) be deferred.

**CONSIDERATION OF BILL  
(Regular Calendar)**

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2392](#).

**[Senate File 2392](#)**

On motion of Senator Lundby, [Senate File 2392](#), a bill for an act relating to the filing of reports with the ethics and campaign disclosure board, was taken up for consideration.

Senator Lundby 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. 2392](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

**CONSIDERATION OF BILL  
(Ways and Means Calendar)**

Senator Iverson asked and received unanimous consent to take up for consideration [Senate File 2391](#).

**Senate File 2391**

On motion of Senator Danielson, **Senate File 2391**, a bill for an act relating to the assessment for property taxation purposes of machinery, equipment, and fixtures used at concrete mixing facilities and hot mix asphalt facilities and including effective date and retroactive applicability date provisions, was taken up for consideration.

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

On the question "Shall the bill pass?" (**S.F. 2391**), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

BUSINESS PENDING

**Senate File 2394**

The Senate resumed consideration of **Senate File 2394**, a bill for an act relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions, previously deferred.

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. 2394](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Larson	Seymour
Beall	Gaskill	Lundby	Shull
Behn	Gronstal	McCoy	Stewart
Black	Hahn	McKibben	Tinsman
Boettger	Hancock	McKinley	Ward
Bolkcom	Horn	Miller	Warnstadt
Brunkhorst	Houser	Mulder	Wieck
Connolly	Iverson	Putney	Wood
Courtney	Johnson	Quirnbach	Zaun
Danielson	Kettering	Ragan	Zieman
Dearden	Kibbie	Rielly	
Dotzler	Kreiman	Schoenjahn	
Dvorsky	Lamberti	Seng	

Nays, 1:

Hatch

Absent, none.

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

#### UNFINISHED BUSINESS

##### [Senate File 2386](#)

On motion of Senator Seymour, [Senate File 2386](#), a bill for an act to eliminate certain restrictions on the authority of a physician assistant to prescribe certain schedule II controlled substances, placed on the Unfinished Business Calendar on March 23, 2006, was taken up for consideration.

Senator Seymour offered amendment [S-5092](#), filed by Senators Seymour and Ragan on March 20, 2006, to page 1 of the bill, and moved its adoption.

Amendment [S-5092](#) was adopted by a voice vote.

Senator Seymour asked and received unanimous consent that [House File 2331](#) be **substituted** for [Senate File 2386](#).

[House File 2331](#)

On motion of Senator Seymour, [House File 2331](#), a bill for an act to eliminate certain restrictions on the authority of a physician assistant to prescribe certain schedule II controlled substances, was taken up for consideration.

Senator Seymour 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. 2331](#)), the vote was:

Yeas, 43:

Angelo	Fraise	Kreiman	Schoenjahn
Beall	Gaskill	Larson	Seng
Behn	Gronstal	Lundby	Seymour
Boettger	Hahn	McCoy	Shull
Bolkcom	Hatch	McKibben	Stewart
Connolly	Horn	McKinley	Tinsman
Courtney	Houser	Miller	Ward
Danielson	Iverson	Mulder	Wieck
Dearden	Johnson	Putney	Wood
Dotzler	Kettering	Ragan	Zieman
Dvorsky	Kibbie	Rielly	

Nays, 7:

Black	Hancock	Quirnbach	Zaun
Brunkhorst	Lamberti	Warnstadt	

Absent, none.

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

WITHDRAWN

Senator Seymour asked and received unanimous consent that [Senate File 2386](#) be **withdrawn** from further consideration of the Senate.

## IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **Senate Files 2391, 2392, and 2394** and **[House File 2331](#)** be **immediately messaged** to the House.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gronstal, until he returns, on request of Senator Bolkcom.

## UNFINISHED BUSINESS

**[House File 845](#)**

On motion of Senator Iverson, **[House File 845](#)**, 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, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Iverson offered amendment **[S-5019](#)**, filed by the committee on Rules and Administration on March 1, 2006, to pages 1, 3, 5-8, 11, and 13-16 of the bill, and moved its adoption.

Amendment **[S-5019](#)** was adopted by a voice vote.

Senator Iverson 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. 845](#)**), the vote was:

Yeas, 49:

Angelo	Fraise	Larson	Seymour
Beall	Gaskill	Lundby	Shull
Behn	Hahn	McCoy	Stewart
Black	Hancock	McKibben	Tinsman
Boettger	Hatch	McKinley	Ward
Bolkcom	Horn	Miller	Warnstadt

Brunkhorst	Houser	Mulder	Wieck
Connolly	Iverson	Putney	Wood
Courtney	Johnson	Quirnbach	Zaun
Danielson	Kettering	Ragan	Zieman
Dearden	Kibbie	Rielly	
Dotzler	Kreiman	Schoenjahn	
Dvorsky	Lamberti	Seng	

Nays, none.

Absent, 1:

Gronstal

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

#### UNFINISHED BUSINESS

#### [House File 2697](#)

On motion of Senator Hancock, [House File 2697](#), a bill for an act relating to the confinement of a prisoner in a municipal holding facility or county jail, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

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?" ([H.F. 2697](#)), the vote was:

Yeas, 48:

Angelo	Fraise	Lamberti	Schoenjahn
Beall	Gaskill	Larson	Seng
Behn	Hahn	Lundby	Seymour
Black	Hancock	McCoy	Shull
Boettger	Hatch	McKibben	Stewart
Bolkcom	Horn	McKinley	Tinsman
Brunkhorst	Houser	Miller	Ward
Connolly	Iverson	Mulder	Warnstadt
Courtney	Johnson	Putney	Wieck
Danielson	Kettering	Quirnbach	Wood
Dotzler	Kibbie	Ragan	Zaun
Dvorsky	Kreiman	Rielly	Zieman

Nays, 1:

Dearden

Absent, 1:

Gronstal

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

#### IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that **House Files 845 and 2697** be **immediately messaged** to the House.

#### RECESS

On motion of Senator Iverson, the Senate recessed at 11:01 a.m. until 1:00 p.m.

#### AFTERNOON SESSION

The Senate reconvened at 1:13 p.m., President Pro Tempore Dvorsky presiding.

#### UNFINISHED BUSINESS

##### **[House File 2245](#)**

On motion of President Kibbie, **[House File 2245](#)**, a bill for an act concerning the Iowa public employees' retirement system and the statewide fire and police retirement system, and providing an effective and retroactive applicability date, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Kibbie offered amendment **[S-5076](#)**, filed by him on March 15, 2006, to page 5 of the bill, and moved its adoption.

Amendment **[S-5076](#)** was adopted by a voice vote.

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

On the question "Shall the bill pass?" ([H.F. 2245](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

#### UNFINISHED BUSINESS

##### [House File 2679](#)

On motion of Senator Gaskill, [House File 2679](#), a bill for an act relating to agricultural drainage wells by providing for the implementation of water quality practices as an alternative to constructing alternative drainage systems, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Gaskill 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. 2679](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

President Kibbie took the chair at 1:30 p.m.

#### UNFINISHED BUSINESS

#### [House File 2672](#)

On motion of Senator Johnson, [House File 2672](#), a bill for an act relating to payment of attorney fees in termination of parental rights proceedings, providing an effective date, and providing for retroactive applicability, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Johnson 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. 2672](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

#### UNFINISHED BUSINESS

#### [House File 2665](#)

On motion of Senator Hancock, [House File 2665](#), a bill for an act concerning the line of duty death benefit payable to public safety providers, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

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?" ([H.F. 2665](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart

Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 Zieman asked and received unanimous consent that **House Files 2245, 2665, 2672, and 2679** be **immediately messaged** to the House.

#### UNFINISHED BUSINESS

##### [House File 2635](#)

On motion of Senator Gaskill, [House File 2635](#), a bill for an act relating to drainage and levee districts by providing for the publication of notice and the letting of bids, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Gaskill 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. 2635](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman

Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

#### UNFINISHED BUSINESS

##### [House File 2632](#)

On motion of Senator Zaun, [House File 2632](#), a bill for an act relating to real estate, including real estate broker and salesperson licensing and real estate disclosures, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Zaun 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. 2632](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

#### UNFINISHED BUSINESS

#### House File 2624

On motion of Senator Boettger, House File 2624, a bill for an act extending the statute of limitations for the filing of an indictment or information in a felony or aggravated or serious misdemeanor proceeding involving DNA profiling, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Boettger 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. 2624), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

## UNFINISHED BUSINESS

[House File 2613](#)

On motion of Senator Brunkhorst, [House File 2613](#), a bill for an act concerning programs and reports related to economic development, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Brunkhorst 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. 2613](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

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 Zieman asked and received unanimous consent that **House Files 2613, 2624, 2632, and 2635** be **immediately messaged** to the House.

## UNFINISHED BUSINESS

**House File 2652**

On motion of Senator Tinsman, **House File 2652**, a bill for an act relating to civil and criminal procedure including the issuance of and violations of certain civil protective orders and criminal no-contact orders, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman 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. 2652**), the vote was:

Yeas, 50:

Angelo	Fraise	Lamberti	Seng
Beall	Gaskill	Larson	Seymour
Behn	Gronstal	Lundby	Shull
Black	Hahn	McCoy	Stewart
Boettger	Hancock	McKibben	Tinsman
Bolkcom	Hatch	McKinley	Ward
Brunkhorst	Horn	Miller	Warnstadt
Connolly	Houser	Mulder	Wieck
Courtney	Iverson	Putney	Wood
Danielson	Johnson	Quirnbach	Zaun
Dearden	Kettering	Ragan	Zieman
Dotzler	Kibbie	Rielly	
Dvorsky	Kreiman	Schoenjahn	

Nays, none.

Absent, none.

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

## UNFINISHED BUSINESS

**House File 2525**

On motion of Senator Putney, **House File 2525**, a bill for an act relating to policies and duties of the state department of

transportation, including placement of official signs on primary highways, inspection of bridges, administrative duties, motor vehicle registration and titling, driver licensing, licensing and regulation of vehicle-related businesses, vehicle braking requirements, vehicle length restrictions, proof of financial responsibility requirements, and persons with disabilities parking permits, and including effective dates, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Boettger withdrew amendment [S-5141](#), filed by her on March 29, 2006, to page 2 of the bill.

Senator Dearden offered amendment [S-5109](#), filed by him on March 21, 2006, to page 25 and to the title page of the bill.

Senator Putney raised the point of order that amendment [S-5109](#) was not germane to the bill.

The Chair ruled the point not well-taken and amendment [S-5109](#) in order.

Senator Putney asked and received unanimous consent that action on amendment [S-5109](#) and [House File 2525](#) be **deferred**.

#### IMMEDIATELY MESSAGED

Senator Iverson asked and received unanimous consent that [House File 2652](#) be **immediately messaged** to the House.

#### HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 4, 2006, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 2390](#), a bill for an act relating to the sales and use tax exemption for central office equipment and transmission equipment used in telecommunications operations.

ALSO: That the House has on April 4, 2006, **concurred in the Senate amendment and passed** the following bills in which the concurrence of the House was asked:

**House File 729**, a bill for an act relating to the Iowa public employees' retirement system and the judicial retirement system.

**House File 2240**, a bill for an act relating to county board of supervisor vacancies.

**House File 2365**, a bill for an act relating to committing disorderly conduct near a funeral, memorial service, funeral procession, or burial, providing penalties, and providing an effective date.

ALSO: That the House has on April 4, 2006, **amended and passed** the following bill in which the concurrence of the Senate is asked:

**Senate File 2318**, a bill for an act relating to an exception from emergency medical care requirements for persons providing care within the scope of their certification. (**S-5164**)

ALSO: That the House has on April 4, 2006, **adopted** the following resolution in which the concurrence of the Senate is asked:

**House Joint Resolution 2006**, a joint resolution nullifying administrative rules relating to the mandatory reporting of certain acts or omissions by persons licensed by the Iowa board of dental examiners and providing an effective date.

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

ALSO: That the House has on April 4, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

**House File 2768**, a bill for an act authorizing the state medical examiner to collect and retain fees for medical examiner facility expenses and services related to tissue recovery and making an appropriation.

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

**House File 2777**, a bill for an act relating to certification to the county auditor of the amount of loans, advances, indebtedness, or bonds issued or incurred for urban renewal purposes.

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

#### ADJOURNMENT

On motion of Senator Iverson, the Senate adjourned at 2:22 p.m. until 8:30 a.m., Wednesday, April 5, 2006.

#### APPENDIX

#### CERTIFICATES OF RECOGNITION

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

Jeff Charles Jennison, Jr., Burlington—For achieving the rank of Eagle Scout. Senator Courtney (4/4/06).

Mary Leaman, Waterloo—For celebrating your 90th birthday. Senator Dotzler (4/4/06).

Elmer Leistikow, Waterloo—For celebrating your 90th birthday. Senator Dotzler (4/4/06).

Mr. and Mrs. Leo and Gretchen Maertens, Council Bluffs—For celebrating your 60th wedding anniversary. Senator Gronstal (4/4/06).

Mr. and Mrs. Ralph and Arlene Morse, Council Bluffs—For celebrating your 60th wedding anniversary. Senator Gronstal (4/4/06).

Haley Perry, Farley—For receiving the 2006 First Flight Award. Senator Hancock (4/4/06).

Mr. and Mrs. Franklin and Velma Rayhill, Council Bluffs—For celebrating your 50th wedding anniversary. Senator Gronstal (4/4/06).

Ryan Lee Sheehan, Sioux City—For achieving the rank of Eagle Scout, Boy Scout Troop 208. Senator Warnstadt (4/4/06).

Mr. and Mrs. J.V. (Swede) and Nellie Swanson, Council Bluffs—For celebrating your 60th wedding anniversary. Senator Gronstal (4/4/06).

Kevin Lee Swanson, Sioux City—For achieving the rank of Eagle Scout, Boy Scout Troop 208. Senator Warnstadt (4/4/06).

Harriet Vande Hoef, Sibley—For celebrating your 80th birthday. Senator Johnson (4/4/06).

## REPORTS OF COMMITTEE MEETINGS

### APPROPRIATIONS

**Convened:** April 4, 2006, 11:10 a.m.

**Members Present:** Angelo and Dvorsky, Co-chairs; Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt.

**Members Absent:** Miller (excused).

**Committee Business:** Passed [HF 2734](#) (without recommendation) and approved LSB 5197.

**Recessed:** 11:15 a.m.

**Reconvened:** 11:30 a.m.

**Adjourned:** 11:40 a.m.

### RULES AND ADMINISTRATION

**Convened:** April 4, 2006, 2:20 p.m.

**Members Present:** Gronstal and Iverson, Co-chairs; Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan.

**Members Absent:** None.

**Committee Business:** Approved SRs 143, 151, and 152. Approved Governor's appointments.

**Adjourned:** 2:25 p.m.

## PRESENTATION OF VISITORS

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

A group of students from Humboldt and a group of students from West Bend. Senator Kibbie.

## INTRODUCTION OF BILL

**[Senate File 2400](#)**, by committee on Appropriations, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first

fund, tobacco settlement trust fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the endowment for Iowa's health account, and related matters.

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

#### SUBCOMMITTEE ASSIGNMENTS

##### House Joint Resolution 2006

RULES AND ADMINISTRATION: Gronstal and Iverson, Co-chairs; Kibbie and Lamberti

##### House File 2748

WAYS AND MEANS: Dotzler and Hahn, Co-chairs; Bolkcom and Miller

##### House File 2759

APPROPRIATIONS: Fraise and Johnson, Co-chairs; Dvorsky and Gaskill

##### House File 2764

WAYS AND MEANS: Connolly and McKinley, Co-chairs; Dotzler and Zaun

##### House File 2774

WAYS AND MEANS: Quirmbach and Wieck, Co-chairs; Danielson and Hahn

##### **LSB 5197sa**

APPROPRIATIONS: Kettering and Warnstadt, Co-chairs; Angelo and Dvorsky

#### FINAL COMMITTEE REPORTS OF BILL ACTION

##### **APPROPRIATIONS**

**Bill Title:** SENATE FILE 2400 (LSB 5197), a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, environment first fund, tobacco settlement trust fund, vertical infrastructure fund, the endowment for Iowa's health restricted capitals fund, and the endowment for Iowa's health account, and related matters.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 22: Angelo, Dvorsky, Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Present, 1: Putney. Absent, 1: Miller.

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

**ALSO:**

**Bill Title:** [HOUSE FILE 2734](#), a bill for an act relating to and making appropriations to the department of human services, the department of elder affairs, the Iowa department of public health, the department of veterans affairs and the Iowa veterans home, and the department of inspections and appeals, providing for fee increases, and including other related provisions and appropriations, and providing effective dates.

**Recommendation:** WITHOUT RECOMMENDATION.

**Final Vote:** Ayes, 23: Angelo, Dvorsky, Black, Boettger, Bolkcom, Connolly, Dotzler, Fraise, Gaskill, Hatch, Horn, Johnson, Kettering, Lamberti, Putney, Ragan, Seng, Seymour, Shull, Stewart, Tinsman, Ward, and Warnstadt. Nays, none. Absent, 1: Miller.

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

#### **RULES AND ADMINISTRATION**

**Bill Title:** [SENATE RESOLUTION 143](#), a resolution requesting the legislative council to establish an interim committee to conduct a study of issues related to home visiting for families with a newborn child.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

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

**ALSO:**

**Bill Title:** [SENATE RESOLUTION 151](#), a resolution designating April 2006 as Kidney Cancer Awareness Month.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

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

**ALSO:**

**Bill Title:** [SENATE RESOLUTION 152](#), a resolution honoring Robert Koob, President of the University of Northern Iowa.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Gronstal, Iverson, Angelo, Boettger, Courtney, Dvorsky, Hahn, Kibbie, Lamberti, and Ragan. Nays, none. Absent, none.

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

### 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 4th day of April, 2006:

Senate Files 2194, 2207, 2231, 2267, and 2289.

MICHAEL E. MARSHALL  
Secretary of the Senate

### APPOINTMENTS

The following appointees were submitted to the Secretary of the Senate for Senate confirmation (all appointees are submitted as **members** unless otherwise specified):

#### BY THE GOVERNOR

	<u>TERM</u>
IOWA GREAT PLACES ADVISORY BOARD (Sec. 303.3c(2a))	
Robin Anderson, Mason City	05/01/2005 – 04/30/2007
David Bernstein, Sioux City	05/01/2005 – 04/30/2008
Claire Celsi, Des Moines	05/01/2006 – 04/30/2009
Samantha Erickson, Pleasant Hill	05/01/2005 – 04/30/2007
Mark Ginsberg, Iowa City	05/01/2005 – 04/30/2007
Thomas Hanafan, Council Bluffs	05/01/2005 – 04/30/2008
Quentin Hart, Waterloo	05/01/2006 – 04/30/2009
Theresa Lynch, Marion	05/01/2005 – 04/30/2007
William Menner, Grinnell	05/01/2006 – 04/30/2009
Gil Spence, Dubuque	05/01/2005 – 04/30/2008
Amanda Styron, Iowa City	05/01/2005 – 04/30/2008
Rita Vargas, Davenport	05/01/2006 – 04/30/2009

**GOVERNOR'S APPOINTEES PLACED ON  
EN BLOC CALENDAR**

The following appointees were placed on the En Bloc Calendar by the committee on Rules and Administration with recommendation for confirmation:

Robin Anderson – Iowa Great Places Advisory Board  
 David Bernstein – Iowa Great Places Advisory Board  
 Claire Celsi – Iowa Great Places Advisory Board  
 Samantha Erickson – Iowa Great Places Advisory Board  
 Mark Ginsberg – Iowa Great Places Advisory Board  
 Thomas Hanafan – Iowa Great Places Advisory Board  
 Quentin Hart – Iowa Great Places Advisory Board  
 Theresa Lynch – Iowa Great Places Advisory Board  
 William Menner – Iowa Great Places Advisory Board  
 Gil Spence – Iowa Great Places Advisory Board  
 Amanda Styron – Iowa Great Places Advisory Board  
 Rita Vargas – Iowa Great Places Advisory Board

**AMENDMENTS FILED**

<a href="#"><u>S-5155</u></a>	<a href="#"><u>S.F. 2300</u></a>	Gene Fraise
<a href="#"><u>S-5156</u></a>	<a href="#"><u>H.F. 2742</u></a>	Gene Fraise
<a href="#"><u>S-5157</u></a>	<a href="#"><u>S.F. 2394</u></a>	Michael Connolly
<a href="#"><u>S-5158</u></a>	<a href="#"><u>S.F. 2076</u></a>	House
<a href="#"><u>S-5159</u></a>	<a href="#"><u>H.F. 540</u></a>	House
<a href="#"><u>S-5160</u></a>	<a href="#"><u>H.F. 2592</u></a>	Nancy J. Boettger
<a href="#"><u>S-5161</u></a>	<a href="#"><u>S.F. 2295</u></a>	Nancy J. Boettger
<a href="#"><u>S-5162</u></a>	<a href="#"><u>S.F. 2183</u></a>	James A. Seymour
<a href="#"><u>S-5163</u></a>	<a href="#"><u>S.F. 2351</u></a>	Doug Shull
<a href="#"><u>S-5164</u></a>	<a href="#"><u>S.F. 2318</u></a>	House
<a href="#"><u>S-5165</u></a>	<a href="#"><u>S.F. 2395</u></a>	William A. Dotzler, Jr.
<a href="#"><u>S-5166</u></a>	<a href="#"><u>H.F. 2351</u></a>	Bob Brunkhorst
		Keith A. Kreiman
		David Miller
		Roger Stewart
		Herman C. Quirnbach