

PROOF

STATE OF IOWA

Senate Journal

MONDAY, APRIL 10, 2006

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JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 10, 2006

The Senate met in regular session at 1:20 p.m., President Lamberti presiding.

Prayer was offered by Reverend Susan Guy of Walnut Hills United Methodist Church in Urbandale, Iowa. She was the guest of Senator Zaun.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Larry Yeager.

The Journal of Thursday, April 6, 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 6, 2006, **passed** the following bills in which the concurrence of the House was asked:

Senate File 2368, a bill for an act concerning alcoholic beverage control relating to manufacturers providing free cleaning services to retailers.

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.

Senate File 2394, a bill for an act relating to manufactured or mobile home regulation, and including fee, penalty, and effective date provisions.

ALSO: That the House has on April 6, 2006, **concurred in the Senate amendment and passed** the following bills in which the concurrence of the House was asked:

House File 722, a bill for an act providing for the establishment of an information program for drug prescribing and dispensing, providing penalties, and providing an effective date.

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.

ALSO: That the House has on April 6, 2006, **refused to concur in the Senate amendment** to the following bill in which the concurrence of the House was asked:

House File 2612, a bill for an act providing criminal penalties for the failure of a vessel operator to offer assistance and information at the scene of a collision, accident, or casualty.

ALSO: That the House has on April 6, 2006, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 2251, a bill for an act directing the department of education and the Iowa department of public health to convene a healthy children task force and providing an effective date. (**S-5175**)

Senate File 2322, a bill for an act relating to the investigation and control of communicable and infectious diseases and notification procedures concerning diseases, health conditions, unusual clusters, or suspicious events which may be the cause of a public health disaster. (**S-5174**)

ALSO: That the House has on April 6, 2006, **passed** the following bills in which the concurrence of the Senate is asked:

House File 2751, a bill for an act relating to eligibility for the military service property tax credit and exemption and including effective and applicability date provisions.

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

[House File 2786](#), a bill for an act relating to civil actions and the foreclosure of real estate mortgages, and providing fees and applicability provisions.

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

RECESS

On motion of Senator Gronstal, the Senate recessed at 1:26 p.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 1:31 p.m., President Lamberti presiding.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Resolutions 125 and 149.

[Senate Resolution 125](#)

On motion of Senator Zaun, [Senate Resolution 125](#), a resolution to congratulate the Urbandale Senior League All-Star Team for winning the 2005 Senior League Baseball World Series Championship, with report of committee recommending passage, was taken up for consideration.

Senator Zaun moved the adoption of [Senate Resolution 125](#), which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Zaun introduced to the Senate chamber the Urbandale Senior League All-Star Team and the team coaches and manager.

The Senate rose and expressed its welcome.

Senate Resolution 149

On motion of Senator Tinsman, Senate Resolution 149, a resolution to honor the Scott County Medical Society on its sesquicentennial anniversary, with report of committee recommending passage, was taken up for consideration.

Senator Tinsman moved the adoption of Senate Resolution 149, which motion prevailed by a voice vote.

SPECIAL GUESTS

Senator Tinsman introduced representatives of the Scott County Medical Society who were present in the Senate chamber.

The Senate rose and expressed its welcome.

The Senate stood at ease at 1:42 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:38 p.m., President Lamberti presiding.

UNFINISHED BUSINESS

Senate File 2351

On motion of Senator Shull, Senate File 2351, a bill for an act relating to the powers and duties of the county treasurer and including effective and applicability date provisions, placed on the Unfinished Business Calendar on March 23, 2006, was taken up for consideration.

Senator Shull offered amendment S-5163, filed by him on April 4, 2006, to pages 2-8, 12, and 21-25 and to the title page of the bill, and moved its adoption.

Amendment S-5163 was adopted by a voice vote.

Senator Shull asked and received unanimous consent that [House File 2654](#) be **substituted** for [Senate File 2351](#).

[House File 2654](#)

On motion of Senator Shull, [House File 2654](#), a bill for an act relating to the powers and duties of the county treasurer and including effective and applicability date provisions, was taken up for consideration.

Senator Shull 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. 2654](#)), 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.

WITHDRAWN

Senator Shull asked and received unanimous consent that [Senate File 2351](#) be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

[Senate File 2341](#)

Senator Boettger called up for consideration [Senate File 2341](#), a bill for an act relating to county processing of orders for observation, evaluation, and treatment of public patients at the state psychiatric hospital at the state university of Iowa, amended by the House in House amendment [S-5145](#), filed April 3, 2006.

Senator Boettger moved that the Senate concur in the House amendment.

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

Senator Boettger moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2341](#)), 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

Senate File 2321

On motion of Senator Lundby, **Senate File 2321**, a bill for an act relating to the confidentiality of certain information relating to homeless individuals and individuals receiving housing assistance, placed on the Unfinished Business Calendar on March 23, 2006, 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. 2321**), 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

Senate File 2300

On motion of Senator Miller, **Senate File 2300**, a bill for an act relating to the probate and trust codes, placed on the Unfinished

Business Calendar on March 23, 2006, was taken up for consideration.

Senator Fraise withdrew amendment [S-5049](#), filed by him on March 13, 2006, to pages 1 and 2 of the bill.

Senator Fraise offered amendment [S-5155](#), filed by him on April 4, 2006, to pages 3, 4, 7, 8, and 11 and to the title page of the bill, and moved its adoption.

Amendment [S-5155](#) was adopted by a voice vote.

With the adoption of amendment [S-5155](#), the Chair ruled amendment [S-5036](#), filed by Senator Fraise on March 8, 2006, to pages 4, 7, 8, and 11 and to the title page of the bill, out of order.

Senator Miller asked and received unanimous consent that [House File 2742](#) be **substituted** for [Senate File 2300](#).

President Pro Tempore McKibben took the chair at 4:10 p.m.

[House File 2742](#)

On motion of Senator Miller, [House File 2742](#), a bill for an act relating to the probate and trust codes, was taken up for consideration.

Senator Fraise offered amendment [S-5156](#), filed by him on April 4, 2006, to pages 1–3 of the bill, and moved its adoption.

Amendment [S-5156](#) was adopted by a voice vote.

Senator Miller 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. 2742](#)), 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.

WITHDRAWN

Senator Miller asked and received unanimous consent that [Senate File 2300](#) be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS

[House File 590](#)

On motion of Senator Dearden, [House File 590](#), a bill for an act providing for special senior crossbow deer hunting licenses, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, 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?" ([H.F. 590](#)), the vote was:

Yeas, 47:

Angelo	Dvorsky	Lamberti	Schoenjahn
Beall	Fraise	Larson	Seng
Behn	Gaskill	Lundby	Shull
Black	Gronstal	McCoy	Stewart
Boettger	Hahn	McKibben	Tinsman
Bolkcom	Hancock	McKinley	Ward

Brunkhorst	Hatch	Miller	Warnstadt
Connolly	Horn	Mulder	Wieck
Courtney	Houser	Putney	Wood
Danielson	Iverson	Quirnbach	Zaun
Dearden	Kibbie	Ragan	Zieman
Dotzler	Kreiman	Rielly	

Nays, 3:

Johnson	Kettering	Seymour
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Absent, none.

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

HOUSE AMENDMENT CONSIDERED

[Senate File 2374](#)

Senator Schoenjahn called up for consideration [Senate File 2374](#), a bill for an act containing various provisions relating to business entities, including corporations, limited liability companies, and nonprofit corporations, amended by the House in House amendment [S-5143](#), filed March 30, 2006.

Senator Schoenjahn moved that the Senate concur in the House amendment.

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

Senator Schoenjahn moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2374](#)), 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, as amended, was agreed to.

UNFINISHED BUSINESS

[Senate File 2361](#)

On motion of Senator Behn, [Senate File 2361](#), a bill for an act relating to franchises for the provision of cable service or video service including providing for fees and providing an effective date, placed on the Unfinished Business Calendar on March 23, 2006, with report of committee without recommendation, was taken up for consideration.

Senator Behn offered amendment [S-5131](#), filed by Senators Behn and Warnstadt on March 28, 2006, to pages 1-7 and 9-12 of the bill.

Senator Lundby asked and received unanimous consent that action on amendment [S-5131](#) and [Senate File 2361](#) be **deferred**.

UNFINISHED BUSINESS

[House File 2705](#)

On motion of Senator Wieck, [House File 2705](#), a bill for an act providing for changes relating to specified aspects of the operation of the department of administrative services, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee without recommendation, was taken up for consideration.

Senator Wieck 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. 2705](#)), 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.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS

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

Kristina Lusk – Board of Barber Examiners

James Kruzic – Boiler and Pressure Vessel Board
Joseph Rodenkirk – Boiler and Pressure Vessel Board

Peter Fromm – Elevator Safety Board

Leslie Whippen – Board of Examiners for the Licensing and Regulation of Hearing Aid Dispensers

David Bernstein – Iowa Great Places Advisory Board
 Mark Ginsberg – Iowa Great Places Advisory Board
 William Menner – Iowa Great Places Advisory Board

Miriam Ubben – Iowa Access Advisory Council

Greg Hayes – Renewable Fuels and Coproducts Advisory Committee

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

On the question “Shall the appointees be confirmed?” 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 appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 2321, 2341, and 2374** and **House Files 590, 2654, 2705, and 2742** be **immediately messaged** to the House.

UNFINISHED BUSINESS

[House File 2651](#)

On motion of Senator Hancock, [House File 2651](#), a bill for an act relating to a restitution order in a juvenile delinquency proceeding, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kreiman offered amendment [S-5124](#), filed by the committee on Judiciary on March 23, 2006, to page 1 of the bill.

Senator Kreiman offered amendment [S-5133](#), filed by him on March 28, 2006, to pages 2 and 3 and to the title provisions of amendment [S-5124](#), and moved its adoption.

Amendment [S-5133](#) was adopted by a voice vote.

Senator Kreiman moved the adoption of amendment [S-5124](#), as amended, which motion prevailed 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?" ([H.F. 2651](#)), 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, as amended, was agreed to.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 2356](#).

[Senate File 2356](#)

On motion of Senator Kreiman, [Senate File 2356](#), a bill for an act relating to medical malpractice actions for personal injury or death, was taken up for consideration.

Senator Kreiman offered amendment [S-5176](#), filed by him from the floor, striking and replacing everything after the enacting clause and to the title page of the bill, and moved its adoption.

Amendment [S-5176](#) was adopted by a voice vote.

Senator Kreiman asked and received unanimous consent that [House File 2716](#) be substituted for [Senate File 2356](#).

[House File 2716](#)

On motion of Senator Kreiman, [House File 2716](#), a bill for an act relating to medical malpractice actions for personal injury or death, was taken up for consideration.

Senator Brunkhorst asked and received unanimous consent that action on [House File 2716](#) be deferred.

UNFINISHED BUSINESS
(Deferred April 4, 2006)

House File 2525

The Senate resumed consideration of **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, and amendment **S-5109**, deferred April 4, 2006.

Senator Dearden moved the adoption of amendment **S-5109**.

A record roll call was requested.

On the question "Shall amendment **S-5109** be adopted?" (**H.F. 2525**), the vote was:

Yeas, 25:

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

Nays, 25:

Angelo	Iverson	McKinley	Ward
Behn	Johnson	Miller	Wieck
Boettger	Kettering	Mulder	Zaun
Brunkhorst	Lamberti	Putney	Zieman
Gaskill	Larson	Seymour	
Hahn	Lundby	Shull	
Houser	McKibben	Tinsman	

Absent, none.

Amendment **S-5109** lost.

Senator Putney 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. 2525](#)), 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.

HOUSE AMENDMENT CONSIDERED

[Senate File 2318](#)

Senator Stewart called up for consideration [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, amended by the House in House amendment [S-5164](#), filed April 4, 2006.

Senator Stewart moved that the Senate concur in the House amendment.

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

Senator Stewart moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 2318](#)), 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 2567](#)

On motion of Senator Kreiman, [House File 2567](#), a bill for an act creating a multidimensional treatment level foster care program, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kreiman offered amendment [S-5120](#), filed by the committee on Human Resources on March 22, 2006, to page 3 of the bill, and moved its adoption.

Amendment [S-5120](#) 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?" ([H.F. 2567](#)), 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 Gronstal asked and received unanimous consent that [Senate File 2318](#) and **House Files 2525, 2567, and 2651** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

[Senate File 2076](#)

Senator Mulder called up for consideration [Senate File 2076](#), a bill for an act relating to confinement feeding operations by providing for manure management plans, amended by the House in House amendment [S-5158](#), filed April 4, 2006.

Senator Mulder moved that the Senate concur in the House amendment.

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

Senator Mulder moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 2076](#)), 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 Gronstal asked and received unanimous consent that [Senate File 2076](#) be **immediately messaged** to the House.

UNFINISHED BUSINESS

[House File 2147](#)

On motion of Senator Schoenjahn, [House File 2147](#), a bill for an act relating to the temporary appointment of a conservator for a dependent adult in an emergency situation, placed on the Unfinished

Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Schoenjahn 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. 2147](#)), 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 Gronstal asked and received unanimous consent that [House File 2147](#) be **immediately messaged** to the House.

UNFINISHED BUSINESS

[Senate File 2383](#)

On motion of Senator Johnson, [Senate File 2383](#), a bill for an act providing for state petroleum replacement, by providing for renewable fuel including ethanol blended fuel and biodiesel blended fuel, providing incentives for infrastructure used to store and dispense renewable fuel, income tax credits, and an appropriation,

providing penalties, making penalties applicable, and providing an applicability date, placed on the Unfinished Business Calendar on March 23, 2006, was taken up for consideration.

([Senate File 2383](#) was deferred.)

The Senate stood at ease at 6:11 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 8:22 p.m., Senator Angelo presiding.

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, 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 2508](#), a bill for an act relating to direct deposit of wages and creating an exception to the payday information employers are required to provide each employee under the Iowa wage payment collection law and providing for retroactive applicability. ([S-5181](#))

ALSO: That the House has on April 10, 2006, **adopted** the following resolution in which the concurrence of the Senate is asked:

[House Concurrent Resolution 112](#), a concurrent resolution designating May 2006 as Motorcycle Safety Awareness Month.

Read first time and **passed on file.**

ALSO: That the House has on April 10, 2006, **passed** the following bill in which the concurrence of the Senate is asked:

House File 2788, a bill for an act relating to the renewable energy tax credit program including providing for the extension of certain eligibility deadlines and operational requirements for eligible facilities.

Read first time and **passed on file**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 8:25 p.m. until 8:30 a.m., Tuesday, April 11.

APPENDIX**CERTIFICATE OF RECOGNITION**

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

Mr. Gal Wagler, Burlington—For celebrating your 90th birthday. Senator Courtney (4/10/06).

REPORTS OF COMMITTEE MEETINGS**GOVERNMENT OVERSIGHT**

Convened: April 4, 2006, 12:00 p.m.

Members Present: Courtney and Lundby, Co-chairs; Connolly and Wieck.

Members Absent: None.

Committee Business: Presentations by State Auditor David Vaudt and Iowa Workforce Development.

Recessed: April 4, 2006, 12:55 p.m.

Reconvened: April 5, 2006, 12:00 p.m.

Recessed: April 5, 2006, 1:05 p.m.

Reconvened: April 6, 2006, 12:00 p.m.

Adjourned: April 6, 2006, 2:00 p.m.

RULES AND ADMINISTRATION

Convened: April 10, 2006, 1:27 p.m.

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

Members Absent: None.

Committee Business: Passed [SF 2401](#) and approved SRs 150, 154, and 155.

Adjourned: 1:30 p.m.

COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

IOWA TAXPAYERS ASSOCIATION

State of Iowa Industrial Processing Exemption Study Committee 2005 Annual Report. Report received on April 6, 2006.

INTRODUCTION OF RESOLUTIONS

[Senate Resolution 155](#), by Ragan, a resolution honoring Greg Brunner and Jeff Horner, two of the most celebrated basketball players in Iowa's history.

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

[Senate Resolution 156](#), by Brunkhorst, a resolution honoring the Wartburg College wrestling team.

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

[Senate Resolution 157](#), by Lamberti, a resolution recognizing the Make-A-Wish Foundation of Iowa.

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

INTRODUCTION OF BILL

[Senate File 2401](#), by Gronstal and Iverson, a bill for an act relating to training services for certain job retention projects.

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

STUDY BILL RECEIVED

SSB 3268 **Appropriations**

Relating to local governments by creating a local government innovation commission and fund, creating a center for governing excellence, allowing a vote of the people on dissolution of township governments in certain counties, allowing city contributions for pension and related employee benefits pursuant to contracted public safety services, and including an effective date.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 155

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

Senate File 2401

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

SSB 3268

APPROPRIATIONS: Angelo and Dvorsky, Co-chairs; Shull and Stewart

FINAL COMMITTEE REPORTS OF BILL ACTION

RULES AND ADMINISTRATION

Bill Title: **SENATE RESOLUTION 150**, a resolution requesting that the United States Postal Service issue a commemorative stamp honoring Iowa composer Karl L. King.

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 154**, a resolution urging the Iowa department of education to integrate the principles of basic personal finance into the public school curricula in 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.

ALSO:

Bill Title: [SENATE RESOLUTION 155](#), a resolution honoring Greg Brunner and Jeff Horner, two of the most celebrated basketball players in Iowa's history.

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 FILE 2401](#), a bill for an act relating to training services for certain job retention projects.

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.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling [Senate File 2353](#), the following corrections were made:

1. Page 24, line 22: do not strike space between "PAYMENT" and "==".
2. Page 32, line 20: ~~3-~~ 5. a.

MICHAEL E. MARSHALL
Secretary of the Senate

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 10th day of April, 2006:

Senate Files 2087, 2275, 2299, 2304, 2338, and 2353.

MICHAEL E. MARSHALL
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 6, 2006, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 2194](#) – Relating to county, city, and school board publication of allowed claims.

[Senate File 2207](#) – Relating to the publication of official notices in English language newspapers.

[Senate File 2231](#) – Concerning accrued sick leave and the conversion of sick leave for state employees.

[Senate File 2267](#) – Relating to safe motor vehicle operation, including penalties for certain motor vehicle violations causing death or serious injury and classroom instruction for driver education courses.

[Senate File 2289](#) – Relating to identification of publicly owned motor vehicles used by persons who provide off-site or in-home medical or mental health services.

ALSO:

A communication was received announcing that on April 7, 2006, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 2199](#) – Concerning the purchase of service under the Iowa Department of Public Safety Peace Officers' Retirement, Accident, and Disability System.

[Senate File 2252](#) – Relating to adoption petitions and proceedings including the information required to be included in an adoption petition.

[Senate File 2253](#) – Relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions.

[Senate File 2264](#) – Relating to the duties of county recorders and county auditors concerning instruments affecting real estate and certain other filings recorded by the county recorder.

[Senate File 2305](#) – Concerning wine, including the allowable alcohol content of wine and inspection of certain wine permittees.

AMENDMENTS FILED

S-5173	H.F. 2558	Jeff Danielson
S-5174	S.F. 2322	House
S-5175	S.F. 2251	House
S-5176	S.F. 2356	Keith A. Kreiman
S-5177	S.F. 2400	Roger Stewart
S-5178	S.F. 2399	Joe Bolkcom
S-5179	S.F. 2396	Herman C. Quirnbach
S-5180	S.F. 2383	David Johnson
		Tom Rielly
S-5181	H.F. 2508	House
S-5182	H.F. 2754	Tom Rielly
		David Johnson
S-5183	H.F. 2754	Tom Rielly
		David Johnson
S-5184	S.F. 2286	Pat Ward
S-5185	H.F. 2740	Pat Ward