

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, APRIL 18, 2006

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JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 18, 2006

The Senate met in regular session at 10:04 a.m., President Kibbie presiding.

Prayer was offered by Bob Connors, pastor of the Union Park Independent Christian Church in Des Moines, Iowa. He is the brother of former Representative John Connors. He was the guest of Senator Dearden.

PLEDGE OF ALLEGIANCE

The Pledge was led by Senate Page Liz Moore.

The Journal of Monday, April 17, 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 17, 2006, **concurred in the Senate amendment to the House amendment and passed** the following bill in which the concurrence of the House was asked:

Senate File 2183, a bill for an act relating to the certification of enterprise zones and incentives and assistance under the enterprise zone program and including effective date and retroactive applicability provisions.

ALSO: That the House has on April 17, 2006, **concurred in the Senate amendment and passed** the following bills in which the concurrence of the House was asked:

House File 2651, a bill for an act relating to juvenile court records and restitution orders.

House File 2663, a bill for an act relating to jurisdiction of the natural resource commission over certain areas of lakebeds and riverbeds.

ALSO: That the House has on April 17, 2006, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 2268, a bill for an act relating to financial transactions associated with agricultural production, by providing for tax credits and tax exemptions, and including effective and retroactive and other applicability dates. ([S-5200](#))

Senate File 2312, a bill for an act providing grants on behalf of veterans seriously injured in a combat zone, providing an income tax exclusion, and including an effective date and retroactive applicability provision. ([S-5199](#))

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Johnson, until he arrives, on request of Senator Ward; Senator Gaskill, until he arrives, on request of Senator Iverson; and Senators Fraise and Schoenjahn, until they arrive, on request of Senator Gronstal.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Lundby called up the appointment of Abraham Funchess, Jr., as Administrator of the Division on the Status of African-Americans, placed on the Individual Confirmation Calendar on March 30, 2006, and found on page 754 of the Senate Journal.

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

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 46:

Angelo	Dvorsky	Larson	Seymour
Beall	Gronstal	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	Kettering	Quirnbach	Zaun
Danielson	Kibbie	Ragan	Zieman
Dearden	Kreiman	Rielly	
Dotzler	Lamberti	Seng	

Nays, none.

Absent, 4:

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

Senator Lundby called up the appointment of Patrick Palmersheim, as Executive Director of the Commission of Veterans Affairs, placed on the Individual Confirmation Calendar on March 30, 2006, and found on page 754 of the Senate Journal.

Senator Lundby moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 47:

Angelo	Dvorsky	Larson	Seng
Beall	Gronstal	Lundby	Seymour
Behn	Hahn	McCoy	Shull
Black	Hancock	McKibben	Stewart
Boettger	Hatch	McKinley	Tinsman
Bolkcom	Horn	Miller	Ward
Brunkhorst	Houser	Mulder	Warnstadt
Connolly	Iverson	Putney	Wieck
Courtney	Kettering	Quirnbach	Wood

Danielson	Kibbie	Ragan	Zaun
Dearden	Kreiman	Rielly	Zieman
Dotzler	Lamberti	Schoenjahn	

Nays, none.

Absent, 3:

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

SPECIAL PRESENTATION TO SENATE PAGES

The Senate Pages were invited to the well of the Senate for a special presentation and thanked by Senators Gronstal and Lundby for their service to the Senate.

Certificates of Excellence for serving with honor and distinction as Senate Pages during the 2006 Regular Session of the Eighty-First General Assembly were given to the following:

Rachael Creswell, Brittany Du Bois, Brooke Dummermuth, Maddy Eaton, Jackie Ernst, Sarah Gidlewski, Megan Hart, Jon Kempf, Molly Kuhn, Liz Moore, Hannah Olson, John Racine, Lucas Strittmatter, Nora Tobin, Tia Upchurch-Freelove, and Larry Yeager.

The Senate rose and expressed its appreciation.

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 18, 2006, **amended and passed** the following bills in which the concurrence of the Senate is asked:

Senate File 2301, a bill for an act relating to exemptions for certain personal property from execution by creditors in state court debt collection and federal bankruptcy actions. (**S-5204**)

Senate File 2319, a bill for an act relating to littering and illegal discarding of solid waste and increasing fines and penalties and making appropriations. ([S-5202](#))

Senate File 2369, a bill for an act relating to requirements for open feedlot operations, by providing for nutrient management plans and operating permits, and providing an effective date and retroactive applicability. ([S-5203](#))

RECESS

On motion of Senator Lundby, the Senate recessed at 10:50 a.m. until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:31 p.m., Senator Bolkom presiding.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Lundby asked and received unanimous consent to take up for consideration House Files 2319 and 2772.

House File 2319

On motion of Senator Tinsman, **House File 2319**, a bill for an act relating to the personal needs allowance amount for residents of nursing facilities under the medical assistance program, 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. 2319](#)), the vote was:

Yeas, 48:

Angelo	Dvorsky	Lamberti	Schoenjahn
Beall	Gronstal	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
Dearden	Kibbie	Ragan	Zaun
Dotzler	Kreiman	Rielly	Zieman

Nays, none.

Absent, 2:

Fraise Gaskill

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

House File 2772

On motion of Senator Lamberti, [House File 2772](#), a bill for an act creating a brain injury services program and providing for allocation of a previously enacted appropriation, with report of committee recommending passage, was taken up for consideration.

Senator Lamberti 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. 2772](#)), the vote was:

Yeas, 48:

Angelo	Dvorsky	Lamberti	Schoenjahn
Beall	Gronstal	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
Dearden	Kibbie	Ragan	Zaun
Dotzler	Kreiman	Rielly	Zieman

Nays, none.

Absent, 2:

Fraise Gaskill

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

CONSIDERATION OF BILLS
(Ways and Means Calendar)

Senator Lundby asked and received unanimous consent to take up for consideration Senate Files 2402 and 2395 and [House File 2777](#).

Senate File 2402

On motion of Senator Miller, [Senate File 2402](#), a bill for an act relating to state tax benefits for use of soy-based transformer fluid by electric utilities and including applicability date provisions, was taken up for consideration.

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?" ([S.F. 2402](#)), the vote was:

Yeas, 48:

Angelo	Dvorsky	Lamberti	Schoenjahn
Beall	Gronstal	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
Dearden	Kibbie	Ragan	Zaun
Dotzler	Kreiman	Rielly	Zieman

Nays, none.

Absent, 2:

Fraise Gaskill

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

Senate File 2395

On motion of Senator Dotzler, **Senate File 2395**, a bill for an act providing for an increase in the wildlife habitat fee, making an appropriation, and creating an upland game bird habitat development program, was taken up for consideration.

Senator Dotzler offered amendment **S-5165**, filed by him on April 4, 2006, to pages 2 and 3 of the bill, and moved its adoption.

Amendment **S-5165** was adopted by a voice vote.

Senator Dotzler 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. 2395**), the vote was:

Yeas, 49:

Angelo	Fraise	Larson	Seymour
Beall	Gronstal	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:

Gaskill

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 2:08 p.m.

[House File 2777](#)

On motion of Senator Quirnbach, [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, with report of committee recommending passage, was taken up for consideration.

Senator Quirnbach 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. 2777](#)), the vote was:

Yeas, 49:

Angelo	Fraise	Larson	Seymour
Beall	Gronstal	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:

Gaskill

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

IMMEDIATELY MESSAGED

Senator Lundby asked and received unanimous consent that **Senate Files 2395 and 2402** and **House Files 2319, 2772, and 2777** be **immediately messaged** to the House.

UNFINISHED BUSINESS

[House File 2362](#)

On motion of Senator Danielson, [House File 2362](#), a bill for an act providing for reassignment of a salvage certificate of title for a motor vehicle, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

Senator Dotzler withdrew amendment [S-5136](#), filed by him on March 29, 2006, to page 1 and to the title page of the bill.

Senator Dotzler offered amendment [S-5154](#), filed by Senators Dotzler and Hahn on April 3, 2006, to page 1 and to the title page of the bill.

Senator Zieman raised the point of order that amendment [S-5154](#) was not germane to the bill.

The Chair ruled the point not well-taken and amendment [S-5154](#) in order.

Senator Angelo asked and received unanimous consent that action on amendment [S-5154](#) and [House File 2362](#) be **deferred**.

CONSIDERATION OF BILLS
(Appropriations Calendar)

Senator Lundby asked and received unanimous consent to take up for consideration House Files 2557 and 2558.

House File 2557

On motion of Senator Miller, **House File 2557**, a bill for an act relating to and making appropriations to the judicial branch, with report of committee without recommendation, was taken up for consideration.

Senator Danielson withdrew amendment **S-5206**, filed by him from the floor to page 6 of the bill.

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. 2557**), 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	Hatch	Miller	Warnstadt
Brunkhorst	Horn	Mulder	Wieck
Connolly	Houser	Putney	Wood
Courtney	Iverson	Quirnbach	Zaun
Danielson	Johnson	Ragan	Zieman
Dearden	Kettering	Rielly	
Dotzler	Kibbie	Schoenjahn	
Dvorsky	Lamberti	Seng	

Nays, 1:

Kreiman

Absent, none.

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

House File 2558

On motion of Senator Fraise, **House File 2558**, a bill for an act relating to and making appropriations to the justice system and

providing an effective date, with report of committee without recommendation, was taken up for consideration.

Senator Danielson withdrew amendment [S-5173](#), filed by him on April 10, 2006, to page 1 of the bill.

Senator Fraise offered amendment [S-5207](#), filed by Senators Fraise and McKibben from the floor to pages 3, 5-7, 10-12, 17, and 21-23 and to the title page of the bill, and moved its adoption.

Amendment [S-5207](#) was adopted by a voice vote.

Senator Putney withdrew amendment [S-5205](#), filed by him from the floor to page 22 of the bill.

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. 2558](#)), 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	Hatch	Miller	Warnstadt
Brunkhorst	Horn	Mulder	Wieck
Connolly	Houser	Putney	Wood
Courtney	Iverson	Quirnbach	Zaun
Danielson	Johnson	Ragan	Zieman
Dearden	Kettering	Rielly	
Dotzler	Kibbie	Schoenjahn	
Dvorsky	Lamberti	Seng	

Nays, 1:

Kreiman

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 BILLS
(Ways and Means Calendar)**

Senator Lundby asked and received unanimous consent to take up for consideration House Files 2768 and 2461.

House File 2768

On motion of Senator Hahn, **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, with report of committee recommending passage, was taken up for consideration.

Senator Hahn 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. 2768**), 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 File 2461

On motion of Senator Connolly, **House File 2461**, a bill for an act updating the Code references to the Internal Revenue Code and including retroactive applicability and effective date provisions, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (**H.F. 2461**), 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 Lundby asked and received unanimous consent that **House Files 2461, 2558, and 2768** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Lundby asked and received unanimous consent to take up for consideration [Senate File 2393](#).

[Senate File 2393](#)

On motion of Senator Lundby, [Senate File 2393](#), a bill for an act relating to violations of Iowa's noncompetition by government law and providing penalties and remedies, 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. 2393](#)), 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 2297

On motion of Senator Dearden, **Senate File 2297**, a bill for an act relating to obstructions in highways and providing penalties, placed on the Unfinished Business Calendar on March 23, 2006, was taken up for consideration.

Senator Dearden offered amendment **S-5192**, filed by him on April 12, 2006, striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment **S-5192** was adopted by a voice vote.

With the adoption of amendment **S-5192**, the Chair ruled the following amendments out of order:

S-5085, filed by Senator Putney on March 16, 2006, to pages 1-3 of the bill; and

S-5022, filed by Senator Dearden on March 6, 2006, to page 3 of the bill.

Senator Dearden asked and received unanimous consent that **House File 2515** be substituted for **Senate File 2297**.

House File 2515

On motion of Senator Dearden, **House File 2515**, a bill for an act relating to obstructions in highways and providing penalties, was taken up for consideration.

Senator Dearden offered amendment **S-5191**, filed by him on April 12, 2006, to pages 1 and 3 of the bill, and moved its adoption.

Amendment **S-5191** was adopted by a voice vote.

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. 2515](#)), 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 Dearden asked and received unanimous consent that [Senate File 2297](#) be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

[Senate File 2251](#)

Senator Beall called up for consideration [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, amended by the House in House amendment [S-5175](#), filed April 10, 2006.

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

On the question "Shall the bill pass?" ([S.F. 2251](#)), the vote was:

Yeas, 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 2633](#)

On motion of Senator Lundby, [House File 2633](#), a bill for an act relating to the definition of recycling property for purposes of the property tax exemption for pollution-control or recycling property and providing an applicability date, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, 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?" ([H.F. 2633](#)), 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.

SENATE INSISTS

[House File 2612](#)

Senator Wood called up for consideration [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, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on [House File 2612](#) on the part of the Senate: Senators Wood and Houser, Co-chairs; Senators Kreiman, Hancock, Johnson, and Gaskill.

IMMEDIATELY MESSAGED

Senator Lundby asked and received unanimous consent that **Senate Files 2251 and 2393** and **House Files 2515, 2612, and 2633** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 2301

Senator McKibben called up for consideration **Senate File 2301**, a bill for an act relating to exemptions for certain personal property from execution by creditors in state court debt collection and federal bankruptcy actions, amended by the House in House amendment **S-5204**, filed April 18, 2006.

Senator McKibben 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 McKibben 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. 2301**), 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 TO
SENATE AMENDMENT CONSIDERED

House File 540

Senator Zaun called up for consideration **House File 540**, a bill for an act relating to reports of traffic accidents involving certified law enforcement officers, amended by the Senate and further amended by the House in House amendment **S-5159** to Senate amendment **H-1542**, filed April 4, 2006.

Senator Zaun moved that the Senate concur in the House amendment to the Senate amendment.

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

Senator Zaun moved that the bill, as amended by the Senate, further 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?" (**H.F. 540**), 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 2361](#)

On motion of Senator Bolkcom, [House File 2361](#), a bill for an act relating to energy conservation standards included in the state building code for new single-family or two-family residential construction, placed on the Unfinished Business Calendar on March 30, 2006, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" ([H.F. 2361](#)), 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 2369

Senator Fraise called up for consideration [Senate File 2369](#), a bill for an act relating to requirements for open feedlot operations, by providing for nutrient management plans and operating permits, and providing an effective date and retroactive applicability, amended by the House in House amendment [S-5203](#), filed April 18, 2006.

Senator Fraise 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 Fraise 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. 2369](#)), 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.

HOUSE AMENDMENT CONSIDERED

Senate File 2319

Senator Bolkcom called up for consideration Senate File 2319, a bill for an act relating to littering and illegal discarding of solid waste and increasing fines and penalties and making appropriations, amended by the House in House amendment S-5202, filed April 18, 2006.

Senator Bolkcom 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 Bolkcom 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. 2319), 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 Lundby asked and received unanimous consent to take up for consideration [Senate File 2399](#).

[Senate File 2399](#)

On motion of Senator Bolkcom, [Senate File 2399](#), a bill for an act relating to renewable energy including the renewable energy tax credit and the wind energy production tax credit, was taken up for consideration.

Senator Bolkcom withdrew amendment [S-5178](#), filed by him on April 10, 2006, to page 4 and to the title page of the bill.

Senator Bolkcom offered amendment [S-5208](#), filed by him from the floor to page 4 and to the title page of the bill, and moved its adoption.

Amendment [S-5208](#) was adopted by a voice vote.

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

On the question "Shall the bill pass?" ([S.F. 2399](#)), 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.

IMMEDIATELY MESSAGED

Senator Lundby asked and received unanimous consent that **Senate Files 2301, 2319, 2369, and 2399** and **House Files 540 and 2361** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Lundby asked and received unanimous consent to take up for consideration [House File 2775](#).

[House File 2775](#)

On motion of Senator Miller, [House File 2775](#), a bill for an act relating to the judicial branch including the assessment of court fees and costs, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller asked and received unanimous consent to withdraw amendment [S-5197](#), filed by the committee on Appropriations on April 12, 2006, to page 1 of the bill.

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. 2775](#)), 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 Lundby asked and received unanimous consent that [House File 2775](#) be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Lundby, the Senate adjourned at 4:29 p.m. until 8:30 a.m., Wednesday, April 19, 2006.

APPENDIX**CERTIFICATES OF RECOGNITION**

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

Laura Clapp, Grinnell—For celebrating your 100th birthday. Senator Rielly (4/18/06).

Ruth Easton, Oskaloosa—For celebrating your 100th birthday. Senator Rielly (4/18/06).

Harold Scheuermann, Oskaloosa—For celebrating your 100th birthday. Senator Rielly (4/18/06).

Velma Sullivan, Oskaloosa—For celebrating your 100th birthday. Senator Rielly (4/18/06).

Spencer Verlo, Eldridge—For achieving the rank of Eagle Scout. Senator Hahn (4/18/06).

Robey Watson, Montezuma—For celebrating your 100th birthday. Senator Rielly (4/18/06).

SUBCOMMITTEE ASSIGNMENTS**[House File 2731](#)**

WAYS AND MEANS: Bolkcom and Zieman, Co-chairs; Quirmbach and Wieck

[House File 2780](#)

APPROPRIATIONS: Hatch and Tinsman, Co-chairs; Angelo and Dvorsky

MOTION TO RECONSIDER FILED

MR. PRESIDENT: I move to reconsider the vote by which [House File 2557](#) passed the Senate on April 18, 2006.

MARY A. LUNDBY

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing [Senate File 2399](#), the following correction was made:

1. Page 4, line 23: "section 11" was corrected to "section 12".

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 18th day of April, 2006:

Senate Files 2341, 2342, 2368, 2378, and 2381.

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-5199	S.F. 2312	House
S-5200	S.F. 2268	House
S-5201	H.F. 2521	John Putney Roger Stewart
S-5202	S.F. 2319	House
S-5203	S.F. 2369	House
S-5204	S.F. 2301	House
S-5205	H.F. 2558	John Putney
S-5206	H.F. 2557	Jeff Danielson
S-5207	H.F. 2558	Gene Fraise Larry McKibben
S-5208	S.F. 2399	Joe Bolkcom