

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, FEBRUARY 28, 2007

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JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 28, 2007

The Senate met in regular session at 8:45 a.m., President Kibbie presiding.

Prayer was offered by Pastor David Ruhe of Plymouth Congregational United Church of Christ in Des Moines, Iowa. He was the guest of Senator Ward.

The Journal of Tuesday, February 27, 2007, 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 February 27, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

House File 491, a bill for an act adding hallucinogenic substances to the list of schedule I controlled substances, and providing penalties.

Read first time and **attached to companion Senate File 69**.

House File 499, a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including workers' compensation self-insurance, premium taxes, the uniform securities Act, powers and duties of the insurance division, regulation of insurance sales to military personnel, domestic insurance companies, life insurance companies, nonprofit health service corporations, external review of health care coverage

decisions, investment limitations on insurers other than life insurers, property and casualty insurers' reserves, motor vehicle service contracts, county and state mutual associations, reciprocal or interinsurance contracts, licensing of insurance producers and public adjusters, and life and fire insurance company boards of directors, and providing penalties.

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

RECESS

On motion of Senator Courtney, the Senate recessed at 8:50 a.m. until the completion of a meeting of the committee on Rules and Administration.

RECONVENED

The Senate reconvened at 8:53 a.m., President Kibbie presiding.

RECESS

On motion of Senator Courtney, the Senate recessed at 8:54 a.m. until 12:00 p.m.

APPENDIX—1**CERTIFICATES OF RECOGNITION**

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

Arietta Barry, New London—For celebrating her 90th birthday. Senator Courtney (2/28/07).

Raymond and Mary Beggs, Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (2/28/07).

Glen and Pat Brown, Mount Union—For celebrating their 50th wedding anniversary. Senator Courtney (2/28/07).

Mike Finch, Hartley-Melvin-Sanborn High School—For becoming the Class 1A 152-pound 1st place finisher at the 2007 State Wrestling Tournament. Senator Johnson (2/28/07).

Matthew Gayman, Urbandale—For achieving the rank of Eagle Scout, Boy Scout Troop 93. Senator Zaun (2/28/07).

Eldon Hardy, Burlington—For celebrating his 93rd birthday. Senator Courtney (2/28/07).

Ruth Hill, Burlington—For celebrating her 80th birthday. Senator Courtney (2/28/07).

Lloyd Kelly—For celebrating his 90th birthday. Senator Courtney (2/28/07).

Robert and Marjory Knapp—For celebrating their 60th wedding anniversary. Senator Courtney (2/28/07).

Benjamin and Dorothy Marsh, Burlington—For celebrating their 50th wedding anniversary. Senator Courtney (2/28/07).

Leon and Marilyn Marshall—For celebrating their 50th wedding anniversary. Senator Courtney (2/28/07).

Dillon Miner, Spirit Lake Park—For becoming the Class 2A 119-pound 1st place finisher at the 2007 State Wrestling Tournament. Senator Johnson (2/28/07).

Ray and Ella Mixer, Burlington—For celebrating their 60th wedding anniversary. Senator Courtney (2/28/07).

Elizabeth Mowell—For celebrating her 85th birthday. Senator Courtney (2/28/07).

Wayne Niebuhr, formerly of Burlington—For celebrating his 79th birthday. Senator Courtney (2/28/07).

Harold and Sharon Safley, Muscatine—For celebrating their 50th wedding anniversary. Senator Courtney (2/28/07).

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Tuesday, February 27, 2007, 4:05 p.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward.

Members Absent: Angelo (excused).

Committee Business: Passed [SF 38](#) and approved SSBs 1065 and 1178 (all amended).

Adjourned: 4:30 p.m.

JUDICIARY

Convened: Tuesday, February 27, 2007, 5:05 p.m.

Members Present: Kreiman, Chair; Hogg, Vice Chair; McKibben, Ranking Member; Behn, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman.

Members Absent: Dvorsky (excused).

Committee Business: Passed [HF 199](#) and approved SSBs 1093, 1206, and 1215.

Adjourned: 5:20 p.m.

WAYS AND MEANS

Convened: Tuesday, February 27, 2007, 3:00 p.m.

Members Present: Bolkcom, Chair; McCoy, Vice Chair; McKibben, Ranking Member; Appel, Connolly, Dotzler, Hogg, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck.

Members Absent: Angelo and Lundby (both excused).

Committee Business: Passed [SF 83](#) and presentation by the Department of Transportation.

Adjourned: 4:00 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Tuesday, February 27, 2007, 9:50 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: None.

Committee Business: Budget discussion.

Adjourned: 10:25 a.m.

APPROPRIATIONS

Convened: Wednesday, February 28, 2007, 9:40 a.m.

Members Present: Dvorsky, Chair; Angelo, Ranking Member; Behn, Boettger, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood.

Members Absent: McCoy, Vice Chair; Black, Bolkcom, and Putney (all excused).

Committee Business: Approved LSB 2829sc.

Adjourned: 9:50 a.m.

RULES AND ADMINISTRATION

Convened: Wednesday, February 28, 2007, 8:50 a.m.

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

Members Absent: None.

Committee Business: Approved [SR 18](#).

Adjourned: 8:55 a.m.

INTRODUCTION OF BILLS

[Senate File 302](#), by committee on Economic Growth, a bill for an act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes.

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

Senate File 303, by Bolkcom, a bill for an act permitting rate-regulated gas and electric utilities to aggregate energy efficiency program funding, administration, and delivery, and to utilize a third party for such administration and delivery secured through a competitive bidding process.

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

Senate File 304, by committee on Natural Resources and Environment, a bill for an act relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

ECONOMIC GROWTH

Bill Title: **SENATE FILE 302** (formerly **SF 158**), a bill for an act relating to moneys appropriated to the department of economic development for regional tourism marketing purposes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Stewart, Olive, Houser, Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: **HOUSE FILE 199**, a bill for an act relating to the payment of costs of reasonable attorney fees related to certain paternity proceedings.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Kreiman, Hogg, McKibben, Behn, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: [SENATE FILE 304](#) (formerly [SF 239](#)), a bill for an act relating to the exercise of regulatory authority by the department of natural resources and the natural resource commission within the boundaries of the Sac and Fox tribe settlement in Tama county, and providing for applicability and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Bill Title: [SENATE RESOLUTION 18](#), a resolution designating March 2007 as Iowa Women's History Month.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 12:01 p.m., President Kibbie presiding.

QUORUM CALL

Senator Courtney requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 37 present, 13 absent, and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lundby and Putney, for the day, on request of Senator Johnson; and Senator Gronstal, for the day, on request of Senator Courtney.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Files 140 and 205.

[Senate File 140](#)

On motion of Senator Schoenjahn, [Senate File 140](#), a bill for an act relating to the time period for which peace officers' investigative reports and specific portions of electronic mail and telephone billing records are to be kept confidential, 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?" ([S.F. 140](#)), the vote was:

Yeas, 47:

Angelo	Dvorsky	Kettering	Schmitz
Appel	Fraise	Kibbie	Schoenjahn
Beall	Gaskill	Kreiman	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart

Boettger	Hartsuch	McKinley	Ward
Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Quirnbach	Zaun
Dearden	Houser	Ragan	Zieman
Dotzler	Johnson	Rielly	

Nays, none.

Absent, 3:

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

[Senate File 205](#)

On motion of Senator Danielson, [Senate File 205](#), a bill for an act relating to the use of moneys in the Iowa cultural trust grant account by the board of trustees of the Iowa cultural trust, 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. 205](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Gronstal

Lundby

Putney

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

INTRODUCTION OF BILL

[Senate File 305](#), by committee on Appropriations, a bill for an act authorizing funding for providing disaster grants to needy individuals and families and providing an effective date.

Read first time and **placed on Appropriations calendar.**

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 February 28, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 319](#), a bill for an act updating the Code references to the Internal Revenue Code and including effective date and retroactive applicability provisions.

Read first time and **attached to companion [Senate File 279](#).**

[House File 468](#), a bill for an act requiring a study by the department of education relating to implementation of a statewide student information system.

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

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate Files 140 and 205** be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Files 204, 187, 175, and 139.

Senate File 204

On motion of Senator Hancock, **Senate File 204**, a bill for an act relating to the department of public safety practices and procedures, 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?" (**S.F. 204**), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

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

Senate File 187

On motion of Senator Dotzler, [Senate File 187](#), a bill for an act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers, was taken up for consideration.

Senator Dotzler asked and received unanimous consent that [House File 245](#) be **substituted** for [Senate File 187](#).

House File 245

On motion of Senator Dotzler, [House File 245](#), a bill for an act requiring invasive pneumococcal disease immunization for children enrolling in licensed child care centers, was taken up for consideration.

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?” ([H.F. 245](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

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

WITHDRAWN

Senator Dotzler asked and received unanimous consent that [Senate File 187](#) be **withdrawn** from further consideration of the Senate.

[Senate File 175](#)

On motion of Senator Quirnbach, [Senate File 175](#), a bill for an act relating to the disposition of seized property in a criminal proceeding, 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?" ([S.F. 175](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

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

Senate File 139

On motion of Senator Hogg, Senate File 139, a bill for an act relating to a criminal defendant filing an application for postconviction relief, was taken up for consideration.

Senator Hogg 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. 139), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

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

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate Files 139, 175, and 204** and House File 245 be **immediately messaged** to the House.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration Senate Files 203 and 201.

Senate File 203

On motion of Senator Dearden, **Senate File 203**, a bill for an act requiring certain children to wear personal flotation devices while on board certain vessels operated on state waters and providing for a penalty and an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (**S.F. 203**), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

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

Senate File 201

On motion of Senator Stewart, [Senate File 201](#), a bill for an act relating to county recorder fees for certified copies of certain vital statistics records, and providing an effective date, was taken up for consideration.

Senator Stewart offered amendment [S-3045](#), filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment [S-3045](#) was adopted by a voice vote.

Senator Stewart 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. 201](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

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

IMMEDIATELY MESSAGED

Senator Courtney asked and received unanimous consent that **Senate Files 201 and 203** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration [Senate File 78](#).

[Senate File 78](#)

On motion of Senator Hancock, [Senate File 78](#), a bill for an act relating to various conservation and recreation activities under the purview of the department of natural resources, modifying fees, and making penalties applicable, was taken up for consideration.

Senator Johnson offered amendment [S-3043](#), filed by him from the floor to page 6 of the bill, and moved its adoption.

Amendment [S-3043](#) was adopted by a voice vote.

Senator Hancock offered amendment [S-3034](#), filed by Senator Hancock, et al., on February 15, 2007, to page 6 and to the title page of the bill, and moved its adoption.

Amendment [S-3034](#) was adopted by a voice vote.

Senator Hancock offered amendment [S-3047](#), filed by him from the floor to page 6 of the bill, and moved its adoption.

Amendment [S-3047](#) was adopted by a voice vote.

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

On the question "Shall the bill pass?" ([S.F. 78](#)), the vote was:

Yeas, 47:

Angelo	Dvorsky	Kettering	Schmitz
Appel	Fraise	Kibbie	Schoenjahn
Beall	Gaskill	Kreiman	Seng
Behn	Hahn	McCoy	Seymour
Black	Hancock	McKibben	Stewart
Boettger	Hartsuch	McKinley	Ward

Bolkcom	Hatch	Mulder	Warnstadt
Connolly	Heckroth	Noble	Wieck
Courtney	Hogg	Olive	Wood
Danielson	Horn	Quirnbach	Zaun
Dearden	Houser	Ragan	Zieman
Dotzler	Johnson	Rielly	

Nays, none.

Absent, 3:

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

FINAL COMMITTEE REPORT OF BILL ACTION

APPROPRIATIONS

Bill Title: [SENATE FILE 305](#) (LSB 2829sc), a bill for an act authorizing funding for providing disaster grants to needy individuals and families and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 21: Dvorsky, Angelo, Behn, Boettger, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 4: McCoy, Black, Bolkcom, and Putney.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration [Senate File 305](#).

[Senate File 305](#)

On motion of Senator Dvorsky, [Senate File 305](#), a bill for an act authorizing funding for providing disaster grants to needy individuals and families and providing an effective date, was taken up for consideration.

Senator Dvorsky offered amendment [S-3046](#), filed by him from the floor to page 1 and to the title page of the bill, and moved its adoption.

Amendment [S-3046](#) was adopted by a voice vote.

Senator Dvorsky 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. 305](#)), the vote was:

Yeas, 47:

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

Nays, none.

Absent, 3:

Gronstal	Lundby	Putney
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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 Courtney asked and received unanimous consent that **Senate Files 78** and **305** be **immediately messaged** to the House.

RECESS

On motion of Senator Courtney, the Senate recessed at 1:20 p.m. until 4:00 p.m.

RECONVENED

The Senate reconvened at 4:00 p.m., President Kibbie presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 28, 2007, **passed** the following bill in which the concurrence of the House was asked:

[Senate File 305](#), a bill for an act authorizing funding for providing disaster grants to needy individuals and families and providing an effective date.

ADJOURNMENT

On motion of Senator Courtney, the Senate adjourned at 4:01 p.m. until 8:45 a.m., Thursday, March 1, 2007.

APPENDIX—2

CERTIFICATES OF RECOGNITION

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

Devin Kimber, Waukon—For achieving the rank of Eagle Scout. Senator Zieman (2/28/07).

Jacob Riese, Waukon—For achieving the rank of Eagle Scout. Senator Zieman (2/28/07).

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Wednesday, February 28, 2007, 1:25 p.m.

Members Present: Schoenjahn, Chair; Appel, Vice Chair; Mulder, Ranking Member; Angelo, Beall, Boettger, Connolly, Heckroth, Johnson, Kreiman, Quirmbach, Schmitz, Wood, Zaun, and Zieman.

Members Absent: None.

Committee Business: Approved [SSB 1119](#) and presentation by the Department of Education.

Adjourned: 3:10 p.m.

LABOR AND BUSINESS RELATIONS

Convened: Wednesday, February 28, 2007, 1:35 p.m.

Members Present: Dearden, Chair; Courtney, Vice Chair; Ward, Ranking Member; Dotzler, Dvorsky, Hahn, Hatch, Horn, McKinley, Seng, and Wieck.

Members Absent: None.

Committee Business: Approved SSBs 1013 and 1157 (both amended).

Adjourned: 2:20 p.m.

TRANSPORTATION

Convened: Wednesday, February 28, 2007, 3:10 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Hancock, Heckroth, Houser, Warnstadt, Zaun, and Zieman.

Members Absent: McCoy and Putney.

Committee Business: Passed [SF 54](#) and approved [SSB 1160](#) (both amended).

Adjourned: 3:30 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION AND REGULATION

Convened: Wednesday, February 28, 2007, 10:40 a.m.

Members Present: Danielson, Chair; Appel, Vice Chair; Hahn, Ranking Member; Hartsuch and Stewart.

Members Absent: None.

Committee Business: Presentation by the State Treasurer's Office.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

Convened: Wednesday, February 28, 2007, 10:45 a.m.

Members Present: Seng, Chair; Schoenjahn, Vice Chair; Gaskill, Ranking Member; Black and Houser.

Members Absent: None.

Committee Business: Discussed LSB 1127.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Wednesday, February 28, 2007, 10:35 a.m.

Members Present: Dotzler, Chair; Heckroth, Vice Chair; Kettering, Ranking Member; Olive and Ward.

Members Absent: None.

Committee Business: Budget discussion.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Wednesday, February 28, 2007, 10:40 a.m.

Members Present: Wood, Chair; Horn, Vice Chair; Boettger, Ranking Member; Quirnbach and Ziemann.

Members Absent: None.

Committee Business: Presentation by Governor's Office.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES

Convened: Wednesday, February 28, 2007, 10:40 a.m.

Members Present: Hatch, Chair; Kreiman, Vice Chair; Johnson, Ranking Member; Ragan and Seymour.

Members Absent: None.

Committee Business: Health care presentations.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Wednesday, February 28, 2007, 10:40 a.m.

Members Present: Hancock, Chair; Fraise, Vice Chair; McKinley, Ranking Member; Hogg and Noble.

Members Absent: None.

Committee Business: Discussion of bills.

Adjourned: 10:55 a.m.

INTRODUCTION OF BILLS

[Senate File 306](#), by committee on Economic Growth, a bill for an act relating to the designation of Iowa great places and financial and technical assistance to projects in Iowa great places.

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

[Senate File 307](#), by committee on Ways and Means, a bill for an act allocating franchise tax revenues to local jurisdictions.

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

[Senate File 308](#), by committee on Natural Resources and Environment, a bill for an act authorizing the governor to designate April of each year as Aldo Leopold month.

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

[Senate File 309](#), by committee on Natural Resources and Environment, a bill for an act creating a department of environmental protection and providing an effective date.

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

[Senate File 310](#), by committee on Natural Resources and Environment, a bill for an act relating to civil damages payable for unlawful taking of certain animals and fish.

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

[Senate File 311](#), by committee on Judiciary, a bill for an act relating to an action for satisfaction of a mortgage.

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

[Senate File 312](#), by Seng, a bill for an act providing for state and local planning for the rescue of support animals in times of public disorder or disaster.

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

[Senate File 313](#), by Bolckcom, a bill for an act relating to consumer protection in specified home loans and the responsibilities of mortgage bankers and mortgage brokers in connection with such home loans.

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

[Senate File 314](#), by Bolckcom, a bill for an act providing for the establishment of net metering applicable to alternative energy production facilities.

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

[Senate File 315](#), by Lundby, Seng, Johnson, Angelo, Danielson, McCoy, Wood, and Putney, a bill for an act relating to joint physical care of children in dissolution cases and establishing a rebuttable presumption that a request for joint physical care is in the best interest of the child.

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

[Senate File 316](#), by Bolkcom and Lundby, a bill for an act creating an Alzheimer's disease task force.

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

[Senate File 317](#), by Wood, a bill for an act requiring in-state home improvement contractors to obtain surety performance bonds, and providing a criminal penalty.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

[Senate File 318](#), by Kibbie, Gronstal, and Quirmbach, a bill for an act relating to support for renewable fuels by making appropriations for the design and construction of a new renewable fuels building and for the employment of additional renewable fuels research scientists at Iowa state university.

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

STUDY BILLS RECEIVED

[SSB 1289](#) **Local Government**

Concerning accountability requirements for entities, boards, and administrators created for joint exercise of governmental powers.

SSB 1290 State Government

Establishing uniform finance procedures for obligations issued by the state.

SSB 1291 Labor and Business Relations

Providing for programs to assist mature workers in the workforce.

SSB 1292 Appropriations

Relating to and making appropriations to the department of cultural affairs, the department of economic development, certain board of regents institutions, the department of workforce development, the Iowa finance authority, and the public employment relations board, and related matters.

SSB 1293 Appropriations

Relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents.

SSB 1294 Human Resources

Creating a hemophilia advisory committee and providing an effective date.

SSB 1295 Human Resources

Relating to elimination of certain duties of the department of elder affairs and the area agencies on aging.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 2**

NATURAL RESOURCES AND ENVIRONMENT: Ragan, Chair; Black and Kettering

Senate File 76

TRANSPORTATION: Danielson, Chair; Warnstadt and Zieman

[Senate File 91](#)

TRANSPORTATION: Putney, Chair; Dearden and Rielly

[Senate File 231](#)

TRANSPORTATION: McCoy, Chair; Danielson and Houser

[Senate File 243](#)

ECONOMIC GROWTH: Hatch, Chair; Houser and Olive

[Senate File 277](#)

APPROPRIATIONS: Wood, Chair; Angelo, Boettger, Connolly, and Dvorsky

[Senate File 281](#)

HUMAN RESOURCES: Quirnbach, Chair; Ragan and Seymour

[Senate File 283](#)

COMMERCE: Rielly, Chair; Olive and Wieck

[Senate File 284](#)

LABOR AND BUSINESS RELATIONS: McKinley, Chair; Horn and Seng

[Senate File 290](#)

HUMAN RESOURCES: Hatch, Chair; Ragan and Seymour

[Senate File 292](#)

JUDICIARY: Ward, Chair; Kreiman and Schoenjahn

[Senate File 295](#)

WAYS AND MEANS: Dotzler, Chair; Putney and Stewart

[Senate File 296](#)

NATURAL RESOURCES AND ENVIRONMENT: Hogg, Chair; Behn and Bolckom

[Senate File 298](#)

STATE GOVERNMENT: Hatch, Chair; Behn and Kibbie

[Senate File 299](#)

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Dotzler and McKinley

[House File 367](#)

LABOR AND BUSINESS RELATIONS: Ward, Chair; Dearden and Horn

[SSB 1289](#)

LOCAL GOVERNMENT: Quirnbach, Chair; Angelo and Kreiman

[SSB 1290](#)

STATE GOVERNMENT: Connolly, Chair; Hahn and Hatch

[SSB 1291](#)

LABOR AND BUSINESS RELATIONS: Dearden, Chair; Dotzler and Wieck

[SSB 1292](#)

APPROPRIATIONS: Dotzler, Chair; Dvorsky and Ward

[SSB 1293](#)

APPROPRIATIONS: Wood, Chair; Boettger and Dvorsky

[SSB 1294](#)

HUMAN RESOURCES: Johnson, Chair; Dotzler and Schmitz

[SSB 1295](#)

HUMAN RESOURCES: Bolkcom, Chair; Ragan and Seymour

LSB 2829sc

APPROPRIATIONS: Dvorsky, Chair; Angelo and Danielson

FINAL COMMITTEE REPORTS OF BILL ACTION

ECONOMIC GROWTH

Bill Title: *[SENATE FILE 306 \(SSB 1016\)](#), a bill for an act relating to the designation of Iowa great places and financial and technical assistance to projects in Iowa great places.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Stewart, Olive, Houser, Beall, Danielson, Dotzler, Hahn, Hatch, Mulder, Rielly, Schmitz, Seymour, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Economic Growth Committee on [Senate File 306](#), and they were attached to the committee report.

JUDICIARY

Bill Title: [SENATE FILE 311 \(SSB 1206\)](#), a bill for an act relating to an action for satisfaction of a mortgage.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Kreiman, Hogg, McKibben, Behn, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, 1: Dvorsky.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: [SENATE FILE 308](#) (formerly [SF 156](#)), a bill for an act authorizing the governor to designate April of each year as Aldo Leopold month.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Hancock, Gaskill, Behn, Bolcom, Dearden, Hogg, Johnson, Kettering, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 309](#) (formerly [SF 77](#)), a bill for an act creating a department of environmental protection and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Hancock, Gaskill, Behn, Bolcom, Dearden, Hogg, Johnson, Kettering, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on [Senate File 309](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 310 \(SSB 1114\)](#), a bill for an act relating to civil damages payable for unlawful taking of certain animals and fish.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Black, Hancock, Gaskill, Behn, Bolkcom, Dearden, Hogg, Johnson, Kettering, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, none. Absent, 1: Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Natural Resources and Environment Committee on [Senate File 310](#), and they were attached to the committee report.

WAYS AND MEANS

Bill Title: [SENATE FILE 307](#) (formerly [SF 83](#)), a bill for an act allocating franchise tax revenues to local jurisdictions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Bolkcom, McCoy, McKibben, Appel, Connolly, Dotzler, Hogg, Noble, Putney, Quirnbach, Schmitz, Seng, Stewart, Ward, and Wieck. Nays, none. Absent, 2: Angelo and Lundby.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL 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 bill has 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 28th day of February, 2007:

[Senate File 305.](#)

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-3043	S.F.	78	David Johnson
S-3044	S.F.	114	Wally E. Horn
S-3045	S.F.	201	Roger Stewart
S-3046	S.F.	305	Robert E. Dvorsky
S-3047	S.F.	78	Tom Hancock
S-3048	S.F.	67	David L. Hartsuch