

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, MARCH 13, 2007

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JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 13, 2007

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

Prayer was offered by Reverend Dale Batcheler of the First United Methodist Church in Marshalltown, Iowa. He was the guest of Senator McKibben.

The Journal of Monday, March 12, 2007, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Angelo, for the day, on the request of Senator Boettger; Senators McKibben and Putney, until they arrive, on request of Senator Lundby; and Senators Hatch and Hogg, until they arrive, on request of Senator Gronstal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 264 and 480.

[Senate File 264](#)

On motion of Senator Mulder, [Senate File 264](#), a bill for an act relating to grandparent and great-grandparent visitation, was taken up for consideration.

Senator Mulder offered amendment [S-3049](#), filed by Senator Mulder, et al., on March 1, 2007, to page 1 of the bill, and moved its adoption.

Amendment [S-3049](#) was adopted by a voice vote.

Senator Mulder 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. 264](#)), the vote was:

Yeas, 45:

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

Nays, none.

Absent, 5:

Angelo	Hogg	Putney
Hatch	McKibben	

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

[Senate File 480](#)

On motion of Senator Kreiman, [Senate File 480](#), a bill for an act relating to children who are subject to a court order for a temporary or permanent out-of-home placement by providing for visitation or ongoing interaction between the children and siblings, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 480](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo	Hatch
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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 Gronstal asked and received unanimous consent that **Senate Files 264** and **480** be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 9:10 a.m. until 3:30 p.m.

APPENDIX—1**EXPLANATION OF VOTES**

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 13, 2007, when the vote was taken on [Senate File 264](#). Had I been present, I would have voted “Yea.”

ROBERT M. HOGG

ALSO:

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 13, 2007, when the votes were taken on Senate Files 264 and 480. Had I been present, I would have voted “Yea” on both.

JOHN PUTNEY

CERTIFICATES OF RECOGNITION

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

Elaine Andersen, Kimballton—For celebrating her 85th birthday. Senator Boettger (3/13/07).

Pinky Galbreath, Onawa—For celebrating her 109th birthday. Senator Seymour (3/13/07).

Fred and Patti Gibson, Blencoe—For celebrating their 50th wedding anniversary. Senator Seymour (3/13/07).

Graettinger-Terril Girls Basketball Team—For being the 2007 Class 1A State Champions. Senator Kibbie (3/13/07).

Fern Hacker, Waterloo—For celebrating her 90th birthday. Senator Dotzler (3/13/07).

Vernal Henriksen, Harlan—For celebrating her 95th birthday. Senator Boettger (3/13/07).

Roger and Edna Johannsen, Arthur—For celebrating their 50th wedding anniversary. Senator Seymour (3/13/07).

Grant and Barbara Mann, Turin—For celebrating their 50th wedding anniversary. Senator Seymour (3/13/07).

Katherine Mitchell, Waterloo—For celebrating her 90th birthday. Senator Dotzler (3/13/07).

Paul and Patricia Petersen, Turin—For celebrating their 50th wedding anniversary. Senator Seymour (3/13/07).

Theresa Petersen, Graettinger—For being selected to the 2007 Iowa Girls Basketball All-Tournament Team. Senator Kibbie (3/13/07).

Glenden Roberts, Waterloo—For celebrating his 90th birthday. Senator Dotzler (3/13/07).

Mabel Trimmer Stahl, Walnut—For celebrating her 90th birthday. Senator Boettger (3/13/07).

Merrill Stolz, Harlan—For celebrating his 90th birthday. Senator Boettger (3/13/07).

John and Patty Stueve, Missouri Valley—For celebrating their 40th wedding anniversary. Senator Seymour (3/13/07).

Megan Torkelson, Graettinger—For being selected to the 2007 Iowa Girls Basketball All-Tournament Team, “Pizza Ranch Player of the Game,” and the Des Moines Register 2nd Team All-State. Senator Kibbie (3/13/07).

REPORTS OF COMMITTEE MEETINGS

GOVERNMENT OVERSIGHT

Convened: Tuesday, March 13, 2007, 10:15 a.m.

Members Present: Connolly, Vice Chair; Lundby and Schmitz.

Members Absent: Courtney, Chair; and Wieck, Ranking Member (both excused).

Committee Business: Subcommittee assignments.

Adjourned: 10:25 a.m.

LABOR AND BUSINESS RELATIONS

Convened: Tuesday, March 13, 2007, 1:05 p.m.

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

Members Absent: Hatch (excused).

Committee Business: Passed HF 367 and 368.

Adjourned: 1:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: Tuesday, March 13, 2007, 10:10 a.m.

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

Members Absent: None.

Committee Business: Approved proposed economic development bill, LSB 1128ja (as amended).

Adjourned: 10:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: Tuesday, March 13, 2007, 10:25 a.m.

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

Members Absent: None.

Committee Business: Approved LSB 1131ja (as amended).

Adjourned: 11:25 a.m.

PRESENTATION OF VISITORS

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

Foster children, foster parents, and foster grandparents from throughout the state who were present in the balcony. Senator Kibbie.

INTRODUCTION OF BILLS

Senate File 502, by committee on Commerce, a bill for an act relating to the regulation of savings and loan associations by the division of banking of the department of commerce.

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

Senate File 503, by committee on Human Resources, a bill for an act relating to regulation of children's services by the department of human services by increasing the age for certain children receiving

child care regulated by the department and revising child welfare and juvenile justice service provisions.

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

[Senate File 504](#), by committee on Agriculture, a bill for an act providing for the regulation of packers and the purchase of swine from producers, and providing for penalties.

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

[Senate File 505](#), by committee on Judiciary, a bill for an act relating to civil liability for damages relating to the use of an automated external defibrillator in sudden cardiac arrest emergencies.

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

[Senate File 506](#), by committee on Economic Growth, a bill for an act relating to certain distress criteria under the enterprise zone program.

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

[Senate File 507](#), by committee on Judiciary, 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 **placed on calendar**.

[Senate File 508](#), by committee on Commerce, a bill for an act requiring health care benefit coverage for certain prosthetic devices and providing an applicability date.

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

[Senate File 509](#), by committee on Judiciary, a bill for an act relating to a revised uniform anatomical gift Act, and providing penalties.

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

[Senate File 510](#), by committee on State Government, a bill for an act concerning electrical and mechanical amusement devices and providing penalties.

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

[Senate File 511](#), by committee on Natural Resources and Environment, a bill for an act regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

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

[Senate File 512](#), by committee on State Government, a bill for an act relating to the regulation of pharmacy benefits managers and providing penalties.

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

[Senate File 513](#), by committee on Local Government, a bill for an act relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections.

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

[Senate File 514](#), by committee on Commerce, a bill for an act requiring insurers offering certain individual or group health insurance contracts, policies, or plans to provide coverage for vaccinations for human papilloma virus.

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

[Senate File 515](#), by committee on Commerce, 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 **placed on calendar.**

[Senate File 516](#), by committee on State Government, a bill for an act relating to the sales of beer kegs by requiring an identification number on each keg of beer, recording of the purchase of beer by the keg, and providing penalties.

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

[Senate File 517](#), by committee on Judiciary, a bill for an act relating to the state building code by providing for training, administration, and enforcement of energy conservation requirements.

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

[Senate File 518](#), by committee on Commerce, a bill for an act reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary.

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

[Senate File 519](#), by committee on State Government, a bill for an act providing for energy performance-based contracts for certain public entities.

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

[Senate File 520](#), by committee on Judiciary, a bill for an act creating a private cause of action for certain consumer fraud violations.

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

[Senate File 521](#), by committee on Judiciary, a bill for an act relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties and recordkeeping affecting real estate, the confidentiality of arrest

warrants, and notices by the department of corrections to the clerk of the district court.

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

[Senate File 522](#), by committee on Judiciary, a bill for an act relating to communications made in professional confidence concerning health care, patient access to the patient's medical file, and health care records and providing for fees.

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

[Senate File 523](#), by committee on Judiciary, a bill for an act relating to a person under legal age submitting to a preliminary screening test for the detection of the presence of alcohol, and providing a penalty.

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

[Senate File 524](#), by committee on Judiciary, a bill for an act relating to the criminal penalties for certain offenses involving sexual abuse in the second degree, lascivious acts with a child, and sexual exploitation, and establishing a duty to inform law enforcement about a registered sex offender.

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

[Senate File 525](#), by committee on Judiciary, a bill for an act relating to electronically recording an interrogation of a person suspected of a crime.

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

[Senate File 526](#), by committee on Judiciary, a bill for an act relating to issuing subpoenas for an investigation or prosecution of a simple misdemeanor.

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

[Senate File 527](#), by committee on Commerce, a bill for an act relating to agreements to pay compensation to recover or assist in the recovery of certain unclaimed property.

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

[Senate File 528](#), by committee on Judiciary, a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

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

[Senate File 529](#), by committee on Judiciary, a bill for an act expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

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

[Senate File 530](#), by committee on Commerce, a bill for an act relating to prohibited business practices by a real estate broker or salesperson.

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

[Senate File 531](#), by committee on Judiciary, a bill for an act relating to expunging a record of conviction for theft in the fifth degree offenses.

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

[Senate File 532](#), by committee on Judiciary, a bill for an act relating to condemnation of property by consent of the property owner.

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

[Senate File 533](#), by committee on Judiciary, a bill for an act relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions.

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

[Senate File 534](#), by committee on Judiciary, a bill for an act relating to civil protective orders and criminal no-contact orders.

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

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: *[SENATE FILE 504 \(SSB 1001\)](#), a bill for an act providing for the regulation of packers and the purchase of swine from producers, and providing for penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Fraise, Rielly, Johnson, Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Mulder, Olive, Putney, and Seng. 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 Agriculture Committee on [Senate File 504](#), and they were attached to the committee report.

COMMERCE

Bill Title: [SENATE FILE 502 \(SSB 1314\)](#), a bill for an act relating to the regulation of savings and loan associations by the division of banking of the department of commerce.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Warnstadt, Heckroth, Wieck, Angelo, Bolkom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 508 \(SSB 1076\)](#), a bill for an act requiring health care benefit coverage for certain prosthetic devices and providing an applicability date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Warnstadt, Heckroth, Wieck, Angelo, Bolkcom, Courtney, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, 1: Kettering. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 514 \(SSB 1231\)](#), a bill for an act requiring insurers offering certain individual or group health insurance contracts, policies, or plans to provide coverage for vaccinations for human papilloma virus.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Warnstadt, Heckroth, Wieck, Angelo, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 515](#) (formerly [SF 303](#)), 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Warnstadt, Heckroth, Wieck, Angelo, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 518 \(SSB 1313\)](#), a bill for an act reorganizing Code chapter provisions relating to the authority to engage in the business of insurance other than life insurance by transferring provisions, eliminating outdated provisions, and amending corresponding provisions, as necessary.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Warnstadt, Heckroth, Wieck, Angelo, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 527](#) (formerly [SF 227](#)), a bill for an act relating to agreements to pay compensation to recover or assist in the recovery of certain unclaimed property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Warnstadt, Heckroth, Wieck, Angelo, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. 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 Commerce Committee on [Senate File 527](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 530](#) ([SSB 1133](#)), a bill for an act relating to prohibited business practices by a real estate broker or salesperson.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Warnstadt, Heckroth, Bolkcom, Courtney, Kettering, McCoy, Olive, Rielly, Schoenjahn, and Stewart. Nays, 5: Wieck, Angelo, McKibben, Putney, and Ward. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ECONOMIC GROWTH

Bill Title: [SENATE FILE 506](#) ([SSB 1300](#)), a bill for an act relating to certain distress criteria under the enterprise zone program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Stewart, Olive, Houser, Beall, Danielson, Dotzler, Hahn, Hatch, Rielly, Schmitz, Seymour, and Zaun. Nays, none. Absent, 1: Mulder.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: *[SENATE FILE 503](#) ([SSB 1238](#)), a bill for an act relating to regulation of children's services by the department of human services by increasing the age for certain children receiving child care regulated by the department and revising child welfare and juvenile justice service provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirmbach, and Wood. Nays, none. Absent, 1: Kreiman.

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 Human Resources Committee on [Senate File 503](#), and they were attached to the committee report.

JUDICIARY

Bill Title: [SENATE FILE 505 \(SSB 1318\)](#), a bill for an act relating to civil liability for damages relating to the use of an automated external defibrillator in sudden cardiac arrest emergencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 507](#) (formerly [SF 315](#)), 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 509 \(SSB 1288\)](#), a bill for an act relating to a revised uniform anatomical gift Act, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 517](#) (formerly [SF 288](#)), a bill for an act relating to the state building code by providing for training, administration, and enforcement of energy conservation requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kreiman, Hogg, Dvorsky, Fraise, Hancock, Horn, Quirmbach, Schoenjahn, and Warnstadt. Nays, 6: McKibben, Behn, Hartsuch, Noble, Ward, and Zieman. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 520 \(SSB 1081\)](#), a bill for an act creating a private cause of action for certain consumer fraud violations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kreiman, Hogg, Dvorsky, Fraise, Hancock, Horn, Quirmbach, Schoenjahn, and Warnstadt. Nays, none. Present, 6: McKibben, Behn, Hartsuch, Noble, Ward, and Zieman. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 521 \(SSB 1187\)](#), a bill for an act relating to judicial branch practices and procedures including but not limited to adoption petitions, clerk of the district court duties and recordkeeping affecting real estate, the confidentiality of arrest warrants, and notices by the department of corrections to the clerk of the district court.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirmbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 522 \(SSB 1097\)](#), a bill for an act relating to communications made in professional confidence concerning health care, patient access to the patient's medical file, and health care records and providing for fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Kreiman, Hogg, Dvorsky, Fraise, Hancock, Horn, Quirmbach, and Warnstadt. Nays, 7: McKibben, Behn, Hartsuch, Noble, Schoenjahn, Ward, and Zieman. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 523](#) (formerly [SF 375](#)), a bill for an act relating to a person under legal age submitting to a preliminary screening test for the detection of the presence of alcohol, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Noble, Schoenjahn, Ward, Warnstadt, and Ziemann. Nays, 3: Hartsuch, Horn, and Quirnbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 524](#) (formerly [SF 180](#)), a bill for an act relating to the criminal penalties for certain offenses involving sexual abuse in the second degree, lascivious acts with a child, and sexual exploitation, and establishing a duty to inform law enforcement about a registered sex offender.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Ziemann. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 525](#) ([SSB 1324](#)), a bill for an act relating to electronically recording an interrogation of a person suspected of a crime.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Ziemann. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 526](#) (formerly [SF 226](#)), a bill for an act relating to issuing subpoenas for an investigation or prosecution of a simple misdemeanor.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 528](#) (formerly [SF 96](#)), a bill for an act prohibiting the department of corrections from entering into an agreement with a private sector for-profit entity for the purpose of housing inmates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 529 \(SSB 1285\)](#), a bill for an act expanding the criminal offense of possessing contraband in correctional institutions to include possessing contraband in a secure facility for the detention or custody of juveniles, a detention facility, or a jail, and providing a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 531 \(SSB 1326\)](#), a bill for an act relating to expunging a record of conviction for theft in the fifth degree offenses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 532](#) (formerly [SF 20](#)), a bill for an act relating to condemnation of property by consent of the property owner.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 533 \(SSB 1099\)](#), a bill for an act relating to a debtor's exempt personal injury payments in state court debt collection and federal bankruptcy actions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: [HOUSE FILE 367](#), a bill for an act relating to wage payment collection of direct deposit wages as administered by the division of labor services of the department of workforce development.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Dearden, Courtney, Ward, Dotzler, Dvorsky, Hahn, Horn, McKinley, Seng, and Wieck. Nays, none. Absent, 1: Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 368](#), a bill for an act relating to the boiler and pressure vessel safety program enforced by the division of labor services of the department of workforce development.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Dearden, Courtney, Ward, Dotzler, Dvorsky, Hahn, Horn, McKinley, Seng, and Wieck. Nays, none. Absent, 1: Hatch.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: [SENATE FILE 513 \(SSB 1310\)](#), a bill for an act relating to the construction bidding procedures Act by modifying procedures and requirements for letting public improvement contracts, and making corrections.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 11: Quirmbach, Beall, Zaun, Angelo, Heckroth, Kreiman, McKinley, Olive, Rielly, Schoenjahn, and Stewart. Nays, 2: Hartsuch and Houser. 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 Local Government Committee on [Senate File 513](#), and they were attached to the committee report.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *[SENATE FILE 511](#) (formerly [SF 135](#)), a bill for an act regulating dangerous wild animals, including their ownership and possession, requiring registration, providing for fees and appropriations, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Black, Hancock, Gaskill, Behn, Bolkom, Dearden, Hogg, Johnson, Kettering, Lundby, Noble, Ragan, Schoenjahn, Seng, and Wood. 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 Natural Resources and Environment Committee on [Senate File 511](#), and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: *[SENATE FILE 510 \(SSB 1180\)](#), a bill for an act concerning electrical and mechanical amusement devices and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. 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 State Government Committee on [Senate File 510](#), and they were attached to the committee report.

ALSO:

Bill Title: [SENATE FILE 512 \(SSB 1089\)](#), a bill for an act relating to the regulation of pharmacy benefits managers and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Connolly, Horn, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Present, 1: Zieman. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 516](#) (formerly [SF 297](#)), a bill for an act relating to the sales of beer kegs by requiring an identification number on each keg of beer, recording of the purchase of beer by the keg, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. 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 State Government Committee on [Senate File 516](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 519 \(SSB 1269\)](#), a bill for an act providing for energy performance-based contracts for certain public entities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Connolly, Horn, Appel, Black, Danielson, Hatch, Kibbie, Schmitz, and Wood. Nays, 6: Zieman, Behn, Gaskill, Hahn, Kettering, and McKibben. 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 State Government Committee on [Senate File 519](#), and they were attached to the committee report.

AFTERNOON SESSION

The Senate reconvened at 3:47 p.m., President Kibbie 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 March 13, 2007, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 67](#), a bill for an act relating to the regulation and practice of pharmacy, including providing for the establishment of a limited drug and device distributor license.

[Senate File 272](#), a bill for an act relating to nonsubstantive Code corrections and including effective and retroactive applicability date provisions.

[Senate File 319](#), a bill for an act relating to cooperative associations, by providing for documentation, including certificates and statements.

ALSO: That the House has on March 13, 2007, **amended and passed** the following bill in which the concurrence of the House was asked:

[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. ([S-3108](#))

ALSO: That the House has on March 13, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 528](#), a bill for an act relating to the regulation of hospitals and health care facilities by the department of inspections and appeals, including investigations of complaints against health care facilities and rules relating to authentication of certain orders by practitioners, and providing an immediate effective date.

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

[House File 587](#), a bill for an act relating to advisory boards created pursuant to emergency services agreements and providing an effective date.

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

[House File 588](#), a bill for an act relating to requirements for persons seeking election to township office.

Read first time and **attached to companion [Senate File 426](#)**.

[House File 591](#), a bill for an act providing procedures to increase the number of city council members in certain cities.

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

[House File 608](#), a bill for an act relating to notice of meetings of the board of township trustees.

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

BILLS REFERRED TO COMMITTEES

Senator Gronstal asked and received unanimous consent that the following bills on the Senate calendar be referred to the following committees:

Agriculture

S.F. 470

Appropriations

S.F. 251 (attached to H.F. 397)	S.F. 425
S.F. 259	S.F. 433
S.F. 309	S.F. 438
S.F. 324	S.F. 439
S.F. 353	S.F. 447
S.F. 359	S.F. 452
S.F. 367	S.F. 453
S.F. 396	S.F. 464
S.F. 397	H.F. 397 (attached to S.F. 251)
S.F. 409	

Ways and Means

S.F. 273	S.F. 386
S.F. 334	S.F. 395
S.F. 368	S.F. 443
S.F. 370	S.F. 451

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 270 and 407.

Senate File 270

On motion of Senator Danielson, Senate File 270, a bill for an act relating to the military code by amending the powers of the adjutant general and by allowing the armory board to enter into design-build contracts for the construction of certain national guard facilities, 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. 270), the vote was:

Yeas, 48:

Appel	Fraise	Kettering	Rielly
Beall	Gaskill	Kibbie	Schmitz
Behn	Gronstal	Kreiman	Schoenjahn
Black	Hahn	Lundby	Seng
Boettger	Hancock	McKibben	Seymour
Bolkcom	Hartsuch	McKinley	Stewart
Connolly	Hatch	Mulder	Ward
Courtney	Heckroth	Noble	Warnstadt
Danielson	Hogg	Olive	Wieck
Dearden	Horn	Putney	Wood

Dotzler	Houser	Quirnbach	Zaun
Dvorsky	Johnson	Ragan	Zieman

Nays, none.

Absent, 2:

Angelo	McCoy
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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 407

On motion of Senator Warnstadt, [Senate File 407](#), a bill for an act relating to the home ownership assistance program for Iowa residents who are eligible members of the armed forces of the United States, was taken up for consideration.

Senator Warnstadt 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. 407](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo	McCoy
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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 Gronstal asked and received unanimous consent that **Senate Files 270** and **407** be **immediately messaged** to the House.

The Senate stood at ease at 4:07 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:55 p.m., President Kibbie presiding.

SPECIAL GUEST

Senator Hartsuch welcomed to the Senate chamber the Honorable Maggie Tinsman, former senator from Scott County.

The Senate rose and expressed its welcome.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 450](#).

[Senate File 450](#)

On motion of Senator Kreiman, [Senate File 450](#), a bill for an act relating to limitations of actions as applied to county collection of delinquent property taxes, was taken up for consideration.

Senator Kreiman asked and received unanimous consent that action on [Senate File 450](#) be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 236](#).

Senate File 236

On motion of Senator Quirnbach, Senate File 236, a bill for an act relating to local regulation of smoking, was taken up for consideration.

Senator Zaun asked and received unanimous consent that action on Senate File 236 be **deferred**.

BUSINESS PENDING

Senate File 450

The Senate resumed consideration of Senate File 450, a bill for an act relating to limitations of actions as applied to county collection of delinquent property taxes, previously deferred.

Senator Kreiman offered amendment S-3110, filed by Senators Kreiman and Hartsuch from the floor to page 1 and to the title page of the bill, and moved its adoption.

Amendment S-3110 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 450), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	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	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Angelo

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 (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 340, 310, 308, 304, and 249.

Senate File 340

On motion of Senator Kreiman, Senate File 340, a bill for an act relating to the consideration of inherited or gifted property in dissolution-of-marriage property division proceedings and including an effective date and an applicability provision, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 340), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	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	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Angelo

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

Senate File 310

On motion of Senator Hancock, Senate File 310, a bill for an act relating to civil damages payable for unlawful taking of certain animals and fish, 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. 310), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	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	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Angelo

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

Senate File 308

On motion of Senator Hogg, [Senate File 308](#), a bill for an act authorizing the governor to designate April of each year as Aldo Leopold month, 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. 308](#)), the vote was:

Yeas, 44:

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

Nays, 5:

Behn	McKinley	Zaun
Hartsuch	Wieck	

Absent, 1:

Angelo

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

Senate File 304

On motion of Senator Black, [Senate File 304](#), 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, was taken up for consideration.

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

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

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	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	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Angelo

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 249](#).

[Senate File 249](#)

On motion of Senator Kreiman, [Senate File 249](#), a bill for an act relating to the conference of eligibility on and conditions of eligibility for individuals for certain programs under the purview of the department of human services, was taken up for consideration.

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

On the question “Shall the bill pass?” ([S.F. 249](#)), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	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	Putney	Zaun
Dearden	Houser	Quirmbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Angelo

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 249, 304, 308, 310, 340, and 450** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 354, 358, 381, and 405.

Senate File 354

On motion of Senator Olive, Senate File 354, a bill for an act relating to certain overpayments of moneys to a county, was taken up for consideration.

Senator McKinley offered amendment S-3092, filed by him on March 12, 2007, to page 1 and to the title page of the bill, and moved its adoption.

Amendment S-3092 lost by a voice vote.

Senator Olive 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. 354), the vote was:

Yeas, 49:

Appel	Gaskill	Kreiman	Schoenjahn
Beall	Gronstal	Lundby	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	Putney	Zaun
Dearden	Houser	Quirnbach	Zieman
Dotzler	Johnson	Ragan	
Dvorsky	Kettering	Rielly	
Fraise	Kibbie	Schmitz	

Nays, none.

Absent, 1:

Angelo

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

Senate File 358

On motion of Senator Danielson, [Senate File 358](#), a bill for an act establishing preclicensing and continuing education requirements for used motor vehicle dealers, 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. 358](#)), the vote was:

Yeas, 43:

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

Nays, 6:

Behn	Kettering	McKinley
Johnson	Kreiman	Zieman

Absent, 1:

Angelo

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Appel, until she returns, on request of Senator Gronstal.

Senate File 381

On motion of Senator Kreiman, [Senate File 381](#), a bill for an act relating to judicial branch procedures, including appointments of court of appeals judges, district judges, district associate judges, associate juvenile judges, associate probate judges, magistrates, and patient advocates, and compensation to judges and other court personnel serving as fiduciaries, was taken up for consideration.

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

On the question “Shall the bill pass?” ([S.F. 381](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo Appel

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

Senate File 405

On motion of Senator Hancock, [Senate File 405](#), a bill for an act relating to national pollutant discharge elimination system permits for disposal systems, 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. 405](#)), the vote was:

Yeas, 48:

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

Nays, none.

Absent, 2:

Angelo McCoy

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 354, 358, 381, and 405** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 6:00 p.m. until 8:45 a.m., Wednesday, March 14, 2007.

APPENDIX—2**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS**

Convened: Tuesday, March 13, 2007, 3:05 p.m.

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

Members Absent: McCoy, Vice Chair; Angelo, Ranking Member; and Black (all excused).

Committee Business: Approved [SSB 1305](#).

Recessed: 3:10 p.m.

Reconvened: 3:30 p.m.

Adjourned: 3:40 p.m.

HUMAN RESOURCES

Convened: Tuesday, March 13, 2007, 2:05 p.m.

Members Present: Ragan, Chair; Schmitz, Vice Chair; Seymour, Ranking Member; Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood.

Members Absent: Kreiman (excused).

Committee Business: Passed [HF 396](#).

Adjourned: 2:10 p.m.

TRANSPORTATION

Convened: Tuesday, March 13, 2007, 2:05 p.m.

Members Present: Rielly, Chair; Danielson, Vice Chair; Noble, Ranking Member; Beall, Dearden, Heckroth, Houser, Putney, Warnstadt, and Ziemann.

Members Absent: Hancock, McCoy, and Zaun (all excused).

Committee Business: Presentation by the Department of Transportation.

Adjourned: 2:45 p.m.

INTRODUCTION OF BILLS

[Senate File 535](#), by committee on Judiciary, a bill for an act relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date.

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

[Senate File 536](#), by committee on Human Resources, a bill for an act relating to entities and activities regulated by the Iowa department of public health, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

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

[Senate File 537](#), by committee on Transportation, a bill for an act requiring the department of administrative services to convert state-owned vehicles under the department's control to alternative fuel vehicles.

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

[Senate File 538](#), by committee on Judiciary, a bill for an act relating to a parent's cause of action for the recovery of expenses and actual loss of services, companionship, and society resulting from the injury to or death of a child and including an applicability date provision.

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

[Senate File 539](#), by committee on State Government, a bill for an act establishing uniform finance procedures for obligations issued by the state.

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

[Senate File 540](#), by committee on Judiciary, a bill for an act relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions.

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

[Senate File 541](#), by committee on Commerce, a bill for an act relating to consumer protection in specified home loans.

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

[Senate File 542](#), by committee on Natural Resources and Environment, a bill for an act relating to a pharmaceutical collection and disposal pilot project.

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

[Senate File 543](#), by committee on Agriculture, a bill for an act relating to the state interagency Missouri river authority, by providing for the participation in or withdrawal from interstate associations, providing for the appointment of a vice chairperson, and providing for duties of member agencies.

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

SUBCOMMITTEE ASSIGNMENTS

[Senate File 250](#)

WAYS AND MEANS: Seng, Chair; Dotzler and Putney

[Senate File 410](#)

AGRICULTURE: Rielly, Chair; Gaskill and Olive

[Senate File 496](#)

WAYS AND MEANS: Quirnbach, Chair; Angelo and Stewart

[House File 525](#)

JUDICIARY: Hancock, Chair; Dvorsky and Noble

[House File 610](#)

HUMAN RESOURCES: Schmitz, Chair; Dotzler and Johnson

FINAL COMMITTEE REPORTS OF BILL ACTION

AGRICULTURE

Bill Title: *[SENATE FILE 543 \(SSB 1311\)](#), a bill for an act relating to the state interagency Missouri river authority, by providing for the participation in or withdrawal from interstate associations, providing for the appointment of a vice chairperson, and providing for duties of member agencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Fraise, Rielly, Johnson, Appel, Black, Boettger, Courtney, Gaskill, Hancock, Houser, Kibbie, Olive, Putney, and Seng. Nays, none. Absent, 1: Mulder.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Agriculture Committee on [Senate File 543](#), and they were attached to the committee report.

COMMERCE

Bill Title: *[SENATE FILE 541](#) (formerly [SF 313](#)), a bill for an act relating to consumer protection in specified home loans.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Warnstadt, Heckroth, Wieck, Angelo, Bolkcom, Courtney, Kettering, McCoy, McKibben, Olive, Putney, Rielly, Schoenjahn, Stewart, and Ward. 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 Commerce Committee on [Senate File 541](#), and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: *[SENATE FILE 536 \(SSB 1195\)](#), a bill for an act relating to entities and activities regulated by the Iowa department of public health, including the practices of optometry and mortuary science, establishment of a state public health dental director and an oral health bureau, membership on the child death review team, and immunity for emergency response, and providing for the revision of fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Kreiman.

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 Human Resources Committee on [Senate File 536](#), and they were attached to the committee report.

ALSO:

Bill Title: [HOUSE FILE 396](#), a bill for an act expanding the scope of services under an existing appropriation for the community empowerment initiative involving preschool services and providing effective date and applicability provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Ragan, Schmitz, Seymour, Behn, Boettger, Bolkcom, Dotzler, Hatch, Johnson, Mulder, Quirnbach, and Wood. Nays, none. Absent, 1: Kreiman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY:

Bill Title: [SENATE FILE 534 \(SSB 1280\)](#), a bill for an act relating to civil protective orders and criminal no-contact orders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 535 \(SSB 1327\)](#), a bill for an act relating to general provisions of the uniform commercial code relating to the construction and application of its subject matter, and providing for a contingent effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 538 \(SSB 1138\)](#), a bill for an act relating to a parent's cause of action for the recovery of expenses and actual loss of services, companionship, and society resulting from the injury to or death of a child and including an applicability date provision.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kreiman, Hogg, Dvorsky, Fraise, Hancock, Horn, Quirnbach, Schoenjahn, and Warnstadt. Nays, 5: McKibben, Behn, Hartsuch, Noble, and Zieman. Present, 1: Ward. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 540 \(SSB 1274\)](#), a bill for an act relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Kreiman, Hogg, McKibben, Behn, Dvorsky, Fraise, Hancock, Hartsuch, Horn, Noble, Quirnbach, Schoenjahn, Ward, Warnstadt, and Zieman. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES AND ENVIRONMENT

Bill Title: *[SENATE FILE 542](#) (formerly [SF 291](#)), a bill for an act relating to a pharmaceutical collection and disposal pilot project.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 13: Black, Hancock, Gaskill, Bolkcom, Dearden, Hogg, Johnson, Kettering, Noble, Ragan, Schoenjahn, Seng, and Wood. Nays, 1: Behn. 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 542](#), and they were attached to the committee report.

STATE GOVERNMENT

Bill Title: [SENATE FILE 539 \(SSB 1290\)](#), a bill for an act establishing uniform finance procedures for obligations issued by the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Connolly, Horn, Zieman, Appel, Behn, Black, Danielson, Gaskill, Hahn, Hatch, Kettering, Kibbie, McKibben, Schmitz, and Wood. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: *[SENATE FILE 537](#) (formerly [SF 343](#)), a bill for an act requiring the department of administrative services to convert state-owned vehicles under the department's control to alternative fuel vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Rielly, Danielson, Noble, Beall, Dearden, Hancock, Heckroth, Houser, McCoy, Putney, Warnstadt, Zaun, and Zieman. 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 Transportation Committee on [Senate File 537](#), and they were attached to the committee report.

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 13th day of March, 2007:

[Senate File 39.](#)

MICHAEL E. MARSHALL
Secretary of the Senate

AMENDMENTS FILED

S-3096	S.F. 383	David Johnson
S-3097	S.F. 383	David Johnson
S-3098	S.F. 383	David Johnson
S-3099	S.F. 383	David Johnson
S-3100	S.F. 383	David Johnson
S-3101	S.F. 383	David Johnson
S-3102	S.F. 383	David Johnson
S-3103	S.F. 200	Brian Schoenjahn
S-3104	S.F. 488	Michael Connolly
S-3105	S.F. 236	Herman C. Quirmbach
S-3106	S.F. 426	Nancy J. Boettger
S-3107	S.F. 426	Brad Zaun
S-3108	S.F. 78	House
S-3109	S.F. 467	William Dotzler

<u>S-3110</u>	<u>S.F. 450</u>	Keith A. Kreiman David L. Hartsuch
<u>S-3111</u>	<u>S.F. 446</u>	Jack Hatch
<u>S-3112</u>	<u>S.F. 236</u>	Brad Zaun
<u>S-3113</u>	<u>S.F. 236</u>	Brad Zaun
<u>S-3114</u>	<u>S.F. 236</u>	Brad Zaun
<u>S-3115</u>	<u>S.F. 236</u>	Pat Ward Mary A. Lundby
<u>S-3116</u>	<u>S.F. 236</u>	Brad Zaun
<u>S-3117</u>	<u>S.F. 236</u>	Brad Zaun
<u>S-3118</u>	<u>S.F. 431</u>	James F. Hahn