

PROOF

STATE OF IOWA

Senate Journal

WEDNESDAY, MARCH 21, 2007

Printed daily by the State of Iowa during the sessions of the General Assembly. An official corrected copy is available for reference in the Secretary of the Senate's Office. (The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 21, 2007

The Senate met in regular session at 8:43 a.m., President Kibbie presiding.

Prayer was offered by Father Ken Gehling of Mercy Hospital in Mason City, Iowa. He was the guest of Senator Ragan.

The Journal of Tuesday, March 20, 2007, was approved.

The Senate stood at ease at 9:00 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:47 a.m., President Kibbie presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate Concurrent Resolution 4](#).

[Senate Concurrent Resolution 4](#)

On motion of Senator Johnson, [Senate Concurrent Resolution 4](#), a concurrent resolution relating to recommendations proposed by the United States Department of Agriculture for the federal farm bill of 2007, with report of committee recommending passage, was taken up for consideration.

Senator Johnson offered amendment [S-3143](#), filed by Senator Johnson, et al., from the floor to page 3 of the resolution, and moved its adoption.

Amendment [S-3143](#) was adopted by a voice vote.

Senator Johnson moved the adoption of [Senate Concurrent Resolution 4](#), which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate Concurrent Resolution 4](#) be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Zaun, until he arrives, on request of Senator Kettering.

CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [Senate File 261](#).

[Senate File 261](#)

On motion of Senator Bolkcom, [Senate File 261](#), a bill for an act requiring certain private sewage disposal system-related inspections to be conducted when certain property is sold or transferred and including an effective date provision, was taken up for consideration.

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

On the question "Shall the bill pass?" ([S.F. 261](#)), the vote was:

Yeas, 34:

Appel	Dotzler	Johnson	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Boettger	Gronstal	Lundby	Stewart

Bolkcom	Hancock	McCoy	Warnstadt
Connolly	Hatch	Olive	Wieck
Courtney	Heckroth	Quirmbach	Wood
Danielson	Hogg	Ragan	
Dearden	Horn	Rielly	

Nays, 15:

Angelo	Hartsuch	McKinley	Seymour
Behn	Houser	Mulder	Ward
Gaskill	Kettering	Noble	Zieman
Hahn	McKibben	Putney	

Absent, 1:

Zaun

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 261](#) be **immediately messaged** to the House.

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:10 a.m. until 2:00 p.m.

APPENDIX—1**APPOINTMENTS TO BOARDS AND COMMISSIONS**

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 21, 2007, to investigate the appointment and reappointment of the following appointees:

AGRICULTURE

As members of the Iowa Grain Indemnity Fund Board:

EDWIN HERSHBERGER – Rielly, Chair; Hancock and Gaskill
THOMAS KALDENBERG – Kibbie, Chair; Olive and Johnson

As members of the Grape and Wine Development Commission:

RON MARK – Appel, Chair; Black and Houser
PAUL TABOR – Hancock, Chair; Seng and Houser

As a member of the State Soil Conservation Committee:

SUSAN AMMONS – Black, Chair; Courtney and Gaskill

COMMERCE

As the Consumer Advocate:

JOHN R. PERKINS – Bolkcom, Chair; Warnstadt and Putney

As members of the Credit Union Review Board:

PAUL BECKER – Beall, Chair; Bolkcom and Ward
BECKY HANSEN – Stewart, Chair; Schoenjahn and Angelo
CARL MARTIN – McCoy, Chair; Bolkcom and Putney

As Executive Director of the Iowa Telecommunications and Technology Commission:

JOHN P. GILLISPIE – Heckroth, Chair; Warnstadt and Angelo

As a member of the Iowa Telecommunications and Technology Commission:

MICHAEL MAHAFFEY – Rielly, Chair; Warnstadt and Ward

As a member of the Title Guaranty Division Board:

PATRICIA SCHNEIDER – McCoy, Chair; Stewart and Ward

As Chair of the Utilities Board:

JOHN NORRIS – Warnstadt, Chair; Heckroth and Kettering

As members of the Utilities Board:

CURTIS STAMP – McCoy, Chair; Warnstadt and Kettering

KRISTA TANNER – Warnstadt, Chair; Heckroth and Kettering

ECONOMIC GROWTH

As a member of the Iowa Capital Investment Board:

SUZANNA DE BACA – Hatch, Chair; Schmitz and Zaun

As members of the Iowa Great Places Advisory Board:

ROBIN ANDERSON – Schmitz, Chair; Beall and Hahn

SAMANTHA ERICKSON – Stewart, Chair; Rielly and Mulder

MARK GINSBERG – Olive, Chair; Danielson and Zaun

THERESA LYNCH – Dotzler, Chair; Hatch and Seymour

As members of the Small Business Advisory Council:

TIMOTHY NEUGENT – Rielly, Chair; Stewart and Zaun

NIKITA RAINEY – Danielson, Chair; Dotzler and Houser

LORETTA SIEMAN – Beall, Chair; Mulder and Hatch

EDUCATION

As Director of the Department of Cultural Affairs:

CYNDI PEDERSON – Appel, Chair; Beall and Zieman

As members of the Board of Educational Examiners:

BRADLEY DIRKS – Beal, Chair; Kreiman and Angelo

JUDY JEFFREY – Schoenjahn, Chair; Appel and Boettger

MERLE JOHNSON – Schmitz, Chair; Wood and Mulder

GREG ROBINSON – Connolly, Chair; Heckroth and Johnson

As members of the State Board of Regents:

BONNIE CAMPBELL – Wood, Chair; Quirmbach and Angelo

JACK EVANS – Heckroth, Chair; Connolly and Boettger

CRAIG LANG – Schoenjahn, Chair; Kreiman and Mulder

DAVID MILES – Appel, Chair; Beall and Zaun

As a member of the School Budget Review Committee:

LELAND TACK – Heckroth, Chair; Kreiman and Zieman

As members of the Technology Governance Board:

ATUL GUPTA – Wood, Chair; Appel and Johnson
TERRI PITCHER – Quirmbach, Chair; Schmitz and Zaun

HUMAN RESOURCES

As members of the Board of Athletic Training Examiners:

TROY KLEESE – Quirmbach, Chair; Schmitz and Boettger
SHAUN MCCARTHY – Johnson, Chair; Schmitz and Quirmbach

As members of the Board of Behavioral Science Examiners:

JAMES ANASTASI – Wood, Chair; Dotzler and Johnson
KENNETH FANN – Wood, Chair; Dotzler and Mulder
BRENDA LANGSTRAAT-JANISCH – Behn, Chair; Dotzler and Wood

As a member of the Commission for the Blind:

MICHAEL HOENIG – Boettger, Chair; Quirmbach and Schmitz

As members of the Child Advocacy Board:

LIONEL FOSTER – Dotzler, Chair; Hatch and Mulder
ROBERTA PAYNE – Dotzler, Chair; Hatch and Behn

As Administrator of the Division of Community Action Agencies:

WILLIAM BRAND – Kreiman, Chair; Wood and Johnson

As members of the Commission on Community Action Agencies:

G. KEVIN MIDDLESWART – Kreiman, Chair; Wood and Mulder
RHONDA NEWMAN – Kreiman, Chair; Wood and Behn
ROBERT TYSON – Kreiman, Chair; Wood and Boettger

As members of the Commission on the Deaf:

MUHAMMAD CHOWDHRY – Boettger, Chair; Dotzler and Hatch
RACHEL NEMMERS – Johnson, Chair; Dotzler and Hatch

As Director of the Department of Elder Affairs:

JOHN MCCALLEY – Ragan, Chair; Bolkcom and Johnson

As members of the Commission of Elder Affairs:

DAVA JAMES – Ragan, Chair; Bolkcom and Mulder
NANCY NICHOLS – Ragan, Chair; Bolkcom and Behn

As members of the Iowa Empowerment Board:

DARSHINI JAYAWARDENA – Schmitz, Chair; Ragan and Mulder
SARA MONROY-HUDDLESTON – Behn, Chair; Schmitz and Ragan
JOHN WHITE – Boettger, Chair; Schmitz and Ragan

As members of the Healthy and Well Kids in Iowa (HAWK-I) Board:

SUSAN SALTER – Hatch, Chair; Ragan and Seymour
SELDON SPENCER – Hatch, Chair; Ragan and Johnson

As members of the Health Facilities Council:

SUSAN CELL – Quirnbach, Chair; Schmitz and Behn
MARC ELCOCK – Boettger, Chair; Quirnbach and Schmitz

As members of the Council on Human Services:

ROGER HARTMAN – Johnson, Chair; Dotzler and Hatch
JAMES MILLER – Mulder, Chair; Dotzler and Hatch

As Director of the Department of Human Services:

KEVIN CONCANNON – Hatch, Chair; Wood and Seymour

As members of the Board of Interpreters for the Hearing Impaired Examiners:

JUDY GOULDSMITH – Schmitz, Chair; Ragan and Behn
DAVID MOORMAN-RICE – Ragan, Chair; Schmitz and Boettger

As members of the Mental Health, Mental Retardation, Developmental Disabilities,
and Brain Injury Commission:

LYNN CRANNELL – Bolkcom, Chair; Kreiman and Johnson
RICHARD HEITMANN – Bolkcom, Chair; Kreiman and Mulder
DAVID JOHNSON – Behn, Chair; Bolkcom and Kreiman
CARL SMITH – Bolkcom, Chair; Kreiman and Boettger
RAYMOND TODD – Kreiman, Chair; Bolkcom and Johnson
GANO WHETSTONE – Mulder, Chair; Kreiman and Bolkcom

As members of the Board of Physician Assistant Examiners:

EDWARD FRIEDMANN – Seymour, Chair; Wood and Dotzler
ANILA KHAN – Seymour, Chair; Wood and Dotzler

As members of the Prevention of Disabilities Policy Council:

CLAIBOURNE DUNGY – Mulder, Chair; Ragan and Dotzler
SCOTT LINDGREN – Hatch, Chair; Schmitz and Behn
MAGGIE TINSMAN – Seymour, Chair; Hatch and Schmitz

As members of the Commission on Tobacco Use Prevention and Control:

CATHRYN CALLAWAY – Schmitz, Chair; Quirmbach and Boettger
GARY STREIT – Schmitz, Chair; Quirmbach and Johnson

JUDICIARY

As members of the Iowa State Civil Rights Commission:

ALICIA CLAYPOOL – Dvorsky, Chair; Fraise and Ward
RICH EYCHANER – Kreiman, Chair; Dvorsky and McKibben
DEBBIE GITCHELL – Quirmbach, Chair; Horn and Zieman

As members of the Board of Corrections:

MICHAEL COLEMAN – Hancock, Chair; Horn and Zieman
ROBYN MILLS – Dvorsky, Chair; Kreiman and Noble
ARTHUR NEU – Warnstadt, Chair; Hancock and Behn
MICHAEL SADLER – Fraise, Chair; Schoenjahn and Noble

As Coordinator of the Office of Drug Control Policy:

GARY KENDELL – Hogg, Chair; Kreiman and Hartsuch

As members of the Iowa Drug Policy Advisory Council:

JOHN GARRINGER – Schoenjahn, Chair; Kreiman and Behn
JANE LARKIN – Quirmbach, Chair; Kreiman and McKibben

As members of the State Judicial Nominating Commission:

DAVID COCHRAN – Schoenjahn, Chair; Hogg and Zieman
MARY BETH LAWLER – Hogg, Chair; Horn and McKibben
MADALIN WILLIAMS – Horn, Chair; Dvorsky and Ward

As a member of the Commission on Judicial Qualifications:

SHELLY FRENCH – Warnstadt, Chair; Hogg and Noble

LABOR AND BUSINESS RELATIONS

As members of the Iowa Workforce Development Board:

JEROME AMOS, JR. – Courtney, Chair; Seng and Wieck
KIMBERLINE INGRAM – Dotzler, Chair; Horn and Ward

LOCAL GOVERNMENT

As members of the County Finance Committee:

PATRICK GILL – Beall, Chair; Heckroth and Hartsuch
 BEN LACEY – Beal, Chair; Heckroth and Hartsuch
 SUZANNE RUBLE – Beall, Chair; Heckroth and Hartsuch
 DALE SUNDERMAN – Beall, Chair; Heckroth and Hartsuch

As members of the Mental Health Risk Pool Board:

WAYNE CLINTON – Reilly, Chair; Quirmbach and McKinley
 MARJORIE PITTS – Reilly, Chair; Quirmbach and McKinley

NATURAL RESOURCES AND ENVIRONMENT

As members of the Environmental Protection Commission:

DALE COCHRAN – Dearden, Chair; Seng and Gaskill
 SUSAN HEATHCOTE – Hogg, Chair; Bolkcom and Noble
 CHARLOTTE HUBBELL – Ragan, Chair; Dearden and Noble
 RALPH KLEMME – Gaskill, Chair; Behn and Black

As Director of the Department of Natural Resources:

RICHARD LEOPOLD – Black, Chair; Lundby and Hogg

As members of the Natural Resource Commission:

WILLIAM BIRD – Wood, Chair; Ragan and Behn
 GREGORY DREES – Johnson, Chair; Black and Dearden
 JANELLE RETTIG – Bolkcom, Chair; Schoenjahn and Lundby

As members of the Iowa Comprehensive Petroleum Underground Storage Tank Fund Board:

JACQUELINE JOHNSON – Hancock, Chair; Wood and Gaskill
 NANCY LINCOLN – Wood, Chair; Hogg and Kettering

STATE GOVERNMENT

As members of the Accountancy Examining Board:

LINDA SCHMITT – Wood, Chair; Schmitz and Kettering
 CAROL SCHUSTER – Wood, Chair; Schmitz and Kettering
 DONALD TIMMINS – Wood, Chair; Schmitz and Kettering

As Director of the Department of Administrative Services:

MOLLIE ANDERSON – Appel, Chair; Connolly and Zieman

As a member of the Alcoholic Beverages Commission:

MARY HUNTER – Hatch, Chair; Connolly and Behn

As members of the Architectural Examining Board:

DALE MCKINNEY – Kibbie, Chair; Hatch and Gaskill

SUSAN MCKINNEY – Hatch, Chair; Black and Behn

As a member of the Board of Barber Examiners:

CHARLES WUBBENA – Danielson, Chair; Black and McKibben

As members of the Boiler and Pressure Vessel Board:

SUSAN OLTROGGE – Schmitz, Chair; Appel and Hahn

KEITH TAEGER – Wood, Chair; Danielson and Hahn

As a member of the Board of Chiropractic Examiners:

ROD REBARCAK – Horn, Chair; Wood and Behn

As a member of the Board of Cosmetology Arts and Sciences Examiners:

JACK MORLAN – Schmitz, Chair; Appel and McKibben

As members of the Board of Dental Examiners:

LYNN CURRY – Wood, Chair; Horn and Hahn

DEENA KUEMPEL – Wood, Chair; Horn and Hahn

MICHAEL ROVNER – Wood, Chair; Horn and Hahn

As a member of the Board of Dietetic Examiners:

MARY SAND – Danielson, Chair; Wood and Behn

As a member of the Elevator Safety Board:

MARVIN SCHUMACHER – Kibbie, Chair; Danielson and Zieman

As members of the Engineering and Land Surveying Examining Board:

PATRICIA HEAGEL – Black, Chair; Horn and Gaskill

CRAIG JOHNSTONE – Black, Chair; Horn and Gaskill

As members of the Board for the Licensing and Regulation of Hearing Aid Dispensers:

GREGORY HOYMAN – Schmitz, Chair; Danielson and Behn

GREGORY MOORE – Schmitz, Chair; Danielson and Behn

As Director of the Department of Inspections and Appeals:

DEAN LERNER – Danielson, Chair; Black and Hahn

As members of the Interior Design Examining Board:

CIGDEM AKKURT – Hatch, Chair; Appel and Kettering
H. SCOTT SANKEY – Hatch, Chair; Appel and Kettering

As members of the IOWAccess Advisory Council:

DANIEL MCGINN – Horn, Chair; Wood and McKibben
TERRENCE NEUZIL – Horn, Chair; Wood and McKibben
TERESA SELBERG – Horn, Chair; Wood and McKibben

As a member of the Investment Board of the IPERS:

MICHAEL BEARY – Connolly, Chair; Kibbie and Zieman

As members of the Landscape Architectural Examining Board:

HELEN KIMES – Black, Chair; Hatch and Zieman
CHRISTOPHER SEEGER – Black, Chair; Hatch and Zieman

As members of the Iowa Lottery Authority Board of Directors:

ELAINE BAXTER – Kibbie, Chair; Connolly and Gaskill
THOMAS RIAL – Kibbie, Chair; Connolly and Gaskill

As members of the Board of Massage Therapy Examiners:

MARY BELIEU – Black, Chair; Horn and Hahn
DOUG CARLSON – Black, Chair; Horn and Hahn
KIMBERLY EATON – Black, Chair; Horn and Hahn

As members of the Board of Medical Examiners:

TOM DREW – Appel, Chair; Connolly and Zieman
SHAHID HABIB – Appel, Chair; Connolly and Zieman
BLAINE HOUMES – Appel, Chair; Connolly and Zieman
YASYN LEE – Appel, Chair; Connolly and Zieman

As Director of the Department of Management:

CHARLES KROGMEIER – Connolly, Chair; Schmitz and Gaskill

As members of the Board of Mortuary Science Examiners:

MARGARET EICHER – Black, Chair; Kibbie and Gaskill
LUJEAN WELANDER – Black, Chair; Kibbie and Gaskill

As members of the Board of Nursing Examiners:

CLYDE BRADLEY – Schmitz, Chair; Danielson and Behn
JANE HASEK – Schmitz, Chair; Danielson and Behn
MARK HILLIARD – Schmitz, Chair; Danielson and Behn

As members of the State Board of Examiners for Nursing Home Administrators:

MARGARET BEATY – Wood, Chair; Schmitz and McKibben
JAN REIS – Wood, Chair; Schmitz and McKibben

As members of the Board of Optometry Examiners:

CONNIE CONNOLLY – Wood, Chair; Schmitz and McKibben
CHRISTOPHER OLSON – Wood, Chair; Schmitz and McKibben

As members of the Board of Pharmacy Examiners:

DEEANN WEDEMEYER-OLESON – Horn, Chair; Connolly and Gaskill
MARGARET WHITWORTH – Horn, Chair; Connolly and Gaskill

As members of the Board of Physical and Occupational Therapy Examiners:

DENISE BEHRENDTS – Schmitz, Chair; Danielson and Gaskill
SUSAN CALLANAN – Schmitz, Chair; Danielson and Gaskill
MARTIN UNGS – Schmitz, Chair; Danielson and Gaskill

As members of the Board of Podiatry Examiners:

ERIC BARP – Black, Chair; Hatch and Kettering
DENISE MANDI – Black, Chair; Hatch and Kettering
JILL SCHOLZ – Black, Chair; Hatch and Kettering

As members of the Board of Psychology Examiners:

MARY JOHNSON – Connolly, Chair; Horn and Ziemann
JAMES MOODY – Connolly, Chair; Horn and Ziemann

As a member of the State Racing and Gaming Commission:

GREGORY SEYFER – Horn, Chair; Connolly and Gaskill

As members of the Real Estate Appraiser Examining Board:

JAMES KESTERSON – Wood, Chair; Hatch and Gaskill
GREGORY MOREHEAD – Wood, Chair; Hatch and Gaskill

As a member of the Real Estate Commission:

JUDITH STEVENS – Wood, Chair; Hatch and Gaskill

As a member of the State Board for Respiratory Care:

KERRY GEORGE – Appel, Chair; Hatch and Hahn

As members of the Board of Social Work Examiners:

CHRISTINE HOFFMAN – Schmitz, Chair; Kibbie and Kettering
 KATINKA KEITH – Schmitz, Chair; Danielson and Kettering
 KEN ZIMMERMAN – Schmitz, Chair; Kibbie and Gaskill

As members of the Board of Speech Pathology and Audiology Examiners:

JASON AIRD – Schmitz, Chair; Wood and Hahn
 CORAL JUD – Schmitz, Chair; Wood and Gaskill

As Director of the Office for State-Federal Relations:

JON MURPHY – Wood, Chair; Connolly and Zieman

As a member of the Iowa Board of Veterinary Medicine:

DEAN UPTON – Appel, Chair; Kibbie and Behn

As a member of the Vision Iowa Board:

FRED DIEHL – Danielson, Chair; Horn and McKibben
 MELANIE CLOUD GROSS – Danielson, Chair; Horn and McKibben
 TERRY LUTZ – Danielson, Chair; Horn and McKibben
 MARILYN MONROE – Danielson, Chair; Horn and McKibben

TRANSPORTATION

As a member of the Iowa Law Enforcement Academy Council:

JAMES ROMAR – Warnstadt, Chair; Beall and Noble

As Commissioner of Public Safety:

EUGENE MEYER – Reilly, Chair; Dearden and Noble

As a member of the State Transportation Commission:

WAYNE SAWTELLE – Danielson, Chair; Hancock and Noble

VETERANS AFFAIRS

As members of the Commission of Veterans Affairs:

DONALD DELAMORE – Danielson, Chair; Kibbie and McKibben
 STEVEN MULCAHY – Warnstadt, Chair; Beall and Seymour
 ROSETTA WAYCHUS – Ragan, Chair; Black and Hartsuch

WAYS AND MEANS

As members of the Iowa Finance Authority:

ROGER CAUDRON – Seng, Chair; Schmitz and Wieck

DAVID ERICKSON – Appel, Chair; Seng and Ward

HEATHER KRAMER – Hogg, Chair; Stewart and Lundby

As a member of the State Board of Tax Review:

KATHLEEN KOENIG – Schmitz, Chair; Connolly and Noble

AFTERNOON SESSION

The Senate reconvened at 2:05 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 21, 2007, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 641](#), a bill for an act relating to judicial branch practices and procedures, including distribution of court revenue to cities and counties, and reporting requirements in pending conservatorships, guardianships, estates, or trusts, and providing an effective date.

Read first time and **attached to similar** [Senate File 549](#).

[House File 650](#), 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 and **attached to similar** [Senate File 516](#).

[House File 651](#), a bill for an act relating to business corporations, by providing for information required to be filed with the secretary of state and providing for shareholder voting.

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

[House File 773](#), a bill for an act establishing an energy city designation program.

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

[House File 774](#), a bill for an act relating to mechanics' liens.

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 540, 535, and 517.

Senate File 540

On motion of Senator Noble, **Senate File 540**, a bill for an act relating to trusts and estates including fiduciaries and beneficiaries and including applicability provisions, was taken up for consideration.

Senator Noble offered amendment **S-3142**, filed by him from the floor to page 14 of the bill, and moved its adoption.

Amendment **S-3142** was adopted by a voice vote.

Senator Noble offered amendment **S-3145**, filed by him from the floor to page 14 of the bill, and moved its adoption.

Amendment **S-3145** was adopted by a voice vote.

Senator Noble 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. 540**), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
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	

Nays, none.

Absent, none.

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

Senate File 535

On motion of Senator Kreiman, **Senate File 535**, 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, was taken up for consideration.

Senator Kreiman withdrew amendment **S-3131**, filed by him on March 20, 2007, to pages 2, 19, 20, 30, and 33 of the bill.

Senator Kreiman offered amendment **S-3139**, filed by Senators Kreiman and McKibben on March 20, 2007, to pages 2-4, 19, 20, 30, 31, and 33 of the bill, and moved its adoption.

Amendment **S-3139** 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. 535**), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
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	

Nays, none.

Absent, none.

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

Senate File 517

On motion of Senator Hogg, Senate File 517, a bill for an act relating to the state building code by providing for training, administration, and enforcement of energy conservation requirements, was taken up for consideration.

Senator Hogg offered amendment S-3141, filed by him on March 20, 2007, to page 2 of the bill, and moved its adoption.

Amendment S-3141 was adopted by a voice vote.

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. 517), the vote was:

Yeas, 30:

Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Cannolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wood
Danielson	Heckroth	Ragan	
Dearden	Hogg	Rielly	

Nays, 20:

Angelo	Hartsuch	McKibben	Seymour
Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck
Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 517, 535, and 540** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Quirmbach, 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 465 and 406.

Senate File 465

On motion of Senator Danielson, Senate File 465, a bill for an act relating to leaves of absence for service in elective office, 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. 465), the vote was:

Yeas, 31:

Appel	Dotzler	Hogg	Rielly
Beall	Dvorsky	Horn	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gaskill	Kreiman	Seng
Connolly	Gronstal	McCoy	Stewart
Courtney	Hancock	Olive	Warnstadt
Danielson	Hatch	Putney	Wood
Dearden	Heckroth	Ragan	

Nays, 18:

Angelo	Houser	McKinley	Wieck
Behn	Johnson	Mulder	Zaun
Boettger	Kettering	Noble	Zieman
Hahn	Lundby	Seymour	
Hartsuch	McKibben	Ward	

Absent, 1:

Quirnbach

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

Senate File 406

On motion of Senator Kreiman, Senate File 406, a bill for an act relating to dogs, including the right to kill a tagged dog and the liability of a dog's owner for damages caused by the dog, 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. 406), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
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	

Nays, none.

Absent, none.

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

CONSIDERATION OF BILL
(Unfinished Business Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration [House File 368](#).

[House File 368](#)

On motion of Senator Dearden, [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, placed on the Unfinished Business Calendar on March 15, 2007, was taken up for consideration.

Senator Courtney offered amendment [S-3138](#), filed by him on March 20, 2007, to page 1 of the bill, and moved its adoption.

Amendment [S-3138](#) was adopted by a voice vote.

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

On the question “Shall the bill pass?” ([H.F. 368](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
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	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 406** and **465** and **House File 368** 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 384, 530, 427, and 361.

Senate File 384

On motion of Senator Schoenjahn, **Senate File 384**, a bill for an act relating to statute of limitations provisions relating to minors and persons with mental illness and tort claims against a municipality and providing an applicability date, 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. 384**), the vote was:

Yeas, 31:

Angelo	Dearden	Hogg	Rielly
Appel	Dotzler	Horn	Schmitz
Beall	Dvorsky	Kibbie	Schoenjahn
Black	Fraise	Kreiman	Seng
Bolkcom	Gronstal	McCoy	Stewart
Connolly	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirmbach	Wood
Danielson	Heckroth	Ragan	

Nays, 19:

Behn	Houser	McKinley	Ward
Boettger	Johnson	Mulder	Wieck

Gaskill	Kettering	Noble	Zaun
Hahn	Lundby	Putney	Zieman
Hartsuch	McKibben	Seymour	

Absent, none.

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

Senate File 530

On motion of Senator Stewart, Senate File 530, a bill for an act relating to prohibited business practices by a real estate broker or salesperson, was taken up for consideration.

Senator Ward offered amendment S-3149, filed by her from the floor to page 1 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S-3149 be adopted?" (S.F. 530), the vote was:

Yeas, 10:

Angelo	Johnson	Mulder	Wieck
Hartsuch	Lundby	Putney	
Houser	McKibben	Ward	

Nays, 40:

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

Absent, none.

Amendment S-3149 lost.

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

Yeas, 46:

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

Nays, 4:

Hartsuch	McKibben	Noble	Ward
----------	----------	-------	------

Absent, none.

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

[Senate File 427](#)

On motion of Senator Gronstal, [Senate File 427](#), a bill for an act relating to the Iowa civil rights Act and discrimination based upon a person’s sexual orientation or gender identity, was taken up for consideration.

Senator Hartsuch asked and received unanimous consent that action on [Senate File 427](#) be **deferred**.

[Senate File 361](#)

On motion of Senator Connolly, [Senate File 361](#), a bill for an act concerning investment of certain public funds in companies doing business in Sudan by the treasurer of state, public retirement

systems in Iowa, and the state board of regents, was taken up for consideration.

Senator Connolly offered amendment [S-3121](#), filed by him on March 14, 2007, to page 7 of the bill, and moved its adoption.

Amendment [S-3121](#) was adopted by a voice vote.

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

On the question “Shall the bill pass?” ([S.F. 361](#)), the vote was:

Yeas, 50:

Angelo	Fraise	Kibbie	Schmitz
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	

Nays, none.

Absent, none.

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

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 361, 384, and 530** be **immediately messaged** to the House.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 3:55 p.m. until 8:45 a.m., Thursday, March 22, 2007.

APPENDIX

CERTIFICATES OF RECOGNITION

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

Gerald and Leah Mattox—For celebrating their 50th wedding anniversary. Senator Courtney (3/21/07).

Tyler James Metcalf, Dubuque—For achieving the rank of Eagle Scout, Boy Scout Troop 11. Senator Connolly (3/21/07).

Donald and Winona Vollmer—For celebrating their 60th wedding anniversary. Senator Courtney (3/21/07).

COMMUNICATION RECEIVED

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

DEPARTMENT OF PUBLIC HEALTH

Hepatitis C Veterans Awareness Report, pursuant to 2005 Iowa Acts, Chapter 115. Report received on March 21, 2007.

AGENCY ICN REPORT

Iowa Communications Network (ICN) usage report for FY 2006, pursuant to Iowa Code section 8D.10, was received from the following agency:

DEPARTMENT OF PUBLIC HEALTH – Report received on March 21, 2007.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: Wednesday, March 21, 2007, 12:20 p.m.

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

Members Absent: Black (excused).

Committee Business: Passed [SF 447](#) and approved [SSB 1337](#) (as amended).

Recessed: 12:25 p.m.

Reconvened: 12:40 p.m.

Adjourned: 12:45 p.m.

HUMAN RESOURCES

Convened: Wednesday, March 21, 2007, 11:20 a.m.

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

Members Absent: None.

Committee Business: Presentation by H.H.S. regional director.

Adjourned: 12:35 p.m.

WAYS AND MEANS

Convened: Wednesday, March 21, 2007, 1:10 p.m.

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

Members Absent: None.

Committee Business: Passed SFs 98 (as amended) and 511. Approved [SSB 1250](#).

Adjourned: 1:50 p.m.

INTRODUCTION OF RESOLUTION

[Senate Resolution 26](#), by Ragan, a resolution commemorating the life and service of Command Sergeant Major Galen Kittleson of Toeterville, Iowa.

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

INTRODUCTION OF BILLS

[Senate File 562](#), by committee on Appropriations, a bill for an act 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.

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

[Senate File 563](#), by committee on Appropriations, a bill for an act relating to and making appropriations to the judicial branch.

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

STUDY BILL RECEIVED

[SSB 1341](#) **Ways and Means**

Relating to certain tax incentives by requiring data collection, modifying requirements for city and county budgets, and creating a reporting committee.

SUBCOMMITTEE ASSIGNMENTS

[House File 566](#)

HUMAN RESOURCES: Quirnbach, Chair; Boettger and Schmitz

[House File 615](#)

EDUCATION: Mulder, Chair; Beall and Schmitz

[House File 742](#)

NATURAL RESOURCES AND ENVIRONMENT: Hancock, Chair; Gaskill and Schoenjahn

[House File 780](#)

JUDICIARY: Kreiman, Chair; Behn and Hogg

[SSB 1341](#)

WAYS AND MEANS: Bolkcom, Chair; Dotzler and Putney

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: [SENATE FILE 447 \(SSB 1117\)](#), a bill for an act relating to incentives for school district reorganizations and shared operational functions, and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 24: Dvorsky, McCoy, Angelo, Behn, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 1: Black.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: *[SENATE FILE 562 \(SSB 1336\)](#), a bill for an act 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 22: Dvorsky, Angelo, Behn, Black, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Warnstadt, and Wood. Nays, none. Absent, 3: McCoy, Seymour, and Ward.

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 Appropriations Committee on [Senate File 562](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 563 \(SSB 1337\)](#), a bill for an act relating to and making appropriations to the judicial branch.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 24: Dvorsky, McCoy, Angelo, Behn, Boettger, Bolkcom, Connolly, Danielson, Dotzler, Fraise, Gaskill, Hahn, Hancock, Hatch, Hogg, Johnson, Kettering, Putney, Ragan, Seng, Seymour, Ward, Warnstadt, and Wood. Nays, none. Absent, 1: Black.

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 Appropriations Committee on [Senate File 563](#), and they were attached to the committee report.

AMENDMENTS FILED

S-3142	S.F. 540	Larry Noble
S-3143	S.C.R. 4	David Johnson
		Eugene S. Fraise
		John P. Kibbie
		E. Thurman Gaskill
S-3144	S.F. 520	Keith A. Kreiman
S-3145	S.F. 540	Larry Noble
S-3146	S.F. 518	Matt McCoy
S-3147	S.F. 516	Matt McCoy
S-3148	S.F. 207	Thomas Rielly
		David L. Hartsuch
S-3149	S.F. 530	Pat Ward